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## Tuesday, October 30, 2018

## Chair

**The Honourable John McKay**

# Standing Committee on Public Safety and National Security

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● (1630)

[*English*]

**The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)):** I call the meeting to order.

On behalf of the committee, I'd like to welcome Mr. Newark, Mr. Becotte and Mr. Cornea to the committee. I'm sure you've been briefed by the clerk on the process. There are three of you, and we have an hour. Normally we ask for 10 minutes from each witness, and then we go to questions.

My thought, colleagues, is that we ask the presenters to go to seven minutes, so that there's some time left over for questions.

Is that a reasonable suggestion? Are you fine with that?

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** They're here to testify to us. The more time they have, the better.

**The Chair:** I know, so shall we do 10 minutes or seven minutes?

**Mr. Jim Eglinski (Yellowhead, CPC):** I'd rather do 10.

**The Chair:** Okay, 10 minutes it is. We stay with the original briefing, and because Mr. Newark is a professional witness—he's been here many times—we'll start with Mr. Newark, and then Mr. Becotte, and Mr. Cornea can follow.

Welcome.

**Mr. Scott Newark (Policy Analyst, As an Individual):** Thank you very much, and thank you for the invitation.

As I have indicated—and I have forwarded the report itself to the committee—I was asked to take a look at this issue back in March and April for the United Conservative Party in Alberta, so I went out there.

Essentially, it was their MLAs who had been doing town hall meetings on the subject. What they wanted to do was pull the information together that they already had from their individual MLAs, get some specifics with some interviews from law enforcement people, which I was able to do, and then in effect combine it all in the context of policy and put together a series of recommendations on how to deal with the issue. That was the context in which I got involved.

I should add that I was a prosecutor in Alberta. I was in what would be viewed as a...including rural areas in the traditional district of Wetaskiwin, which actually means “hills with peace” in Cree, which, trust me, it wasn't. It was the largest, richest reserve in the country, and it was proof that money is not the answer, because it was one of the most violent places imaginable.

I will be very quick. What I will do is maybe just touch on a couple of the highlights. There are a lot of details about some of the specifics that may be of interest to you in different areas, and I can leave some of those specifics to the questions that follow.

Essentially, as I say, the interview included the MLAs who had conducted the town hall meetings. They also supplied a lot of the materials they had received. They were really very effective town hall meetings. There were municipal politicians as well, and community groups and police entities. I did the count last night, and there were a total of 22 groups or individuals that I was involved in interviewing.

It was analysis and recommendations. The precondition was that it was going to be based on substantive data, not just supposition. That was the point of gathering all the information together. It was also in recognition.... I'm sure you're all aware as well, especially when you're dealing with a subject as complex as this, that the issues are not all legislative. It also includes operational issues, policy issues, and funding issues.

I know a number of you have a background in the criminal justice system. One of the truths in our system is that the two key principles are based on the idea that the officials have discretion, whether it's police officers, prosecutors, judges, or even post-conviction correctional officials, and our system is based on the notion that they have that discretion and that they exercise that discretion.

It is also a reality in our system that there are multiple players involved in it, and the actions or inactions of one player can have significant impact on the other players throughout the system.

That's something that needs to be kept in mind when you're dealing with any criminal justice-related issue, and it equally applies in this one too.

On some of the key issues that were identified, there is no question from all of the people I spoke with—and as I say, they had held these town hall meetings—that there is a significant increase in rural crime, which by way of definition is....

There are some crimes that are generally the kinds of crimes that are being committed, but the definition of it is essentially crime that is occurring in non-urban or non-suburban areas. Different agencies had definitions based on population and location of detachments and things like that. For those kinds of things, though, if you're looking for a more narrow analysis on it, it certainly can be done by some objective standard. I must admit the people at Juristat are fully capable of doing that

Really you have a situation in which the bad guys are taking advantage of the vulnerable situation. That's really what it comes down to at the core. The individuals involved were identified as frequently being armed and intoxicated. More than one entity I spoke with in the police world about this also raised a very tangent point, I think: Where are the bad guys getting the guns? I know that's an issue that is being analyzed right now. It's a very good thing that it's being analyzed, because that's something that needs to be looked at.

● (1635)

The core of it, of course, is that there's a lack of timely police response due to a shortage of police resources. My understanding is that there have been improvements made, but a literally dysfunctional call system in place. It was simply not working as it was originally intended. That, of course, was causing other problems as well.

Another major issue was that the sites themselves were not as secure as they could've and should've been. There were different views expressed about that, including: “Why should I have to do this? I've never had to do this before.” That may be true, but if you have a reality that you're facing of people coming to take advantage of it, you need to also look at reducing the opportunity for the bad guys to take advantage.

There was definitely a lack of clarity on homeowners' self-protection rights. I know the committee has heard from different witnesses on that aspect. That's one of the areas on which I made recommendations. Specifically, I believe you heard from Solomon Friedman, who gave some very precise information on the same principle that I had been suggesting. He has, frankly, more current expertise than I do, but the idea was that there are things we can do to clarify those issues that would be helpful.

The enormous importance of community groups, whether it's Citizens on Patrol or the Alberta Rural Crime Watch, is a really key part of it. I heard that from the local officials and the police as well. It was also reflected in the town hall meetings.

As I'm sure you've heard, one of the realities of this is that we are —what a surprise—dealing with repeat offenders; the people who commit crimes over and over again. Compounding that is the sense of this being exacerbated by what is described as a catch-and-release reality, where people who are being apprehended are being kicked loose by the system in inappropriate circumstances. That, of course, exacerbates things.

One of the realities from the police groups was the identification that it was not just people who lived in rural areas who were committing these crimes, but people who lived in urban and suburban areas who were leaving those areas to go and commit the crimes by taking advantage of those vulnerable circumstances. It wasn't a haphazard approach. In fact, it was more organized than that. These were groups of people. Chop shops were involved. In essence, it was more organized than what one might expect.

Vehicle theft, of course, was predominant. The police report it. I saw this, and I should've mentioned this at the beginning. Part of what I did when I started this was an extensive review of all of the media reporting. My analysis was exclusive to Alberta, but I looked at the media reporting in different western jurisdictions in particular.

One of the things that the police were quite clear about, and as I've seen in following the issue since then, is that there is a real increase in stolen vehicles and high-speed chases involving the police. After those individuals are actually confronted, there is armed resistance and confrontation by the offenders. That's something that the different police groups that I spoke to specifically identified.

Obviously, in a contract province, the key issue is the shortage of RCMP officers, including the RCMP officers who are assigned to the detachment. The phrase that one person used was, “They're getting their directions from Ottawa, not from Alberta.” It went right to the core of the entire contract policing issue.

There has been some success, and you've heard from some of the RCMP officers, in some areas: integrated crime reduction units, the alert, problems in relation to victims not being informed, and restitution. Also—and I can touch on this later, but I didn't know about this—there are some deficiencies in sexual assault evidence retention and in preserving the integrity of the evidence that need to be corrected.

In conclusion, it was reported that there definitely was an erosion in public confidence in the justice system among people who lived in these rural communities because of all of this, and what they perceived as a lack of response.

The recommendations were varied, and they were not just legislative. You don't always have to change laws to do it. It's not just federal laws, but also policies and operations that we can hopefully get into during the questions.

Thank you.

● (1640)

**The Chair:** Thank you, Mr. Newark.

Mr. Becotte, you have 10 minutes, please.

**Mr. Lane Becotte (Director, Citizens on Patrol - Edam):** Good afternoon. My name is Lane, I'm the director of the Citizens on Patrol program in Edam, Saskatchewan. This is a village of 436 people in northwest Saskatchewan, between the cities of Lloydminster and North Battleford. North Battleford has, for the last two years, been classified as the most dangerous city in Canada.

I've been asked here today to explain how our Citizens on Patrol program works and the things that we've seen out in the field.

First, the concerns of citizens in our village and rural area regarding crime prompted a town hall meeting with the RCMP. Our Citizens on Patrol program started in January of 2018, shortly after this meeting. The Citizens on Patrol program works in partnership with the RCMP. We talk to them quite often. We're the eyes and ears for the RCMP in our area. We are about 20 to 25 minutes away from the nearest detachment.

I just put a few little notes in here on what a normal patrol looks like for our volunteers.

The group is strictly volunteers. There's no payment when these guys do this. Our patrol consists of two volunteers, and starts anywhere between 11 p.m. and 12 a.m., and will finish anywhere from 4:30 a.m. until the regular traffic in town starts moving. It just depends on the activities within the town and the activities of the criminals within our town. We contact the RCMP dispatch when we start, and volunteers then drive around the village streets and park in designated areas to monitor the movement in town. Lots of times there is movement. The village has also supplied us with cameras and a phone to monitor the entrance to the village. There isn't one person who comes into town after 11 p.m. who isn't on camera.

When suspicious activity occurs, volunteers contact the RCMP dispatch, and the RCMP officer on duty in our area will then contact the volunteer for more information so they can figure out if they need to come down, what's happening and whatnot. Suspicious activity is anything that is unusual at that time of the morning: unfamiliar vehicles, drug activity, foot traffic, people walking around with hoods up scouting out businesses and stuff like that.

It should be noted that Edam, Saskatchewan, has no hotel, no bar and nothing open past 10 p.m. Other than the odd person coming around, especially during the week, there is not a lot of movement unless it's criminal activity.

The volunteers monitor the suspicious activity at a safe distance until the RCMP arrive. When the RCMP arrive, they make contact with the volunteer in person and decide where they need to be. Usually they then go to check out the situation and see what happens. If the RCMP are busy with a higher-priority call, the volunteers keep monitoring the situation—sometimes up to two or three hours—until they are able to respond.

Our information from each patrol is documented through an app we built called iPatrol, and is then emailed to our Citizens on Patrol executive, which looks at each situation. We go over it with the cops either the next day or weekly.

The success of the program has had a huge impact on reducing crime in our area. When we started this program, the town of 400 people was hit three to four times a night. It was mostly stolen vehicles and some break and enters. We've had many, many different situations. It hasn't been very fun, to be honest, but at the end of the day it's reduced the crime, and that's what we have been doing to reduce the crime. Information given to the RCMP by volunteers has led to numerous arrests of gang affiliates, people with outstanding warrants, and drug traffickers, as well as recovery of stolen property.

We believe the Citizens on Patrol program is not a permanent solution, as it's run solely by volunteers. Volunteers donate their time, fuel and vehicles to be on patrol in our community. Lots of these people work during the day, and they're out until 4:30 or 5:30 in the morning, so their next day at work is pretty tough, but in order to keep our community safe, that's what we've had to resort to.

● (1645)

As the director of Citizens on Patrol, I speak, at a minimum, weekly with the RCMP. We believe this has been very important for the safety of our volunteers and the success of our program. We share information on what's been happening in our area. We go over the information regarding what's been happening in surrounding areas and communities. That's what we do.

These crimes have been committed by people from all walks of life. There isn't any issue with reserves in the area.

We have come to the conclusion that we need the justice system to change a bit and we need more policing. The Young Offenders Act has been an especially big part of our issues here. Having 12- and 13-year-old kids running around with sawed-off .22s and stealing vehicles is not fun.

In a lot of our dealings with criminals, they've been out for their sixth or seventh time and they've had two or three warrants out for their arrest. One in particular that we were dealing with had over 12 warrants for his arrest. That's what we've had to do.

That basically wraps up my introduction.

**The Chair:** Thank you, Mr. Becotte.

Mr. Cornea, you have 10 minutes. Go ahead, please.

**Mr. Nick Cornea (Founder and President, Farmers Against Rural Crime):** Good afternoon, members of the committee, members of Parliament, and the other witnesses called upon to speak on rural crime today.

My name is Nick Cornea, and I am the founder and president of Farmers Against Rural Crime, a Facebook page that I started up in February to bring awareness and to push for changes on rural crime in western Canada.

I may find it hard to keep this to a 10-minute introduction, but I am here today as one voice for the 17,500 members who I have on my page from coast to coast.

I am a father of two and a third-generation farmer on a farm near Moose Jaw, Saskatchewan. We live near two large populated areas, Moose Jaw and Regina. Living near these populated areas, we face the challenges of rural crime on a daily basis.

Over the last eight months since this page was created, I have received hundreds upon hundreds of stories from people all over Canada about crime in their area. Their first-hand experiences with the struggles of handling theft, financially and emotionally, are second to none. Some of the stories that have been told to me would break most people's hearts.

These are stories of families who show their children where to hide in their house so that if thieves do break into their house, their children can be safe. They come home from the school bus and have to run from their lane up into the yard into the house and lock the doors. There are stories of people who put an eight-foot chain-link fence with razor wire around their house. They all have an automatic opener for the gate to get into their house. They drive their vehicle in and they close the gate. They then hit their garage door opener, open the garage door, drive in, close the garage door, and then unlock their house. That's how bad some areas are in northern Saskatchewan.

Victims are losing not only material goods but also livestock, pets, and lately even a large Clydesdale horse to thieves wanting to make a quick buck.

I have also heard the issues with response times of police. In rural western Canada, even though we may only be a 20- to 30-minute drive from the nearest detachment, the response time of an officer may be hours or even days to get out to our locations. This leaves us as sitting ducks for criminals to come out, get what they want, and leave. We are then left frightened, alone and fearing we may have to defend ourselves, which will make us into a criminal and no longer the victim, as we have seen with the Maurice family in Okotoks, Alberta.

In Saskatchewan we have also seen an increase in young offenders doing the crimes. Some young offenders in the last few months as young as 11 years old were involved in breaking and entering and theft of motor vehicles. My group has made an outcry to have the age of the Youth Criminal Justice Act reduced to the age of 14 to 15. These teenagers know what they are doing and how to do it, and they do know the crime on their record will be expunged once they turn 18. The lifetime criminals also know this, and they use this to their advantage.

In conclusion, the vast majority of our group would like to see changes in the Youth Criminal Justice Act, stiffer penalties to the criminals to stop that revolving door from turning, and restitution for loss of goods as well as for insurance premiums, because not only are our possessions stolen, but we then have to pay a deductible to get them back. Then, in turn, the insurance company raises our premiums to get the money back for the money they have given us.

We'd like to see faster response time for police and RCMP. Stationing one or two officers in every small community would probably help the situation. It might not fix it, but it would definitely help it.

We would also like to see funding for mental health of the victims, victims who suffer from anxiety and other issues stemming from the crime on their property.

● (1650)

I have one story in particular of a 26-year-old woman who farms and ranches with a neighbour. Over the years, she has been saving her money from working on the neighbouring ranch. She saves money from every paycheque. She goes to the local livestock auction and buys one or two head of bred heifers, brings them back to her place and tries to grow her herd. Her end goal is that she wants to make a sustainable future for herself and her family.

She's been broken into six times in the last four years—four in the last two years. One time in particular when she came home, all her doors were open, her dogs were outside and her fences were left open. She was scared and didn't go in. She went back to work and called her father and her boss. They went to check out the house. When she arrived after they said the coast was clear, she walked into complete devastation. TVs were ripped off the walls and stolen. They had literally jumped through the drywall, destroying the house from end to end. Not only did they hurt her financially, but they hurt her emotionally by stealing her underwear drawer to take with them as a prized possession or some kind of trophy.

These are the things that our group would like to see change. We don't want to live our lives in fear, and we don't want to fear for our families. I have a 15-year-old-sister and a 13-year-old brother who help on the farm. When I'm in the field combining or when I'm driving a semi, I don't want to get a radio phone call from my sister or my brother telling me that there's someone in our yard and they don't know what to do.

I know that a lot of you are from urban areas and don't realize that a tractor isn't like a truck or a car. We do 20 kilometres to 30 kilometres an hour down the road in road gear. Also, there is no mechanism to lock the door and generally all our doors are made of glass so that we have a full view of our crop as we're driving, spraying, combining, seeding and doing other tillage work on our farm. I never want to hear that phone call that my sister is being murdered, raped or taken advantage of, because these criminals, once you see their faces, all of a sudden it's fight or flight for them.

I know that we're a long distance apart, but when you're making your findings and doing your report, think of my family. Think of my four-year-old-son, my one-year-old daughter, my 13-year-old brother and my 15-year-old sister and the fear that we have in our area with criminals and theft. It's not only the properties that we're worried about losing—it's our family members.

I'd like to thank you guys for inviting me to be part of this inquiry. I hope that together we can bring forth changes to help combat this epidemic in rural Canada. I always finish on my Facebook page with the slogan of our page: “Be Vigilant and Not Vigilantes”.

Thank you.

● (1655)

**The Chair:** Thank you, Mr. Cornea.

I'll now turn to the government side. Seven minutes will be split between Ms. Damoff and Mr. Sikand.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Thank you, Chair.

Thank you to all the witnesses for being here to share your stories.

I have a question for you, Mr. Newark. Your report for the UCP highlighted the lack of rural victim services for women who have been victims of sexual offences. I also sit on the status of women committee. We heard from some women's shelters last week. They talked about the dreadful sexual violence that was being perpetrated against these women. They had absolutely no place to go, there were no services for them and there was a lack of police response.

Can you comment on that a little more? Do you have any recommendations on how the federal government can assist in rural areas for women who are victims of sexual violence?

**Mr. Scott Newark:** I must admit that when I heard that specific issue raised, it was not something I had anticipated hearing. I was frankly shocked that in 2018, in Canada, we don't have appropriate medical facilities. It was literally that they couldn't maintain continuity on the samples that were taken, and as a result the Crown was saying, "Well, we don't have continuity on the evidence, so we can't proceed with a sexual assault charge." We should be capable of doing this. I think that one in particular is something the province can do something about through its own regulatory regimes.

I ran into something else. I was the vice-chair and special counsel of the Ontario Office for Victims of Crime. When we were set up in 1998, one of the things we found was that in a specially created statutory fund, the Victims' Justice Fund, there was a $44-million surplus, money that hadn't been spent, and there were huge gaps in victims services all across Ontario.

I gather that the Auditor General has also identified a surplus of about $50 million not being spent in the equivalent Alberta fund, and yet you hear from the victims services agencies, as you described, that they are struggling to help people.

That's not something the federal government has to do, although you should probably remind the provincial government that that money should actually be spent and not simply kept in a bank account somewhere.

The other thing I would suggest you take a look at is that the federal government has a number of crime prevention, domestic violence, and victim funding strategies that provide funds to provinces or municipal agencies. I would suggest you take a look at those to make sure you're maximizing the benefit being obtained. You can certainly take targeted funding out of those existing funds—not new dollars, but money from the existing funds—and say, "There is a specific need, and these funds should be directed towards it." You work in co-operation with the province and the victims groups to make sure they get at least some of the money they need to do the job that is so important.

● (1700)

**Ms. Pam Damoff:** I'll turn it over to you. I did have another question, but....

**The Chair:** Mr. Sikand, welcome to the committee.

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** Thank you. I'll continue along the same lines.

Ms. Sahota and the rest of Peel have sent a letter to our minister because of the increase in urban crime in Peel. How best should those dollars be spent if they're granted? Earlier you said that sometimes the number of dollars doesn't necessarily equate to better policing.

**Mr. Scott Newark:** Frankly, I'm a big fan of targeted funding. Instead of just having generic programs, which we used to describe as Pilates classes for pedophiles, target the money on specific results that you want to achieve.

For example, in relation to gangs and the gang strategy, for full disclosure, I actually help an electronic monitoring firm. That's why I know some of this stuff. We changed the laws to specifically allow for electronic monitoring on preventive reconnaissances. It has also now been authorized by the Supreme Court of Canada under the general reasonable conditions terms. We changed the law to do that, but we never provided any funding for it. As a result, it's a vastly underutilized tool. It's actually been very, very successful, especially with young offenders, in helping them to be under supervision and to stay away from the negative influences that get them into gangs and criminal activity.

It has application in auto theft too. If you're coming from an urban area, you make what is in effect a no-leave zone, and if they leave, you get immediate notification, and they're apprehended before they're able to do the crime.

**Mr. Gagan Sikand:** Thank you. I'm going to jump in because of my limited time.

You touched upon the point I wanted to get to. I lived in England for a bit. There was a lot of CCTV, which helps in urban areas. How can technologies like that be utilized in a rural setting? You started to talk about that.

**Mr. Scott Newark:** First, you need to work with the groups that the other witnesses here today represent. They know, probably better than anybody, what the specific needs and requirements are. There are things like fencing and cameras. You can have automatic alert systems that notify your neighbours if something happens. You can tag vehicles, so if the vehicle is stolen, you can activate it and track it. It's that kind of stuff.

Also, I think both the province and the federal government should be working with the Insurance Bureau of Canada to say, “Look, we need to do this collectively, so if these people are doing this to reduce the crime, their premiums shouldn't be going up” or, to go back to the question of funding, they should be providing the funding for specified technologies. You have to, in effect, certify things that will work, and then, by having provincial funding, fund those capabilities.

**Mr. Gagan Sikand:** Thank you.

Lane, I commend the work you're doing. I've tried to have neighbourhood watch programs established in our areas. It's difficult to make them really effective, especially when you have that many people.

Do you feel restricted at all by legislation? For example, to carry out a citizen's arrest, it has to be very specific.

What do you find is effective? Are you more inclined to monitoring and calling the cops?

What works and what doesn't?

**The Chair:** Unfortunately, Mr. Becotte, we're right at the seven-minute mark, but take 15 seconds, please.

**Mr. Lane Becotte:** Okay.

We monitor and basically call the RCMP. If we could make an arrest, it would probably be easier, many times. Often, if you put the headlights on them, they leave, but the ones who are bad don't leave. They don't care that you're there or that you're watching. You basically need the RCMP there to arrest them, because it gets into a confrontation that you don't want to be in.

I will not put my volunteers in a position that they have to either hurt somebody or kill somebody to get out of trouble.

● (1705)

**The Chair:** We'll have to leave it there, Mr. Sikand.

Mr. Eglinski, take seven minutes, please.

**Mr. Jim Eglinski:** Thank you.

I would like to thank Mr. Newark, Mr. Becotte, and Mr. Cornea for their presentations today. I'd like to thank our two gentlemen from Saskatchewan for their volunteer service in helping their communities.

I would like to read an email that I got from one of my constituents yesterday. It's so appropriate that I had to bring it here today. I'm going to lead my question off right afterward.

I'm not going to give his full name. I've asked him, but he hasn't sent a reply back, so I'll just give his first name: Wayne.

> Mr. Eglinski,
>
> Thank you for your quick reply and efforts concerning Rural Crime.
>
> The need for something immediate in this case is needed. The time required for politics to find a solution may be too little too late. Sometimes it feels like we're in a war zone and politics tell us we'll talk about stopping the bombs from falling in time.
>
> I believe I'm a concerned citizen that wants tomorrow's news to read about bad people taken down, not neighbours or I victimized again. I hope I am not being told I should just let vigilante justice take hold until politics can find a solution. As someone who lives in a rural area where crime is almost a daily occurrence, I can offer first hand input to any task force that wants it. Right now, I need the assistance of an authority willing to act before things get out of hand.
>
> There is an urgency in my words and maybe politicians are just another dead end like other paths explored. Desperate people will act for themselves if no one else does. Personally, I am not desperate, but some are. I suppose I'll do my best for those I can [help] until help in some form arrives.
>
> Thanks again for your time.

I don't know Wayne from anybody, but I did research, and he lives about 40 miles out of Edmonton in a rural area.

With that lead-up, I would like to put a question to both Lane and Nick.

Are you hearing similar frustrations in your travels throughout your areas? I know most people don't want anything to do with vigilante justice, but they're very frustrated.

Could you both quickly comment, please?

We'll start with Lane.

**Mr. Lane Becotte:** Yes, I've even had some people in my group.

Right now we have 100 volunteers from our town and a neighbouring town, Meota, which works with us. We have to keep a handle on probably a dozen in our own group so that vigilante justice does not happen. We talk to people over and over again about vigilante justice, saying to try to phone us if you can't reach the RCMP; we'll look after it. We'll get the RCMP out. It seems that we can get them out more easily than they can.

We've tried to stay away from it. So far we've been successful, but there are some people at the breaking point.

**Mr. Nick Cornea:** There are members on our page whom we try to monitor. We either mute them or delete them from the page. We probably would have close to 20,000 members if we didn't do this.

Many members comment on the “shoot, shovel, and shut up” type of mentality. That doesn't work. I foresee that if we start doing that and becoming vigilantes, the criminals are going to become more organized. They call it organized crime for a reason. They'll start coming with more ammunition or more rifles that in turn were stolen from a neighbour and used on you, or they will use your own weapons on you also.

**Mr. Jim Eglinski:** Thanks, Nick.

I'm going to swing over to Mr. Newark now. I know you want to answer it, but just give me a second; I'm going to add a question to you on that.

As a Crown prosecutor for many years, thank you for your service to the Province of Alberta. You and I saw many times when we went in to court on cases of self-defence—trying to protect yourself—under sections 34, 35, 36, 37 of the Criminal Code. They are very complicated sections, and it takes a good legal mind to understand them.

We've had some evidence come before this group that we need to look at possibly changing that and making it more friendly to the public, to the Crown prosecutors, the courts.

I wonder if you can comment on that, and then finish off with basically that line—

**Mr. Scott Newark:** Sure.

I made some suggestions in the report that I did for the Alberta Conservative Party about that. This is the way we tend to do things now with the charter and our courts that think they know best.

Where you don't change the discretion but instead Parliament adds on the relevant factors that the court should take into account in, for example, deciding on the provisions of self-defence in defence of property or in defence of person, I'd tweak them specifically to the rural crime situations. You want to make the law such that the court is obliged to consider these specific relevant factors in deciding whether or not the use of force was legitimate.

In a similar sense, I'd change section 718, on the principles of sentencing. We've already done this. You'll see in the legislation that it's already there. It was specifically adding in sections that emphasize deterrence and denunciation when people are deliberately going to rural properties to commit crimes based on the vulnerability of individuals. There are things that I think can be done in relation to that.

Cycling back to the point that was in your email, I can't stress enough—and it's the real reason I wanted to come to the committee and did the work in Alberta—that it is absolutely appropriate and possible for groups such as this committee, and political parties as well, not to simply engage in theoretical discussions or polemics but to get into specifics, to drill down into things that will actually make a difference, whether it's legislation, policies, or funding actions.

With regard to the thing you were talking about in relation to self-defence, let's put that clarification that I'm talking about in the Crown policy manual as well, so the Crown prosecutor sees what they have to consider in deciding whether to lay charges against somebody under that. That kind of stuff actually works.

It's hearing those front-line insights and input from people such as the other witnesses who were here, and law enforcement as well, and the community groups. In my experience, that's how you formulate informed and effective policy.

● (1710)

**The Chair:** Thank you, Mr. Eglinski.

**Mr. Jim Eglinski:** I would have thanked you for a little more time.

**The Chair:** Well, time is the enemy in all of these meetings.

Before I call on Ms. Moore, we are likely about to be interrupted by bells. I'm obliged to suspend or adjourn the committee at that point, except if I have unanimous consent to continue. My proposal would be that we have unanimous consent to continue to 5:30. Is that acceptable?

**Some hon. members:** Agreed.

**The Chair:** Okay.

Ms. Moore, you have seven minutes, please.

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Thank you, Mr. Chair.

A lot has been said since the study began. I myself come from a really remote rural community in northern Quebec. There is a profound difference between what seems to be happening in Alberta and what happens in Quebec. Where I come from, property crimes—when there are any—are often committed by very disorganized young people, who get themselves arrested very quickly. In the little concession where I live, nothing has ever happened in 11 years. There have been no property crimes.

What is happening where you live seems to be caused by people coming from urban areas. So they do not come from the community. They are disorganized at the same time as they are somewhat organized. There is some idea of organization behind it all. You do not seem to have a lot of patrols either. In my community, the police are regularly patrolling the concession roads. We see them on patrol, specifically to prevent drunk driving. They are very visible, except when they are responding to an emergency. The situation seems very different.

My first question goes to Mr. Newark, who might perhaps answer by giving us more details. Can you tell us about a subject that has not been brought up yet, namely the link between this situation and organized crime, which is perhaps a little more urban? In your opinion, are members of criminal organizations providing weapons to those people and advising them about the places to go, given the risks of being arrested? For example, if an individual owes too much money to one of those organizations, is he told that his problem can go away if he steals two or three trucks, I would like to know the link between organized crime and what is happening in rural areas.

[*English*]

**Mr. Scott Newark:** What I was told by the police services all across the province was that in fact the criminal groups doing this were organized. That was not necessarily the same thing as with the Hells Angels, for example. It wasn't necessarily at that level, but it was organized criminal activity that had a chain to it and was involved in communications, exports, paying off the province and helping move people around.

It was organized, and a lot of the same strategies actually apply in relation to that. For example, in dealing with the more traditional organized crime as well as with street gangs, targeted enforcement works. When you target the bad guys who are the leaders of the group and you get them off the streets, it has an impact.

I saw that as a prosecutor. I remember being blown away by the fact that a bunch of people were doing break and enters for drugs. It was in all of the suburban areas around Edmonton. When we caught these guys—and it was in the good old days when you didn't get pretrial custody credits—they were denied bail. It was known as dead time, so guess what? They pleaded guilty.

When those people were taken off the streets, the break-and-enter crimes in all the suburban areas went down. A reality of our justice system is that a small number of offenders are responsible for a disproportionately large volume of crime. Unfortunately, that reality also applies in rural crime.

● (1715)

[*Translation*]

**Ms. Christine Moore:** So basically, there is a direct link between what is happening and organized crime. It clearly is not being headed by the leaders of the Hells Angels; they already have a network. When they steal vehicles, they already have a criminal network that allows them to sell them again. This is not like kids stealing a vehicle without knowing what they are going to do with it and ending up leaving it somewhere and telling each other that it was a stupid thing to do. These people really have an established resale network, correct?

[*English*]

**Mr. Scott Newark:** Yes, although I can only comment with respect to Alberta, because that's where the focus of my work was, not in any other jurisdiction.

**Ms. Christine Moore:** Okay, but it's your general impression.

**Mr. Scott Newark:** Yes, absolutely.

[*Translation*]

**Ms. Christine Moore:** Thank you.

I am now going to turn to our two witnesses participating in the meeting by videoconference.

Do you see police patrols often? How many times per year, per month or per week do you see them, not responding to a call, but on patrol, watching what is happening and establishing their presence, if you will?

[*English*]

**Mr. Lane Becotte:** It's very seldom. We do see them maybe once a month. We call them three times a week, other than that. They are there quite often, but it's usually only when we call.

They are very busy with the northern communities just north of us here. That's where they spend a lot of their resources and a lot of their time.

**Mr. Nick Cornea:** In respect to southern Saskatchewan, we do see them once in a while. Their jurisdictions are 40 to 50 miles wide, or close to 100 kilometres from end to end. For them to go from one side to the other side every day is not possible. We have a grid road system down in southern Saskatchewan; they can't patrol everything and be seen everywhere.

With the vacancies we have in southern Saskatchewan in our area, they just don't have the resources to do it. Either they're going to court or they have night shift or day shift. They're just spread so thin that they can't make their presence known.

[*Translation*]

**Ms. Christine Moore:** By way of comparison, I will tell you that, in my constituency, the RCM that has the police detachment extends for about 100 km. So the police cover a lot of ground.

Do you have an idea of the number of police and vehicles that patrol at night?

[*English*]

**Mr. Nick Cornea:** In Moose Jaw, they have six officers, I believe, right now. For the most part, they have two on overnight at different times, and maybe three during the day. There are going to be people with a day off. There is going to be an officer who will have to be in court and will have paperwork. A lot of the time they're stuck at their desk doing paperwork. We could have funding for more admin staff to do the paperwork correctly for them, so that they could be patrolling and basically catching the bad guys.

● (1720)

**Mr. Lane Becotte:** It's the same with us. We also have six on ours. It's the same thing. There's always somebody off. We have two on at night. Lately, they've been in the same car because of the issues that we've had. The gangs and stuff in this area don't care whether they're RCMP. They go after them and they basically—

**The Chair:** We're going to have to leave it there. We are running a bit long here, and Mr. Newark's....

Monsieur Picard, you have seven minutes, please.

**Mr. Michel Picard (Montarville, Lib.):** Thank you. Gentlemen, thank you for your testimony. It's very helpful.

Let's go right away to Mr. Cornea and Mr. Becotte. It's clearly understandable when you explain that there was a break-in, and then you lose your stuff and you have to buy everything. The insurance costs are rising, and there are numerous impacts from a material standpoint, and then come the mental health issues, which are even more important.

I'm playing devil's advocate when I ask this question. As a government, if I put more teeth in my regulations, double the sentences, make the punishments harsher and all that, at the end of the day, Mr. Becotte, you describe the fact that those who are organized and used to this don't even care that they look at you or that you look at them. They keep on doing their crime. I don't think that a harsher punishment will stop them from doing their crimes because the vulnerability is such that when the time comes that they're in front of a judge—if they ever get caught—it's too late. The damage is done, and your concern then would be more about the prevention aspect than the reaction aspect.

**The Chair:** Who are you asking?

**Mr. Michel Picard:** Could we have Mr. Becotte first, and then Mr. Cornea?

**Mr. Lane Becotte:** Yes, we need to do more prevention. I have had run-ins with some of these guys. It is disheartening.

I have a 15-year-old son. A guy walked into my house while he was home—I was at work—at three o'clock in the afternoon. He locked himself in his room in the basement so they could not get at him. I will agree that the damage to him is done, but a harsher sentence.... This was that guy's ninth conviction. If he had a harsher sentence from the start, he would have been off the street. He would not have been in my house, and quite frankly, we wouldn't have had to deal with him.

**Mr. Nick Cornea:** Again, the damage is done, as Lane said, but it's not just the stricter punishments and the harsher penalties; it's enforcing those convictions. Much of the time, you hear about guys who get 18 months in jail, but they're out in three or they're out in five. I've talked with jail guards from the Regina area, and they tell me that they're full; they're understaffed and overworked. Basically, they need to have the revolving door, because there just isn't the room for these criminals.

**Mr. Michel Picard:** I understand where you're going. It's totally justified. Whether it's three months, six months, two years, or six years, the damage is done. If one of your kids gets caught by a stranger in the house or if you lose everything that is in your house, the cost of recouping everything is tremendous. Then the anxiety that follows after that, even if nothing has happened, is there, and way before the person gets to court.

In order to help our communities to be safer or to feel safer, stronger and more visible action than we can imagine now should be taken. With all respect to the prosecutor, when you're in court, it's a bit too late.

● (1725)

**Mr. Nick Cornea:** It's true that the damage is done, but if we could have restitution that's more than just a slap on the wrist and they had to pay back the insurance premiums and actually pay for the $80,000, $90,000 or $100,000 grain truck or things that are stolen out in the fields as the farmers are working, maybe the next time they and their buddies are going to go out and have some fun and steal things.... If they had to pay back every cent for the $200,000 tractor that they just took for a joyride and damaged or the grain truck or the semi or the one-ton that they destroyed, maybe it would make them think twice. If they were caught and they had to do that, maybe they'd think twice before doing it again.

**The Chair:** Thank you.

I think Mr. Newark wants to weigh in on this.

**Mr. Scott Newark:** Can I just add to that? This is not exclusively about deterrence. I take your point about the value of rehabilitation and preventive programs as well, absolutely, without question, but how many people in this country do you think are aware of the fact that no matter how many times you commit a crime—a new indictable offence—while you're on parole, you're still eligible for parole the same as a first offender? That's ridiculous.

Statutory release is a good idea. We had the presumptive early release at two-thirds, but you know what? It applies to somebody whether they're a first-time offender or a second, or a third, or a fourth or a fifth. Maybe what we should be doing is differentiating between those people who commit crimes over and over and over and over again. In my experience, our failure to do that....

Let me give you one other example: We actually give pretrial custody credits—in my opinion, unlawfully—under section 719 of the Criminal Code to people who are denied bail because of their long criminal records. We then give them credits at their sentencing. That law has been back and forth a whole lot, but we are literally rewarding repeat offenders.

My experience is that those kinds of provisions actually undermine public confidence in our justice system. If we targeted those groups of individuals, they wouldn't be on the streets to commit the crimes.

**Mr. Michel Picard:** Your recommendation was noted, and it is applicable as well in rural environments and urban environments.

**Mr. Scott Newark:** It is, totally, everywhere.

**The Chair:** Thank you, Mr. Picard.

Mr. Motz, you have the final three minutes, unfortunately. Otherwise your whip and my whip will have heart attacks.

**Mr. Glen Motz:** I'm sure they will.

**Mr. Scott Newark:** Let's test them.

**Mr. Glen Motz:** Thank you, Chair, and thank you, witnesses, for being here.

I'm going to ask you all one question that I wouldn't mind your response on. I think the entire committee would like to hear it.

From your perspectives—from the organizations you represent and from your personal experiences dealing with this—what steps can governments take, whether this government or the next one, to address this issue efficiently and effectively?

I'll start with the gentleman from Saskatchewan—from Edam—first, and then Nick and then Mr. Newark.

**Mr. Lane Becotte:** I think we've got to keep kids busy. If you want to keep the kids off the streets and out of trouble, we've got to keep them busy. A bored kid is one who's going to get in trouble. It's no different from you or me when we were young. We probably got in trouble when we were bored.

As far as the other criminals go, well, it's hard to say. You've got to keep them either locked up or make the punishment bad enough that they don't want to do it.

**Mr. Nick Cornea:** I think reducing that Youth Criminal Justice Act age, bringing it down, will deter the youth when they know they're not just going to get a clean slate at 18. I think that will also help with the lifelong criminals who have these teenagers doing these crimes for their benefit.

I think it would be a good idea to get some funding in place for a community constable type of system—we have five of them in Saskatchewan right now—and for the RCMP so they could do their jobs better and gain a little bit more backbone instead of having it all in the court's hands. This would enable them to do more and not have their hands tied so much.

**Mr. Glen Motz:** Mr. Newark, would you comment?

**Mr. Scott Newark:** There's no way I can go through the list of recommendations in that compressed a time frame, but in the report I provided to the committee you will see very specific and precise recommendations. That's what I would really urge the committee to look at, and to find those things at all levels of jurisdiction, and not just legislation but policy and funding as well. That is incredibly important.

I think the largest single issue in western provinces in particular is ultimately going to be the policing model.

I admit some bias when I say this because I've spent my career working with the RCMP, but probably the number one issue that was identified was whether the existing contract policing model is sufficient to provide the necessary services or whether it needs to be changed. In Alberta it was by expanding the role of the sheriffs and by expanding regional policing as well.

Should those discussions take place, the federal government can play a role by making sure that we don't have the federal agency, the RCMP, saying, “We have a contract for 20 years; we're not talking to you for 20 years.” Those are discussions that need to happen. It is a modernization needed at the core of this unique feature of rural crime.

● (1730)

**The Chair:** Thank you, Mr. Newark. Thank you, Mr. Motz. Thank you, Mr. Becotte and Mr. Cornea.

With that, we are going to have to adjourn. Unfortunately, we have to run to a vote.

Thank you again. We appreciate your efforts to be here.

The meeting is adjourned.