

RCMP Act

Some Hon. Members: Hear, hear!

Mr. John Nunziata (York South-Weston): Mr. Speaker, I would like to begin by congratulating the Minister for his recent appointment as the new Solicitor General of Canada. I am sure he will serve the position well. I am also certain that as long as he does not hold any private meetings at any hotels in town he will survive.

Some Hon. Members: Oh, oh!

Mr. Nunziata: Bill C-65 is an extremely important piece of legislation. I would like to indicate at the outset that the Official Opposition supports the Bill in principle. A number of concerns might be raised with respect to the complaints procedure outlined in the particular Bill. Specifically, there are six concerns or issues which I feel ought to be addressed at committee stage. Indeed, we look forward to a very thorough investigation of the Bill at that stage.

● (1740)

The first concern or issue at which one ought to look is the definition of a complaint provided in the proposed legislation. The Marin Commission provided a more expanded definition of exactly what is a complaint. I will have more to say on the six points which I will raise at this time.

The second concern is with respect to the model of the complaints commission which was adopted by the Government. The Marin Commission recommended a police ombudsman, a single individual, to deal with complaints against the RCMP. Certain individuals have proposed other models, and I should like to discuss some of them today as well.

The third issue at which one ought to look is the powers of the public complaints commission. As the Minister indicated, the commission has the authority under the proposed legislation to make recommendations to the Commissioner and to the Minister. The commission does not have the authority to make final decisions, nor does it have any authority to conduct its own independent investigation. The Act provides that the RCMP will continue to conduct investigations into complaints by members of the public. Some would argue that the commission or the complaints procedure should provide for independent investigation of police complaints.

The fourth issue which ought to be addressed at committee stage is the size of the commission. As I indicated, the Marin Commission recommended that there be a police ombudsman, a single individual.

The legislation provides for a commission consisting of 12 individuals. As the Minister pointed out, four of those individuals would be appointed by Order in Council by the federal Government. The other eight would also be appointed by the federal Government in consultation with the eight contracting provinces. It is also important to determine whether it is economical and appropriate to have such a large commission, whether indeed it is necessary to have 12 members. As the Minister indicated, there appeared to be a need or desire on the part of the contracting provinces to have some input

into a complaints system or commission. I suppose the reason for the commission being so large is to accommodate the concerns of the various contracting provinces to ensure that they have some input.

The fifth concern which ought to be considered is the powers of the commission to hold *in camera* meetings. The legislation provides that under certain circumstances the commission could decide to hold *in camera* meetings. I should like to discuss that point later in my comments.

The sixth issue which I feel ought to be considered is the right of the Commissioner to refuse or to terminate an investigation. One could argue that too much power is vested in the Commissioner to deal with complaints against the force.

As I indicated at the outset, Bill C-65 is an important piece of legislation. It is virtually identical to other legislation which was introduced by the previous administration. The public has waited a long time for this particular piece of legislation with respect to the formal complaints procedure. Members of the force have waited a long period of time for that aspect of Bill C-65 which deals with internal grievance and discipline procedures. In my view the Bill will go a long way toward improving morale in what I consider to be the finest police force anywhere in the world.

I am not sure whether Hon. Members have stopped to think about it, but Canada is one of the few countries in the world, if not the only country, where a police force is identified as a national symbol. That says a lot about this country where we cherish above all else, peace, order and good Government. However, it says even more about the RCMP, its history, its record and its vital contribution to Canadian nationhood. The many tales of heroism and the quiet devotion to duty by individual RCMP officers form some of the most colourful stories in our history. As a nation, we owe them a great debt of gratitude, more perhaps than many of us appreciate on a daily basis. Of course the responsibilities of the RCMP have mushroomed since Sir John A. Macdonald decided in 1873 that a police force was necessary to keep law and order in the Canadian west.

Today the RCMP works to prevent, detect and investigate offences against federal statutes. Its members enforce laws, prevent and detect crimes, investigate offences, and maintain law and order in the provinces, territories and municipalities under contract. They work to improve police-community relations. They maintain internal security. They provide investigative and protective services to other federal Departments and agencies. Finally, they assist, upon request, all Canadian law enforcement agencies by providing specialized police training, forensic laboratory identification and information services.

Like any other organization which has seen fairly rapid expansion, as is the case with the RCMP, the RCMP has had its share of organizational and administration difficulties. Some of its problems were dealt with by the Macdonald Commission which recommended that the national security component of the RCMP be split from the force and delegated to a separate civilian agency. Other problems were examined by Judge René Marin in his commission of inquiry relating to