

The Commission will submit its annual report to me so it can be presented to Parliament.

[English]

I believe that such an external review committee is an invaluable mechanism for ensuring to the Commissioner an impartial review of all issues. Such a committee is extremely important because its proceedings and recommendations will be open to scrutiny.

Part III of the Bill outlines the procedures for the handling and deciding of grievances for RCMP members, by which any member may grieve any act or omission in the administration of the affairs of the Force if no other process of redress exists.

What the Bill seeks to do in this area is to guarantee by statute an equitable grievance procedure. By these proposals, members will have an inalienable right to a hearing for any inequities they perceive to apply to them. To ensure full and informed grievances are presented, a member will be given complete access to the process without fear of reprisal, including all necessary policy documentation and the assistance of a representative for the preparation of any grievance. The Governor in Council prescribes certain types or classes of grievances which may be submitted by any member to the review committee after having exhausted the various appeal levels determined by the Commissioner.

Historically, a disciplinary process has always existed within the RCMP. The unprecedented addition to this process to be made by Part IV, of Bill C-65 is the definition in statute of what is expected of Force members in a set of standards of conduct. These standards are also intended to ensure full public confidence in the administration of the Force.

[Translation]

Along with these standards, a Code of Conduct will be implemented in the regulations. Any contravention to the Code by a member of the RCMP will be the object of an investigation and will be dealt with in the manner prescribed in the Bill. The Code of Conduct is not included in the Bill but it will be in the regulations so that the RCMP will be able to adjust to the various circumstances by requesting if need be, that amendments be made to the regulations. A contravention to the Code of Conduct may be treated formally or informally, depending on its seriousness.

[English]

Minor contraventions of the code of conduct will be dealt with informally, by minor sanctions, including recommendations for special training, professional counselling or direction to work under close supervision, or reprimand. Appeal procedures will be available for the more severe of these disciplinary actions.

Formal discipline, for more serious breaches of the code of conduct, will be dealt with in a formalized disciplinary hearing. Hearings will be presided over by an appointed adjudication board of three officers, one of whom will be legally trained. Hearings will take place with a number of judicial safeguards to guarantee due process.

RCMP Act

There will be occasions when it will be necessary to deal with a member who may no longer be considered suitable to continue to perform his duties. The Bill would enshrine in law a formal and open process to be applied in deciding on unsuitability, the one ground being repeated failure to perform the required duties. Again, the member in question has the right to know fully the particulars for recommending his discharge or demotion, the right to be represented, and in such cases, the right to have a discharge and demotion board set up to decide the issue. The remaining sections of the Bill provide for matters of constitution and organization and miscellaneous provisions.

I might disgress just briefly, Mr. Speaker, to give an assurance to the House, and particularly to my colleague, the Hon. Member for Burnaby who served with me on the Standing Joint Committee on Regulations and Other Statutory Instruments. I noted in reviewing the Bill that there were provisions made for the Governor in Council to make regulations which would flesh out the provisions included in the Bill. We believe those provisions are necessary.

As the Hon. Member knows, there is a long-standing concern that members of the Standing Joint Committee have about the so-called magic formula, where the Government in previous years has taken the position that unless the phrase "by order" is included in that particular section, the regulations that result from that might not be deemed to be statutory instruments, might not be required to be published, might not be required to be made available to the standing joint committee.

I give the House the assurance today that the Government will itself propose in committee, in any instance where we are seeking to give authority to the Governor in Council, to make regulations that the so-called magic formula will be inserted there as well to protect the the rights of Parliament and the rights of the public.

Let me conclude. I am satisfied that the proposed revisions to the RCMP Act have been thoroughly examined and the necessity for the implementation of these provisions has been well established. The recommendations of the Marin Commission are substantially implemented in this Act and considerable time and effort has been invested in developing revisions that will support and further the work of the RCMP and adequately preserve the delicate balance between the protection of the rights of the public and the individual members of the RCMP.

I have appreciated the discussions that I have had with my colleagues opposite and the interests they have taken in the provisions of the Bill. I know members of the Force, members of the public and certainly members of the contracting provinces as well will appreciate any co-operation that can be given by the House in speedy passage of this Bill. I undertake, again, voluntarily at this point, that the Government will listen with an open mind, to a legislative committee, to technical proposals that are made by colleagues to improve the Bill should some come up. We welcome input from Members on all sides of the House.