

Government Orders

• (1135)

That support would not be forthcoming in the absence of programs designed to ensure the safety of those citizens prepared to get involved by providing information or testifying against criminals.

Witnesses are the ultimate public servants. They are people without whom we could not operate our criminal justice system and without whom we could not bring criminals to the courts and to justice. Witnesses fall into several categories. There are witnesses who are paid to be witnesses and who receive salaries for that, public servants, police officers, investigators at Revenue Canada or at Canada Customs, investigators in various forms of activities that could result in criminal prosecutions. These people are accustomed to dealing with criminals. They also have a role in life that allows them within the system to have the protection of their office and the protection of their job.

On the other end of the spectrum there are ordinary citizens who by coincidence or accident find themselves witnesses to crimes: somebody is walking down the street and they see a bank robber getting away or they witness a car accident in which one of the drivers was criminally negligent or drunk.

Some members of the public become witnesses by virtue of their status as victims of crime. These witnesses by and large come forward and provide a tremendous public service with little concern for their own personal safety as a result of their testimony.

Witnesses who may have been involved with organized crime or other forms of criminal activity and who come forward, as much as they may want to come forward, have their lives affected adversely. These are people who live under threat, people who live in fear of some kind of punishment from those they would seek to accuse or witness against.

There are also witnesses we seek out, we being the government or the agency doing the investigation. These witnesses fall into the general loose category of informants, paid informants or sources. It is an unfortunate fact of life that sometimes we have to go to criminals to bring criminals to justice. Sometimes we have to go to people involved in an activity to have their assistance in bringing to justice the main perpetrators.

The legislation is intended to cover these people and to protect them in the event their lives are in danger. The legislation will cover agents who participate in investigations as well as informants.

The witness protection program act defines a witness as a person who has given or who has agreed to give information or evidence or has agreed to participate in a matter relating to an inquiry or the investigation or prosecution of an offence whose security is at risk as a result. Also included in the definition are persons who may require protection due to their relationship to or association with the people previously mentioned.

We are talking about people who by accident or on purpose become involved in an investigation and who are under duress from those who would be investigated as a result. Protection under the act can include relocation, accommodation, change of identity, counselling, financial support for those people or for any other purpose in order to ensure their security and to facilitate their re-establishment or their becoming self-sufficient. It covers a wide range of services that can be provided.

• (1140)

Not everyone involved in the witness protection program will live a secret existence in the future. They may simply require counselling or assistance to get on with their lives after the trauma of having dealt with this.

We know from previous speakers that the annual cost of the protection program is \$3.4 million and that there will be no additional costs as a result of the legislation.

The legislation clearly defines what is expected of the government and what is expected of the witnesses as a result of this program. In the past there has been a problem because our program has been informal and because the program has been allowed to change with particular circumstances.

As a result there have been complaints from those who are protected and from the RCMP which administers the program that people's expectations are not being met and that the RCMP needs assistance in defining how far it can go and what it should do to protect the witness.

The new legislation will ensure a clear defined admission policy for witnesses, consistent treatment of cases across the country, a clear setting out of responsibilities and obligations of administrators of the plan and protectees entering the program, and a more defined management structure within the RCMP for the daily operation of the program, thereby increasing accountability.

This is an important section. I recall dealing with a witness who was under protection and who was having difficulty within the system making contact with someone to assist her or to give some answers on some information she required. Even as a lawyer it was a bit of a nightmare trying to get through the maze of administration to find someone who could assist her with her problem. The more clearly defined management structure within the RCMP will assist to straighten that out.