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# Standing Committee on Public Safety and National Security

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Chair: The Honourable John McKay





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• (1600)

[*English*]

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

Thank you to colleagues for coming in.

Before I call on Mr. McGuinty and Madame Marcoux, I want to update members on some developments with respect to our agenda.

The first development was that Justice Bastarache is willing to come before the committee. As of Friday he was willing to come before the committee on the 7th. Now that date has been moved up to December 2. I propose giving him the full two-hour slot to be able to talk about that report on the RCMP.

The second thing I noticed while we were voting or doing QP, I'm not quite sure, is that the fiscal update is scheduled for November 30. I will take guidance from colleagues as to whether we just cancel November 30 outright. Both developments will make some serious dents in our previously agreed-upon agenda. Prior to Wednesday, I would appreciate the subcommittee communicating with me as to how we want to proceed. I'll probably reach out to each one of you and try to reorder the agenda so that we have a fully productive period of time from today through to the end of the session.

With that, I'm going to welcome Mr. McGuinty and Madame Marcoux to the committee to present their report.

Mr. McGuinty, given our long-standing friendship and your superior knowledge of parliamentary procedures, I found this report utterly...well, I was going to say "unintelligible". I'm rather hoping you can explain it to me, because I've given a couple of shots at trying to understand what was being recommended in this report. There are so many deletions in the report that it makes it very difficult to follow the narrative.

For the sake of the chair, Mr. McGuinty, I'm rather hoping you give us the dummies' version of your report.

Thank you.

**Hon. David McGuinty (Chair, National Security and Intelligence Committee of Parliamentarians):** Thank you very much, Mr. Chair. I'll do my very best to try to accommodate you and other colleagues.

Good afternoon, colleagues. Thank you for allowing us to be here.

We're very pleased to have this opportunity to discuss the National Security and Intelligence Committee of Parliamentarians' 2019 annual report and a separate special report, both tabled in Parliament on March 12 of this year.

By way of background, the committee met 25 times between February and August of 2019. It heard from 48 senior officials from government and civil society, and it relied for this work on over 30,000 pages of classified information.

Turning now to our first review, "Diversity and Inclusion in the Security and Intelligence Community", this first-ever review provides a baseline of where the S and I community is in terms of diversity and inclusion for women, aboriginal peoples, members of visible minorities and persons with disabilities. Our review shows that the representation of these designated groups is lower than in the overall Canadian public service, particularly for members of visible minorities. Perhaps more troubling, rates of harassment and discrimination remain unacceptably high.

[*Translation*]

The leaders of these organizations are all committed to fostering more diversity and inclusion in their respective workforces. However, sustained leadership, an overall commitment and greater accountability throughout the security and intelligence community are paramount to ensure these organizations are inclusive and truly reflect Canada's diversity.

The committee recommended that a review be undertaken in three to five years to measure progress. We also recommended that data collection and analysis be improved and that a common set of performance measures be developed.

[*English*]

Let me now turn to the review examining the threat of foreign interference in Canada and the government's response to that threat.

The committee agreed to focus its efforts on traditional person-to-person foreign interference. We did not examine questions surrounding electoral integrity, did not review cyber-threats and did not examine foreign acquisitions of Canadian business under the Investment Canada Act.

The review concludes that there is significant and sustained foreign interference exercised by a number of foreign actors seeking to covertly and inappropriately interfere or exert influence in Canada. It also found that the government's response to this threat was done on a case-by-case, even ad hoc, basis and that our engagement with other levels of government and the Canadian public was limited.

• (1605)

[*Translation*]

Therefore, the committee recommended that the government develop a whole-of-government strategy to counter foreign interference and build institutional and public resilience. We were actually fairly specific in our recommendation about what such a strategy should include. It appears at paragraph 297 of the report.

The committee further recommended that the government support this strategy through sustained central leadership and coordination.

I will now turn to the focus of the third review in the committee's annual report: the Canada Border Services Agency, or CBSA.

The committee conducted the very first independent review of CBSA's most sensitive national security and intelligence activities, including surveillance, the use of confidential human sources and joint force operations.

[*English*]

Overall, the committee found that CBSA's authorities are clear, well governed and supported by several statutes. However, CBSA does not have ministerial direction for its conduct of national security and intelligence activities. This constitutes a gap in ministerial accountability. The committee recommends that the Minister of Public Safety issue formal direction to CBSA, consistent with the practice at CSIS and the RCMP.

NSICOP also prepared a special report on the Department of National Defence and the Canadian Armed Forces. During a 2018 review of DND's defence intelligence activities, DND provided the committee with an internal directive that gives guidance to troops and employees on how to manage the collection of Canadian citizen information. This is known as the CANCEIT directive.

[*Translation*]

The committee decided to conduct a special review of the directive to understand the legislation that governs the collection, use, retention and dissemination of information about Canadians by DND, and to assess whether the implementation of the directive gave rise to legal and operational risks.

The committee concluded that the CANCEIT directive was not clear enough and recommended that DND work with the Privacy Commissioner to review all of its defence intelligence directives.

[*English*]

The committee ultimately formed an opinion that DND defence intelligence activities conducted as part of overseas operations may not be in compliance—may not be in compliance—with the Privacy Act. The committee referred this matter, as a result, to the Attorney General, pursuant to its obligation under section 31.1 of the NSICOP Act. It reads as follows:

The Committee must inform the appropriate Minister and the Attorney General of Canada of any activity that is carried out by a department and is related to national security or intelligence and that, in the Committee's opinion, may not be in compliance with the law.

The committee also calls on the Minister of National Defence to ensure DND complies with the letter and spirit of the Privacy Act

in all of its defence intelligence activities, whether they are conducted in Canada or abroad.

In 2018 NSICOP recommended that the government give serious consideration to providing explicit legislative authority for the conduct of defence intelligence activities. In 2019 the committee went further, calling on the Minister of National Defence to introduce legislation to govern defence intelligence activities. In response, the Minister of National Defence and the Minister of Public Safety have both been mandated to develop a framework governing defence intelligence.

Thank you very much for your attention, colleagues. Those are my comments.

Mr. Chair, if we're not able to answer detailed questions during this session, we would be pleased to provide written responses to you for the committee. I also want to note that this is a 182-page report, plus the special report on DND and the Canadian Armed Forces. We would welcome good comments, feedback and positive criticism on how we can do our work even better for the committee, for parliamentarians and for Canadians.

Thank you, Mr. Chair.

• (1610)

**The Chair:** Thank you, Mr. McGuinty. Indeed, my initial—I hope constructive—criticism was ameliorated somewhat by your timely intervention.

With that, I'm going to ask for Mr. Kurek, Mr. Iacono, Madame Michaud and Mr. Harris for six minutes each, starting with Mr. Kurek.

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** Thank you very much, Mr. Chair.

Thank you, Mr. McGuinty, for coming before the committee today. Certainly it's been enlightening as I have gone through the information, the reports that this committee has provided to Parliament and the important work in ensuring that there is oversight in Canada's national security infrastructure.

To come to my first question, you've omitted three areas with regard to studying foreign interference. They are election tampering, foreign investment reviews and cyber-threats, which I believe your committee will be delving into this year. That's my understanding. I'm wondering if NSICOP will be looking into the security of our elections and foreign investments in the upcoming studies it has planned.

**Hon. David McGuinty:** There are a few things.

The important thing, I think, to remember first off is that NSICOP is not so much an oversight committee as it is a review committee. In this we differ from our American counterparts and are more in line with our other Five Eyes partners, whether that's the ISC in the United Kingdom or the New Zealand model. It's a little different in Australia. I'll just point out for listeners and viewers, and for Mr. Kurek's benefit, that it's more a focus on review than it is oversight.

The question of cyber-threats is exactly what the committee is seized with now, Mr. Kurek, in this particular round of reviews. This cyber-threat review is very considerable. I think we've already received roughly 18,000 pages of documents on this front. We'll be evaluating the cyber-threat question and the government's ability to respond to that threat.

We're also now delving deeply into the security and intelligence activities of the Global Affairs department, something that has never been done before. We try to pursue some of these reviews in areas that have never been reviewed before, such as the Department of National Defence, the CBSA and, of course, GAC.

What was your other question, sir?

**Mr. Damien Kurek:** It was whether the committee will be looking into the security of elections and foreign interference and whether those two issues will be covered. Just the election side, I think, is....

**Hon. David McGuinty:** Thank you.

As committee members may know, in 2019 cabinet passed a directive creating a five-person committee to be seized with activities during the 2019 election and basically be the recipient of information. This is a committee chaired by the Clerk. It was to be seized with this information that was coming in from different information providers and to make a determination as to whether a certain threshold was crossed, applying a certain test as to whether this five-person committee led by the Clerk ought to communicate with Canadians something untoward or something inappropriate that might have been going on during the election.

A report was just completed by the former deputy minister and clerk, Jim Judd—I believe he was a clerk—and he has made that report public. That report is now still with the members of NSICOP, the National Security and Intelligence Committee of Parliamentarians. The unredacted version is with us. We are considering it now, and we'll have more to say about it in due course in commentary to the Prime Minister in terms of how this committee is structured, its mandate, etc.

We won't be looking so much at the electoral integrity, but I can send you more information, Mr. Kurek, on the details of the examination on cyber-threats if that would be helpful.

• (1615)

**Mr. Damien Kurek:** Sure. I would appreciate that.

Mr. Chair, how much time do I have?

**The Chair:** You have a minute and a half.

**Mr. Damien Kurek:** Okay.

Certainly the official opposition has been seized with the issue of Huawei. I have a couple of questions that I'm trying to meld into one.

Very simply, Mr. McGuinty, given this report and the work this committee has done, do you believe that Canada should exclude Huawei from its 5G Network?

**Hon. David McGuinty:** That's not a question I am able to answer, Mr. Kurek, on behalf of the committee. It is not something the committee has examined. It's not a review that we have undertaken.

**Mr. Damien Kurek:** Sure.

**Hon. David McGuinty:** We have, of course, in our review had a lot to say about foreign interference, and we would commend to you those particular pages that set out in great detail what we believe is happening.

I wish I could give you some indication, but the committee has not pronounced on this question.

**Mr. Damien Kurek:** I appreciate that.

There are two countries specifically named in these reports, Russia and China, two countries widely reported to have acted against Canada and our allies. Experts who have appeared before this committee have suggested that China is a more complex actor, while Russia is more blunt and overt.

Does Canada have different strategies to deal with both of these foreign state actors and their involvement and possible threats to Canada?

**The Chair:** We're unfortunately going to have to leave that important question there. I think Mr. McGuinty has already indicated that he is in no position to answer that kind of question. Possibly he is, in which case he could work an answer in during the next round of questions.

Mr. Iacono, go ahead for six minutes, please.

[*Translation*]

**Mr. Angelo Iacono (Alfred-Pellan, Lib.):** Thank you, Mr. Chair.

Welcome to the committee.

The NSICOP report addresses foreign interference and the security risks it poses. The committee stated that foreign interference would slowly erode the foundations of our fundamental institutions, including our system of democracy.

Can you tell us how foreign powers such as China and Russia, which are named in the report, are able to destabilize our democracy? What methods do they use?

**Hon. David McGuinty:** Thank you for your question, Mr. Iacono.

About 20 pages of the report provide a detailed description of incidents, approaches and specific cases in Canada and abroad. I cannot speak to anything other than what is in the report. A lot of the information is classified, apart from what appears in the public report. I suggest you go over the case studies in the report to see how foreign actors are behaving; a fair amount of detail was provided, at least, as much as possible. I can tell you, though, that the committee determined foreign interference was a huge problem for Canada, as it is for other countries.

**Mr. Angelo Iacono:** Thank you.

The dangers associated with foreign interference can give rise to fear and paranoia among Canadians. The dangers can even provide the basis for made-up conspiracy theories, which are increasingly prevalent of late. The theories are circulated on social media, by both Canadians and Americans.

Can you tell us how the government should educate Canadians on the issue?

**Hon. David McGuinty:** The first thing I should make clear is that cultural and ethnocultural communities are themselves targeted by foreign actors. They are often victims in Canada, and the Canadian government has a duty to protect those people—let's not forget.

In our report, we recommend a whole-of-government approach. That means doing a full review of how we conduct ourselves, how we respond, how our various levels of government work together, as well as how we work with Canadians, universities, the political class and politicians. Twice in a row, Mr. Iacono, we recommended that when politicians, including members of Parliament, are elected, they be given an in-depth briefing on the risks of foreign interference.

The report contains a series of recommendations on how the government can make improvements. We learned a lot by studying Australia, which has made significant strides on the issue, perhaps because it has more victims than other countries. I'm not sure. The committee recommended that Canada take a close look at the Australian model.

• (1620)

**Mr. Angelo Iacono:** Could you tell us more about that?

My next question is about that very topic. You mentioned Operation Fox Hunt, and the efforts being made by the FBI in the U.S. and by Australia.

What should we, as a government, do first to make up for lost ground?

**Hon. David McGuinty:** Canada should move swiftly to adopt a more centralized and coordinated approach, in conjunction with the national security and intelligence advisor to the Prime Minister, for one.

Canada should take an in-depth look at Australia and the centralized working group it recently established within the government. It is not the committee's job to determine where such a central entity should fit into the government, but it could fall under the Privy Council Office and operate in conjunction with other key players.

Regardless, a tremendous amount of work needs to be done given how tremendous the risks are. The committee is in full agreement with what we have said. All parties and both houses of Parliament want to see the government take swift action on the issue.

**Mr. Angelo Iacono:** Thank you.

I have no further questions, Mr. Chair.

[*English*]

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

[*Translation*]

Ms. Michaud, you may go ahead. You have six minutes.

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Thank you, Mr. Chair.

I was glad to hear you confess that you weren't entirely familiar with the findings in the rather lengthy report. I have to say that I wasn't either. It's quite technical.

I am eager to hear Mr. McGuinty elaborate on the issue. I appreciate the work he's done.

I want to discuss diversity and inclusion in the security and intelligence community.

In the past few weeks, we have seen many news stories about harassment, racism and sexual violence, mainly in the RCMP, but also in the prison system. According to the correctional investigator's latest report, those same issues arise among security officers and inmates.

You may have taken a close look at that. Are there any specific cases you can share with us?

You committed to conducting another review in three to five years to measure progress. Could you please tell us more about the cases you examined in producing your report?

**Hon. David McGuinty:** What a question, Ms. Michaud.

Do we have a half-hour, Mr. Chair?

[*English*]

**The Chair:** No.

[*Translation*]

**Hon. David McGuinty:** For the first time, we studied nine security and intelligence organizations, including CBSA, CSIS, CSE, DND, GAC, ITAC, PCO and the RCMP.

We established a baseline to compare representation of women, indigenous peoples, members of visible minorities and persons with disabilities across the nine organizations active in security and intelligence. We did not conduct an in-depth review on violence and discrimination, but that is something we are recommending to the government.

Essentially, we currently do not have access to the best talent in Canada, because we do not know exactly where the nine organizational players stand. We do know, however, that international studies, including FBI and CIA research, show that diversity and inclusion in security and intelligence agencies makes a big difference in performance, accountability-wise. I am not sure whether that's clear.

Mr. Chair, if I may, I would like to have Ms. Marcoux say a few words.

• (1625)

[*English*]

**The Chair:** Go ahead, by all means.

[*Translation*]

**Ms. Rennie Marcoux (Executive Director, Secretariat of the National Security and Intelligence Committee of Parliamentarians):** I would be happy to.

The purpose of the review was twofold. The first objective was to gain a clearer statistical understanding of diversity and inclusion across the security and intelligence community, as Mr. McGuinty mentioned. The second objective was to identify the departmental programs and policies aimed at building diversity and inclusion in the organizations.

We wanted to gain an understanding of where things stood in order to issue two or three recommendations. The main recommendation is that the committee undertake another review in two or three years based on more robust data collection and more extensive performance measures.

**Ms. Kristina Michaud:** Thank you, Ms. Marcoux.

I want to follow up on what you said previously, Mr. McGuinty. I'm not sure I understand what you mean when you talk about access to the best talent.

Why doesn't the review that was done tell us where things stand?

Why are we kicking the can two or three years down the road?

What does the current review reveal? Is it positive or negative?

**Hon. David McGuinty:** That is precisely the question we want to answer. We are not in a position today to tell Canadians whether the situation is improving or not.

Allow me to explain what the committee means by seeking out the best talent. Given that the security and intelligence community has not made sufficient progress to improve diversity and inclusion in the past decade, we want to make sure that it has access to the best talent in Canada. Obviously, that means incorporating members of the four basic groups, so women, indigenous peoples, visible minorities and persons with disabilities.

The idea is to establish a baseline for study so that progress can be measured. In all nine organizations, senior management is aware of the recommendation, but no real initiatives have been operationalized at the working level. We need to make sure the work is ongoing.

[*English*]

**The Chair:** Thank you, Madame Michaud.

Mr. Harris, you have six minutes, please.

**Mr. Jack Harris (St. John's East, NDP):** Thank you, Chair.

Thank you, Mr. McGuinty, for your presentation and your report.

I will touch briefly on the diversity and inclusion study. It seems to me rather disappointing that there's been such slow progress. You seem to be telling us you don't even know what the level of progress is.

I note that you say there seems to be lack of engagement by the whole of these agencies and it's all left up to the HR departments, which indicates the lack of real concern to actually achieving goals.

I'm wondering why your report simply asks for a three- to five-year review of where things are going, as opposed to insisting upon the setting of goals and targets and something like that. It seems to be an inadequate response to what you've clearly identified as slow progress.

• (1630)

**Hon. David McGuinty:** Thank you, Mr. Harris.

I think one of the things we did point out in the report, to be as specific as possible, was that we took a long, hard look at the Prime Minister's tiger team, which was created in 2016. We called out the fact that the tiger team, which was set up to develop a performance measurement framework for the entire federal government, hadn't met since June 2018. We believe that there's supposed to be a report every six months to the deputy secretary of the cabinet, and July 2018 was the last meeting we could find.

We went as far as we felt we could as a committee to call on the government to make improvement, and we set the baseline. There hadn't been an examination at all, ever before, that we could find, of diversity and inclusion in the nine organizations that constitute the community.

We felt it was important to call it out and to cite statistically, and on an evidence base with the facts, exactly where we stood. Now we're looking for progress. We've called on the government to take certain measures; we'll see what the government does.

**Mr. Jack Harris:** Well, there seems to be a significant lack of commitment, obviously, that you've identified. I'm surprised it didn't appear more obvious in your recommendations, but thank you for pointing that out. I'll have to search for those tables.

The thing that interests me the most in your report, because we've been dealing with it in the Canada-China committee and it was the focus of an opposition motion last week, is foreign interference in Canada. I'm not particularly referring to China, although we did hear witnesses saying some of the things that are reflected here in terms of going from one place to another. Your report notes a lack of coordination, for example, and a lack of direction on where to go.

I'm looking at the problems noted here, at the challenges the RCMP faces: that the operations are focused primarily on counter-terrorism; that intelligence provided by CSIS is difficult to use as evidence supporting criminal investigations; that Public Safety only recently identified and dedicated resources to the issue of foreign interference; that until late 2017, interdepartmental collaboration on foreign interference was ad hoc and issue-specific; and that prioritizing areas of concern that are the most important has needed to be addressed, and that work in this regard is in its early stages.

It seems to me, Mr. McGuinty, that all of this adds up to kind of a conclusion, in my mind, that the whole issue of foreign interference has not really been taken seriously by these agencies that are either focused on other things or don't have their act together, as it were, and we're very late in the game in doing this. Was that your conclusion as well?

**Hon. David McGuinty:** I think the committee members would agree that of course there is a lot of progress to be made. I think they would agree that—

**Mr. Jack Harris:** You're being kind, I think.

**Hon. David McGuinty:** Well, I think they would agree that the nature of foreign interference is evolving. I think they would agree that the seriousness of the threats is becoming better known. We tried to describe those threats throughout that chapter, that review. We focused on the core community members and actors. We laid out as well what the community is already doing.

To use the language I used in the press conference, we believe we have to up our game on foreign interference. That is why we pointed to the most obviously successful, we think, reaction in a Five Eyes partner country to deal with foreign interference. That is the example of what's taking place in Australia. There are many reasons set out for that in the report as well.

We hope readers come to the conclusion that they understand better now what is going on and what other countries are doing and how they're dealing with it. I wouldn't say we're necessarily late to the game. I think the question of foreign interference is one that most countries are struggling with. We laid out the facts and the evidence based on classified information as best we could. Of course, a lot of it has been redacted. Now we're calling on the government to bring a much more centralized interdepartmental and intergovernmental approach, and at the same time inform Canadians and inform parliamentarians.

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

• (1635)

**Ms. Rennie Marcoux:** May I add something, Mr. Chair?

**The Chair:** By all means.

**Ms. Rennie Marcoux:** Thank you.

Just to add to what Mr. McGuinty said, I think it's important to point out that the time frame for our review was from January 2015 to August 2018. The material we received reflects the findings and the status of the recommendations in our report.

I think we do point out that, for example, CSIS has been talking about and investigating foreign interference since its creation. We also point out that other departments don't necessarily neglect

threat, but their reaction, and the whole-of-government reaction, is very much ad hoc and on a case-by-case basis. Our recommendations are to strengthen the whole-of-government approach.

**The Chair:** Thank you. We'd better not do that again, because Mr. Harris will start to think that his six minutes will become eight or 10.

With that, we have 25 minutes, colleagues. I think we can squeeze in six more questions. Mr. Van Popta and Madam Khera will have five minutes each. Madame Michaud and Mr. Harris will have two and a half minutes each. Madam Stubbs will have five minutes. I'll have to be advised by my Liberal colleagues on who will have the final five minutes.

Go ahead, Mr. Van Popta.

**Mr. Tako Van Popta (Langley—Aldergrove, CPC):** Thank you very much, Mr. Chair.

Thank you, witnesses, for being here.

Mr. McGuinty, you stated in answer to a question from my colleague Mr. Kurek, that you hadn't undertaken studies on foreign interference in elections, cyber-threats and foreign acquisitions, but I think you said you were now going to undertake a study into cyber-threats. Is that right?

**Hon. David McGuinty:** That's correct.

**Mr. Tako Van Popta:** Is that your next study?

**Hon. David McGuinty:** It's one of our next two major reviews that are now under way. It's an examination of cyber-threats and the ability of the government to respond to those threats, keeping in mind as well, sir, that under new legislation, new powers, a private sector actor can now approach the Minister of National Defence and ask for assistance if required, if the private sector actor is now the subject of major cyber-threat activity.

**Mr. Tako Van Popta:** Thank you.

Do you have any recommendations for studies that this committee could undertake [*Technical difficulty—Editor*] very good work that your committee [*Technical difficulty—Editor*]

**Hon. David McGuinty:** You're breaking up a little bit there, sir, so I couldn't get all that. Sorry.

**The Chair:** I think he was asking whether you have any recommendations for what this, the public safety committee, could undertake that would be complementary to the work that you're undertaking.

**Mr. Tako Van Popta:** You said that better than I did, Mr. Chair.

**Hon. David McGuinty:** Thank you. It's always difficult. There are so many interesting areas, and we don't generally speak openly from a committee perspective on what we are or are not doing. We simply come to ground on what we're doing, and then we announce it and then we speak only once we have produced something.



You can imagine that many of us were asked to comment last week about the opposition day motion. That's all fine and good, but generally we don't respond at all. However, I think one interesting area that the committee might consider is the whole question of the Investment Canada Act, the tests that may or may not be applied now for foreign acquisitions of Canadian companies and the sufficiency or insufficiency of those tests or the metrics that are used. That could be helpful in a Canadian context in an increasingly globalized world.

We have decided internally, Mr. Van Popta, to reduce the number of reports and reviews. You can see why, perhaps, given the document in front of you. We'll be staggering the releases of those as well.

**Mr. Tako Van Popta:** Good. Thank you.

Mr. McGuinty, I think I'm not the only Canadian citizen who is surprised, reading this report, at the extent to which Communist China seems to be infiltrating our media. I'm referring particularly to paragraph 159 in your report, where the term used is "borrowing a boat to go out into the ocean", the implication there being that the People's Republic of China uses western media to get their message out. It is a shock to hear the extent to which that is happening.

Going back to the opposition day motion about having a more robust relationship and reviewing that, with regard to our relationship with China, did the Prime Minister seek advice from you as committee chair on the opposition day motion? It seemed to be very much aligned with what your report suggested.

• (1640)

**Hon. David McGuinty:** No, he did not. Thanks for the question. We've never spoken about the opposition day motion. I didn't participate in that debate.

I'm hoping that the opposition day motion, though, will drive an awful lot of interest in the details laid out in this report, as you rightly point out. In this case, it's with regard to threats to media, what's going on with threats to our universities, threats to our ethnocultural communities, and threats to folks who are seeking public office. We thought it was really important to expose as much as we could, to be as transparent as possible, so Canadians understood the amplitude of the risk.

**Mr. Tako Van Popta:** Thank you. I just want to congratulate—

Sorry, am I out of time?

**The Chair:** No, you have half a minute.

**Mr. Tako Van Popta:** Okay, I just want to congratulate members of the Liberal Party who actually voted with us on that motion.

Mr. McGuinty, I noticed you weren't one of them, which in retrospect maybe surprises me, given the thoroughness of your report highlighting the threats coming from China.

**The Chair:** I knew I shouldn't have given you that extra time.

Madame Khera, you have five minutes.

**Ms. Kamal Khera (Brampton West, Lib.):** Thank you, Chair.

Thank you to both our witnesses.

Thank you, Mr. McGuinty, for being here and for the incredible work that you and your committee do. I think it's extremely important.

Perhaps, though, I can get you started on something very basic. I find that among Canadians there are many different versions or understandings of what foreign interference is, but more importantly, across government agencies and departments there are a variety of different definitions of what foreign interference is.

Could you explain briefly exactly what foreign interference is? Can you touch on why you think departments and agencies struggle to agree on the definition of foreign interference?

**Hon. David McGuinty:** That's an excellent question. We try to tackle that, Ms. Khera, in the report, in chapter 2. I think it starts at paragraph 106 or 107. We talk about the definition: "activities ranging from overt and often friendly forms of normal diplomatic conduct on the one hand to covert and hostile actions on the other".

The CSIS Act goes some distance in describing what foreign interference is, and you rightly point out that one of the things we came up against fairly early on was the fact that there wasn't a sort of uniform nomenclature across the entire security and intelligence community, or an understanding.

For example, if foreign interference were being exercised on the ground in a municipality somewhere, maybe in a municipal election campaign, for example, or maybe in some other form or fashion, you wouldn't get necessarily an understanding from front-line police officers. If an outstanding female OPP officer came across something that might constitute foreign interference, she might not know what to do with it or wouldn't understand it as foreign interference.

That's one of the things that we've addressed: to lay out what it looks like. Again, in paragraph 108, we talk about the effects of "Foreign interference activities" and what's at risk here. It undermines a series of Canadian values.

**Ms. Kamal Khera:** Thank you for bringing that up in terms of my line of questioning. I know, as you mentioned, that one of the challenges of investigating suspected foreign interference is that these activities can take place alongside legitimate activities such as public diplomacy or academic collaboration, or they may target specific ethnic diasporas to influence Canada's position domestically or internationally.

Mr. McGuinty, I represent Brampton West, one of the most diverse ridings in the country. Can you talk a bit about what vulnerabilities this poses to ethnic diaspora communities like mine? I know that sometimes many lines can be blurred to showcase if something is legitimate or illegitimate. Can you talk about the challenges that CSIS is having in investigating suspected foreign interference and how it can be addressed?

**Hon. David McGuinty:** Maybe I can take a crack at it and ask Ms. Marcoux to add something as well.

It's really important for committee members to hear what our committee says on this, which is that we're not singling out ethno-cultural communities—as some have asked us about in the past—because we want to negatively affect the perceptions of certain ethno-cultural communities in Canada. On the contrary, we want it to be really clear that it is different ethnic and cultural communities that are actually the targets of foreign states. The committee emphasizes that these communities should be free from foreign threats and inducements. They're targets.

That's why, for example, we also highlight a measure that was passed through China, which basically extends extraterritorially to Chinese-Canadian nationals who are here a so-called responsibility back to China. That is also laid out in detail in the report.

Maybe Ms. Marcoux could answer a little of that as well, if that's okay.

• (1645)

**The Chair:** Just for a little less than a minute, please. Thank you.

**Ms. Rennie Marcoux:** Sure.

Getting back to your question about CSIS, for an investigation to be initiated for foreign interference, it has to be very clearly presented or seen as detrimental to the interests of Canadians and Canada, and of a clandestine or deceptive nature.

Any activity that constitutes lawful advocacy, protest or dissent is specifically excluded from investigation, but it's also why it has been so difficult for government and for certain agencies to present a threat from foreign interference. It's because it is so complex and can be misconstrued as legitimate discussion or protest.

**The Chair:** Thank you, Madam Khera.

**Ms. Rennie Marcoux:** I hope that answers your question.

**The Chair:** Madam Khera, the tech team is asking if you could move the boom on your microphone up slightly. I'll leave it to you.

Madame Michaud, you have two and a half minutes, please.

[*Translation*]

**Ms. Kristina Michaud:** Mr. McGuinty, I'd like to talk about CBSA and the findings in your report. You recommend that the public safety minister provide CBSA with written direction on the conduct of sensitive national security and intelligence activities. The direction should include clear accountability expectations and annual reporting obligations.

According to your report, that direction should have been provided by the minister months, even years, ago. CBSA has been asking the minister for clear direction since 2013, but to no avail.

In recent weeks, La Presse has learned that CBSA had reportedly approved direction, but that the minister had yet to issue directives.

Why do you think ministerial directives have not yet been issued formally? The government seems to be pinning the blame on COVID-19, given that directives were supposed to be approved

back in February. Nevertheless, it seems to be part of a broader plan, so I'd like to hear your thoughts.

**Hon. David McGuinty:** If I understand what you're asking, you would like to know whether the minister is exercising his authority to issue directives.

**Ms. Kristina Michaud:** Actually, the minister must issue clear direction to CBSA on accountability, among other things. CBSA has apparently been waiting on those directives and rules for a few years now. The former Conservative government did not do it either.

Can you elaborate on your recommendation to the minister?

**Hon. David McGuinty:** Ms. Marcoux, would you mind answering that, please?

**Ms. Rennie Marcoux:** Yes, absolutely.

We did not get a response from the minister. In the course of our review, we did indeed note that ministerial directives were lacking, but we did not receive a response as to why they were not issued.

[*English*]

**The Chair:** Go ahead, Mr. Harris, for two and a half minutes.

**Mr. Jack Harris:** Mr. McGuinty, thank you for your report. It's very sobering.

I have dozens of questions, but little time. I will note that the government has had this report for 15 months now, so the kinds of responses we were just talking about should already have been done. I'm assuming the government will have no trouble within 30 days to come up with a robust plan according to the motion of last week.

My question specifically deals with one of your recommendations, which is about assessing the adequacy of existing legislation that deals with foreign interference. I'm assuming you found various shortcomings in the legislation as it exists.

Could you take a few minutes to outline some of the inadequacies, or some of the shortcomings, or something that should be done to improve the ability of Canada to protect against foreign interference?

• (1650)

**Hon. David McGuinty:** Mr. Harris, would you point me toward the right recommendation, the number?

**Mr. Jack Harris:** I'm looking at a briefing note about your comprehensive strategy for government. It identifies short and long-term risks, and it says:

...assess the adequacy of existing legislation that deals with foreign interference, such as the Security of Information Act or the Canadian Security Intelligence Service Act, and make proposals for changes if required.

You did identify some inadequacies. Could you elaborate on what they are?

**Hon. David McGuinty:** I can't right now, off the top of my head. I'd have to find the operative passages in the report for you, which I'd be very pleased to do through the Chair, and send you a written response in terms of those details, because I'm sure they're there.

That particular part of the recommendation was formulated by the committee, when I reflect back on the deliberations. It was about trying to make sure that a full examination, including the legislative and regulatory underpinnings of what was going on, was actually carried out. Were all these pieces properly connecting? Were the powers exercised by one organization aligned with powers organized elsewhere? Was there a chance to, for example, up the understanding of what foreign interference is or is not?

The idea was that part and parcel of a government-wide response to foreign interference would include a necessary examination of the legislative underpinnings.

**The Chair:** Go ahead, Mr. Kurek, for five minutes, followed by Ms. Damoff.

**Mr. Damien Kurek:** In paragraph 290 of the report, it says:

The government's public engagement on foreign interference has been limited. There are no strategies or threat assessments to inform Canadians of foreign interference analogous to the yearly reports on terrorism.

The report goes on to mention Operation Fox Hunt, which has been in the media as of late, in which the Communist Party of China threatens Chinese Canadians on Canadian soil.

Has the committee reviewed whether or not the government has any measures to encourage Chinese Canadians to come forward to authorities and report any threats of intimidation they may be experiencing?

**Hon. David McGuinty:** That's an excellent question, Mr. Kurek.

I don't recall, and I'll have to get back to you on whether we examined that in detail. I want to be very careful about what I do or don't say about that, given sources and methods. I'm glad you raised paragraph 290 around the very limited public engagement. Our understanding is that only the CSIS director has given a very powerful statement, first in a foundational speech and then just several weeks ago, talking about the threat of foreign interference.

Because she has greater institutional memory, perhaps Ms. Marcoux can offer something for you.

**Ms. Rennie Marcoux:** You're right, Mr. Kurek, in the sense that we did not come across or find an overall threat assessment produced by the government on foreign interference. In fact, one of our major findings, one of our major recommendations, is that this be included as part of any government threat assessment. It's also why the 2018 report from the first committee presented foreign interference as part of a review of threats to Canada.

Minister McGuinty's right that the CSIS director has been among the most vocal in talking about the threat of foreign interference, along with a few speeches from ministers of public safety.

**Mr. Damien Kurek:** Thank you very much for that.

There is a fentanyl epidemic in this country, as we're all aware, and it's not limited specifically to fentanyl, but it's those types of narcotics. We're learning that a lot of this fentanyl is coming from China, flooding the country. It destroys families and society and certainly appears to be of strategic benefit to foreign state actors, specifically the Chinese Communist Party. Is this an aspect of foreign interference that your committee has heard about?

• (1655)

**Hon. David McGuinty:** No. We may have heard about it, but it's not something we examined in detail.

**Mr. Damien Kurek:** I appreciate that.

The report talks about the Chinese Communist Party using a strategy of pushing their political messaging through mainstream international media. Are you aware of whether or not that has been the case in Canada? Are there any examples of that possibly being the case on Canadian networks such as CBC, CTV or other television networks or print media based in Canada?

**Hon. David McGuinty:** Any and all comments I can make around media and foreign interference in that sector are in the report. We've highlighted and illustrated as best as we can, Mr. Kurek, what we came across.

Of course, once again, this report is the redacted version of a much longer report, backstopped by—as I mentioned in my opening remarks—almost 30,000 pages of material.

**Mr. Damien Kurek:** I have one final question. I hope I have enough time for a quick question, Mr. Chair.

**The Chair:** You have 30 seconds.

**Mr. Damien Kurek:** Have you received a response from the Prime Minister or the public safety minister on these reports that you've sent to them?

**Hon. David McGuinty:** We've had a general acknowledgement, and we'll likely have more to say about this as we produce our 2020 annual report for the Prime Minister, something the committee is seized with. We were pleased to see that at least in two mandate letters, there was a reference to an NSICOP recommendation and action called on from the ministers of national defence and public safety to revisit the overall legal framework for the conducting of intelligence activities at the Department of National Defence and the Canadian Armed Forces.

**The Chair:** Thank you, Mr. Kurek. We're going to have to leave it there.

Madam Damoff, you have the final five minutes, please.

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

Mr. McGuinty, I was part of the public safety committee that reviewed the bill to create your committee. You've been its first and only chair, and I want to thank you for your leadership in doing something the government hadn't done before.

Your report talks about the benefits of diversity and how it's not being done particularly well. Could you elaborate a little on why diversity is a good thing to do, not from an inclusion point of view but from a public safety point of view? Also, do you think that systemic racism plays a role in the challenges you've highlighted in your report?

**Hon. David McGuinty:** Thank you very much, Ms. Damoff, first of all, for your gracious remarks. It's been quite a journey for all of us on the committee, and we're really proud of the fact that we've managed to produce a series of non-partisan reports adopted by members of all parties in both Houses. We hope that this might serve as a precedent, actually, in a difficult time when perhaps we need more non-partisanship and when we need more co-operation on the floor of the House to be able to move the country forward. We certainly think that that's an important approach to bring to national security.

We did not look at the question of systemic racism per se inside our institutions or within the public service in particular. It's clear—members, I think, would agree—that it's time to recognize the long-standing barriers that racialized minorities face in Canada and the need to dismantle those barriers everywhere.

We did include, however, and we made sure to indicate it in this diversity and inclusion review, international comparative evidence and studies that were undertaken by a couple of other organizations—Ms. Marcoux can chime in here—such as the FBI and the CIA, and we included some other comparative information and analysis that indicates that those organizations in the security and intelligence community that are more diverse and more inclusive are higher-performing organizations. The membership of NSICOP feels that not only is it foolish in and of itself to leave people behind and not be able to reach out and engage as many as we can in productive roles, but it's also affecting the overall performance of the security and intelligence community.

● (1700)

**Ms. Pam Damoff:** Did Ms. Marcoux want to comment?

**Ms. Rennie Marcoux:** Yes. To add to what Mr. McGuinty said, the committee looked at its counterpart, the ISC, as well, but it felt very strongly, based on the studies, that the more language skills an organization has, the more community contacts—the more cultural competencies, for example—the better it is and the more flexible and open-minded it is to look at threats and to conduct its investigations. As we've seen, it is less prone, for example, to what is called groupthink than an organization that is not diverse.

**Ms. Pam Damoff:** Thank you.

Mr. Chair, I think I'm good with that if you want to end it there.

**The Chair:** That's fine. We do have a minute and a half left, but I thank you for helping out with running the clock.

One of the reasons we have these meetings is that you can put flesh on what can be a dry and confusing report. Both Mr. McGuinty and Madame Marcoux have done exactly that, to the point where, as Mr. Harris says, we have dozens of questions. I noted the exchange with Mr. Iacono about how other countries make their colleagues aware of the content of these studies and also raise general awareness.

I think, Mr. McGuinty, that you and I are going to have an off-line conversation about how we can make sure that your reports and your works get a larger audience than possibly an hour before the public safety committee.

Again, thank you for your absolutely outstanding work. Please, on behalf of the committee, thank your colleagues on the committee for us. As you can see, you've really stimulated the interest of members.

Thank you, colleagues. With that, we'll suspend for two minutes while we re-panels.

Again, thank you, Madame Marcoux and Mr. McGuinty.

● (1700)

(Pause)

● (1705)

**The Chair:** To continue our study on systemic racism in policing, we have author Robyn Maynard and Mr. Bourbonniere, community activist.

I'll call on you for seven minutes each according to the order you are in on the order paper.

With that, Madame Maynard, you have seven minutes, please.

**Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.):** If I may just ask for your indulgence, Mr. Chair, Ms. Michaud is not in the room right now. Maybe we can wait a minute until she comes back.

**The Chair:** We do have a quorum and we don't have a hard stop at six o'clock, although we do have a tentative stop at six o'clock. Do we know where Kristina is?

**Mr. Gary Anandasangaree:** I think she'll be back in a minute or two, Mr. Chair.

I think it's kind of hard with the distance. You may not have seen her step out, but she's out.

**The Chair:** Well, I think that if she's out, she's out, and we should start.

With that, Madame Maynard, you have seven minutes, please.

**Ms. Robyn Maynard (Author, As an Individual):** Thank you for having me.

I have published extensively in peer-reviewed literature on racial and gendered harms of policing in Canada's past and present, most notably *Policing Black Lives: State Violence in Canada from Slavery to the Present*. I am also a Ph.D. student and a Vanier scholar at the University of Toronto.

I will be forwarding today an evidence-supported argument that sheds light on the increasingly popular and publicly supported calls across Canada to defund the police and highlight the potential, should this be taken up, to meaningfully address the systemic racism that is embedded into policing in Canada.

The first point I want to lay forward is that rather than upholding them, for many communities policing is more accurately understood as a form of harm, particularly for Black communities, indigenous communities, racialized communities and people living with mental health or substance use issues. For example, an American Public Health Association 2018 policy statement affirms that law enforcement violence is a public health issue, addressing that police violence is itself a form of harm in our society.

My work documents rampant racial profiling since the creation of police forces across Canada, documenting, since the 19th century, the heightened policing of indigenous men and women, Black men and women and other racialized communities. Studies conducted in Toronto, Edmonton, Montreal, Halifax and Vancouver demonstrate that Black people are stopped by police at a rate anywhere from two to six times more frequently than white residents.

Reports that came out by CBC/Radio-Canada about dozens of indigenous women being sexually or physically subjected to violence by the police, as well as the police assaults of Majiza Philip and Santina Rao and other Black women, addressed that there is also a gendered element at stake in this systemic racism within the policing institution. We know that this also has resulted in death. Black people are 20 times more likely to be shot by police in Toronto, according to the Ontario Human Rights Commission.

Funding has continually increased for policing in Canada in a manner that is unparalleled in many other public services. For example, national spending on police operations has increased since the mid-nineties, reaching \$15.1 billion in 2007 to 2018. A 2013 government report noted that the cost of policing nationally has more than doubled since 1997, outpacing the increase, they note, in spending by all levels of government. This includes police salaries, which have increased by 40% since 2000, whereas most Canadian salaries have increased by 11%, according to Public Safety Canada. In a context of a COVID-19 economic downturn, reprioritizing has never been more crucial.

We are also in a period in which we have seen the increasing militarization of policing, with particular harms for Black and indigenous communities. For example, a report by Kevin Walby and Roziere in 2018 noted that the use of SWAT teams or tactical squads had increased by 2,000% over the last four decades, increasingly being used for “routine activities such as executing warrants, traffic enforcement, community policing and responding to mental health crises....”

For Black communities in particular, this militarization has at times been fatal or violent. For example, Somali refugee communities experienced raids in which they were assaulted with battering rams and flash-bang devices—which an elderly Somali woman described as being physically brutalized—and, in one instance, told to die in the context of a tactical raid.

In tandem with rising militarization and budgets, there has been an expanded scope in terms of an ever-expanding role for police officers in response to mental health calls and presence in schools more broadly.

We've also seen a dramatic rise in police killings over the last 20 years. A CBC study called *Deadly Force* highlighted that the num-

ber of deaths at the hands of police have nearly doubled over the past 20 years, particularly impacting Black and indigenous communities.

It is important to look to several limited reforms that have not reduced the funding, power and scope for militarization of police and have also been ineffective in ending racial profiling and violence in policing. A 2018 Yale study, the most extensive to date, for example, found that body cams were not an effective way of addressing racism or violence in policing.

A recent study conducted by Concordia University's Dr. Ted Rutland addressed how community policing, frequently proffered as a reform, has been both ineffective in ending systemic racism and in helping to expand and trench the harms of racialized policing even further in Montreal.

Decades of feminists' anecdotal evidence, as well as more documented evidence, has demonstrated the ineffectiveness of police training.

Of course, civilian oversights continue to be decried in the media and by access to information requests that show there is not only a lack of independence—being staffed largely by former police officers—but that few investigations lead to charges, and zero or less than 1% of criminal convictions.

• (1710)

This suggests that policing in Canada is not only flawed at a cosmetic level, but that the harms, racial and gendered, are structurally embedded into the institution itself.

**The Chair:** Excuse me, Madame Maynard; you're speaking very quickly, and the interpreters are having a bit of a challenge keeping up with you. If you could just slow it down a touch, it would be helpful.

**Ms. Robyn Maynard:** No problem.

I'm proposing that the assortment of changes forwarded under the banner of defunding the police are the most appropriate toward meaningfully addressing the issue of systemic racism in Canadian policing. Ending systemic racism requires that we undertake changes to minimize and reduce people's encounters with the police in a variety of ways. Only reducing policing can reduce the harm in policing.

I will now briefly turn toward articulating what this means. Of course, much of what is being articulated at this time is related to public budget allocation, looking at the grossly disproportionate amount of public money and taxpayer money that is spent on policing each year compared to other vital issues, such as shelters, long-term care, public education and social housing.

More broadly, there is also within this call a move to decrease, minimize and move away from a reliance on police in a way that is vastly more substantive. Reducing the budget, reducing the scope and reducing the power of policing are matters in which we are able to address the issue of systemic injustice more broadly. Reducing the scope, for example, is about minimizing areas where policing has been found to be most harmful.

For example, we can see the removal of police officers in schools in the Toronto District School Board, now seen as well in Hamilton, and there is important work being advanced in this regard in Winnipeg and Vancouver.

Reducing the scope has also been a push to ending police responses to mental health calls, given the tragic deaths of Regis Korchinski-Paquet, Deandre Campbell-Kelly, and other Black and indigenous and other people killed by police in the context of a mental health crisis.

Ending police accompaniments to drug overdose calls has long been advocated by harm reduction practitioners as a way to reduce overdose deaths, and ending policing collaboration with the Canada Border Services Agency. These are all ways to reduce the scope of policing and the reach that it has in its harm over people's day-to-day lives.

Another element of this is reducing—

**The Chair:** Could you wind it up there, please? You are somewhat over your time.

**Ms. Robyn Maynard:** All right. Well, we had to stop for a little while there, but I suppose I will—

**The Chair:** Yes, so I did allocate more time to you.

**Ms. Robyn Maynard:** Okay.

In addition to reducing power, there is also reducing the militarization and of course building and supporting alternatives.

To conclude, I would argue that acknowledging systemic racism is a step, but a systemic response is needed to get to the heart of the issue. The push to reduce the budgets, scope and scale of policing and to invest in community-based safety is the most meaningful way to address the deeply embedded crisis of racism in police forces across Canada.

We also have unprecedented public support at this time.

• (1715)

**The Chair:** Thank you very much.

Mr. Bourbonniere, I don't wish to interrupt witnesses. It doesn't give me any great joy, so could you keep an eye on the chair toward the end of your presentation? I'll try to give you signals at one minute or two minutes, or something like that, so that I'm not interrupting.

Mr. Bourbonniere, you have seven minutes.

**Mr. Mitch Bourbonniere (Community Activist, Ojijiita Pimatiswin Kinamatawin):** Thank you very much.

My name is Mitch Bourbonniere. I've been involved in community outreach groups that patrol the streets of inner city Winnipeg

for the last 30 years, beginning with the original Bear Clan in 1990. Today we have at least six different groups that walk the streets of Winnipeg as racialized peacekeeping groups. We have the Thunderbirds, 204 Neighbourhood Watch, the Initiative, the Mama Bear Clan, the Bear Clan and OPK Manitoba all walking the streets of Winnipeg.

OPK is an organization that supports, welcomes and looks after young men and women who are asking for a better life after being involved in the child welfare system, the justice system, street life gangs and prison. They provide wraparound support around youth issues such as housing, income, employment, education, addiction, mental health and connecting our participants to their original cultures.

Despite experiencing poverty, family breakdown, trauma and violence, as well as involvement in child welfare and youth justice systems, these young people ask for and demand a better life. They work extremely hard to turn their lives around.

It is very discouraging to them when society, and more specifically the police and the justice system, treat them with suspicion and mistrust and as being incorrigible.

I have one young man who was horrifically abused as a child and grew up in an unforgiving child welfare system only eventually to take the life of a rival gang member in a dispute. He was 15 years old at the time. He spent the next 15 years in federal prison.

Coming out a couple of years ago as a 30-year-old, he worked relentlessly to turn his life around, getting his education, his driver's licence and stable housing. He is now fully employed, drives his own vehicle and is a parent to a young daughter.

Because the police have the ability to scan licence plates in traffic, he is regularly pulled over because of his past and questioned aggressively and accused of all kinds of things by police. I know this is anecdotal, but these stories have been told to me over and over again in the last 30 years. Although this is extremely discouraging, he has come to accept that this is just going to happen.

The other young people in my program tell me countless stories of being stopped while walking in the community and being questioned by police and asked for identification for no apparent reason.

Another area of concern is when police are dispatched to do wellness checks of people who are already in crisis and have had previous negative experiences with police, and the situation can escalate quickly.

I realize there are many excellent individual police officers and that the action of a few can taint the reputation and perception of all police. I have heard this being dismissed as a few bad apples. It is my belief that we cannot afford even one bad apple in the police service, as this poisons the perception of police by the community, just as it would not be acceptable for the airline industry to have a few bad-apple pilots. We need to ensure police are properly recruited, investigated and vetted, and that they receive intensive ongoing training around racialized communities and empathy.

I have had some good experiences with the Winnipeg police in downtown Winnipeg with their foot patrol asking us—members of the Bear Clan and OPK—to walk with them because they find it easier to work with the unsheltered folks in downtown Winnipeg when we're there with them. I think it's helpful to community members to see people from their own background who are doing well and are out there trying to help them.

I'd like to see more women in the police, more indigenous people and people of colour.

That is what I have to say at this time.

• (1720)

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

With that, Mr. Motz, you have six minutes, please.

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** Thank you, Chair.

Thank you to the witnesses for being here.

Mr. Bourbonniere, I want to spend some time on your background and testimony.

I've had the privilege of meeting with the Odd Squad in Vancouver and Marcell Wilson with the One By One Movement in Toronto. As a police officer for over three decades in my own community, I know that proactive prevention does pay long-term dividends.

From the work you and others do, can you explain to this committee how that can lead to some better social outcomes over time?

**Mr. Mitch Bourbonniere:** For me, the key is the relationship. It's ensuring that the community not only is safe but feels safe and has the perception that it is going to be treated in a good way. Unfortunately, that just hasn't been the case over the years. Very many people have had at least individual micromoments with the police that have been awful. Word spreads, and the community gets a certain perception of police.

As I said before, the police service is like any other system. There are some good people and there are some people who aren't very healthy in that system. I think it's incumbent upon us to ensure that we are recruiting good people, that they're well investigated, that they're tested and that they receive all the training they need to deal with diversity, with mental health and with serving the community. It's all about the relationship with the community.

**Mr. Glen Motz:** Thank you for those comments.

Mr. Bourbonniere, you have been engaging directly with the community. That's what you do. You're boots on the ground. You deal first-hand with individuals in the throes of their experiences

and you try to make things better for their lives. From your experience, how are tensions between the police and victims and calls to defund the police being seen on the ground by the community you serve?

**Mr. Mitch Bourbonniere:** I welcome what's been happening because we're hearing the voices of marginalized people. We're hearing people speak out, some of them for the first time. Obviously, there needs to be change. There needs to be trust rebuilt. They talk about reconciliation; it's hard to have reconciliation if there hasn't been conciliation to begin with. I think there needs to be way more consultation with the community. The community voice needs to be heard.

I don't believe that lip service is acceptable anymore. This has to be put into action by police services. They need to engage the community. They need to meet with the community. They need to be speaking with the community and inviting the community into their circle, and vice versa.

**Mr. Glen Motz:** Thank you very much for that.

You've been at this for how many years?

**Mr. Mitch Bourbonniere:** We started Bear Clan in 1990.

**Mr. Glen Motz:** You have things figured out. You've been doing it a long time. In those years, sir, what's the best policy that you've seen to date that really improves the community that you serve or work in? What are some things that are really working well in your community?

I've been to Winnipeg. I've heard of the Bear Clan. I've seen some of the work that's been done there by OPK. What community work is being done, in your experience, that really makes a difference and that has not only an immediate impact but a long-term positive impact on the communities we're addressing here in this study?

**Mr. Mitch Bourbonniere:** I think it's just getting boots onto the street. We deliver food. We deliver clothing. We deliver warmth and good cheer to our community members. They learn to trust us. Then, once they trust us, they reach out and ask for the help that they need to better their lives, in terms of accessing shelter, seeing their children again and taking steps towards rebuilding their lives.

What's really important, and what we do not have enough of, is groups walking together, like the police and community members like Bear Clan and OPK. We need a partnership between the police and the community groups. We need them walking together, not just driving vehicles but actually walking in the communities, talking with people and interacting with the children, women and people of that community.

As well, we need storefront walk-in welcoming centres. Police and groups like the Bear Clan and OPK can be in those centres. People can come in and talk to the police and talk to the community groups and have that accessibility.

• (1725)

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

With that, now we'll have Madame Damoff for six minutes, please.

**Ms. Pam Damoff:** Thank you, Chair, and thank you to both witnesses for the excellent testimony.

Ms. Maynard, you've written about racialized surveillance and, Mr. Bourbonniere, you spoke about it in your remarks as well. You've written, Ms. Maynard, that when it comes to gangs, the number of white kids in gangs is actually greater than the number of Black kids in gangs, and that the number of white kids and Black kids using drugs is actually the same, but it's the Black kids who are grossly overrepresented in the criminal justice system.

Training and education seem to only perpetuate the misconceptions in police services and put these misconceptions into their mindset, so that even if it's not overt racialized surveillance, it's still happening.

How do we change that within police services, bearing in mind that the RCMP is the only police service under federal jurisdiction? I'm wondering if you have any suggestions on how we deal with this racialized surveillance of Black people in particular, but, I would argue, of indigenous peoples as well.

**Ms. Robyn Maynard:** Absolutely, and I think you're right that the numbers bear out that indigenous people, in particular indigenous women, also experience very significant rates of racial profiling in Canadian society.

To continue on a bit with what I was trying to get at with my presentation—and thank you so much for your question—whether we look towards increased police training or towards increased community policing, we see that these are things that do not fundamentally get to the heart of racialized policing and the racialized surveillance that you're so importantly highlighting.

I think what we really need to do is work towards minimizing the encounters that Black communities are having with police. If we look, for example, to the deployment of what often are so-called anti-gang squads, they are frequently squads, for example, that have eclipsed.... That was put forward in Montreal, and they were substantively involved in the mass racial profiling of Black communities, particularly in the Montreal North and Saint-Michel regions.

We actually saw a significant budgetary allocation increase because of what they described as increased perceptions of crime. It was unrelated to the actual increase of crime, but this ended up massively expanding the racialized surveillance of Black and indigenous youth in the neighbourhood.

This is why I'm suggesting a reduction, actually, of policing budgets, a reduction in policing those neighbourhoods, and the diversion of funds to things that keep communities safe, such as community centres or anti-violence programs that are not connected to police but are about building communities safely and differently.

If we also move towards the decriminalization of drugs, for example, which we already know increase the rates of hepatitis B, HIV and overdose deaths, as well as contributing to the mass incarceration of Black communities in Canada even as we know that criminalization does nothing to address the real harms associated with drug use, something like the decriminalization of drugs could really substantively impact the well-being of Black communities.

**Ms. Pam Damoff:** Thank you for that. My next question was actually going to be about the decriminalization of drugs. Thank you for working that into your answer.

One of the misconceptions out there is that if you remove police from a neighbourhood, it makes it more unsafe. From your research, is that actually true?

• (1730)

**Ms. Robyn Maynard:** I think we need to remember that the call for defunding is not only about removing police but about providing alternatives that would build safety that would not require policing.

If we were to give an example, we can look to the policing of encampments in Toronto or Hamilton, where people are routinely made to leave the places where they are living outdoors. Of course, being offered long-term affordable or free housing is an alternative that does not require policing, for example, right? The presence of safety, healthy food and decent housing is something that provides much more safety than law enforcement officers can.

Of course, it's always a double-pronged choice, which is not only about divesting but also about reinvesting, about making sure that it's not only about taking something away but also about putting something in place.

**Ms. Pam Damoff:** I'm going to stop you only because I have just a minute left.

Mr. Bourbonniere, one of the gaps in what we look at is urban policing. You don't get any federal funding to run your programs. I suspect that you struggle for funding for your programs. If we're going to tackle the issues of systemic racism in policing, does the federal government need to be investing in urban policing?

**Mr. Mitch Bourbonniere:** Absolutely. I would say the more resources that can be afforded to community groups, the better. I totally agree with Ms. Maynard that it's not about under-resourcing a community; it's about actually resourcing it in the absence of a heavy police presence. To have the police step down and have community groups step up is the answer, I think, and that will take federal resources.

**The Chair:** Thank you, Ms. Damoff.

Madame Michaud, you have six minutes, please.

[*Translation*]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

My first question is for Mr. Bourbonniere.

A newspaper article was recently brought to my attention, and I would like to hear your thoughts on it. The story is quite unbelievable, not to mention unacceptable, and is all the more reason why the committee should be doing this study and looking for solutions.

Allow me to explain. A man around 30 years old was kidnapped, so to speak, in Val-d'Or, Quebec. Here's an excerpt from the article:



[English]

What happened to Anichnapéo has a name. They call it a “starlight tour,” when police pick up an Indigenous person for being disruptive, drunk or simply being in the wrong place at the wrong time. Once they have them in the patrol car, they drive the person outside city limits and force them to walk back.

[Translation]

This is something that apparently happens all over Canada, as well as in Quebec. I am curious as to whether you have heard people in your organization refer to these so-called starlight tours.

I know there is no magic wand, here, but what should be done to keep this kind of thing from happening and ensure those in positions of power stop discriminating against members of certain communities?

[English]

**Mr. Mitch Bourbonniere:** I apologize for not responding in French, although I did understand you as you spoke in French.

That horrible phenomenon of police picking up people, especially people of colour and indigenous people, and driving them out of the city in the wintertime, only to leave them there, really peaked in the 1990s. Four young indigenous men actually died, froze to death, just outside of Saskatoon in the 1990s.

Certainly when I started this work, we would hear this regularly and routinely from some of the young people we worked with. It has not occurred, that we know of, in Winnipeg in recent years.

**The Chair:** Just for your help, Mr. Bourbonniere and Madam Maynard, at the bottom of the screen is a globe. You can press the globe to get simultaneous English or French translation.

Madam Michaud, go ahead, please.

• (1735)

[Translation]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

This is also for Mr. Bourbonniere.

You work with indigenous youth.

In your view, how are they impacted by the way society treats them, particularly police and people in positions of power?

How does it affect their future?

[English]

**Mr. Mitch Bourbonniere:** That is an excellent question. Thank you.

Actually, there are two schools of thought that come out of the police towards indigenous youth. One is suspicion and mistrust and always believing that these young people might be criminally involved, sometimes with absolutely no reason or evidence. There's another thought that comes toward indigenous people that's equally as hurtful, harmful and devastating, and that is dismissing such critical incidents as missing people, missing indigenous women and girls, and blaming lifestyle. There are always assumptions made that if someone is missing or if someone's in crisis, they're to blame. There isn't the same desperation to honour a request for help

when it is an indigenous person rather than someone who's non-indigenous in Winnipeg.

Those two negative experiences that come toward the young indigenous people get ingrained. They internalize it. The police are a symbol. The RCMP are a symbol. They are an authority. They are powerful. They have power. They have privilege. When young people feel so much negativity towards them, such suspicion and mistrust, and their concerns are not taken seriously when they are in crisis or in trouble or are missing, it leads them to believe they are “less than”. That is unconscionable.

[Translation]

**Ms. Kristina Michaud:** Thank you.

We have heard from a number of witnesses that the solution may lie in the training of police officers. In other words, officers should receive training on mental health, addiction and other relevant issues that would help them in the field.

I appreciated what Ms. Audette said last week—police officers can't be superheroes. They can't be fully trained on everything.

Do you think organizations like yours can play a supporting role in the field to help police?

[English]

**Mr. Mitch Bourbonniere:** Is that for me or Ms. Maynard?

[Translation]

**Ms. Kristina Michaud:** That question was for you, Mr. Bourbonniere.

[English]

**Mr. Mitch Bourbonniere:** Yes, we can train people to do the mental health checks and to be on scene for non-violent types of situations so that we can be helpful and the police can take a step back. That would be incredible.

**The Chair:** Mr. Harris, you have six minutes.

**Mr. Jack Harris:** Ms. Maynard, listening to you talk about lessening the amount of contact with racialized people, particularly Black people, reminds me of my own thoughts as a young law student studying criminal law. I concluded at one point that the only crime was coming to the attention of the police, so it reminded me of that thought that I had when first encountering all of the laws and how they were enforced.

You said that reducing contact is a good idea to save individuals from being over-policed. Is that your point when you advocate defunding or removing police from certain situations? Can you confirm that this what you're talking about?

**Ms. Robyn Maynard:** That was one part of it, reducing their scope from different situations, including the proactive policing of places where Black people live.

**Mr. Jack Harris:** Is community policing not a solution, in your view?

**Ms. Robyn Maynard:** The studies on community policing are incredibly clear, particularly the recent study published by Dr. Rutland. Although originally many communities had aspirations of a positive relationship with the police, they ended up retrenching and even increasing police profiling with racialized surveillance, and arrests of Black people in those communities became more extensive. In effect, it was an expansion of policing in another format, as opposed to reducing those harms. It did not achieve the goal of reducing systemic racism within policing, not at all.

• (1740)

**Mr. Jack Harris:** We only have a short time, so I want to put the same issue to Mr. Bourbonniere. You talked about having a different form of contact with the community. In Winnipeg, I understand that probably one-tenth of the population is indigenous and that the bias in policing is pretty obvious, as you pointed out.

We were told by Madame Audette last week that she believed, as the Missing and Murdered Indigenous Women and Girls Commission found, that every place where there is a substantial indigenous population, there ought to be direct involvement with the police force. At the very minimum, there should be an advisory committee, and then perhaps move to indigenous policing units.

Is that something that would make any sense in an urban setting like Winnipeg, in your view, or would it be preferable that the work your groups do be funded as some sort of auxiliary to that?

**Mr. Mitch Bourbonniere:** My overall opinion is, in a way, both. There should be less involvement by police where it's a space of power and authority situation. They should step down and not be seen in that way. They can, perhaps, have more involvement within the community in a more proactive way.

**Mr. Jack Harris:** You mentioned more indigenous police officers. Would you support...? We've been talking about indigenous policing in communities of indigenous people where they would do the policing themselves. In an urban setting, is that possible? Could there be a unit, for example, of indigenous police force officers that could work in the communities where there are large indigenous populations? Is that a possibility as a model, or is there any kind of model that you would see as being beneficial?

**Mr. Mitch Bourbonniere:** I would say more recruitment of indigenous police officers, but also, once they are trained, putting them in positions as consultants and mediators between the police and the community as well.

**Mr. Jack Harris:** That would be part of the path to less bias in policing because of the involvement of indigenous people at that level.

**Mr. Mitch Bourbonniere:** Yes, and again, there should also be more partnerships with community groups.

**Mr. Jack Harris:** Would you see that as something that ought to be able to be funded by the Government of Canada as part of its reconciliation model and its responsibilities for indigenous persons generally?

**Mr. Mitch Bourbonniere:** Yes, I believe the federal government can act as a role model for provincial and civic governments to show that this is a priority.

**Mr. Jack Harris:** They can be a role model and perhaps even fund it directly, or at least offer that funding.

**Mr. Mitch Bourbonniere:** Yes, Coming to the table with resources would be leading by example.

**Mr. Jack Harris:** You mentioned that there are about six groups doing this kind of work, actively patrolling and being in the community on a regular basis, and that they're mostly directed at providing assistance. You and your groups must do a fair bit of mediation as it is, in terms of liaising with police forces who happen to be in a situation.

**Mr. Mitch Bourbonniere:** Yes. In fact, if we're on the scene first, we're doing a lot of defusing and de-escalating. Then police don't need to be called in, because we've done the work already.

**The Chair:** Thank you, Mr. Harris. I think we're unfortunately going to have to leave it there.

Colleagues, we have 25 minutes' worth of questions to squeeze into 15 minutes. I'm going to run a bit over six o'clock, so with that I'm going to ask Mr. Van Popta for five minutes, please.

**Mr. Tako Van Popta:** Thank you very much, Mr. Chair, and thank you to the witnesses for being here.

Ms. Maynard, I listened to your testimony with great interest. You're advocating defunding of the police. Listening to you carefully, it sounds like you're talking not necessarily about defunding the police but reallocating the resources so that people in need are getting the attention they require.

Can any of that reallocation of resources, in your professional opinion, be done within the scope of current police forces, such as the RCMP or municipal police, right now?

• (1745)

**Ms. Robyn Maynard:** Thank you for the question.

I believe that I am talking about reallocation to some extent, of course, as well as substantively cutting police budgets, but also about reducing the scope and power of police, just to clarify.

I think it's very important to understand that these calls are explicitly addressing moving that money out of policing, period, and into a community or another more appropriate organization. This is just because of the ongoing link in the ways that even when police are accompanied by a social worker, it still can lead to the harm and death of somebody in police custody. It really is about minimizing the encounters in order to stop the harms of criminalization, to understand that even though police stops and carding are not a direct harm on the body, those are harmful as well. That, of course, is not only about reallocating but about actually evading that interaction altogether, which can't be done by just moving money around within the police budget.

It's not about training police to be better social workers or better harm reduction and drug overdose responders, but about actually just having appropriate responses to mental health crises, to drug overdoses, etc.

**Mr. Tako Van Popta:** I don't intend to argue with you, but why could that not be done within the existing police forces? You're saying that the challenges that the police have could not be alleviated with proper education. Perhaps you could expand on that a bit.

**Ms. Robyn Maynard:** Sure, absolutely.

I'm beginning to conduct some research on this aspect. I've spoken with people who have been working since the 1980s—after the police killing of Anthony Griffin in 1987 in Montreal, for example. There was a massive community outcry, and what happened afterwards was a promise to have better training with the police. Many Black women and Black community organizers at that time took part in police training. Of course, throughout the 1990s we continued to see an acceleration of police killings of Black people.

As well, after the allegations and systemic evidence came out about policing of indigenous communities in Montreal, again the Native Women's Shelter provided training for the police. Later they went to the media, decrying the way that they were treated by the police; and of course we continue to see it as an ongoing issue.

All of this, as well as evidence based in the United States, suggests that diversity training and all of these other forms of training, while perhaps well intentioned, are not actually effective in addressing the realities of racial profiling, of police killings, of gender-based violence and all the other issues that are at the heart of the problem.

**Mr. Tako Van Popta:** Thank you for that.

Mr. Bourbonniere, I was following with great interest your conversation with Mr. Harris a couple of minutes ago, particularly about indigenous policing and the very good and effective work that you and organizations like yours are doing.

My question to you is similar to my question to Ms. Maynard just a minute ago. Could we, through education and proper training of police within our current policing structures—the RCMP, municipal police, provincial police—improve policing significantly within the current Canadian context?

**Mr. Mitch Bourbonniere:** I would love to improve policing in general. Let's not not do that. Let's improve policing. Let's do a better job at recruiting, training and giving them the skills that they need when they need them.

Let's also add community groups that can do the mental health checks and the foot patrols that can de-escalate situations so that people don't have to have involvement with the police all the time to begin with.

**The Chair:** Thank you, Mr. Van Popta.

With that, I'll go to Mr. Anandasangaree for five minutes, please.

**Mr. Gary Anandasangaree:** Thank you, Mr. Chair.

I'd like to thank both witnesses.

Mr. Bourbonniere, I want to first of all thank you for the work that you do on the ground. I know it's critically important, and as someone who's worked as a youth worker and run an organization that helped young people in difficulties, I think it's an area that's profoundly important across the country.

Can you tell me, based on the six organizations that you outlined, the percentage of the Winnipeg youth population you encounter and are able to support who are in need and/or involved in the criminal justice system or the child welfare system?

• (1750)

**Mr. Mitch Bourbonniere:** For the record, I want to correct the population number. It is 18% of Manitobans who identify as indigenous, not 10%.

We have a very strong and proud indigenous community in Winnipeg. There are very many indigenous people doing so well right now, but we also have people who are wounded from generations of the effects of the relationship between Canada and its indigenous peoples.

Lots of the folks we encounter in the community who are struggling come from different backgrounds. The areas that we patrol are in the inner city in the north end of Winnipeg, where there is a higher indigenous population. As I said, most community members are doing fantastically well. They're doing wonderfully and they're healthy. However, some of our folks who are struggling are indeed indigenous, and it's visual. When you go to our youth correctional jail, you see that all the youth are of colour or indigenous and all of the staff are white. It's stark. It's striking to see that visual.

Our child welfare is about 90% indigenous children in care, and that's just unacceptable.

**Mr. Gary Anandasangaree:** Mr. Bourbonniere, I'm sorry to cut you off, but because of the limitation of time, I want to home in on.... Realizing there's significant over-representation of indigenous and other racialized people within the system, let's say you had unlimited resources. What more could you do if you had additional resources to be able to support the young person who's involved with the child welfare system who is also now directly involved with the criminal justice system, someone who is having trouble with school, who gets kicked out of school or who is expelled, who may belong to a gang and who, again, is involved with the criminal justice system? What kind of resources would be adequate for you to be able to do the job that you do, that you have been doing, to be able to address this in a significantly higher way than you're able to do now with the limited resources you have?

**Mr. Mitch Bourbonniere:** If you want to look at the really big picture, we have to look at the root causes of inequity. We have to look at poverty. We have to look at privilege.

Right now, I believe there are three things indigenous youth need. They need education, not for the inherent wisdom of western education, but for the credentialism. We need indigenous young people to participate in a good way in the Canadian economy. We also need indigenous youth and all people to understand the history and to understand what went on to get to where we've gotten to today, and then we need to backfill that hurt and that anger with support, nurturance, resources, elders and ceremony. That is what indigenous youth need.

**Mr. Gary Anandasangaree:** Thank you.

**The Chair:** You have a few seconds, but because you're from Scarborough, I'm cutting you off.

You have two and a half minutes, Madame Michaud, and I will ask the clerk to indicate to me who the next Conservative questioner will be.

[*Translation*]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

My next question is for Ms. Maynard. I would like to thank her, by the way, for all of her work.

I looked at her work, namely her book about racial profiling, impoverishment, devaluation and ambient racism.

Ms. Maynard, you have studied the historical legacy of slavery and colonialism and the detrimental impact it continues to have on Black communities in Canada. I am referring to a 2018 article that appeared in *La Presse*, but it is just as timely today, in 2020.

What would you say is the federal government's role in ensuring the issue is no longer timely and in bringing about real progress? I mean, of course, progress in terms of how Canada's Black communities are viewed and treated.

• (1755)

[*English*]

**Ms. Robyn Maynard:** I think it's so important to highlight the way that Canada's history of slavery, which is so often erased, is so much a part of the ongoing surveillance of black communities across multiple systems, so I think, of course, that it's really important. I addressed the criminalization of drugs, sex work and poverty through an assortment of bylaws as absolutely crucial.

Of course, ending the mass impoverishment of black communities has always been integral to black people's well-being in this society, but we also need to look at the ways in which federal immigration policies have impacted black communities.

We're thinking of the way that largely black and central American workers are currently in horrifying conditions. The ones who pick the fruit and vegetables for this country throughout the entire summer are most exposed to COVID, as well as the many black undocumented people and asylum seekers who are currently facing possible deportation, including those who have worked as front-line workers in Quebec.

Federal lawsuits substantively increase this if we go to the way that Canada Border Services Agency has been increasingly working with police services in Montreal and in Toronto especially, which means that when people are being racially profiled and are being

stopped while driving or are being carded, it can lead to detention or to deportation, given that over half of Canada's black population was born elsewhere.

Those are only a few really important legislative changes that can take place.

**The Chair:** Thank you, Madam Michaud.

You have two and a half minutes, Mr. Harris.

**Mr. Jack Harris:** Thank you, Chair.

Ms. Maynard, I'd like to ask you to elaborate on your views on the body cam question.

We've had some positive comments on their use by the Prime Minister and the Minister of Public Safety. The RCMP are doing a pilot project in Nunavut. You have indicated that research shows they're not effective, but this is proposed as some part of a solution to the use-of-force question in Canada when dealing with racialized or indigenous populations and the black population.

Can you talk about the case against that as a solution, please, a little more elaborately?

**Ms. Robyn Maynard:** Absolutely.

The study I was highlighting was in the *Yale Law Journal* and was published in 2018. That was the most systematic study that looked at every study of body cameras that had been accomplished so far. It found that their use did not reduce police killings in black communities and did not significantly impact use of force.

Another study suggested that police feel confident in the kind of violence that they regularly take part in, so they see no harm in it. Other studies have highlighted the fact that police will often turn off the cameras during violence, so that footage goes missing.

We need to remember that we'd be pushing for reforms that are extremely expensive. A significant public cost is required to implement body cameras, which at best are ineffective and cannot consistently be relied on in the context.

This year, for example, we already had double the police killings by July that we had by that time last year. We're in a crisis, and throwing significant amounts of money into reforms that are not effective is fundamentally not the appropriate solution. It's just a matter of kicking the can forward and not acting on the immediate changes we need to see.

**Mr. Jack Harris:** In this research you're referencing, I know you mentioned Yale. Is this primarily American data, or is it broader than that? Are you convinced that the conclusions that are reached are applicable to a situation in Canada as well?

**The Chair:** Be very brief, please.

**Ms. Robyn Maynard:** It is American data. I am absolutely convinced, because of just how systemic a study it is, that it's the most informative to date. I think if we are going to make policy changes informed by research, then we simply must look at the research. The research has been quite clear that this is not a solution to systemic racism—

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

Mr. Motz, you have five minutes, please.

**Mr. Glen Motz:** Thank you very much, Chair.

Mr. Bourbonniere, I have two questions that I want to focus on, but first I want to thank you for what you do. The work done by you and by groups like yours across the country has always intrigued me. In all my years of policing, it's something I always supported.

With your background in front-line service to the community, I'm sure you have many success stories of people from marginalized communities who have embraced the opportunities they were provided with and have turned their lives around. You told us of one during your opening remarks, and I thank you for that.

In all those circumstances, from your experience, are there any common themes or experiences or opportunities that you can explain to the committee that are consistent and necessary to the success of the individuals you're trying to reach on the street?

• (1800)

**Mr. Mitch Bourbonniere:** Thank you for the opportunity to answer that.

It's mentorship. It's wraparound support. Young people come to us from street life, from prison, from gangs. They've been used and abused in those settings, and they're tired, but they don't feel encouraged that they can make it in a system that they feel has always looked down on them. Just having people with lived experience wrap around them and support them and believe in them until they can believe in themselves is what's been working. We call it "lateral empathy".

Lateral empathy and lateral kindness are the opposite of lateral violence. Lateral violence is a phenomenon that occurs when those in an oppressed group will sometimes turn on one another. We're changing that narrative to where it's the people who are helping one another.

There is no panacea. There is no government or church or treatment centre that will rescue anyone. It's the community. They look after each other. Out of that, we've had incredible success stories.

**Mr. Glen Motz:** Thank you very much for those comments.

You're from Winnipeg and you've walked the streets of Winnipeg, so you will have seen this. It's something that surprised me about 18 months ago, when I was there.

We know the mental health crisis we're facing in this country. We know that the police interactions in mental health crises are increasing as well. Quite frankly, responding to mental health-type calls has been a challenge for policing for decades. Today, with our massive and increased levels of illegal drug use and higher rates of addiction, there are more and more requests for help. Usually the police, in many circumstances, are the only ones who can and do respond. The police have some training, but that's not really their role and expertise.

My time in Winnipeg was short, but from working with the police there and listening to them, I know that many times they have

hundreds of high-risk calls backed up because all of their cars, dozens of cars, their first-line responders, are tied up with individuals who are experiencing a mental health crisis and need assistance. They can't leave them at the health facility where they take them, so all of their cars are tied up.

You see this first-hand every single day. Quite frankly, with the meth issues you're experiencing there in Winnipeg, I've never seen a community that has as much of a mental health, drug addiction and crime combination. From your experience, sir, can you help me understand what you think is going to work better? You talk about communities helping each other and people in the community helping people in the community, but we all have to work together. From your experience, how do we properly deal with some of the mental health challenges you're experiencing in Winnipeg, as we are across this country, for a law enforcement response—

**The Chair:** Mr. Motz, you've left him about 30 seconds—

**Mr. Glen Motz:** Sorry. I'll keep quiet, then.

**The Chair:** —to answer that very important question.

**Mr. Mitch Bourbonniere:** We need to invite the police to step down at the front end and at the back end of that whole process. Unofficially and informally, we receive calls from the community to do wellness checks that the police never even know about. I and the people I work with will knock on any door in any neighbourhood in Winnipeg, and we have. That's the front end. I think we're okay to take care of the front end. If we need police, we'll call.

The back end is having police tied up in the hospitals, in the emergency rooms, and I think that could be better served by mental health workers doing that role as well.

Thank you.

**The Chair:** Thank you, Mr. Bourbonniere. That is a very succinct answer to a difficult question.

Mr. Lightbound, you have the final five minutes, please.

• (1805)

[*Translation*]

**Mr. Joël Lightbound (Louis-Hébert, Lib.):** Ms. Maynard and Mr. Bourbonniere, thank you for your opening statements and your contributions to the committee's study.

I have two questions for Ms. Maynard.

Given all of your work in this area, what would you say are the biggest gaps when it comes to access to race-based data to effectively target systemic racism in policing?

This week, three police officers in Repentigny, Quebec, were found guilty by the Canadian Human Rights Commission. The city of Repentigny had to pay \$35,000 to a Black teacher who was racially profiled and stopped by police. A week ago, the city of Longueuil was ordered to pay \$10,000 in damages for racial profiling. Two of its police officers were also ordered to pay damages.

How do you view the role of human rights commissions and similar tribunals in situations like these? The institutions can be hard for people to access, but they can provide an additional layer of accountability, don't you think?

[English]

**Ms. Robyn Maynard:** Thank you.

I hope that I understand your first question correctly. You're asking what the biggest barriers are in addressing racial profiling in policing. Is that correct?

**Mr. Joël Lightbound:** It's more particularly the data.

**Ms. Robyn Maynard:** It's the data. Okay. Thank you. Yes, I'm happy to answer that.

It's ridiculous in a Canadian context that we are so rarely offered the ability to have what should be publicly accessible data when it comes to race-based incidents. We often have to rely on access to information or special reports such as those that have been done by the Toronto Star. Very recently in Montreal, a report was published. Up until then, one of the only statistics that we had was accidentally leaked to the press by the police, but it was actually not supposed to be published. We have an ongoing secrecy that makes it much more difficult.

However, I also would argue that having access to data still does not stand in for change. In the United States, for example, you have publicly accessible data, but if you don't do something to actually address the racism, you're just documenting it better. I'd highlight both that it's important and that it's also not enough.

With regard to the second strategy and the way human rights offices work, I do think that these are one of the important places where people are able to, in some instances, get justice. Of course, if we look to the Quebec human rights commission, we know that people are waiting years and years to get access to this trial, and it is quite narrow in terms of who really has access to it. As far as oversight goes, as much as these organizations do important work, it's vastly not enough for the number of people who are regularly experiencing police harassment and police violence. As an example, when we looked to one study that came out in Montreal in 2008, we saw that over 40% of black youth in just one neighbourhood had been stopped by the police that year.

If we look to this as the vastly expansive harm that it is across our society that's happening so regularly, human rights organiza-

tions do important work and are not given enough power or funding to really intervene. Anyway, it doesn't do any.... It only provides compensation afterwards for an injustice that never should have occurred in the first place. Again, it doesn't get to the heart of preventing police killings, police violence, etc.

**The Chair:** You have a minute and a half.

[Translation]

**Mr. Joël Lightbound:** Thank you, Mr. Chair.

Those are all the questions I have.

[English]

**The Chair:** Thank you, colleagues and witnesses, for helping the chair manage the clock. We are almost 40 minutes past where we should be, but thank you regardless.

Again, on behalf of the committee, I want to say to both Ms. Maynard and Mr. Bourbonniere that they've contributed mightily to this study and provided us with some very thoughtful comments, for which I am quite grateful.

With that, colleagues, I'm going to adjourn the meeting, but I will reach out to those on the subcommittee to talk about how to manage our time going forward.

Again, thank you.

• (1810)

**Mr. Mitch Bourbonniere:** Could I have 10 seconds?

**The Chair:** Yes, 10 seconds are yours, absolutely.

**Mr. Mitch Bourbonniere:** I just want to thank Ms. Maynard. It's been an honour to share the platform with her. I learned so much from her.

We need to listen to the research. Just like with COVID, we need to listen to the science, so thank you very much. Thank you to all of you for what you do.

**The Chair:** Thank you.

The meeting is adjourned.









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