

EMARKS TO THE CANADIAN ASSOCIATION OF POLICE GOVERNANCE

August 9, 2018

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**Winnipeg, Manitoba
August 9, 2018**

Good morning everyone.

Minister Wharton. Your Worship. Chief Smyth. President Silverthorn. Mr. Asper. Ladies and gentlemen:

As we gather on the territory of Treaty #1 and in the homeland of the Metis, it's my pleasure to bring you greetings and good wishes from Prime Minister Trudeau and the Government of Canada.

My thanks to the Canadian Association of Police Governance for the invitation to be with you today. And thanks also to the Winnipeg Police Board for being our hosts.

The police governance organizations which you represent – as different and varied as they may be across the country – work diligently every day to ensure the credibility, the professionalism, the independence, the accountability and the integrity of policing services throughout our country. These characteristics are hallmarks of our democracy. And they are in your hands.

Unlike so many other places around the world, in Canada the police are not the military and they are not instruments of politics. They're under impartial civilian governance. And that's you. In the words of Sir Robert Peel in 1829 ... "the police are the public and the public are the police."

The public's respect for and trust in our police forces depend in large measure on the quality of your vigilance on governance and oversight.

The one major police force in Canada that does not yet have civilian governance is, of course, the Royal Canadian Mounted Police. We have embarked upon an era of reform and transformation within the Mounties. Unionization is on its way. A new Commissioner is

settling in. And she has an unmistakable mandate to deal decisively with internal issues like workplace safety, bullying, harassment and sexual violence.

As Commissioner Lucki and I strive for essential cultural change in the RCMP (after 145 years of paramilitary tradition), we would hope to benefit from the experience, expertise, best practices and advice of the long-standing police governance organizations which you represent. I look forward to your input.

The Public Safety Portfolio, which I have the honour to lead, is relentless in the array of serious issues it presents for daily attention.

The “portfolio” includes the policy-making, research, program-delivery and administrative functions of the department itself, including the national responsibility for emergency preparedness and the always-alert “Government Operations Centre” ... plus large, active agencies like the RCMP, the Canadian Security Intelligence Service, the Canada Border Services Agency, the Correctional Service of Canada, the Parole Board of Canada, several review bodies and more.

Altogether, that’s about 65,000 employees, and annual investments of \$9-billion in the safety of Canadians and the national security of this country.

It was a pleasure recently to welcome my colleague and new Minister Bill Blair to our Public Safety team. And that’s what it’s about – teamwork. His wealth of experience in frontline policing and senior management will be a big asset.

Bill will focus on three important issues – foreign asylum seekers who enter Canada in an irregular manner, the fight against organized crime, gangs and illegal guns, and the implementation of Canada’s new cannabis laws.

All three of these areas of responsibility have one key thing in common – they entail a large amount of interdepartmental and intergovernmental outreach, consultation and coordination. Minister Blair demonstrated his great personal skill in this regard as he piloted cannabis Bills C-45 and C-46 through the House of Commons and the Senate on behalf of four federal Ministers – Health, Justice, Public Safety and Global Affairs. And he will continue that effort through the implementation phase.

With respect to asylum seekers, this multi-faceted phenomenon over the past 18 months has involved the departments of Immigration, Refugees and Citizenship, Global Affairs, Public Safety, National Defence and Social Development (on needs like housing, skills and jobs). It has engaged provinces, municipalities and NGOs. Minister Blair will ensure thorough communications with all concerned and seamless coordination of efforts required at all levels.

I won’t wade into this issue much further, but I will make one vital point.

From the very outset, Canadians can be fully assured that our professional police and security agencies have been meticulous in ensuring that every Canadian law is properly and thoroughly enforced at the border.

There are no exceptions. No shortcuts. No free tickets for entry. Public safety and national security have been tightly protected, and we are determined to keep it that way. That is Job #1. At the same time, we are equally determined to ensure that all of Canada's international obligations through the United Nations are fully honoured. And we have done that too.

More broadly, Canadians are rightly concerned by news reports that FOREIGN actors may be using social media and cyber tools to promote and provoke extreme positions on issues like immigration, for the purpose of damaging Canadian unity, our social cohesion and the generous values we have always shared.

Insidious foreign interference – to incite fear and division – is a growing global phenomenon which is frequently a topic of concern among allies in the Five Eyes alliance, the G-7, and elsewhere. Safeguarding our democracy and preserving the open, inclusive way we want to live our lives are huge and pressing priorities. We dare not take them for granted.

Let me turn now to the issue of gun violence.

Canada is indeed a safe and peaceful country. Overall crime rates have been on the decline for several decades. But about five years ago, offences involving firearms began bucking that trend.

Between 2013 and 2016, total criminal incidents with guns climbed by 30%. Gun homicides went up by two-thirds. Intimate partner and gender-based violence with a firearm present, as reported to police, increased by one-third. Gang-related homicides (a majority of which involve guns) went up by two-thirds. Break-ins for the purpose of stealing firearms increased by 56%.

When I mentioned these statistics this past spring as a rationale for new legislation and other initiatives to better protect Canadians from increasing gun violence, there were critics who said the numbers were just not compelling enough.

Then came the figures for 2017 – another 8% increase in the number of criminal incidents involving guns, compared to the previous year. And the total is up by 45% since 2013.

And it's not just in Toronto, Surrey and Ottawa. In my own province of Saskatchewan, gun violence was up last year by 49%. And a significant amount of it involves non-restricted firearms, outside of the major urban areas.

So, long before this “summer of the gun” and the intense tragedies in places like “the Danforth”, we have been at work on a package of measures that will enhance public safety,

support police investigations, strengthen border interdictions of crime guns, better combat gangs, and NOT impinge in any unfair way on ordinary, law-abiding firearm owners.

In July, we received a new round of proposals for federal funding under our National Crime Prevention Strategy. Through local governments and organizations (like YMCAs, school boards and others), we'll be investing over \$40 million this year in a wide-range of community-based initiatives – more than 100 of them in total – to build resilience against crime. Some of them are new, some ongoing. I visited one yesterday – at the North-End Women's Centre here in Winnipeg which is helping women exit the sex trade and restore their health and wellness.

Going further, we're finalizing a national program to build on extensive existing efforts to combat Guns-and-Gangs. It will include further CBSA investments at the border to increase capacity to interdict gun smuggling, and funding for the RCMP to better detect and disrupt trafficking schemes.

To date, we've announced more than \$327 million for this Guns-and-Gangs strategy over the coming five years, ramping up to an on-going \$100 million every year – most of our investment will be focused on provincial and municipal proposals, shaped to fit local needs and priorities. Communities are all different. It's not a case of one-size-fits-all. We need to be flexible.

Some will want to bolster Integrated Police Enforcement Teams. Others will focus on preventing recruitment into gang activity before it happens. Others will invest in mid-stream intervention and disruption, helping young people escape the clutches of their gang-bosses and find better choices for their lives.

As this initiative is rolled out, it is based upon what we heard at a National Summit on Guns-and-Gangs which we hosted last March to collect the best advice from law enforcement, Indigenous, youth and community groups, mayors, provinces and territories, and some excellent anti-gang practitioners.

It is also running parallel to other federal, provincial and territorial measures to increase economic growth and employment, bolster access to post-secondary education and job training, reduce homelessness, increase the supply and quality of affordable housing, and combat addictions, mental health issues and other social determinants of crime. Make no mistake – poverty, hopelessness and marginalization are prime contributors to gun and gang violence.

On the legislative front, as you know, we have introduced Bill C-71. It has had extensive consideration in the House of Commons and in Committee, and is now awaiting Third and Final Reading.

It will strengthen background checks for those who wish to possess firearms, especially with respect to mental health and gender-based issues. It will improve the license verification process. It will standardize record-keeping practises by businesses. It will

ensure impartial classification decisions by experts, free from partisan considerations. And it will improve the safe transportation of restricted and prohibited weapons.

These measures have been welcomed and applauded by the Canadian Association of Chiefs of Police, and many others. Also, it's important to note, the Official Opposition also supports the strengthened background checks, and even they have formally conceded that Bill C-71 is not – repeat, is NOT – any form of new federal long-gun registry. So that red-herring has finally been laid to rest.

When I introduced this legislation last spring, I mentioned several related issues that needed further consultation with the Canadian Firearms Advisory Committee, Parliamentary committees, the provinces and territories, and others. I would certainly welcome your input as well.

First, as suggested by Mayor Greg Dionne of the City of Prince Albert, Saskatchewan, do we need to revisit the regulations governing the storage of restricted and prohibited weapons? Since increasing numbers of these guns are getting into illegal circulation following break-ins on the premises of commercial vendors, pawn shops and certain collectors, are the existing storage regulations good enough? Are they being followed?

Secondly, as suggested by the victims group known as Poly Se Souvient, do we need better regulations dealing with advertising to prevent the glorification of anti-personnel violence with handguns and assault weapons?

Third, as suggested by Mayor Tory of Toronto, should there be a better way of flagging unusual, large volume transactions involving restricted and prohibited firearms?

Fourth, as the Province of Quebec has already implemented, should healthcare professionals everywhere be empowered to notify the appropriate authorities if they are aware of an individual suffering from some condition that may cause that person to be a danger to themselves or someone else?

And most recently, of course, we have the proposal from the families of the victims of the Mosque shooting in Quebec, and now from Toronto City Council, calling for an outright ban on the possession and use of certain specific weapons – at least in certain locations, like within an urban municipality.

The Government of Canada has undertaken to examine all these issues from the perspective of both effectiveness and fairness. What do you think? Your views would be most welcome.

Let me move now to cannabis, and the new legal regime that is coming into effect.

Canada has had a prohibition approach to cannabis for the better part of a hundred years. Anything but medically prescribed uses were offences against the Criminal Code. And what did this accomplish?

Despite the prohibition, research done for the United Nations showed that Canadian teenagers are among the heaviest users of cannabis in the western world. So prohibition hasn't worked. And there are no assurances that what our kids buy from pushers on the playground or in a back alley is a clean product and not laced with pesticides, meth or fentanyl.

Those pushers are part of an organized crime network that has raked in huge, illegal profits, while the young people they exploit get criminal records to dog them for the rest of their lives.

Canadian law enforcement agencies have been spending \$2-3 billion every year trying to enforce the prohibition against cannabis, while organized crime has been making off with \$7-9 billion in illegal cash. Surely we can do a better job of protecting our children.

Where the old law has utterly failed, the whole purpose for our new law is to be more effective at keeping cannabis out of the hands of our kids, and keeping illegal profits out of the hands of criminals.

Bill C-45 creates the new legal regime. Cannabis use remains illegal for minors, but becomes legal for adults, provided it is produced, distributed, marketed and used in accordance with tightly prescribed regulations. Our goal is to replace the black market with legal sources, where content and quality can be properly controlled. The federal government is focused on the production side of things, while provincial/territorial and municipal governments deal with downstream distribution.

The implementation date is October 17th, 2018.

Until then, Canadians are advised to abide carefully by existing laws. This is a massive transformation from what has existed for nearly a century. It's a process, not a singular event. The law is the law, until it is officially changed.

Please note one vital point. It is illegal today to take cannabis in either direction across the Canada-US border. That will NOT change. It will remain illegal in both directions. More broadly, while some states take a different view, US federal law applies at the border, and it provides that cannabis is illegal and can be a ground for barring entry to the United States.

Along with the new legal framework set out in Bill C-45, we have also enacted Bill C-46 – dealing specifically with Impaired Driving of all kinds, including both alcohol and drug impairment. The drug impairment portion of C-46 is already in effect. The alcohol portion comes into force on December 18th.

Taken together, this new law will give Canada among the toughest rules against impaired driving anywhere in the world – which is appropriate, given the human carnage on our streets and highways every year. Impaired driving is the leading criminal cause of death and injury in Canada. And it is totally preventable.

We are glad to have the strong, vocal support for C-46, from Mothers Against Drunk Driving, the Canadian Association of Chiefs of Police, the Canadian Automobile Association and many others.

On the drug impairment side of the equation, it's important to note that it's been against the Criminal Code since 1925 to operate a motor vehicle while impaired by drugs. Drug impaired driving already kills people today.

In fact, the percentage of Canadian drivers who are fatally injured in vehicle crashes and test positive for drugs already exceeds the percentage who test positive of alcohol. So the problem won't suddenly spring into existence on October 17th when the law changes on the adult use of cannabis. The problem exists right now. And we are implementing new tools to deal with it.

First, we are giving law enforcement the authority to use roadside oral fluid testing devices, as one more tool that can help establish reasonable grounds to believe an offence has been committed and for a driver to be examined before a Drug Recognition Expert, or to submit to a blood test.

Some of those devices were pilot tested last winter by seven different police forces across Canada, and proved effective. One has since been subjected to scientific examination by forensic experts, and the Minister of Justice is in the process now of officially certifying it for actual use. That could come as soon as the end of August. Others are in the pipeline for consideration.

Second, we are increasing training for both the DREs who operate in an expert capacity in detachments and for frontline officers on patrol who conduct Standard Field Sobriety Testing at roadside.

More than 13,000 law enforcement officers across Canada are already trained to conduct the roadside sobriety testing. More than 7,000 more will be trained over the next three years. Their curriculum now includes a new specific drug-impairment component, with a special emphasis on cannabis.

At the same time, in addition to the 800 existing DRE experts, we are funding training to add 500 more—and provinces and territories are expected to add even more.

Thirdly, we have created new offences that will be more direct and objective to prove. A drug concentration in a driver's blood over a certain prescribed level will be an offence in itself, without further proof of impairment.

A low drug level could result in a fine. Higher concentrations or a combination of drugs and alcohol or repeat offences would attract tougher penalties, including jail time.

Fourth, education and awareness about cannabis continue to be vital priorities. Our messaging focuses on public health and public safety, dispelling myths and pushing hard on

how dangerous it is drive while under the influence of drugs. It is targeted to reach specific audiences like youth and young adults, and will run for several years.

To support all this work, we are making \$81 million available to provinces and territories to help pay for the necessary training and devices. Agreements are being finalized with all jurisdictions. For those who have actually concluded the paperwork, they can begin disbursements and will receive compensation after all the agreements are fully in place.

Nearly \$200 million more is being aimed at multi-year border operations, combatting organized crime, further policy development, research and public education.

Going forward – while no one can yet fully quantify overall tax revenues to come from cannabis, I'm pleased to note that the originally-expected federal share of 50% of total taxes raised has been reduced to 25%, on the assumption that the other 25% will flow through provinces to benefit local governments and include support to local law enforcement to enforce the new regime.

Well, I need to wrap this up. I'll do so by simply listing a number of other recent federal initiatives that may be of interest to the Canadian Association of Police Governance, which we can follow-up on another occasion:

One is our largest ever federal investment of more than \$291 million to strengthen the First Nations Policing Program in 450 Indigenous communities across Canada. Agreements are being finalized and implementation is beginning.

Another positive development is our new National Memorial Grant Program to help the families of police officers and other first responders who lose their lives as a result of their duties on the job. It became effective April 1st.

We're also investing some \$50 million in the last federal budget to better tackle mental health issues and post-traumatic stress injuries among all public safety personnel.

There is a new National Cybercrime Coordinating Unit being stood up in the RCMP to help and serve all Canadian police forces to combat this growing field of crime.

The long-promised National Missing Persons DNA Program is now up and running.

And we have established our new Canada Centre for Community Engagement and Prevention of Violence – to better identify and combat radicalization risks in advance, before tragedies occur.

And there is much more.

For now, I just want to end this morning by congratulating you all once again for your professionalism and your partnership.

I admire the work you do in police governance. I appreciate your advice and counsel. And I'm glad for the opportunities we have to work together.

I wish you a very successful conference.