



House of Commons
CANADA

Canadian Parliamentary Coalition to Combat Antisemitism

Monday, February 8, 2010

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Parliamentary Publications

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• (1005)

[English]

The Chair (Mr. Mario Silva (Davenport, Lib.)): Good morning, everybody. I'd like to call the tenth and probably last hearing of the Canadian Parliamentary Coalition to Combat Anti-Semitism to order.

Witnesses will be given ten minutes, and there will be follow-up questions and answers from members. I also want to note that the proceedings are being recorded and transcribed and will be available on cpcca.ca immediately.

As this is not an official parliamentary committee, the proceedings are not subject to parliamentary privilege. Therefore, statements during these hearings can be subject to Canadian civil and criminal law. I just wanted to remind people of that.

We have divided our meeting into four different sections, each lasting roughly an hour. In the first section we will have before us Assistant Commissioner Allen Nause, commanding officer of A Division for the national capital region of the Royal Canadian Mounted Police. With him are Inspector Steve Côté and Inspector Shelly Dupont. They'll be there more or less to answer questions the members might have.

They will be followed by the Honourable Andrew Swan, Minister of Justice and Attorney General for Manitoba, and then Mr. Steve Sullivan, federal ombudsman for victims of crime.

We'll start off with Assistant Commissioner Allen Nause. Please begin.

Assistant Commissioner Allen Nause (Royal Canadian Mounted Police): Good morning, ladies and gentlemen. Thank you for the opportunity to speak to you on such an important issue.

The RCMP recognizes that anti-Semitism is perhaps one of the oldest and most enduring forms of hatred. Hate crimes, including those motivated by anti-Semitism, affect everyone, from individuals to the communities in which they live, and ultimately society as a whole.

The RCMP is committed to the safety and security of all Canadians. Along with our policing partners, we help enforce the laws of Canada. We also have a duty to the individuals and communities we serve to ensure and preserve a feeling and a sense of safety and security. Not only do hate crimes and those who perpetrate them harm people and property, but they also instill fear and undermine the stability of communities.

While various sections of the Criminal Code of Canada outline what constitutes a hate crime, the offences themselves can take on many forms, from hate propaganda to damage to property, intimidation, assault, murder, acts of terrorism, and genocide. RCMP policy identifies hate-motivated crimes as criminal offences committed against a person, an organization, or property that are motivated by hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.

While we do not have a formal definition of anti-Semitism, we would nevertheless categorize anti-Semitic criminal offences as hate-motivated crimes directed against the Jewish people as an identifiable religious group.

The RCMP understands that some offences or discriminatory actions may not be criminal offences. That is why our policy provides officers with guidance to direct individuals to refer their non-criminal complaints to the appropriate provincial or federal human rights commission.

In addition to the national policy, some RCMP divisions have developed supplementary policies of their own. These divisions are located in the Northwest Territories, New Brunswick, Manitoba, Alberta, and British Columbia.

The latter two have also created specific provincial hate crime positions and units. The British Columbia hate crime team is an inter-agency unit that is comprised of one RCMP officer and one municipal police officer. Mandated by the province, this unit conducts or assists in the investigations of all high-profile hate crimes, as well as hate propaganda on the Internet.

In Alberta, or K Division, a hate and bias crime coordinator oversees the reporting of hate crime incidents and liaises with other law enforcement agencies and the Attorney General's office. Hate and bias crime training is also among the responsibilities of this position in Alberta.

The B.C. hate crimes unit also develops and delivers training to RCMP members and other municipal law enforcement agencies in that province.

The RCMP also provides hate crime training to all RCMP cadets at Depot Division in Regina before they begin serving Canadian communities. Established in 1999, this comprehensive training component covers a range of topics, including hate groups, victims of hate crimes, cultural diversity sensitivity issues, and hate crime legislation and offences, as well as powers of arrest.

The RCMP prides itself on being intelligence-led, and our record management system collects data on hate crimes where an established criminal violation is deemed to be motivated by hate based on race, national ethnic origin, language, colour, religion, sex, age, mental or physical disability, or sexual orientation. This follows the national standard definition of hate-motivated crime as outlined in the "Uniform Crime Reporting Survey" manual produced by the Canadian Centre for Justice Statistics for all police agencies in Canada.

The RCMP began collecting uniform crime reporting data on hate crime in British Columbia in 2005, including crimes motivated by hatred against the Jewish people as a religious group. Collection of this information by the RCMP for the rest of Canada began in late September of 2009.

In B.C. in 2008, there were 18 crimes reported as being motivated by hatred of the Jewish religion. Seven were reported in 2009. For the rest of Canada, between October and December of 2009, two crimes of this nature were reported. Four-year reporting of hate-motivated crimes will be available for the entire RCMP at the end of the 2010 reporting year. Once these numbers are collected and analyzed, we will be in a better position to begin identifying trends and allocating resources more effectively.

We believe the victimization survey, as part of the general social survey conducted by the Canadian Centre for Justice Statistics, should be considered a complementary source to the hate crime data reported by police. This survey should provide more information from a social perspective, since it captures perceptions that fact-based police records management systems cannot.

Victims need to be heard, because statistics don't always paint the most accurate picture. Incidents in which there is no violation of law are not recorded in the system. For example, if racial slurs are made but no crime is committed, no record is made.

Regardless of whether a criminal charge is laid and statistical data are collected, feelings of victimization can persist, creating an atmosphere of fear and anger within communities, and this can contribute to an under-reporting of hate-motivated incidents to police. Therefore, sensitivity and respect on the part of our members is crucial.

These principles provide the foundation of the RCMP's bias-free policy, which requires employees to treat all people equally and fairly regardless of race, nationality, or ethnic origin, colour, religion, gender, or sexual orientation. We strongly believe this bias-free approach facilitates hate crime investigations, because impartiality, fairness, and professionalism are also the keys to maintaining positive relations with victims as well as with the community.

When members of the community have confidence in the police, they are more likely to report hate-motivated crimes. They are also more likely to come forward to provide information that may be crucial to preventing such an offence before it happens. In fact, the bias-free policing unit of our national crime prevention services section coordinates the hate crimes files.

Crime prevention is an important component of the RCMP's national hate crimes policy, which I mentioned earlier. We promote awareness and prevention through courses, workshops, and partner-

ships with community support groups. At the local level, the RCMP is actively involved in hate crime education and awareness for youth at a time in their lives when attitudes and opinions are being formed. Our youth engagement section and its website educate young people about diversity, discrimination, multiculturalism, and bullying in language they understand and can relate to.

In British Columbia, the hate crime team has partnered with the RCMP's integrated national security enforcement team, as well as crime prevention and program support services, to deliver a workshop to school liaison officers entitled "Youth and Extremism". The presentation was designed to give our members working with youth in school information on how to identify different types of extremism. Knowing the warning signs and knowing how to respond enable early intervention and prevention.

Through our Youth Officer Resource Centre, officers interacting with young people deliver presentations on diversity, racism, and hate crimes to the more than 5,000 schools that the RCMP serves across Canada. Teaching youth how to accept and respect our differences is the first step in addressing and preventing behaviours such as bullying, which can escalate to more serious hate crimes later in life.

As you can see, whether in a preventive or an investigative and enforcement role, the RCMP takes a holistic approach to hate crimes, but like any criminal activity, hate crimes will continue to change in their nature and complexity. With our policing partners, we will face this change and overcome the challenges that come with it.

Thank you for your time and for the opportunity to represent the RCMP here today.

•(1010)

The Chair: Thank you very much.

Now we turn to Minister Swan.

Thank you very much for being here.

Hon. Andrew Swan (Attorney General of Manitoba): Thank you.

Bonjour, good day, bom dia.

I am honoured to be here this morning representing the Province of Manitoba as the Attorney General. I am pleased to notice that Manitoba is actually over-represented on this committee, with MPs from all three political parties in the province represented.

It's my intention to tell you a little bit about the Manitoba perspective, to speak about the role of the Attorney General in prosecuting hate crimes, to give you some details on how hate crimes are prosecuted in Manitoba, and to provide a few thoughts on ways we believe the Criminal Code could be amended to improve protections here in Canada.

[*Translation*]

As I have just 10 minutes this morning, I will speak only in English.

[English]

Manitoba is a province that has been built on immigration from very diverse sources over the years. We've had waves of immigration from almost every corner of the world. In the last decade, we've really had a renaissance of immigration in Manitoba, thanks to a stable economy, our provincial government's investment in growing our population, cooperation with the federal government, and the participation of Manitobans.

We're very proud of our provincial nominee program, which assists skilled workers with connections to family, friends, or an employer in Manitoba to come and begin—or re-begin—their lives in Manitoba. International immigration has risen from a low of about 3,000 people in the year 1998 to over 13,000 in 2009.

We are blessed with a very strong Jewish community in Manitoba, and that community has played a major role in the success of the provincial nominee program. We've been able to attract Jewish immigrants from Israel, many of whom came from the former Soviet Union and other Eastern Bloc countries, but also from countries such as Argentina, which have had some economic difficulties. Having a strong, thriving Jewish community in Manitoba has really helped us to attract people to the province.

I'm starting from this perspective because we want our province and our country to be seen by the international community as continuing to be a beacon for newcomers and a place of safety and tolerance. There no doubt are many historical reasons why this is especially important for Jewish immigrants to Canada.

The work that you're doing on this committee is important on many fronts, but I also want to let you know that for the continuing economic development of my province and our country, it is vital that we continue to make this the most tolerant nation we can.

I like to think that Manitobans are tolerant people. I think most of us prove that every day. At the same time, however, I'm aware that there's a small minority of people who are prepared, through their words and through their actions, to try to intimidate, to threaten, and to incite hatred against various groups—those of a certain religion, race, sexual orientation, or whatever it may be—and I'm here today because we want everyone to feel safe wherever they worship, wherever they may gather, on the streets, and in their homes.

I want to speak a little bit about the specific role of the Attorney General—first, generally with respect to prosecutions, but also specifically with respect to hate crime prosecutions under the Criminal Code.

I'm new in the role—I was appointed three months ago—and I really wear two hats: one as the Attorney General and one as the Minister of Justice. It's important, especially when we look at the Criminal Code, to keep in mind those two roles. As the Minister of Justice, I'm a cabinet minister. I'm just as partisan as anybody who works in this building, and I make political decisions, but as the Attorney General, I actually have a different role. The decisions made by the Attorney General in the discharge of criminal prosecutions have to be above and beyond any partisan political consideration, which means the Attorney General doesn't take direction from cabinet or from the premier. That means that, generally speaking, in Manitoba I don't really control crown

prosecutors. I can give them direction by way of general policy, but not direction on any specific case. Also, although my office can refer matters to law enforcement for investigation, I can't tell the police, nor should I tell the police, to begin or to halt an investigation, whatever the circumstances may be. No matter what the Minister of Justice may think or want, the Attorney General has a very different role in our system.

With that in mind, I want to turn to the particular role of the Attorney General in hate crime cases, due to the provisions of the Criminal Code. I expect all of you are now quite familiar with those provisions. There are two specific places in the Criminal Code where the Attorney General must authorize the laying of charges. Those are section 318, on advocating genocide, and section 319(2), relating to statements wilfully promoting hatred against an identifiable group. There are also some other specific provisions in the Criminal Code requiring the AG to authorize a request for a warrant to seize hate propaganda.

Manitoba has a prosecution policy dealing with hate crimes. I've provided a copy for each of you. It's not a big secret. It's accessible on the Manitoba justice website. It really serves to guide crown attorneys when they're presented facts by the RCMP or by a municipal police service in Manitoba. The policy's going to be referred to when someone is providing an opinion to the police on whether or not to lay charges, and afterwards, in the conduct of the case, up to and including sentencing. In this case, you'll see the policy also gives crown attorneys some guidance on seeking the authorization of the Attorney General.

The practice in Manitoba is that the Attorney General actually has the Deputy Attorney General authorize charges. I haven't yet had to deal with one of these. Certainly I would sit down with my deputy and discuss the fact situation. However, it's important to remember that the reason the Attorney General is involved is to remove political interference.

• (1015)

It seems a bit of a paradox to have a politician making that decision, but again, it's because of the particular role of the AG. I leave it to the committee to determine whether or not this is acceptable.

I can say that I am not aware of there ever having been a controversy in Manitoba on the Attorney General's decision to authorize or not to authorize charges on these sections of the Criminal Code. From time to time in Manitoba, victims may not agree with the crown opinion given to the police. I don't know that it's so much a problem with the Criminal Code as it is simply a difficulty in regard to gathering the amount of evidence the police and the crowns would need to proceed with a charge.

In terms of the Criminal Code, I do want to speak a bit about possible changes. I've been made aware of a private member's bill that has made it partway through Parliament a few times now. I understand that the bill was actually introduced by a Bloc Québécois MP, Richard Marceau, but that it has now been picked up by a Liberal MP, I believe. It would extend the special mischief provisions in subsection 430(4.1) of the Criminal Code beyond just places of worship and cemeteries to other buildings, including schools, community centres, gathering places, and other buildings.

I can tell all of you that Manitoba would support that amendment. For example, the Jewish community, in addition to synagogues, of course, has schools, gathering places, and community centres that are an innate part of the Jewish community. Also, there are other religious ethnic and minority communities in Manitoba that have facilities that are innately connected to those communities.

I suppose the importance of having a particular section in the Criminal Code apply to these places is somewhat similar to comments that Gary Doer, formerly our premier and now our ambassador to the U.S., made on car theft a few years ago. His point was that, on its face, the Criminal Code treats the theft of a cow the same as the theft of a car, and although the theft of a cow may be annoying to a rancher, the theft of a car has a much greater impact on our community.

So, too, there is a difference between someone who tags a commercial building and somebody who goes out and spray-paints a Jewish school, a Muslim gathering place, or any other facility like that. I think it would be very helpful to move ahead and make sure the Criminal Code provides some additional protections for those sections. While sentencing can take those factors into account, we think including these facilities would be a good step.

We are going to urge all parties involved on this committee to be united in this report and to try to get Parliament to make this change. We know that all kinds of things happen in Ottawa; I think all parties could—and should—get together and move ahead to improve this.

I also want to comment briefly on the more difficult area of statements made on the Internet or through other new media. Hateful statements are very difficult for any individual police force, any individual province, or any one country, for that matter, to monitor and control. The Internet, as we know, is a great place for the cowardly to hide and to spread their hate. We will do what we can to try to shut down these sites and bring people to justice, but it is a challenge.

I don't pretend to be an expert on technology. I know that there are frustrations with where the servers are located, with where the systems are that may be beyond the jurisdiction of law enforcement in Canada. Any ideas that you have as a committee on tackling hate propaganda and its creators will be a good thing on this front, but also will have benefits elsewhere in our justice system.

As an example, Manitoba has been a leader in attacking Internet child pornography through Cybertip.ca. We would welcome a coordinated effort, hopefully led by the federal government, to do the same to try to tackle hate on the Internet.

In conclusion, Manitoba supports the efforts of this committee to combat anti-Semitism. It's of the utmost importance to the Jewish community across Canada, but frankly, it is of the utmost importance to all Canadians. We're politicians and we take our stands on political issues, but I think this committee is in a great position to speak as one voice when it submits its report.

I want to end as a Manitoban and tell you how proud I am that Winnipeg is to be the site of the first national museum outside of the capital region. The Canadian Museum for Human Rights will be a showcase for our country, both for the things that we have done wrong in the past and for the things we are doing right.

There are many important partners in that project, but I do want to say that the museum would not have become a reality if not for the Jewish community in Winnipeg. In particular, the late Izzy Asper was the driving force for getting this project moving. He and I might not have agreed on everything political, but I think he would have told all of us, gruffly yet clearly, that this committee should go about its work to take steps to make this country a little safer and a bit more welcoming for Jews and for all people in Canada.

Thank you for the chance to be here to present this morning.

● (1020)

The Chair: Thank you very much, Minister.

Now we'll turn it over to Steve Sullivan.

Mr. Steve Sullivan (Federal Ombudsman for the Victims of Crime): Thank you, Mr. Chair.

I want to thank the committee for the opportunity to come here to talk a bit about the impact of hate crime on victims.

Before I begin my comments, I want to thank someone in our office who worked very hard on our submission. Ariel Kimmel, who is continuing her studies at Carleton University, was the driving force behind the work we did. I just want to thank her publicly for that.

● (1025)

[*Translation*]

I would like to begin by congratulating the panel on undertaking this important work and helping to bring a stronger voice to an important victim issue. The Office of the Federal Ombudsman for Victims of Crime was established in 2007 to help Canadian victims of crime and their families.

[*English*]

Since our creation, we haven't had a lot of interaction or communication with victims of any hate crimes or particularly with victims of anti-Semitism. There are a number of reasons for that, which I will get into a bit later, such as under-reporting by victims of hate crime.

The information we bring forward today is based on research we have done but not on a lot of personal experience within our office. In the last couple of years, the Department of Justice has researched these issues more. A paper called "An Exploration of the Needs of Victims of Hate Crimes" was prepared for it. As well, recently a new chapter on working with victims of hate crimes was written for the second edition of a manual that was produced a number of years ago. That is now available. Those are very positive steps, and they are used by provincial victims services and local victims services to gain a better understanding of the kinds of issues that need to be addressed.

I would encourage members of the panel to look at these resources if they have the time.

There is not a whole lot of information available on the impact of hate crimes on victims in general. There's even less available on the impact on Jewish victims. So I'm going to talk in a more general sense today about the impact of hate crime on victims.

Unlike that of any other crime, the intention of hate crime is to target not just one person but what the individual represents, the victim's larger community. In exploring these issues, there were two distinct issues that our office felt needed to be addressed, which were particularly problematic. The first is a lack of services tailored to victims of hate crime. The second is the difficulty for victims of hate crime to have a voice in a justice system designed for individual victims.

We know that all victims of crime face challenges in our system of justice. It was never set up to address the needs or to answer the questions or to impact the satisfaction that victims of crime had. Our system was one based on the accused and the state.

Having said that, there has been a lot of progress made within the last couple of decades to enhance the role of victims in the criminal justice system. Manitoba is a fine example of a province that has done a lot of work to improve services in the role of victims of crime in the justice system. But it still is a very daunting system. It's designed for the accused, and victims still face significant challenges with regard to having their issues and their voice heard in that system. It's probably even more so for victims of hate crime. There are unique challenges they face that victims of traditional—I'll use that term—crimes do not face.

We know that hate crime victims are targeted by offenders or an offender because of the characteristics that ultimately define their identity as a member of a particular group, such as their physical appearance or religious beliefs. For this reason, victims may continue to feel they are at risk of similar or repeated victimization, therefore making it more difficult to regain their sense of security.

Research shows that 19% of past hate crime victims said they were worried or very worried about suffering subsequent hate crime victimization. This is actually more than quadruple the rate of individuals who have been victims of a crime other than a hate crime. Similarly, perhaps in part as a result, victims of hate crime tend to report more distress, and higher levels of fear, depression, and anxiety. At the community level, the impact of hate crime reaches far beyond the individual or the institution that has been attacked.

Hate crimes can promote fear among other members of the victim's community based on race, religion, or otherwise. Even people in different cities who simply learn of the attack can be impacted by the crime. Community members may not know the victim or even live in the vicinity, and they will not be recognized as victims per se or qualify for assistance. Crimes that impact an entire community also weaken the victim's natural support system.

We know that most victims of crime don't report the crime, and even those who do don't access formal victims services. There are a number of reasons for that. One of the main reasons is that victims aren't aware of the services that exist. For example, in almost every province there is a criminal injuries compensation program, a program that will compensate victims of violent crime. In most

provinces, and certainly in Ontario, the number of people who apply is lower than the number who would be eligible. Often the reason for that is that victims don't know about the actual resources that exist for them.

Research shows that fewer than one in ten of all victims access formal victims' services, and they rely on informal supports like family and friends. This will undoubtedly be true as well for victims of hate crime. They will rely on their family, their friends, and also their religious institutions and community support groups. Hate crime is unique in that it also impacts those larger groups, so that the crime itself can actually weaken the support systems that victims of hate crime would normally access. This has particular implications for victims of hate crime, since secondary trauma to the entire community may also impact these informal supports. The ability of the victim's family or community to offer support may be affected by their own feelings of victimization.

- (1030)

Having appropriate and effective services in place can make a difference for victims who are working to heal from a crime. Victim services can play an important role in helping victims understand the prosecution and justice process and provide clarification about why certain things in the system may be required.

For example, there are some religions that don't believe in or are opposed to autopsies, but in cases of homicide, as we all know, the system requires those things. It's the system that sort of takes over, and unfortunately someone's religious beliefs may take a back seat. Victim services can actually help people understand why this is necessary. That is not to say that at the end of the day they're going to agree, but at least those services will help them understand why it's important.

Similarly, with hate crimes, as we've heard and as your previous witnesses have talked about, often a crime may carry a more severe sentence if it was motivated by hate. Often a Jewish person may feel, for example, that an assault on them was motivated by hate, but if the system, the police, or the crown can't prove that, then unfortunately it's not going to be recognized as a hate crime. Victim services can help victims understand why decisions are made by crowns and by police. Again, that doesn't always satisfy the victim, but it does help them understand why things are being done.

Given the low number of victims who would seek out specialized victim services for hate crime, it's not realistic to suggest that a specific service be created. We know that in most communities victims of hate crime tend not to report, and of those who do, most won't access victim services. So I don't think it's realistic to ask for or to expect there to be specialized services for hate crime victims.

I think the better option, and I think what the government was trying to do with its research, was to try to educate the existing victim services about the particular issues that victims of hate crime may actually experience. The training can focus on what a hate crime is, how it affects a person and their community, and how best to assist victims of hate crime, both direct and indirect. They can work not only with the individual victim but also with their larger community so those places can be sources of information and sources of support.

They can notify, for example, community groups about compensation programs. If you are a victim of a violent crime, including a hate crime, you may be eligible for compensation in your province. Improved training would ultimately give victim service workers a better understanding of the experience of a victim of hate crime, which would ensure more sensitive and wide-reaching services.

The second issue I want to bring to the panel's attention is that of the limitations of the justice system in recognizing or addressing the impact of a crime on a community. As we know, the system we have is set up as the state versus the accused, and even when we recognize victims in our system and the limited role that they do officially have, a victim is usually an individual or sometimes a business. The justice system doesn't recognize a community. So in the case of a hate crime, if a Jewish community might be impacted by a particular offence, those people are not recognized by our system as being victims of crime. They wouldn't have a voice in the system to talk to the judge or to the crown about the impact of the crime on their community.

One of the things I think the committee may want to consider is the addition of a community impact statement to the Criminal Code. Victims currently have the right to present a victim impact statement at sentencing, after the person has been convicted. It's a right. Judges are supposed to ask the crown before passing sentence whether the victim has been given an opportunity to make a statement. If the crown says no, then the judge can—although most don't—postpone the sentencing until that's done.

The government's recent bill on white collar crime included a provision for community victim impact statements or community impact statements. These impact statements could be made now if a judge allowed them, but they certainly do not exist in the Criminal Code to the point that victim impact statements do. This, I think, would be an opportunity for communities to express the impact of the crime on them and their members as well.

They could also be used to educate the offenders about the impact of the crime. I think for a lot of individuals that might be quite helpful, particularly for young people. Certainly there are those who take part in these kinds of crimes motivated by hate who aren't going to be reached by the victims' words. I suspect there are a lot of young people in particular who really don't understand the impact of their actions. Community impact statements and victim impact statements can be a powerful rehabilitative tool for those individuals.

●(1035)

I would also say that in the broader victims movement, there's an increased interest in restorative justice practices within the philosophy of looking at crime as a crime against an individual or a community. There have been, in different jurisdictions, victim-

offender dialogues, in which victims can speak with or communicate with their offender and express to them the impact of the crime. I think those could be very useful in these kinds of crime, particularly with younger people. That is not to say they're going to work with everyone who has committed these crimes motivated by hate, but they can be quite useful in dealing with certain individuals who don't really understand the impact of their words or their actions.

In conclusion,

[*Translation*]

by improving the training for victim service workers and amending our laws to include community impact statements, we can ensure that victims of anti-Semitism are better supported and, just as importantly, are able to have a voice in our criminal justice system.

Thank you for your time. I welcome any questions the panel members may have.

[*English*]

The Chair: Thank you very much.

We'll now begin the first round of questions, starting with Anita Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Thank you very much.

Thank you to all of you for attending here today.

I apologize for coming in late. I may have missed some of what I'm going to ask about.

I want to direct my first questions to the minister from Manitoba, which, obviously, I care about a lot.

You talk about the Manitoba Victims' Bill of Rights, and you talk about the changes to the Criminal Code. I found myself wondering, as you were speaking, whether this is part of the national agenda when you meet with your counterparts from other provinces. If it is not, how do we raise the issue so that it is much more a part of those discussions?

Hon. Andrew Swan: That's a good question. As a rookie, I won't be able to give a lot of detail.

Hon. Anita Neville: I realize that.

Hon. Andrew Swan: I missed the last federal-provincial-territorial justice ministers meeting by a couple of weeks, before being appointed.

I can tell you the attorneys general across the country do meet regularly. The western attorneys general meet a couple of times a year to discuss matters of importance. I know the Atlantic Canada attorneys general also meet, and then we have the major federal-provincial meeting.

I wouldn't have any difficulty at all in bringing forward the suggestion I made, as well as maybe some other things the committee has talked about, both to my western counterparts and then at the national meetings, so we could try to speak with one unified voice. I think it is very important to have the attorneys general from across the country working together on this. Anything we can do to raise awareness and to support law enforcement so they can continue to share the best information and have the best practices is going to be a positive thing.

Hon. Anita Neville: You raised the issue of the Internet. There have been some small steps taken in terms of addressing the issues of child pornography on the Internet. There is much more to be done, quite clearly. It is an untameable monster in many ways. From your perspective, is there something that can be done, both provincially and federally, to address this as well?

Hon. Andrew Swan: It is a tough and challenging problem. If we're aware that somebody within Manitoba is posting hateful material on the Internet, there are things that can be done. Charges can be laid. The difficulty is with proof. The difficulty is also with sites that may be operating not just outside of Manitoba but outside of Canada. Again, on the child pornography side of things, perhaps it's easier for law enforcement because both possessing and distributing child pornography are illegal. Also, in just about every country worldwide, even though some governments may be fairly negligent, I believe child pornography is a crime. Hate propaganda is more difficult. There may be some countries that are less inclined to put a stop to particular kinds of hate propaganda. I think we would want to follow what we've done with regard to child pornography. That means early reporting. That means giving individuals who may stumble across this kind of material a place to report it to and to do the best we can as a province and as a country to try to shut down these sites. Also, when we do have evidence that Canadians are involved in providing material, it means using the laws that we have to try to bring them to justice.

It's a tough question.

•(1040)

Hon. Anita Neville: Thank you.

Can I keep going?

The Chair: Yes.

Hon. Anita Neville: The two I've heard spoke about victims of crime as that relates to anti-Semitism or hate activities. Often, it's not a violent act; it's insidious. It's the spraying on a building or doing something that's less overt but equally hurtful. Do you have recommendations—and I would open that to all the panellists—on how that's addressed in a more comprehensive way?

Clearly, education is a big piece of that. I was involved some years ago with a Winnipeg school division on a race relations task force, and I know the challenges there. I know how one school division is responding, but you have to distinguish between that continuum of incidents. I would welcome your thoughts on how you do that and how you distinguish, in the response to it, what you think should be done as it relates to public education.

I'll stop after this, but the other thing is my concern—and I think you mentioned it, Mr. Sullivan—about the lack of collection of data. What do we do and how do we do it?

Hon. Andrew Swan: I'll start, but I'll leave a lot of room in the field for my colleagues here.

First, in terms of education, I did check this morning, and our provincial education system now has in the social studies curriculum a province-wide unit on anti-racism. It doesn't deal specifically with anti-Semitism. It deals with all forms of racism.

In terms of the continuum that you speak about, certainly if there is vandalism that is anti-Semitic, for example, which has happened in Winnipeg, unfortunately, we do of course have a very strong community that's quite quick to get the police involved. Our prosecution's policy tells the crowns to take these issues seriously and to prosecute them to the fullest extent that's reasonably possible.

It does come down to the problem of evidence. I think we can all agree that if somebody spray-paints something hateful on a synagogue, that is well into the field of what a hate crime is. Other areas are closer to the line, such as the insidious sorts of things you talk about. We want our prosecutors to feel supported to prosecute, though, and, where they believe they have the evidence to demonstrate that there's a hate crime, to make sure they're using these sections of the Criminal Code to their fullest advantage.

I'll let some people with more expertise step in and deal with this.

Mr. Steve Sullivan: I guess what I would say is that as ill-served as victims of violent crime are in our system, victims of property crime—and I'll get more specific in regard to the incidents you raise—are even less well served. Most victim services are focused on domestic violence cases; they're focused on sexual violence and homicide. Those are the crimes that are obvious safety issues and that I think have been recognized as bringing with them the most serious impact.

The challenge with property crimes is that they do bring with them a significant impact. If your house is broken into, or if a synagogue is vandalized, that actually causes a lot of fear in individuals, but the system looks at the act: it's an act on a piece of property. We don't yet fully recognize the impact of that on the individual victim. I think progress has been made, but in victim services, those individuals probably would not be able to access many services. They wouldn't be able access compensation programs, which are for victims of violent crime.

So I think there are even more challenges. I think the chief of police in Toronto talked about that in his community and said that most of the crimes against Jewish people are property crimes—mischief—and therefore, for those people, accessing victim services is even less likely than it would be if they were violent crimes.

You talked about education. When these incidents happen—and if they're actually solved, which is another huge issue—I think they can actually be opportunities to educate. They can be opportunities for schools, for example, in their classrooms or their assemblies, to discuss the impact, because I don't think young people in particular—most young people—truly appreciate the impact of their actions.

That goes for young offenders across the board, but in particular, I don't know if they truly appreciate the impact of vandalizing a synagogue. I think they really could benefit from education about the impact of their crime on the victims, on that community, and on those people. I think education is probably going to be one of the best ways to combat these things, because the system probably is not going to give victims very much satisfaction.

•(1045)

Hon. Anita Neville: Thank you.

A/Commr Allen Nause: From a police perspective, we're very actively engaged in hate crime education and awareness for youth. We believe it is at that time of someone's life, when attitudes and opinions are being formed, that we can be most effective in combatting this type of crime.

This also brings me to the Internet, and I'd like to just comment. We do have a website on education awareness for youth where they can go to learn about racism and discrimination in a language they can relate to. The Internet is the way to reach out to today's youth. We are not the only ones to take advantage of that. We recognize that other groups are using the Internet to promote hatred.

Canada signed the Council of Europe's protocol to the international Convention on Cybercrime in 2001 to help with extradition and prosecution of cyber hate. This protocol is designed to stop online dissemination of hate-based material.

While technology has advanced over the past two decades, the capability of the police to lawfully intercept communication has not kept pace. The absence of lawful access legislation in Canada means that intercepting communications after a lawful authorization has been issued by a judge is too often not possible or not immediately possible. The passage of legislation proposed under Bill C-47 died when Parliament was prorogued. The plan is to reinstate the bill in March. This is an area where we are seeking government support, as this bill will give the police the statutory authority to obtain subscriber information from phone companies and Internet service providers. This proposed legislation would provide a more streamlined process for law enforcement where we may see increased capacity and less time being spent chasing down unnecessary warrants while providing the necessary protection for subscriber privacy interests.

It is my opinion and that of my law enforcement counterparts that the proposed legislation strikes the right balance between ensuring public safety and protecting privacy interests. It is important to note that Canada would join many other countries, including the United Kingdom, the United States, Australia, Germany, and Sweden, which already have similar laws for interception and the sharing of subscriber information.

The Chair: Thank you very much.

Now we will go to Lois Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you, Mr. Chair.

Thank you very much for being here.

We're going to be hearing from a lot of policing agencies today. We have a number of representatives coming in from different law enforcement agencies across Canada, so my question is really for the RCMP.

Commissioner Nause, could you respond?

Many of the policing agencies and enforcement agencies across Canada are facing many of the same problems. Are you working with other services, hand in hand? Can you tell us what the best practices are that you have the opportunity to share? Are you sharing information on a regular basis? Perhaps you could talk about this website you have. Are you finding there are a lot of hits on that? Is that information being disseminated to boards of education?

There are a lot of questions wrapped up together, but perhaps you could speak to those issues.

A/Commr Allen Nause: There are a lot of questions.

We are working together with our partners at all three different levels. As you are aware, the RCMP is Canada's national police force, but in some areas, under contractual arrangements, we are also the provincial or municipal police.

We have active education and awareness programs in the schools where we have those contractual obligations. Our website deals specifically with addressing extremism, and it's operated by youth for youth in language they can understand. We get a lot of hits on it. We also have an outreach program within our national security program through which, again, we are reaching out to youth to educate them concerning extremism and what they should be looking for. We also work very closely with our provincial partners in victims services and intervention.

I think you have to take a holistic approach to combatting this, one of education, prevention, and intervention along with enforcement. We have to work together. At the national level, for example, the RCMP is responsible for investigating war crimes abroad and acts of genocide, which are hate-motivated crimes. We are also responsible for anything deemed to be a threat to Canada's national security, so at a federal level we work very closely with our intelligence service, Canadian Security Intelligence Service, CSIS, to make sure there are no threats or crimes that would threaten the safety and security of Canada.

•(1050)

Ms. Lois Brown: Thank you.

The Chair: We'll now it turn over to Mr. Sweet.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chair.

I have a couple of brief questions, but I wanted to say, Mr. Sullivan, thank you very much for your testimony. It's the first time I've heard anything of that nature regarding a racially motivated hate crime.

You said that 19% of those who are victimized have a substantial fear that they will be victimized again and that this is quadruple the number for what you called traditional crimes. Thank you for that.

Is that a statistic from your own office? Or do you have a source for this data that you could provide the secretariat? I think it's extremely important.

Mr. Steve Sullivan: We'll provide the source for that.

Mr. David Sweet: Thank you very much.

Commissioner Nause, you mentioned that you keep good records regarding hate crimes, but you did state in your testimony that as far as non-crime occurrences go, you don't keep records of that. Is that correct?

A/Commr Allen Nause: Yes, that would be correct.

Mr. David Sweet: Has there been any research done at the national level after a crime has been committed and someone has been victimized to take a look and, you know, reverse-investigate to see if there has been a history of occurrences that were not crimes but that, left without any intervention, resulted in a crime against either property or a person or persons, against the individuals themselves?

A/Commr Allen Nause: On that question, I'm going to defer to Inspector Dupont from our policy area, who works in the crime prevention branch and who may be able to shed more light on it than I can.

Inspector Shelly Dupont (Royal Canadian Mounted Police): Could I just have the question again? I'm sorry.

Mr. David Sweet: I'm just wondering about when a crime happens, someone is convicted, and there is clear evidence that it was a hate crime. Have you had an opportunity to have any resources put towards a reverse investigation to see if there had been previous occurrences that, left without intervention, resulted in a crime either to property or to the persons themselves, the victims?

Insp Shelly Dupont: No. I'm not aware of any research that has been done in reverse.

Mr. David Sweet: Okay.

Also, we've had a number of universities represented here in the past. From the few questions that I asked, there seemed to be a resistance to keeping records in regard to occurrences of hate. It sounds to me as if you have the resources. Would you be willing... If a university said it didn't know how to actually categorize these, would you be able to give them some resources to show them how to do that?

A/Commr Allen Nause: Certainly. I would think that we'd be more than willing to share with them how our data banks work and how we score and classify different hate crimes, along with our policy, which I think is pretty sound.

Insp Shelly Dupont: We actually have several students who work with us through the co-op or FSWEF programs. In fact, one of our students did detailed research on hate crime for the RCMP to see

what our gaps were. As a result, we got a great deal of information from him. So we do work very closely with the universities now on different topics and issues.

Mr. David Sweet: That's very good.

I can't speak for all universities, but for the ones that were represented here, at least from their responses, there was resistance to keeping records of occurrences. I think that's extremely important in a case where you'd have to come onto a campus and find out what's going on when a crime has been committed. Thank you very much for letting us know of your willingness regarding that.

• (1055)

The Chair: Thank you very much.

The last questions will go to Scott Reid.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Thank you.

My first question is for Mr. Sullivan. I almost feel embarrassed asking this question, but did you say 19% or 90%?

Mr. Steve Sullivan: I said 19%.

Mr. Scott Reid: Thank you.

Obviously, there's a factor of five at work here, so it was important to ask the question.

The second question is to Assistant Commissioner Nause. The commissioner of the Ontario Provincial Police, Julian Fantino, came here as a witness back in December and was discussing much of the same subject matter that you were discussing today. In the process of his presentation, he pointed to the current lack in Canada of a series of national standards or clear definitions of antisemitism that can work across jurisdictional boundaries, across police forces, and across provinces. He made the following statement, which I'm going to quote to you. I'm looking to see whether you think this is a reasonable point of view as we start working towards recommendations for this committee. He said: "I urge this inquiry to recommend the establishment of national standards for police services across the country so that we have a common understanding of what constitutes an anti-Semitic crime, together with consistent across-the-board mechanisms for data reporting and statistical analysis."

A/Commr Allen Nause: I would agree with him that we certainly need a standard definition that we all use so we're all working from the same page. To me, the definition of a hate crime is sound. It's broad enough that it encompasses everything. I would categorize an anti-Semitic offence as an offence against the Jewish people as a religious identifiable group. That way, we can apply the same definition towards Muslims, Christians, or any other group that's identifiable by some characteristic. It has to be broad enough to encompass all. The trick is to make sure it's standardized and that we're all using it.

Mr. Scott Reid: Right.

You cited a series of religious groups—Christians, Muslims, and one could go on with other examples, Sikhs and so on. Additionally, I think you would agree with me that one would want to be able to make citations that apply on bases other than religion. That is to say, one could categorize Jews as an ethnic group or one could act against Jews because one sees them as proxies in the fight against Israel, and that kind of thing. The reason I mention this is that there's an interesting law enforcement precedent here. In Weimar, Germany in the 1920s, prior to the rise of the Nazis, it was considered a hate crime to act against Jews as members of a religion. But if one chose to couch it differently, saying that Jews were an inferior racial or ethnic group, that didn't fall afoul of the law. In fact, this led to a shift in the window-dressing under which anti-Semitic incidents took place. I throw that out as a thought.

A/Commr Allen Nause: Okay.

Our policy, if I can read it, identifies a hate-motivated crime as a criminal offence committed against a person, an organization, or property that is motivated by hate based on “race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor”. I think that pretty well encompasses it. But I agree that we should have a standard definition right across the country, and we should all be using it.

Mr. Scott Reid: That's very helpful.

Does anybody else have any comments on that point?

Mr. Steve Sullivan: I would just say that any definition for law enforcement has to be workable. It has to address the realities of the jobs they do in the criminal system. If somebody breaks into a synagogue and vandalizes it, you can prove that someone broke in and vandalized it. Proving that they did so because of hate or for whatever other reason is very difficult. This is a discussion law enforcement has to come to an agreement on. It has to be workable for them, given the realities of our system of justice and the burden of proof.

• (1100)

Mr. Scott Reid: Thank you very much.

Mr. Swan.

Hon. Andrew Swan: I would just add that we do have one national standard—the Criminal Code—as the commissioner has said. As the Attorney General of Manitoba, I would say that we certainly welcome a united approach by law enforcement across the country to keep helping us to define exactly how that Criminal Code provision should be interpreted. I would agree with the commissioner's position as well.

Mr. Scott Reid: Thank you very much.

The Chair: Thank you very much.

I want to thank all the witnesses for being here. We are right on time, so that's really excellent.

I know, Minister Swan, you had some information that was to be circulated to the members, but it's only in English, so I'll have to ask for unanimous consent for that to be circulated.

Is there unanimous consent to have the literature circulated? Okay, I think so. Thank you very much. I appreciate that.

In a couple of minutes, we're going to hear from Mr. Kenney.

Thank you very much to everyone.

Now I have a further housekeeping item. CBC has asked whether it can tape during the time of the minister, but we would need unanimous consent for that. I don't want to have a debate. Is there unanimous consent to allow CBC in?

No, there's no unanimous consent.

Minister Kenney, we'll be starting in a few seconds with you.

• (1100)

(Pause)

• (1100)

The Chair: Okay, thank you very much.

Minister, thank you very much for being here. We will begin.

[*Translation*]

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism): Mr. Chairman, I wish to thank you and all the members of this informal committee of the House of Commons and of Parliament. I think that this is a great example of Members of Parliament working together in a non-partisan way.

[*English*]

I really would like to commend all of the members of the committee, Mr. Chairman. I think the fact that this inquiry is going on here in our Parliament is a reflection of Canada's leadership role in combating anti-Semitism.

I note that Canada had the largest delegation at the international conference of parliamentarians combatting anti-Semitism in London last year. Several of you were there. I also note that at the global summit on anti-Semitism in Israel recently, Canada also had, I think, the largest parliamentary delegation.

I should note, and I think observers and media should note, that the participation of all of the MPs in these activities abroad and the activities here has been at their own expense. There is no parliamentary defraying of the expenses of people who have been giving of themselves, their time, and frankly their money to make this study and this involvement possible.

In particular, I would like to single out for praise my colleague, the honourable member for Mount Royal, whose tireless efforts over the years to fight anti-Semitism have epitomized the term “public service”. While vigorous debate and sometimes sharp disagreement between political parties is an essential part of democratic discourse, we should never let that put into doubt the commitment of individual parliamentarians, such as Mr. Cotler, to combatting hatred and injustice.

Mr. Chairman, just over a week ago I travelled to the Nazi concentration camp of Auschwitz-Birkenau to represent the Government of Canada at the 65th anniversary of the liberation of that infamous place. It's almost impossible to visit Auschwitz and not be haunted by the spirit of those who perished there, to walk in what is literally the world's largest graveyard. It had a profound impact on me, for there is no place in the world that more clearly illustrates the uniquely durable and pernicious hatred that is anti-Semitism and the mass violence it can result in.

While there, I also attended a conference of ministers of education hosted by the Polish government to review current research and other work around the world that concerns education, social programs, and cultural initiatives related to the Holocaust. Not only did the conference inform me of progress being made in these areas, particularly throughout Europe, but it convinced me even more that we must maintain Canada's zero tolerance approach and global leadership in combating anti-Semitism. I think that was widely recognized at the conference I attended.

• (1105)

[Translation]

I will present an overview of actions taken by my department to fight anti-Semitism. I will also talk about Canada's efforts on the international stage.

First, let us talk about Holocaust education. I believe that Holocaust acknowledgement issues and education on the subject are clearly related to anti-Semitism. The largest manifestation of anti-Semitism was the Shoah. The efforts invested into denying the historic reality of the Shoah are representative of modern-day anti-Semitism.

[English]

So supporting Holocaust education in Canada to teach future generations the lessons of the Holocaust and the effects of xenophobia, including anti-Semitism, is one of our principal objectives, as are taking a strong stance internationally against all forms of hatred, including anti-Semitism and working domestically through our multiculturalism program to build bridges between different cultural and faith groups and to recognize past policies that kept Canada closed to Jewish refugees before and during the Second World War. Finally, our principal objectives also include working to collect hate crimes data from the police forces across the country to develop a clear picture of hate crimes in Canada and their targets—I believe you just heard from the police services about that—and forbidding citizenship or permanent residence to anyone under investigation for, charged with, or having been convicted of a war crime or a crime against humanity, and revoking citizenship for those who abetted such crimes and who lied about it in the process of immigrating to Canada.

These are some of the efforts in general being pursued by my ministry. We are also supporting efforts such as yours to investigate and combat anti-Semitism in Canada.

Mr. Chair, as you know, Statistics Canada indicated that in 2007 15% of hate crimes reported to police targeted Jewish people. This accounted for two-thirds of hate crimes targeting a religious group, even though Jews make up only about 1% of Canada's population.

The 2008 audit of anti-Semitic incidents by B'nai Brith Canada notes a 9% increase in reports of such incidents between 2007 and 2008, with reports for the latter year being the highest number recorded since they began their audit.

Let me address what we have been doing to address these growing incidents of anti-Semitism at a domestic level.

First of all, I think we need to look back to our own history. I've just finished reading what is a classic Canadian study of popular history, *None Is Too Many: Canada And The Jews Of Europe 1933-1948*, published 20 years ago by Irving Abella and Harold Troper. It details in terrifying colour the policy of the Government of Canada circa 1933 to 1948 to keep the doors of Canada closed to European Jewish refugees in the lead-up to, during, and in the immediate aftermath of the Holocaust.

I was aware of the general policy that it describes, but I must say that it's strongly recommended reading for all members of this inquiry and parliamentarians in general in order to see how anti-Semitic attitudes in public opinion managed to influence a public policy in such a pernicious way, such that, according to the authors, Canada had the worst record in the western world in providing safety to European Jews facing annihilation. For many, in the popular imagination, that policy, which lasted some 15 years, was most clearly exemplified by tragedy of the SS *St. Louis*, which was, of course, denied entry to ports in Cuba, the United States, and eventually Canada.

I mention this because I think that if we as parliamentarians or the government or Canadians are to really get a handle on this issue, we need to look to our own past and we need to come to terms with it. We need to realize that Canada has been far from perfect in its own past in this respect. That's why we launched, within the framework of the community and national historic recognition programs, a \$2.5-million fund dedicated specifically to research on, commemoration of, and education about immigration restriction measures for European Jewry in that period.

I'm pleased to report to you that this helped to fund a major international conference on the issue held in Toronto last fall. It also is funding a \$1-million three-year national task force on Holocaust research, remembrance, and education, which is being administered by B'nai Brith Canada. As well, I anticipate that we'll be announcing shortly another major project with the Canadian Jewish Congress, which will lead to a permanent memorial to the victims of the *St. Louis* and the many others Canada rejected during that sad period.

•(1110)

Mr. Chairman, I think another issue that is of domestic importance, of course, is the growing threats and violence against facilities in Jewish and other vulnerable communities. Our government created the security infrastructure pilot project to provide grants for community institutions such as synagogues and Jewish schools, but also for mosques and Islamic schools and other installations that may face hatred or violence.

[Translation]

We have provided basic grants covering 50% of costs, up to a maximum of \$100,000, for the implementation of additional security measures to enable these institutions to guard against the threats and harassment to which they are often subjected.

[English]

Mr. Chairman, I believe it's also very important that in the framework of our multiculturalism policy, we increasingly put the emphasis on building bridges of understanding. In the past decade or so there's been focus on anti-racism programming, which is obviously admirable, but in my own judgment, some of that programming has had questionable results.

My own personal view on this is that hatred and racism are questions of the heart, and you don't change people's hearts by putting up posters or circulating videos—although that stuff is useful in terms of consciousness-raising. I think the ultimate antidote to hatred, including anti-Semitism, is personal relationships, personal encounters where people can personally see that the stereotypes they may hold are not true. That's why I put an emphasis on the multiculturalism program and on funding projects that bridge the gap between certain cultural communities.

My model project is the Somali-Jewish mentorship project in Toronto, which we are funding. It is bringing together young Canadians of Somali origin—many of them grew up in refugee families and have faced social exclusion and had very limited opportunities—typically with professions and businesses owned by Jewish Canadians, many of whose grandparents or parents arrived here as refugees with nothing and faced discrimination and persecution as well. I think it's a beautiful project because it gives these young people economic opportunities, but it also helps young folks who may have heard less than flattering things about people in the Jewish community an opportunity to find out they're not true, and vice versa. It's my aspiration to see that happen on a much broader basis.

Also, Mr. Chairman, we are concerned about some of the manifestations of what I would call the new anti-Semitism on our university campuses. I am concerned that some of the more extreme examples of anti-Zionism that are manifest in things like Israel Apartheid Week have made many Jewish students at our university campuses feel unsafe. We have publicly encouraged university administrators to do what they can to provide a space of protection and civil discourse on these issues and not to allow hatred to inform the campus debate on those issues.

On the international level, of course you know that I, along with many of you, participated at the London interparliamentary conference. We were delighted to see Canada have the largest

delegation there. As you know, at that point, on behalf of Canada, I invited the international coalition to consider hosting its next conference in Canada. We hope that will happen, and my ministry stands ready to participate as a funding partner if and when we're able to find the legal parameters within which to do so.

Let me also say that with respect to anti-Semitism, it's well known that Canada was the first country in the world to withdraw from the UN's Durban review conference, or Durban II. This was based on our concerns about what happened at the first Durban conference, which included, of course, the most terrible, egregious examples of anti-Semitism, including circulation of copies of the *Protocols of the Elders of Zion* and explicitly anti-Semitic symbolism.

With the lead-up to Durban II, we were concerned that with Iran as the vice-chair, a country that is explicitly dedicated to the elimination of the only Jewish country in the world, with all of the NGOs from Durban I being invited back, with many of the organizing meetings being held on Jewish high holidays thereby obviating the participation of Jewish delegates, and with the refusal to allow Canadian Jewish NGOs to participate, it seemed clear to us that there was a high chance of a repetition of some of the terrible developments at Durban I. I think we were vindicated. Certainly a number of countries, including European countries, followed our lead.

I should also point out that the Organization for Security and Cooperation in Europe, through its Office for Democratic Institutions and Human Rights, ODIHR, had a high-level meeting in 2007 in Bucharest, which I attended. There was a debate there about whether or not ODIHR and the OSCE should continue a particular focus on anti-Semitism.

•(1115)

I announced that the new policy of the Government of Canada was that we did encourage the continuance of a special rapporteur and process focused on anti-Semitism, not to the exclusion of other forms of hatred, which could be dealt with in other ways, but I argued on behalf of Canada that we needed to recognize the uniquely durable and pernicious form of hatred that is anti-Semitism.

Mr. Chairman, I would also like to report to you that we were pleased to be accepted as members of the International Task Force for Cooperation on Holocaust Education, Remembrance and Research in Oslo in June of last year.

[Translation]

The organization has 27 member countries that focus on Holocaust education and remembrance. However, as part of the membership acceptance process, we had to submit a study of Holocaust education programs in Canada.

[English]

So there was a baseline study required of us to submit to the ITF, which was very useful because it required our ministry to go to all of the provincial ministries of education and sort out exactly what was the provincial content on Holocaust education. We'd be happy to share that with you.

Also, to become a member of the ITF, we had to undertake a pilot project as a liaison country, which we did in partnership with France and the United States. That pilot project was in fact a conference we held last year on the immigration restriction measures focused on European Jews.

Also, Mr. Chair, and this is slightly on the margin of the focus of your study, I did participate at the international Holocaust Era Assets Conference in Prague, which has created a new permanent institution, the Terezin institute, to focus pressure, effectively, on countries to track and identify assets that were stolen from Jewish families during the Holocaust. This is an important issue. This is an issue related to anti-Semitism because in some countries the refusal to participate in international efforts to restore Jewish assets to the families of Holocaust victims is, I would argue, motivated in part by anti-Semitic public sentiments. That's why Canada is lending its full moral and practical support to that effort.

Of course, Mr. Chair, I could continue. I'll just close with a statement by the Prime Minister, who said, following his visit last summer to Auschwitz-Birkenau :

...I was moved beyond words by what I saw; to revulsion, anger and, most of all, a deep, aching sadness for the millions of innocents who perished.

But ... I also felt hope. Hope because of the indomitable spirit and strength of the Jewish people. Hope that left behind the horror of the Holocaust and moved forward to build the thriving modern democratic State of Israel. And also hope because today most people in most civilized countries recognize anti-Semitism for what it is: a pernicious evil that must be exposed, confronted and repudiated whenever and wherever it appears; an evil so profound that it is ultimately a threat to us all.

• (1120)

[Translation]

Thank you for your attention. I am available to answer your questions.

[English]

The Chair: Thank you very much, Minister.

We will start our round of questioning with Anita Neville.

Hon. Anita Neville: My colleague has a question.

The Chair: I'm sorry.

Dr. Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): I just have a quick question, Minister.

We do thank you for the work that is happening on the ground and everything you're doing in trying to make sure that we are building a better country in terms of inclusion.

I was just a bit concerned. I was, as most of us were, at the London conference when you offered to host the meeting for this fall. In your testimony you've now said, "if we can find the legal parameters". Does that mean that the conference is at risk?

Hon. Jason Kenney: No, no.

Hon. Carolyn Bennett: What would happen if you can't?

Hon. Jason Kenney: Sorry. I sounded like a bureaucrat there. I apologize.

The government at the political level is completely dedicated to participating, making sure the conference happens in Canada. I've met with the two chairs....

Are you vice-chairs or co-chairs?

The Chair: Chairs is fine.

Hon. Jason Kenney: I met with the chairs about this on two or three occasions, Dr. Bennett. It's simply a question of finding the right process within the terms and conditions and with the Financial Accountability Act to flow the funds. That's all it's about. It's not a question of not hedging bets or anything.

I'll just detail one of the problems we've had. This committee doesn't actually have a legal personality, so we can't transfer funds to it. It's not an incorporated entity, it's not a non-profit corporation, and it's obviously not a charity, so we need to find some other platform, and we encourage the chairs to pursue incorporation of this committee as a non-profit corporation, in which case it could then become a funding partner.

So that's really all I'm talking about. We just need the legal modalities to make the funds flow. But there's clearly a commitment on our part to be a substantial funding partner.

Hon. Carolyn Bennett: Usually when a minister makes an announcement internationally, the department has to figure out how to do it.

Hon. Jason Kenney: You know what I've said, Dr. Bennett. I actually said that we would hope.... I qualified my statement in London. I don't have my statement in front of me, but it was essentially that we would hope that Canada would be able to receive the conference, that we'd be delighted in principle...words like that.

And I have been working with my officials. This is a little bit outside the normal. Canada doesn't have a tradition of hosting these kinds of conferences. We noted at first that the Foreign & Commonwealth Office was a co-sponsor of the London conference, and we first approached DFAIT, but they indicated that they didn't have any kind of program that would fund a conference of this nature. So then we turned to my ministry, and particularly the multiculturalism program, and at first we had some difficulty identifying legal means, but we've worked all that out.

I think you can discuss this internally with your chairs. I think they have found a way to create a legal platform in this body that could be the funding partner for us.

The Chair: If I may, Mr. Minister, just to update everybody, we have been incorporated, as of now, and we also have a funding partner, which is the Parliamentary Centre. We hope to put in the application within the next week or two. We are working on the budget—

Hon. Jason Kenney: Yes, that's part of the problem. We haven't received an application yet.

The Chair: So once we get the application in... We have the funding partner now, so everything should be fine.

Hon. Jason Kenney: We're ready to do this. We just need the application. We just need to go through the usual legal process.

Hon. Carolyn Bennett: Minister, there have been some concerns internationally regarding the effect that the ten percenters into the ridings have had in terms of worry that combatting anti-Semitism has become a partisan issue, particularly with the attacks on Irwin Cotler. We thank you for complimenting him at the beginning of your testimony, but there was much advice, as you know, that this committee was at risk; there were many advisers who told us that we should not attend until there was a formal apology to Irwin Cotler.

Most of us have decided to come anyway, but I really wonder now if you regret the actions of your party in carpet bombing our ridings, hurting a great number in the Jewish community, particularly in my riding, misleading Canadians, and trying to turn this really important issue into a partisan issue.

• (1125)

Hon. Jason Kenney: Well, I agree, Mr. Chairman, with Dr. Bennett that anti-Semitism should not be a partisan issue. It's a human issue. It's an issue that should unite us and not divide us. That's why I appreciate the efforts of this committee.

As I've said in the House on this issue, I certainly regret if anyone took offence and inferred there was an accusation that any member or party in the House of Commons was anti-Semitic. I don't believe that was the intention. I don't believe that was a reasonable inference.

I think there are policy disagreements from time to time. In 2001 there was a different approach by the government and by the official opposition on Canada's continued participation in Durban. I think that's a legitimate policy difference. I don't think it's irresponsible to characterize Durban I as having been anti-Semitic. I think that's actually pretty widely accepted.

Having said—

Hon. Carolyn Bennett: I think, Minister, the issue was that Canada decided to stay in spite of Israel's wishes when, indeed, I think Rabbi Michael Melchior has made it very clear in his article in the *National Post* that Canada was asked to stay to try to mitigate the anti-Semitism and to bear witness to the atrocious pamphlets that we were able to bring home to show Durban to be really what it ended up being.

But I think using Alan Baker's quotes when Michael Melchior was actually head of the mission...it just seems outrageous that there is this kind of misinformation out there that is being used for partisan purposes.

Hon. Jason Kenney: Mr. Chairman, as I said, I think these kinds of disagreements are an inevitable part of democratic debate. Frankly, what the Israeli government did or did not want is not terribly relevant to me. All I can tell you is I was the minister principally responsible for making this government's decision not to participate in Durban II, and I never, for one moment, bothered to consult the Israeli government or any other government. We made the decision on our own lights, for our own reasons, based on our own values. We didn't think we needed to consult with or take direction or suggestions from a foreign government. If other governments had different reasons for doing different things, that's fine, that's legitimate.

I will say, I do regret if any member of this Parliament feels there was an accusation that they were involved in promoting anti-Semitism. Such an accusation would be absurd. I hope that would be completely untrue of any member of this place. I believe it is untrue of any member of this place. So Mr. Chairman—

Hon. Carolyn Bennett: But, Minister, you haven't yet said sorry. I just want to say that for me, as a gentile, to go home and see that brochure on my kitchen counter, all I could do was feel for my Jewish colleagues as to how it must have made them feel.

I do want to know, did you see that before it went out?

Hon. Jason Kenney: No.

Mr. Chairman, the reason I don't really want to fully go into this is because this is a debate that none of us really wants to get into. I'll explain why. I can't count the number of times that members of other parties have referred to me personally or to my party in the most outrageous terms. I remember a minister of the previous government referring to my party as harbouring prominent racist anti-Semites and Holocaust deniers. There was never an apology forthcoming.

I don't believe the flyer in question made such accusations. I think that if we want to make a full accounting of the various ways in which we've all taken offence from things that have been said about us over the years, we could spend the whole time doing that. I think we just need to move on.

• (1130)

The Chair: Fair enough. Thank you.

Now we go to Lois Brown.

Ms. Lois Brown: Thank you very much, Mr. Chair.

Minister, thank you very much for being here.

My question is brief, but I think there's probably a lot of explanation that you would like to go into. It's very obvious that you are passionate about this issue and you've worked very, very hard in ensuring that discussion has taken place to calm anti-Semitism in Canada.

I wonder if you could talk about what you believe the role of the federal government is in this, in preventing anti-Semitism. Could you speak to your own plans and objectives?

Hon. Jason Kenney: The federal government's role in combatting anti-Semitism operates at basically two levels: the international level and the domestic level.

At the international level, I think we've been absolutely clear: by leading the world in withdrawing from Durban II; by denouncing perhaps the world's most prominent anti-Semite, Mahmoud Ahmadinejad, for example, by leading the walkout of the United Nations General Assembly from his speech; by joining the international task force on Holocaust commemoration, education, and research; by articulating at the OSCE our view that anti-Semitism is a uniquely pernicious form of hatred and that it should be the focus of ongoing specific study and should not be blended into other forms of xenophobia; and, frankly, by recognizing the anti-Semitic nature of many of the organizations and individuals who seek the destruction of the Jewish homeland, Israel.

Part of our government's perspective on the Middle East I think is informed by our understanding that organizations like Hamas, Hezbollah, and the Ahmadinejad government are not interested in a conventional peace settlement with the Jewish democratic state of Israel. They're interested in one thing and one thing only, and that's the destruction of the Jewish homeland, so I think that informs our approach on the international stage.

Domestically, as I've said, there are many different dimensions of this one, which is the protection of people from violent expressions of hatred. We've tried to do that through the security infrastructure pilot project, which has funded dozens of projects, not only in Jewish communities, but in other communities at risk. Just the other day I was in Montreal at the big Jewish community centre there. I could see new video cameras and reinforced doors, which is another example of the kind of thing we've made possible through that fund.

Obviously, through our recognition of the history of official anti-Semitism in Canada, we're trying to raise the consciousness that we can never be sanguine about these things, that we must always be vigilant. Also, through this project, we're honouring the memory of those whose lives we refused to save in those years, and I think that's something very important.

I'm not in charge of the programming, but I certainly anticipate that the new human rights museum in Winnipeg, as well as what is now the now federal immigration museum at Pier 21 in Halifax, will acknowledge this. I'm sure the human rights museum will have a permanent exhibition dealing with the Shoah. I don't speak for them, but I'd be surprised if that weren't the case. One of the reasons we're funding that museum is for the educational opportunity to learn from crimes against humanity in the past. I would also hope that the Pier 21 museum would be an opportunity to recognize the experience of the *St. Louis*.

These are all educational experiences. The baseline study we did through our membership application for the international task force on the Holocaust commemoration is a very useful resource for provincial educators.

Also, there is the question of the sort of bully pulpit. We've been there to denounce expressions of anti-Semitism on university campuses and in general. Obviously there's been some controversy about the fact that I have enunciated a funding policy in my ministry that we will not fund organizations that promote hatred or apologize for violence or terrorism. That resulted in my decision not to renew settlement funding for the Canadian Arab Federation because of its leadership's long record on issues of this nature.

That's now a matter of litigation, but I think it's an important principle. People may agree or disagree on any particular organization, but I think it's a very important principle for us to enunciate that we will not fund. Organizations have a right to express freedom of speech within the limits of our law, but they don't have a right to expect government funding if they're promoting views that are hateful or make excuses for violence.

Those are some of things we've done. Also, we are funding, through the Ministry of Justice, I believe, the hate crimes reporting project that you've just heard about, and other ministries have....

Finally, as I've mentioned, in the multiculturalism program we're focusing on bridge-building as the best antidote to hatred.

• (1135)

Ms. Lois Brown: Do I have time for one more?

The Chair: Yes.

Ms. Lois Brown: Minister, we heard from the RCMP this morning that they have an educational website they're using. Does your ministry monitor to see what other agencies in Canada are doing that's good and are you working with them on that?

Hon. Jason Kenney: Oh yes. Within my responsibility for the multiculturalism program, we take the lead on Canada's action plan against racism, which is a \$54 million, three-year project, one dimension of which is working with police agencies. I don't know about that particular project, but certainly we are working with the police agencies on better standardized reporting of hate crimes.

Ms. Lois Brown: We've heard from several boards of education that there are a variety of programs that are being used. It may be helpful to see some coordination of those efforts, and try to work on one comprehensive....

Hon. Jason Kenney: Yes. I would invite you maybe to ask for a representative of the Ministry of Public Safety to talk about that, because my ministry's interface with police services is really only limited to a project basis through the action plan against racism. If you're interested in encouraging the Ministry of Public Safety to pursue that issue with the RCMP, I would talk to the Minister of Public Safety about it.

Ms. Lois Brown: Thank you, Minister.

The Chair: Thank you.

We now go to Judy Wasylycia-Leis.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Thank you very much.

Thank you, Minister, for being here.

I have three questions. The first one has to do with my colleague from Manitoba's presentation, Minister Andrew Swan. At the outset of his presentation, although I wasn't here for it, he was going to mention the importance of an open immigration policy and how Manitoba has been successful, through its nominee program, in attracting and settling a significant number of Jewish folks from Argentina, the Soviet Union, and other countries. I think the point of mentioning this is to say we want to show to the world that we are a beacon of light for people from all parts of this world, regardless of background, and especially to show to the Jewish population that we will not tolerate any kind of hatred and anti-Semitism. So my first question is on the immigration side.

I know that the PNP is so popular, and I know that there are increasing delays and backlogs in terms of getting people to that program as quickly as possible, because of competing demands from the immigration system. Have you got plans in place to speed that up so that in fact we're able to settle folks that want to come from all over the world?

Hon. Jason Kenney: Thank you for that. Let me just say that I'm a huge advocate: everywhere I go across the country, I promote the example of Manitoba's very progressive provincial nominee program and how it's helped to attract very talented newcomers, often with pre-arranged employment, who before have been going to the three biggest cities and not coming out to Manitoba. I think it's great, and I worked very closely with the previous immigration minister, Nancy Allan, on this.

I think you missed the opening of my presentation, but I talked at some length about the history of immigration restriction measures before and during the war, and Abella and Troper's amazing study on that. One of the reasons we're focusing on a commemoration and educational project about these immigration restriction measures against Jews is to make sure they never happen again.

Here's the good part of the story. Canada closed its doors to European Jews circa 1933 to 1948, but after that we became the third-largest recipient of Holocaust survivors in the world, after only Israel and the United States. Canada received tens of thousands of Holocaust survivors. And I believe that since that time, since the late 1940s, we have continued to be extraordinarily open. We are receiving the largest number of immigrants in the developed world as a percentage of our population, 0.8% of our population, even in a recession, and we do that without any discrimination on grounds of national origin, ethnicity, or religion.

You're absolutely right. That is an important response, if you will, to this dark period in our history. And as it relates particularly to the Manitoba program, we are working with all these different programs to get them moving as fast as we can. I don't want to get into the guts of immigration policy here except to say that there are limits to our capacity to process applications and to settle people. We estimate that limit at about 265,000 a year. It's impossible to satisfy every person who's applied for every program in every province in terms of alacrity, but I really believe the PNP is a valuable program and I will continue to work with Manitoba on that.

● (1140)

Ms. Judy Wasylcyia-Leis: Thank you. I appreciate the answer.

I agree that we have made some strides since that sorry chapter in our history of "none is too many", but we've always got to be vigilant about keeping our doors open to people around the world.

I know you have said in the past that you have a zero tolerance approach to anti-Semitism in Canada. We all appreciate that. I think the concern we have is that if we start making broad accusations without fact, we can sometimes actually set back the whole exercise and put us further from the goal of achieving a society that is free of hatred. I think Carolyn mentioned one example, and that was the householders that went out targeting Liberals in this country and accusing even Anita Neville, an upstanding Jewish member in our community, of being anti-Semitic.

What I'd like to ask you is if you're prepared to say, even as an individual, that this was wrong and set us on the right path in terms of being sure that when we make statements about anti-Semitic behaviour in this country it is founded on fact.

Related to that is what you said around KAIROS. I'd like to ask you if what you said about KAIROS is true in terms of your

government defunding organizations like KAIROS because you believed they were anti-Semitic in their activities. That really has hurt a lot of folks in this country and churches from all over Canada working together for social justice, with no evidence of any kind of a campaign against Israel. I think we need some explanation on that front and some understanding that we're not going to be making those kinds of wide-sweeping, ill-founded accusations.

Hon. Jason Kenney: First of all, on the issue of the householders to which you referred, I don't accept the characterization that some people have made that this accused members of Parliament of anti-Semitism. The way I read it is that it very clearly accuses the Durban I process of having been anti-Semitic. There is a debate about whether Canada should have participated there. I believe that debate is a legitimate part of public discourse.

I said earlier and I repeat that I do regret if anyone felt that this was an attack on their personal integrity or their commitment to combatting anti-Semitism. Again, I don't think it would be fruitful for this committee to engage in an inventory of all the comments that people have taken offence about over the years, or even in the past couple of weeks, that have been directed at me on these issues.

You raised three issues: the householders, KAIROS, and...?

● (1145)

Ms. Judy Wasylcyia-Leis: Well, you haven't really addressed KAIROS yet.

Hon. Jason Kenney: Okay. Well, in terms of that issue, no, I did not accuse KAIROS of being anti-Semitic. I don't have the transcript of my speech here, but I did say... First of all, let me be clear about this. I've actually never spoken to the minister responsible, Minister Oda. She has changed priorities for funding to focus, I understand, on food security and poverty relief, and funding decisions were made on that basis. I did reflect on the fact that this is an organization that has been involved in what is known as the boycott, divestment and sanctions campaign. You say there is no evidence of that. The evidence is very clear. It's on their website. I think there's a 28-page guide on how to divest from interests in Israel.

I would just back up a step and address organizations in general. When I see organizations that take a particular focus, a critical focus, on Israel but never say anything about the treatment of religious minorities in most of the other countries of that region, and when they never talk about the concentration camps in North Korea, when they never denounce the execution of homosexuals in Iran, and when they never talk about the union leaders who are imprisoned in Cuba, when they have a particular focus on the actions of the only Jewish country in the world, I find that to be problematic.

I don't say essentially anti-Semitic. I said in my speech in London that criticism of the State of Israel does not of course constitute anti-Semitism, but in regard to criticism that takes on the nature of alleging that Israel is a criminal state or is systematically engaged in crimes, and language that draws a parallel between Israel and the illegitimate criminal regime of the apartheid South African state, for example, I find that to be crossing the line towards a kind of anti-Semitic anti-Zionism.

I'm not saying that about any particular organization right now. I think you have to look at the facts of every group and what they say in a dispassionate way, but I will say this on organizations that are involved in the boycott, divestment, and sanctions campaign, as cute as they may want to be.... I mean, they may say, "We're not really advocating boycott, divestment or sanctions; we're just suggesting that if you wanted to boycott, divest, or sanction, this is how you would do it".

For organizations doing that, I think I would have a series of very tough questions for them: why is it you are providing people with advice on how to boycott, divest from, or impose sanctions on a liberal democratic state with full protection for human rights, but you never suggest the same thing for Iran? Or you could fill in the blank with any number of totalitarian or authoritarian states that are engaged in persecution of religious minorities, etc.

So I am troubled by that, and anyway, I did not accuse that organization of being anti-Semitic. I did accuse them of being involved in the boycott, divestment, and sanctions campaign. I believe the facts support that.

The Chair: Thank you.

Ms. Judy Wasylcia-Leis: Just on a point of order—

The Chair: I've been very generous with everybody's time. I'm sorry.

Ms. Judy Wasylcia-Leis: Well, I have to quote you, Minister, or at least cite back to you what you've said publicly and see if it's not true.

You talk about your "zero tolerance approach" and then say, in part, that it means we will eliminate any government funding relationship with organizations who are taking a leadership role in the campaign of boycott, divestment, and sanctions, which you just said you're concerned about and opposed to, like all of us, and you agree is not anti-Semitic behaviour. Then you turn around and say you have "defunded organizations, most recently like KAIROS, who are taking a leadership role" in this campaign.

So in effect you're saying that even though you agree that criticism of the State of Israel is not anti-Semitic—

• (1150)

Hon. Jason Kenney: Not necessarily.

Ms. Judy Wasylcia-Leis: —not necessarily anti-Semitic, you will go so far as to eliminate funding of KAIROS, which is involved in social justice issues everywhere around the world, like it is with the Philippines, like it is with aboriginal people in Canada, like many other countries that have a solid reputation, involving churches from right across this country, all of whom are offended at the thought that you would be so narrow in your agenda as to cut groups off from funding because they dare to criticize, dare to raise questions, dare to stand up—

The Chair: Thank you. I'll hear a very brief—

Ms. Judy Wasylcia-Leis: —whether we agree or not.

The Chair: Thank you.

It will have to be a very brief response from the minister. We are out of time.

Hon. Jason Kenney: Again, my understanding is that whatever application that organization put in for funding did not meet the new priorities for CIDA's focus.

I was, if you will, making an *obiter dictum*, a side remark, that this organization has been involved in the BDS campaign, and I think that organization has been disingenuous in denying its advocacy of boycott, divestment, and sanctions. I personally would like that organization to explain why, of all of the points of conflict, in all of the major systematic violations of human rights in the world, so much of its advocacy has been focused on the liberal democratic Jewish state of Israel.

The Chair: Thank you very much.

We now go to Scott Reid.

Mr. Scott Reid: Thank you.

I have two questions, Minister. Before I do that, I have an observation to make that I think is relevant to the discussion we've just had.

In my capacity as chair of the international human rights subcommittee, conducting, over several months, hearings into human rights violations in Iran, I think there is widespread consensus that the Iranian regime is one of the great human rights violators on the planet today. But if an Iranian filmmaker, an independent person, chose to come here to show their films, or if a festival were set up to see some of the film work that is going on—there's an increasingly vibrant community there—I would regard it as peculiar if people were to decide to boycott that on the basis that these were Iranians. But many people seem not to have a problem that filmmakers from Israel, when there's a Tel Aviv component to the Toronto film festival...that this should be boycotted purely on the basis that they come from Israel, as if there were some form of collective guilt for whatever evils Israel may be involved in that fall upon all of its citizens, or at any rate upon all of its Jewish citizens. I would say that constitutes a form of anti-Semitism, however it might be dressed up; simply an observation.

I wanted to ask you two questions. First, you're the minister for immigration as well as multiculturalism. There are cases internationally where individuals are persecuted in their home countries because they're Jewish, because of domestic anti-Semitism. We've seen this phenomenon arising in a number of countries. In some cases, those individuals may wish to come to Canada. Although they are persecuted, they are not refugees in the formal sense.

Can anything be done to make it possible for Canada to be welcoming to individuals in such circumstances? Venezuela is one example that has been suggested and made mention of at these hearings.

Hon. Jason Kenney: As you know, under the UN conventions on refugees and torture, as well as our own Immigration and Refugee Protection Act, a refugee is someone who has fled their country of origin because they have been subject to persecution or violence for such reasons as their ethnicity, religion, and other characteristics. The operative term there is "having fled their country"; we don't have the legal capacity to bring people to Canada, qua refugees, if they're still in their country of origin, of nationality.

That said, such people are obviously always welcome to immigrate to Canada. We have many different immigration programs. You're probably talking about a community that is actually highly educated, the members of which typically would not have much difficulty in getting selected to come to Canada through any number of our immigration programs.

There is one exception—I'm just thinking out loud here—to the rule of being outside one's country in order to make a refugee claim. There is a designation under IRPA called a "source country" designation, which we have, for instance, for Colombia. We will recognize certain people in Colombia as refugees for resettlement purposes.

But I'll take your suggestion. If you want to submit to me a list of other countries that you think our officials should review for such a source country designation, I'd be happy to do that. I will just say that we are making efforts to resettle Iranian refugees who have fled to Turkey and now have UN refugee status from the UNHCR. This year we will be increasing somewhat our targets for resettlement from Turkey, specifically with those people in mind. Many of them have fled the oppression in Iran. Many of them are homosexuals who are facing threats to their lives. We do try to respond to developments like that.

• (1155)

Mr. Scott Reid: The second question that I had—and I know I have to be brief here—is just this. I don't think there's any question that in the past few years we've seen a rise internationally of anti-Semitism, and particularly of the so-called new anti-Semitism, which is based on attacking Israel, having a special standard for Israel, and presumably therefore holding Jews to a special standard as people who are in some respect required to answer for the portended ills or evils of Israel.

Looking at this as someone who travels internationally and comes back to Canada regularly, do you get the sense that Canada is being swept along in this trend, or are we bucking the trend? I'm not referring to government policy; I'm referring to societal trends here. I'm just trying to get a sense. There is, I think, a rising tide. In your opinion, domestically where does Canada fit into that rising tide of anti-Semitism?

Hon. Jason Kenney: Of course it's difficult to say with any empirical precision because there are no common international statistics on anti-Semitic incidents. However, I do a lot of interchange with foreign governments on issues such as combating hatred, xenophobia, and anti-Semitism, and from those opportunities I've had I would draw the following inference.

The situation in Canada is not as grave as it is in some other western societies—for instance, western Europe. I think we, at least anecdotally, see more violent acts of anti-Semitism targeting Jews in some European countries than we have seen in Canada. Yet I don't think this is any reason to be complacent. I think that based on the data we have, it's a significant and growing problem in Canada that, thank God, has not generally reached the level of sporadic violence that we have seen in some other countries.

Mr. Scott Reid: Thank you.

The Chair: Thank you very much.

We now go to Anita Neville.

Hon. Anita Neville: Thank you, Mr. Chair.

Thank you, Minister, for being here today. I see the clock is moving on, and I don't have much time, but I do want to get some of my concerns on the record.

Let me begin by saying that, first and foremost, as a Jew, as a Canadian, and as a member of Parliament, I very much appreciate many of the positions and stances taken by your government as it relates both to the Jewish community in Canada and to Israel abroad.

I do want to say on the record about that horrendous flyer that came out that while you may not perceive it as anti-Semitic, I certainly did, and many in my community did. I am hopeful that there will not be any repetition of that kind of activity.

What concerns me as a Jew, and what concerns me in terms of what I hear from some of my constituents—and time is too short to go into detail—is that through some of your policies and through some of the words of your spokespeople in the public, there is in fact—and I'm trying to choose my words carefully—an incitement to anti-Semitism, or the creation of an anti-Semitic response to some of the decisions your government has made, some of the issues that have come to the fore. What I am also hearing from friends and members of the Jewish community, most of whom appreciate much of what you and your government have done, is that they are now beginning to feel in Canada as "other".

I would welcome your comments on what I'm saying.

• (1200)

Hon. Jason Kenney: First of all, Mr. Chairman, I thank Ms. Neville, and I acknowledge her many lifetime efforts on these issues, such as combating anti-Semitism and other forms of hatred, and I appreciate very much her participation at London and here in this inquiry.

I've heard many different characterizations of the flyer in question. This is the first time I've heard it being characterized as anti-Semitic. I would not share that characterization.

Hon. Anita Neville: It's the first time that you've heard that—

Hon. Jason Kenney: That I've heard it being characterized as an anti-Semitic flyer. I've heard characterizations of it—

Hon. Anita Neville: It's incitement to anti-Semitism.

Hon. Jason Kenney: I can't understand the basis of that.

Hon. Anita Neville: I would suggest, Minister, with respect—

Mr. David Sweet: Mr. Chair, I regret that I haven't said anything before, but this is the fourth time. This is the only witness we've had where repeatedly he's been asked questions and has been cut off. We've been navigating this in a non-partisan atmosphere all the way along until this meeting. As a minister of the crown, he deserves the respect to be able to answer the questions.

The Chair: I agree with you, Mr. Sweet. We'll try to get the member to just ask a question, let the minister respond, and that will be it.

Hon. Jason Kenney: I don't believe there's anything in that flyer that remotely supports an accusation that it's an incitement to anti-Semitism when in fact it talks about Canadian efforts to combat anti-Semitism.

Again I reiterate to you personally, if you took offence, I regret that very much. I don't believe it was the intention and certainly it has never been my intention to accuse any member of this place of being anything but supportive of efforts to combat anti-Semitism.

In terms of people in the Jewish community feeling like the "other", my focus in the multiculturalism program has been multiculturalism that leads toward social cohesion, that does not lead toward parallel communities or ethnic enclaves, and a multiculturalism that focuses on integration, and particularly the concrete challenges of integration.

That being said, in our country we obviously have a tradition of pluralism where people can maintain their own particular identity while also adopting a broader Canadian identity. I think the Jewish community has been a model of that. I'll give you an example.

The first time I went to the Asper Jewish Community Campus in Winnipeg, I thought I was going to have a round table with the Jewish community leadership, and it turned out to be a round table with the African community leadership. Shelley Faintuch and company had brought together these folks from African, typically refugee, communities, and they were teaching them best practices about how to get organized as a community, how to develop an advocacy voice.

I think the Jewish community does have its distinctiveness, obviously, *atque* a community, but is also an example of reaching out to others and sharing the benefit of its experience. That's what we're trying to do through the Somali Jewish mentorship program as well. So I would hope that no Canadians would feel that they are "others" in any kind of negative or pejorative sense. I can't imagine how anyone would come to that conclusion with Canada's efforts, for the first time ever, to face up to the history of official anti-Semitism in our past or given our joining international efforts on Holocaust education.

I can tell you that when I meet members of Canada's Jewish community, as I did just this weekend, all I get is praise for Canada's efforts to deal with these sometimes difficult issues and not to sweep them under the carpet. There are going to be a variety of views. I accept that. That's understandable.

As for accusations that the government is inciting people to anti-Semitism, I can't understand how that would be the case. I think that sometimes efforts to be very clear about these issues may be controversial, but sometimes it's necessary to be controversial. Sometimes it's necessary to make distinctions. Sometimes you have to say, "I'm sorry, if someone is out there defending terrorist organizations or using implicitly anti-Semitic language, we're going to name them". If that ruffles some feathers, so be it.

The history of the 20th century teaches us it's much better to confront these things and shine light on them early in the process. I guess maybe we have a different view on that, but what we as a government generally, both domestically and internationally, have

done is to redouble Canada's efforts in combatting anti-Semitism, and I'm proud of that record.

• (1205)

The Chair: Thank you very much.

The last question will be for Professor Cotler.

Hon. Irwin Cotler (Mount Royal, Lib.): I have two questions. They admittedly are broad, and may even be over-broad.

First, how would you assess the state of global anti-Semitism, and to what extent does this impact on the state of anti-Semitism in Canada? Is there an intersection between the two?

My second question is based on something that's come up in many of our hearings—namely, how does one distinguish between legitimate criticism of Israel and criticism that crosses the line to become anti-Semitism? You've touched on this, but I'm wondering if you might want to offer anything by way of criteria. Are there any defining criteria in that regard?

Hon. Jason Kenney: Thank you.

How would I state the global situation? Pessimistically.

We can look to western liberal democracies, which very clearly have a growing incidence of not just conventional anti-Semitism, by which I mean expressions of hatred, but also acts of hatred now. I see it in western European liberal democracies. It is very disturbing to see reports of violence targeting Jews in countries where we thought that was unthinkable in the post-war period. We see it in parts of the developing world. We see it with the growing trends in Venezuela, where the collective Jew and individual Jews are being targeted as scapegoats.

We see it obviously most clearly in the broader Middle East, and most notoriously in Iran. I don't think since the Nazi regime the world has seen a government that is in the pursuit of weapons of mass destruction threatening to annihilate literally millions of Jews. And that is what we see now. I want to recognize Mr. Cotler's global leadership in calling to attention the genocidal intentions of Ahmadinejad.

So how do I assess the global state of anti-Semitism? As very grave.

As to how one distinguishes between legitimate criticism of Israel and criticism that crosses the line into anti-Semitism, take the criticism of Israel that is clearly predicated on a view of Israel as a criminal enterprise, as a state that's guilty of massive crimes against humanity simply for engaging in the normal responsibilities of a state to protect its civilian population from unprovoked attacks. I would say that criticisms of that nature go to the heart of the question. They are not criticisms based on particular policies or tactics. They are criticisms of the existence of Israel, in that sense as representing the collective Jew.

This is the problem I have with organizations like Hamas and Hezbollah. They do not seek a conventional peace settlement between two parties. They seek the destruction, the annihilation, of the only Jewish state in the world, and the driving of the Jews into the sea. And I for one, unlike some, take them at their word, that this actually is their intention.

I think here in the democratic west we hear echoes of that. Sometimes they're less obvious, sometimes a little less aggressive; nevertheless, some voices essentially say that Israel is an illegitimate state, that by virtue of its Jewish identity it is an abomination and a criminal state. In my view, these kinds of sentiments clearly cross the line from legitimate political criticism to an anti-Zionism that has at its heart, in my judgment, a form of anti-Semitism.

I'm sorry if I don't have a clearer formulation. I think there will always be a debate about where exactly the line is. However, I think it's reasonably clear that there is a global effort, with voices in Canada, to not just delegitimize but demonize the Jewish state. That, I think, is a very dangerous thing.

• (1210)

The Chair: Thank you very much for your presentation, Minister.

We will take a two-minute break just to change the panel. I appreciate the fact that you were here, Minister.

Hon. Jason Kenney: Thank you.

• (1210)

_____ (Pause) _____

• (1215)

The Chair: I want to thank everybody for being here.

We will now start the third part of our session.

We have with us Inspector John de Haas, from the diversity and aboriginal policing section of the Vancouver Police Department. We also have with us Deputy Chief Ken Leendertse, from the Hamilton Police Service, and Mario Plante, the assistant director of the Montreal Police Department.

We will begin with Inspector John de Haas.

Inspector John de Haas (Diversity and Aboriginal Policing Section, Vancouver Police Department): Thank you, Mr. Chairman.

It's a pleasure to be here. I guarantee that I will not be partisan, but I do come with passion on this topic. My mother grew up in Berlin in the 1920s and 1930s, and in 1942 my grandmother and grandfather and uncle were shipped to Auschwitz, where they died. My mother survived the war in hiding in Holland. So anti-Semitism is something close to my heart. Quite frankly, I understand the fear that accompanies it.

Thank you for the opportunity to make comments on such an important issue. The media tells us that in North America, Europe, and Muslim countries there is growing anti-Semitism, or certainly expressions of it. We know that it harms people and it harms property, but it also harms communities.

In Vancouver, men, women, and children, young and old, devout and secular, are impacted by these crimes, usually through fear.

I went to your website and read a lot of the materials there. You've had some outstanding witnesses, and I really had to question what more we could add to your discussion. I will talk about Vancouver, our situation, what we see, and some thoughts we have.

My section deals with hate crimes, diversity, and aboriginal policing issues. You heard a witness this morning talk about the B.C. hate crimes team. In fact the city of Vancouver has its own because we work very closely with the community.

We've had a Jewish population in British Columbia since the time of the gold rush in 1858. We have had subsequent waves because of Russian pogroms and following the Second World War. The population, for whatever reason aggregated very much in Vancouver, B.C., currently has an estimated 28,000 people identified as Jewish, with close to 23,000 in the lower mainland, and the majority of those living in the city of Vancouver.

Currently in Vancouver the Jewish community suffers the second-highest number of bias, hate, or prejudice incidents of any identifiable group, second only to the lesbian, gay, bisexual, transgender population. Generally, offences tend to be property related, and for the LGBT community they are quite often violent.

I have these comments in written form, and I know you'll get them eventually. You'll see a chart. In 2009 there were 16 files that were anti-Semitic in nature, and you'll notice that only one of them involved violence against a person. The rest tended to be property offences or harassments. That's 16 from Vancouver, and your speaker this morning said there were seven others in the province of British Columbia.

With each high-profile incident, something of significance is reported broadly in either the *Jewish Independent* or the *Jewish Tribune*, both of which are newspapers. There are letters to the editor, commentaries, and so on. Therefore, the impact goes on.

I think we need to note, at least as a police service, where the drivers are relative to anti-Semitic incidents in the city. Vancouver is one of the most diverse cities in the country, if not the world, and we have found that a lot of what we experience comes along with the prejudices, ideologies, and sentiments that are current in the population. When we have large influxes of a population, that population tends to bring with it issues from wherever they are coming from. To develop strategies, we need to understand what is being brought and what is there.

Our observations are that in terms of anti-Semitism there are three drivers. I know you've had other speakers who have spoken about this. One is certainly the historic Christian-based, or western, anti-Semitism, dealing with the allegation that the Jews committed deicide and the fact that the Jewish populations historically have not assimilated in dominant culture.

• (1220)

I noticed that you had some evidence from the United Kingdom all-party parliamentary inquiry. The document speaks very interestingly about a thing called anti-Semitic discourse. It is a term adopted to describe the widespread change in mood and tone when Jews are discussed, whether in print or broadcast, at universities or in public or social settings. From my life experience, largely because I have a Dutch name and am not seen as Jewish, I can tell you that this discourse is certainly prevalent in this country and in Vancouver.

You had a submission from Manfred Gerstenfeld, who talked about the resurgence of anti-Semitism, especially in Europe, from mass immigration, poor integration, economic problems, and other sources. I think that partially answers a question that might have been asked earlier today.

He also notes that there is a new form—not so new, perhaps—driven by Muslim radicalism. I think it is distinct in that it's certainly this historic view of the Muslim world against the west, against the crusades, and against Israel as the vanguard of western civilization. I think what's interesting in today's world and what we see in the west is that there's a sort of synergy between the two types, where we now have people from the west, if you will, speaking about Jews being different, lesser, and sinister, but also as intruders in Israel, which is perhaps at times coming from that Middle East political situation.

The third type is certainly white power. I don't know if you've heard about that yet. It's certainly a fringe movement, with non-north European whites believed to be the dominant race, and Nazism was of course the epitome of that view.

In Vancouver, we've experienced all three types, or what appears to be motivated from those three sources.

I just wanted to make a note about terms, because I noticed on your website that there were a lot of issues about terminology and how we can define anti-Semitism. I look at it from a policing perspective: are you providing us a useful tool when we gather evidence and do we know what we're talking about? There is more than just one term, to put some clarity around it, I think, if you're going to do that, because police officers need clarity.

There is “anti-Judaism”. There is “anti-Zionism”. There is “anti-Semitic”, with a hyphen, which was a word coined by Wilhelm Marr in 1873. You are probably familiar with that, but that actually refers to a body of languages. There's “antisemitic”, unhyphenated, and then there's “Judeophobia”.

I heard a speaker recently talk about the fact that terms are important. We talk about homophobia and we put the burden of the mental state on the person who has that issue rather than putting it out there as an anti- or pro-, which is a little bit intellectual.

Judeophobia is a term coined by Leon Pinsker. It means the irrational fear of any and all things Jewish. If you go to the web, you will actually see that it's a condition that can be treated.

On the local impact of international events, I just want to touch quickly on Vancouver. As I said, our populations very much determine much of what occurs. I remind you that Air India was Canada's largest homicide and involved suspects from the South Asian community residing in British Columbia for events that occurred thousands of miles away.

I did want to bring your attention to a newspaper called *al-Ameen*, which is in British Columbia. I picked up this copy from December 25, 2009, a few blocks from the police station. It has in it this story: “Ukrainian kids, new victims of Israeli 'organ theft’”. It's one of the most anti-Semitic reports that you will read. I was shocked to see it, but it reminded me so much that the politics, the views, come with the populations, if you will.

There were such complaints about this story that it was pulled electronically and an apology was put up, but the hard copy is out there, and I wonder what damage that hard copy does in terms of victimizing members of the Jewish community. What do young people think? What do young Muslims think when we have that type of material in a mainstream Muslim paper in Vancouver, British Columbia?

So the impacts are there, and I think it's important to acknowledge them, because when we talk about strategy we need to know what we're looking at.

I won't tell you about all the wonderful things we do in the police department. It would take too much time. We have met with the leadership of both the Jewish community and the Muslim community. We have done training initiatives, based on “Tools for Tolerance” from the Simon Wiesenthal Center, to discuss the role of policing and hate crimes.

•(1225)

Just in closing, we talk about Canadian values. I know that the Canadian Jewish Congress and the Canadian Civil Liberties Association have spoken to you about that. I think we do need to talk about not just human rights but also what Canadian values are about, and the responsibilities. The more we speak about it, the more support will be felt by the communities that are victimized.

Coming from the perspective of a police officer out front, I think the terms I mentioned do need clarity. When we speak about “anti-Zionism”, does it mean “anti-Semitism”? What's the context? What do I need to look for?

There have been discussions about what really is happening. I heard some questions this morning about whether there's a central picture of where anti-Semitism is in this country. From a practitioner's point of view, no, but I think there would be tremendous value in pulling together not only hate crimes but also human rights and any other incidents that we can pull together to get a proper picture of sources and understanding.

Prevention and education, yes, are obviously the way to go. Community engagement is very important. We heard a bit of that this morning. We need to involve people in the process.

I was very pleased this morning to hear about restorative justice. A synagogue in Richmond, British Columbia, was spray-painted about two years ago. I spoke to the rabbi about how that was resolved. Even though it was a criminal matter, it was dealt with through restorative justice. One of the individuals—who was influenced by white power, by the way—did write an apology, and I think we began to see some change in attitude. As the speaker this morning said, sometimes these offenders don't really know the impact of what they're doing.

I think that's my ten minutes. Thank you very much.

•(1230)

The Chair: Thank you.

I'm going to turn it over to the deputy chief.

Deputy Chief Ken Leendertse (Hamilton Police Service): Thanks very much, Mr. Chairman. I want to thank the coalition for the opportunity to speak today on the Hamilton experience of hate crime and anti-Semitism. I'm going to share some of our experiences in Hamilton, identify the nature of anti-Semitism, and highlight some of the solutions that we have found in Hamilton.

Hate crimes affect everyone and can have a devastating impact on our community. The impact of hate crimes is far-reaching, extending far beyond the physical and emotional trauma a victim experiences. These crises impact all members of the victimized group as well as the entire community.

These types of crimes can heighten isolation and vulnerability of a victims' group and can cause stress for all members of the community. It's imperative to have a strong police and community response to hate crimes to curb the escalation of social tension that can destroy communities. An immediate and appropriate police response to hate crimes conveys a very strong message of respect and commitment to a diverse community, a respect that's based on

valuing an individual regardless of their race, colour, religion, sexual orientation, disability, age, or gender.

Hamilton is the ninth-largest city in Canada and the third-largest in Ontario. It has a population of 518,000 and is considered one of the gateways for the immigrant population. Based on Stats Canada numbers, Hamilton has the third-highest proportion of foreign-born citizens, second only to Toronto and Vancouver. Hamilton is also the home of 65,000 visible minorities, representing over 10% of our population.

Hamilton, like many communities across Canada, has experienced an increased awareness of reporting hate incidents. Although under-reporting of these types of crimes continues to be a significant issue for our police service, education, awareness, and positive dialogue and relationships with the police service can assist in breaking down these barriers and allow the police to respond to these types of incidents.

At the Hamilton Police Service, we make a significant effort to create a bridge with all our diverse communities. Our police service attempts to educate our members and our community on diverse issues that cross all demographics.

In 2009, 32 different groups met with our police service on common ground. Our police service has regular meetings with our aboriginal community and our GLBTQ community, and the chief has his own advisory group on diverse issues. Added to this are our business planning sessions that include a full spectrum of demographics, thereby ensuring that we strive to meet the needs of the population we serve.

In Hamilton we established a hate crimes unit in the fall of 2001 in direct response to an increase of hate incidents following the 9/11 incident in New York. Our hate crime unit is part of our victims of crime branch. Our philosophy is one of support, which is victim-centred balanced with enforcement. Our hate crime unit focuses on education, awareness, and reporting and at the same time holds offenders accountable.

Our service continues to respond to incidents of hate and bias crime, and we have maintained statistics on the types of incidents and crime trends in our community. Over the past five years, three dominant types of hate crimes have surfaced. Those have been based on race, religion, and sexual orientation. In Hamilton, of the reported incidents, 53% were based on race, 23% were based on religion, and 16% were based on sexual orientation. Of the 53% of reported incidents that were based on race, 19% were directed at the Jewish community. As in many cases throughout Canada, the majority of these incidents involve mischief to property, usually in the form of graffiti. In 2009, Hamilton Police Service recorded 88 hate incidents, up from 69 in 2008, which represents a 27% increase.

Hamilton made international news in September of 2001, just after the terrorism act that brought down the twin towers in New York City. On September 15, 2001, the Hindu Samaj Temple in our city was found fully engulfed in flames. An investigation revealed that someone intentionally burned down the temple, and it was believed that doing so was in direct retaliation for the terrorism acts in New York.

This senseless crime struck fear in the faith community and the entire city of Hamilton. It was following this event that then Police Chief Ken Robertson brought together area faith leaders from all religions. Representatives from the Christian community, the Muslim community, the Hindu community, and the Jewish community met to support each other and create dialogue, understanding, and commonality. This group later became known as the Strengthening Hamilton's Community Initiative, SHCI. The group focuses on a peaceful community that values all of its racially diverse members.

●(1235)

Mr. Ali Cheaib, a professor at Mohawk College and then head of the local Canadian Arab Federation, stated, "The temple fire may have seemed like an isolated act to some people but it was terrifying to people in the Muslim community and visible minorities who'd been caught up in hate crimes."

Although born out of the tragic events of September 11, this group continues to work in Hamilton today. It is a community-based initiative that works to prevent anti-racism across Canada.

The Hamilton Police Service has always had a policy on hate crime, and our response has traditionally been that of a uniform. However, since 9/11, police services have a more focused approach, understanding that the potential backlash from incidents of hate crime can really affect the community.

Notification of all hate crime incidents goes directly up the chain of command, right to the chief of police. This not only ensures a proper police response, but also that community resources can be deployed to remedy the situation and assist in healing. This type of response is important to show the victims and our community that they are not alone and our police services are there to support them and to ensure that all citizens feel safe. The restoration of a community's peace of mind is an important part of healing.

Hate crimes are divided into three areas, as we collect the data: hate or bias incidents that are motivated by hate; incidents that have hate overtones; and strictly incidents. I want to bring this to your attention because it's important to understand the dynamics of all incidents.

More often than not, hate crimes and incidents motivated by hate are either not reported or missed altogether. It is critical that in all instances when there is a hint of bias, police have to be extra diligent to investigate to ensure that even the most subtle evidence indicating hate motivation is not missed. Our officers are trained to examine everything from location to contents, to important dates, to world events that may be indicators that the incident they are investigating is motivated by hate.

In February of 2008, a disturbance occurred at McMaster University by several diverse groups. Although this event was staged as an information session, some non-participants not associated with any group attempted to create a situation that drew significant media attention. This was the original goal of the splinter group. However, media attention focused on the two diverse groups, creating negative publicity for all.

The university, working with Human Rights and Equity Services on campus, came together with these groups and through dialogue

and understanding were able to develop the McMaster Peace Initiative. All parties agreed to this initiative to ensure respect, understanding, and that everybody's constitutional rights of freedom of speech were met.

Conflict many times is caused in an attempt to gather media attention, to promote one's cause and to discredit others. This type of open dialogue and understanding and mutual respect are hallmarks of good community leadership.

I want to highlight both the Strengthening Hamilton's Community Initiative and the McMaster Peace Initiative to show that there are solutions if we allow ourselves to work together. While police are viable stakeholders at the table, a holistic approach is required to be more effective to reduce hatred and discrimination and fear. Open dialogue, mutual respect, and valuing differences will truly give us a made in Canada solution for peace and understanding.

The best solution is an approach that we have adopted in Hamilton: dialogue between community leaders and stakeholders. Policing must take a lead role in many of these initiatives. The police are not solely responsible for finding viable solutions. It is incumbent on all community leaders and members of our society to work together for these solutions.

The police, working with our communities, will continue to bridge the gap of understanding. We will reach out and learn more about the community we serve. We will partner with and support our diverse communities through education and awareness and targeting hate crime. We will attempt to bridge the understanding of others to ensure inclusiveness in all our citizens. We will help educate in our schools around areas of discrimination, bias, hatred, and criminal acts. We will have zero tolerance of any hate crime and we will use the full extent of the law to bring offenders to justice. We will support victims of hate-motivated crime by efforts aimed at restoring a better sense of inclusiveness and belonging. We will do all this, but not in isolation.

Many of these functions are the functions of our community. We understand that we also have a leadership role in this area. It is from our Hamilton experience, from our healthy relationship with our GLBQ community, our aboriginal community, our Muslim community, our Hindu community, and our Jewish community that we can significantly reduce the incidence of hate crime in Hamilton.

●(1240)

Thank you, Mr. Chairman.

The Chair: Thank you very much.

Mario Plante, *s'il vous plaît*.

[Translation]

Mr. Mario Plante (Assistant Director, Montreal Police Service): Good day.

First, I would like to thank the committee members for inviting the Montreal Police Service to share its observations and its approach to dealing with hate crimes committed in Montreal.

Those of you who are familiar with Montreal know that this city, like Vancouver and Hamilton, is very culturally diverse. Of the 45,000 immigrants that arrive in Quebec each year, about 35,000 of them settle either directly in the City of Montreal or on the Island of Montreal. This represents about 75% of new immigrants. Naturally, this diversity makes Montreal's population increasingly responsive to what is going on around the world. We need look no further than the earthquake that recently struck Haiti to realize the extent to which many members of the Haitian community in Montreal were affected by the sheer scope of this event. This impact can be observed within other communities as well.

Today, I will be talking about hate crimes as a whole and about the approach the Montreal Police Service has adopted when it comes to dealing with this issue.

To begin with, the problem should be seen from a very broad and global perspective. We must really analyze global situations to be able to act appropriately on a local level. When we consider the world today, the wars that are currently being waged in the Middle East and the growing tension over the last few years between the Jewish and Muslim communities, we realize that everything that happens globally has a direct impact on Montreal. This can be observed. Events that occur all around the world have local repercussions on various communities in Montreal and the surrounding areas.

In Quebec, very important social debates over the last few years have contributed to the local debate. We need look no further than the Bouchard-Taylor Commission, which focused on the reasonable accommodations component. We have also had many media debates on religion in public places and in the workplace. All of these social debates have brought something to the table and have raised concerns that are shared by a number of people. Sometimes, this openness and these social debates, even if they do cause the majority of the population to reflect, can also in some cases make certain individuals intolerant. This intolerance may result in isolated incidents.

In Montreal, we should all stand up to the various manifestations of hate crimes, including anti-Semitism. The Montreal Police Service acknowledges that a hate crime can have many consequences, whether it be for the victims, for citizens' sense of security, for society as a whole, or for the quality of people's lives in general.

In 2000, in order to keep track of the issues and of the context, and to adapt itself, our organization set up a registry to monitor the situation. Though I have many statistics, I will give you just one: 93 hate crimes were committed in 2009. Of that total number, 24 crimes were motivated by anti-Semitism, 22 by people's sexual orientation, 19 by ethnic origin, 18 by religious beliefs, five by the infamous language debate, three by the victim's gender and two by hateful comments.

It is a phenomenon. Police officers are called in to intervene on site. Ninety-three hate crimes in a year is a fairly low number, considering that our police service handles almost one million calls each year. As an organization, we must analyze the problem and properly assess the situation in order to get an in-depth understanding of this issue, which can sometimes differ from one

neighbourhood to another, depending on the people who are being targeted.

The Montreal Police Service does not have a special hate crimes unit. It has adopted an important approach to dealing with victims. The community police officers assigned to our 33 neighbourhood police stations are, at the local level, key players, as are various community organizations and groups that represent various cultural communities on the Island of Montreal.

● (1245)

We are therefore in a position to do some preventative work with these groups. Later on, I will explain to you the provisions that we have put in place from a preventative standpoint.

With regard to investigations, we believe it is important to have persons assigned exclusively to investigations as well as a unit responsible for more complex files in each of our four investigation centres. This goes for offences against persons as well as for property offences. I'm sure you recall the Talmud Torah United School that was the scene of a fire in 2006 and the events that occurred at a Jewish Centre in 2007. Our unit was quickly assigned to the case and proceeded to arrest the persons responsible for these incidents. Every possible effort must be made to resolve crimes of this nature.

Let's talk numbers. I looked at how these incidents were characterized. The factor most often identified in the case of hate crimes, which make up half of the incidents, is ethnic origin. Victim groups most often targeted by such crimes are Jews, followed closely by Blacks, that is Haitians and Jamaicans who live on the Island of Montreal.

Religion is the second factor listed in the majority of the reports that we have analyzed to date. Here is a statistic of considerable interest. In 2009, 60 per cent of hate crimes were committed between the months of June and September. Again, this is an indication that the end of the school year and the start of summer and the outdoor festival season are opportune moments or settings for hate crimes which at times are more spontaneous than planned.

Where in Montreal are crimes of this nature committed? We looked at the crimes committed in 2009 and found that nearly half of the victims sought help at three neighbourhood police stations, namely the stations in Côte-Saint-Luc—Hampstead—Montréal-Ouest, Côte-des-Neiges and Plateau Mont-Royal. These are the prime neighbourhoods for hate crimes in Montreal. The profiles of these target neighbourhoods show that Côte-Saint-Luc and Hampstead have large Jewish populations and are home to many places of worship. Most of the city's synagogues are located in these neighbourhoods. Côte-des-Neiges has the highest concentration of immigrants on the Island of Montreal. Nearly one out of every two immigrants lives in Côte-des-Neiges and the surrounding area.

In conclusion, in recent years the Montreal Police Service has put in place an intercultural skills development plan. From an immigration perspective, the face of Montreal is changing. Montreal's cultural makeup is changing. It is important for us that all of our police officers receive intercultural skills training since they must work in an increasingly diverse and complex environment.

We are in the process of developing various tools. For our patrol officers, we have drawn up a list of 90 annual events. They are not often called upon to intervene in these types of events. We want to provide them with the tools they need, mainly to be able to refer victims of hate crimes to the proper resources. We have prepared information pamphlets for members of the public to make them aware of the impact that hate crimes can have on them and to emphasize the importance of reporting these crimes.

One problem, as we all know, is that most hate crimes go unreported. The police service has also produced a number of video briefs on Montreal's many cultural communities. These video briefs will be shown and distributed to our police officers. They describe some of the unique characteristics of specific communities. Another video brief containing information on identifying and reporting hate crimes will be available to general public.

Summing up, I believe that all law enforcement agencies must take a proactive approach in order to monitor this phenomenon and in particular, they must put the current social, economic, political, national and international situation in context.

• (1250)

To my way of thinking, we must continue our outside involvement with the different communities and associations through the watchdog committees that have been set up. We need to ensure that victims come forward and report hate crimes to law enforcement agencies.

Thank you.

[English]

The Chair: Thank you very much.

We'll now go to the first round of questions, with Mr. Sweet.

Mr. David Sweet: Thank you, Mr. Chairman.

[Translation]

Thank you very much, Mr. Plante, for your presentation.

[English]

Thank you, Inspector de Haas, for your testimony.

Mr. Chairman, my questions will focus on Deputy Chief Leendertse because it may be my last opportunity to grill my own deputy chief.

No, in all respect, I won't do that. Thanks for being here, Deputy Chief, and thank you very much for your service as well. I live in your community, of course, and I represent one of five ridings that are part of the greater city of Hamilton. I appreciate all that you and your service members do.

I think it's appropriate, too, since you mentioned McMaster, to give this a special note, because many people in the Jewish community came to me to let me know that your officer, Sergeant Kiriakopoulos, was quite...how should I say it? Sergeant Kiriakopoulos built some good bridges between McMaster and the Jewish community after all that happened there during Israel Apartheid Week and the fallout from that.

There's actually one thing I regret. Of course, I'm very happy that you're here, but I regret that although we did invite McMaster on a number of occasions, they did not send a representative. You mentioned their peace agreement. We didn't get the opportunity to question them on that.

But we did have a lot of other universities here, from all across the country. One of the things that concerned me was that, at least for the ones I had the opportunity to question, it didn't appear that there was any vigilance or even any underlying desire to keep a record of hate-related crimes, anti-Semitic crime, and other racially motivated crime.

My thinking as we're moving down to the recommendations... Certainly you can challenge, or disagree, or whatever, and that's what I want from you at this point. In our own local university, for example, there's a community of 20,000 people secured by private security. When your force is called in to engage in a situation, there's no way.... If there are no records kept, you have no history of what could have led up to that incident.

So I guess my first question would be whether you think that's something they should steward better. Again, I don't know what McMaster's policies are because we didn't have them here, but I do know the other universities.... I don't want to put you on the spot on that. Like I said, that's my opinion.

Second, I did ask this of the RCMP who were on the panel two panels before you, and I will ask you: do you have the resources to help them, in the sense that if they had to differentiate among what was hate motivated, racially motivated, or religion motivated, you could help them keep records of that? Whether security investigated it or whether it was something from a student that was reported to the administration, could you help them so that they could keep an aggregated record for security purposes?

D/Chief Ken Leendertse: I guess the first thing I'm going to do is disagree with you. McMaster University has their own private security, but they're special constables who receive their authority from the Hamilton Police Services Board. They are actually sworn members. They have the ability to enforce the law on campus as special constables, but they receive that authority under the Hamilton Police Services Board.

Our police service works very closely with McMaster security services. Any incident of any crime reported through to them is actually reported to us. If there is an incident of a hate or a bias crime, we have a reporting mechanism that comes through to us.

As I said, we do have a hate crime officer. Actually, replacing Detective Sergeant Chris Kiriakopoulos is Brian Ritchie, our detective. He has come with me today.

One thing we have learned in Hamilton is that although we investigate and we bring people to justice, the job of the hate crime investigator is to build relationships. We know that over 50% of hate crimes are not reported. I think a lot of times the community doesn't feel comfortable. They may not trust the police. They may not know how to report. They may not know that what has happened to them is in fact a hate crime. So the relationship we have for this hate crime investigator is not only in education and enforcement but also in building those bridges.

To get back to your point, I know that in our case, in our university, they do have reporting mechanisms. They report from minor incidents, which could be graffiti, to major incidents that they aren't capable of handling. We step in there. Even though they have their own security services and they are special constables, in anything major, such as a significant hate crime, we would definitely move in to assist them. We have done that in the past. These could be activities that they may not feel comfortable enough monitoring, and we'll assist them. We have a great working relationship with the university, and I think that's an important part.

• (1255)

Mr. David Sweet: That's good news. And I don't think we disagree, actually. The other universities that were here didn't have that mechanism, or at least...

Perhaps I should ask you, is that a unique relationship with sworn constables in the private security at McMaster?

D/Chief Ken Leendertse: I may not be able to answer that fully. I know that one of your next speakers, Chief Armand La Barge, is very up on that. I believe he might be able to answer that.

In Hamilton, our McMaster security people have always been special constables, and they derive their enforcement abilities from the Hamilton Police Services Board.

Mr. David Sweet: Okay. The other universities did not keep any records. Obviously, with this case, it flows right through to the department.

D/Chief Ken Leendertse: It does.

Mr. David Sweet: They're sworn in service, just as your regular constables are.

D/Chief Ken Leendertse: And we do share information with them. Any major incident is actually reported right through us.

Mr. David Sweet: Very good.

Thank you very much.

[*Translation*]

The Chair: I trust committee members won't mind if I say a few words at this time.

First of all, thank you, Mr. Plante, for your presentation. I'd like to know if crime in your city is analyzed and categorized as it is in the rest of the province of Quebec. Has there been an increase in the number of anti-Semitic crimes in your city and in the province of Quebec and are there programs in place to involve your city's Jewish community?

Our committee would appreciate that information, if you have it for us.

Mr. Mario Plante: In my opinion, our classification system is quite comparable to the systems used by police services in general to monitor this phenomenon.

The system to which I referred earlier categorizes hate crime according to motivation. Was the motivation anti-Semitism, ethnic origin, sexual orientation, sex or language? We look at all of these factors when considering hate crimes. I mentioned a while ago one consideration in particular that is extremely important to us. We want

to let our neighbourhood police stations manage the problem locally, because the officers assigned to these stations have all of the required expertise in prevention.

Earlier, Mr. Reid, the Member of Parliament for Lanark—Frontenac—Lennox and Addington, CPC spoke about forging ties. This is truly the role that our community police officers must play. A community police officer working in Montréal-Nord will forge ties with Haitian community organizations, whereas a community police officer working in Côte-des-Neiges will forge ties with different Jamaican or other groups working in the community. To our way of thinking, much of the work is done at this level.

Are other police services in Quebec structured the same way? I would think not, because other major cities in Quebec are not necessarily as culturally diverse as Montreal. As I mentioned, approximately 35,000 of the 45,000 newcomers choose to settle in Montreal. The city is therefore home to many new immigrants. The police service must adapt to provide services to people who have totally different needs. As we know, 75 per cent of newcomers settle in Montreal and in terms of their ethnic background, these new immigrants are totally different from the immigrants who came to the city in the 1950s, 1960s and 1970s. Immigrants come from many different countries and we must adapt our service to this reality.

There is no question that the Montreal Police Service must contend with this new immigration reality more than any other police service in Quebec. That is the reason why our community relations programs are very open and why we have launched our intercultural skills development plan which will benefit all Quebec police officers, as it will be carried out in partnership with the École nationale de police du Québec.

Now then, to answer that last part of your question as to whether we have seen an increase in the number of anti-Semitic crimes, I will not look at every single year, but I can give you some statistics for the past three years. Of the 43 hate crimes that were reported in 2007, 17 were categorized as anti-Semitic crimes. In 2008, of the 63 crimes reported, 20 were categorized as anti-Semitic. Earlier, I gave you the figures for 2009. As far as we are concerned, the numbers have remained constant. The number of hate crimes reported has remained fairly constant.

• (1300)

The Chair: May I assume then, based on your statement, that you have all of the tools you need to deal with anti-Semitic crimes in your city?

Mr. Mario Plante: I didn't quite understand your question.

The Chair: I'm merely asking whether, based on your statement, I can safely assume that you have all of the tools in place to deal with and fight the problem of anti-Semitism in your city.

Mr. Mario Plante: Yes. Aside from the various tools that we have in place, as I explained to you, we also have a watchdog committee structure. As Assistant Director, I work with different groups to ascertain the needs of a neighbourhood. On a few occasions, we have set up a watchdog committee composed of members of the Jewish community, with a view to identifying some of their needs and concerns.

When we look at the ratio of these crimes reported to the police compared to other types of crimes... One of the responsibilities of our police service is to set organizational priorities on which to focus our efforts and energy. These organizational priorities are established after putting the existing situation in its proper context.

[English]

The Chair: Perhaps we could ask the witnesses from Hamilton and Vancouver if they can also answer that question, if they also have all the necessary instruments in place to combat anti-Semitism within their cities.

Insp John de Haas: I don't think we have in place the ability to deal with world events.

I really appreciated hearing the minister this morning. It reminded me of how important it is at the federal level to respond to those issues, because the impacts are local.

In local terms, I think we do have the tools if we use them. I think it's critical to build relationships, which we have done and continue to do. I find the communities in Vancouver are all different. The Jewish community is very organized and very effective. It has a wonderful capacity to deal with issues, so it is a pleasure to deal with the community on these. We have built tremendous relationships with the Canadian Jewish Congress and B'nai Brith. They go a long way to dealing with the impact.

I guess there are two questions. One, how do we deal with investigations? Yes, we have the tools. But to deal with the impacts we need to work with the community, and that is a matter of building those relationships and managing those. That's why I had those comments earlier about Canadian values. I think it's very important that the police and the community aren't alone. Everyone needs to speak out strongly against these types of offences to minimize that impact on the community so that people in the community don't feel like an "other", but feel very much supported by Canadians at large.

• (1305)

D/Chief Ken Leendertse: Certainly after 9/11 we experienced an increase in hate crimes across the city, so much so that we actually put three investigators in the hate crime unit until we could settle the community down and investigate. We now have one full time, and there is enough work for that individual, because part of that job is not only to investigate but to build networks and bridges. The entire organization is focused in on that, though. You have 1,200 members of the Hamilton Police Service who are focused in on identifying hate crimes and making sure that we respond appropriately, as I've said before, right up to the chief of police.

If you want to look at resources, police services are always strapped. We are balancing many, many needs out there responding to the communities. This is an important issue. I think this is a very important federal issue, and if you wanted to throw additional resources our way, we could probably increase our hate crime unit by at least 100% and put two officers in there.

I'm not afraid to ask for support. We could do a better job in our community if we had additional resources.

Thank you.

The Chair: Thank you very much. I don't see any further questions, so I'm going to thank the witnesses for being here before our committee....

Professor Cotler has one last question.

[Translation]

Hon. Irwin Cotler: I would also like to thank the witnesses for their comments today. I represent the riding of Mount Royal in the House of Commons. It is truly a rainbow riding. As you pointed out, Mr. Plante, a large number of immigrants live in the riding, particularly the Snowdon neighbourhood. Côte-des-Neiges is a very diverse multicultural neighbourhood. Côte-Saint-Luc and Hampstead have large Jewish populations.

I would like to share with the three members some of the concerns that Jews in my riding have voiced to me about anti-Semitism.

[English]

What seems to concern them is not simply *les crimes haineux*, anti-Semitic hate crimes, but increasingly *l'incitation à la haine*, incitement to hatred. I'll give, very quickly, four examples.

One is the increasing reference to Israel as an apartheid Nazi criminal state. If it's a criminal state, it has no right to be—indeed, there's an obligation to dismantle it. But where it has its fallout here is where Jews who support this allegedly criminal state are seen to be collaborating in a criminal act, and this has caused concern. That's the first thing.

The second thing is that *il y avait des manifestations, particulièrement pendant la guerre en Israël et Gaza*. During those demonstrations—and it has been reported—there were references to the fact of “*Hamas, Hamas, Jews to the gas*”. On one hand, it was support for Hamas, but the main thing is about the Jews to the gas. Again, it's *l'incitation à la haine*.

What I want to be asking is not only about the concern about *l'incitation à la haine*, but is this factored into your analysis of what constitutes anti-Semitism? Because, as I say, this is what concerns those in my Jewish riding.

The third is the example that you brought up, Mr. de Haas, on the matter of the organ transplants. That appeared in a B.C. newspaper, but it has had a kind of international dimension of Jews as body snatchers and the like, part of what I would call anti-Semitic discourse, and again part of *l'incitation à la haine*.

The fourth thing is the increasing reference during the outbreak of the swine flu that Israel was responsible for the swine flu and, by implication and sometimes directly, that Jews are responsible for the swine flu.

My question is, how do you deal with this *l'incitation à la haine*, this incitement to hate, as distinct from hate crimes or, let's say, an assault on a Jewish synagogue and the like? And is this part of the analysis when you look into issues of anti-Semitism?

•(1310)

[Translation]

Mr. Mario Plante: Speaking for the Montreal Police Service, I can tell you that this too is one of our concerns. Hate propaganda is one of the categories of crime that we have identified. You have summarized very well the propaganda aspect. Demonstrations are held regularly in Montreal. In my opening remarks, I explained that when an incident occurs somewhere in the world, there are repercussions for the communities living in Montreal. These repercussions occasionally translate into demonstrations. More often, the aim of these demonstrations to increase public awareness of incidents taking place elsewhere in the world.

However, it is important to distinguish between hate promotion and other types of crime. We need to be able to prove that the action violates the Criminal Code.

Earlier, mention was made of everything that goes on with the Internet. My colleagues spoke about this. Sometimes, we see how people use different Internet sites to promote hate. Sites like this do exist. One of the experts with the Montreal Police Service has attended a number of training sessions. He monitors different sites and is capable of responding quickly. I will, of course, spare you the details of these highly complex investigations into the Internet. What sets these offences apart is the hate promotion aspect. As a law enforcement agency, we must increase victims' awareness of this propaganda and encourage them to report offenders. One of the biggest challenges that representatives of law enforcement agencies face, regardless of who they represent, is to ensure that members of the public have enough faith in their judicial system to come forward and report such incidents.

For victims of hate crimes, reporting the crime can be a humiliating experience. The victim may run the risk of being the target of another crime. It is important to provide victims, regardless of the group to which they belong, with the support they need, and to help them. Once these individuals have gone through the various stages of the judicial process, hopefully they can go back and speak to people in their own community and to other communities as well and reassure them that the police service does take their complaints seriously. This is where we need to focus our attention.

[English]

The Chair: Would anybody else like to comment?

Insp John de Haas: I sense that what you're talking about is not the criminal threshold, because if it's criminal threshold it's not an issue. We'll use the criminal justice system. What I sense you're talking about is below that. Yes, there is a loud and constant discourse. That is not analyzed enough. I think it could be. You do need responses that are not necessarily a police response, but a lot more players need to be involved in that response.

I certainly concur with you that there is that discourse. For instance, the article I mentioned to you I did send to crown counsel, who said, well, you know, it's in a grey area and we can't really go after it because there are enough loopholes. But it's still discourse that needs to be addressed.

There are two points.... To me, nationally and perhaps locally, we need a good analysis, not just of the crimes, but everything under it.

The crimes are the tip of the iceberg. So where is anti-Semitism in this country? What are the drivers and what are appropriate responses?

The Chair: Thank you.

Do you have any comments?

D/Chief Ken Leendertse: My only comments would be that anytime there are any allegations similar to this, they need to be properly investigated. We would take all the factors into consideration. Just the fact that the police move forward and start to investigate is sometimes enough to signal that this type of behaviour is completely unacceptable in the community.

The Chair: Thank you.

We have one more question, a very short one from Mr. Sweet.

Mr. David Sweet: It's just a follow-up because of what I learned from Deputy Chief Leendertse.

At UBC or McGill, are they sworn special constables on those university campuses?

•(1315)

Mr. Mario Plante: Not at McGill, no; it's security agents. But they do have to report all criminal incidents that take place in their jurisdiction to the Montreal police service.

I just realized that I'm speaking in English now.

Mr. David Sweet: Merci, monsieur.

What about on the UBC campus?

Insp John de Haas: No, that's private security. There is an RCMP detachment at UBC.

Mr. David Sweet: So there is quite a different broad spectrum of how the security is handled.

Thank you very much, gentlemen.

The Chair: Thank you very much. We appreciate your testimony. Merci.

We're now going to our fourth and final panel: Chief Armand La Barge, the Chief of Police of York Regional Police; Chief Clive Weighill, Chief of Police, Saskatoon Police Services; Superintendent Mike Burns; and Sergeant John Burchill.

Thank you very much for being with us. As I mentioned earlier, everything is going to be recorded and will be on our website. We appreciate the fact that you are here.

We will start with Chief Armand La Barge, Chief of Police of York Regional Police.

Chief Armand La Barge (Chief of Police, York Regional Police): Thank you, Mr. Chair.

Good afternoon. I want to thank you for giving me this opportunity to appear here today.

Before I begin my official remarks, I just want to extend greetings to everyone gathered here this afternoon from the one million residents of York region and from the staff of York Regional Police, some 2,000 proud and strong.

Every time I step on Parliament Hill, I'm inclined to thank the men and women of the Canadian Forces, past and present, for the freedom and the democracy that we are enjoying here today. I often say that the Government of Canada declared 2005 the Year of the Veteran, but in York region, every year is the Year of the Veteran.

As the chief for the York region, a region that proudly boasts one of Canada's largest Jewish communities, I am honoured to be given the opportunity to address this hearing of the Canadian Parliamentary Inquiry into Antisemitism.

As members of York Regional Police, the men and women who so proudly wear this uniform have the privilege and the challenge of serving one of the fastest-growing and most diverse regions in all of Canada. According to the last census, the town of Markham, with a population in excess of 300,000, is the most diverse community in Canada. As incredible as it may seem, almost 66% of its residents were not born in Canada.

Each year for the past three decades or so, thousands of citizens from virtually every corner of the globe have proudly made York region their home. All you have to do is drive along Highway 7 or walk north on Yonge or Bathurst or Bayview Avenue to witness the incredible change that's going on all across York region. Churches and synagogues and mosques and gurdwaras and temples adorn our streetscape. In such towns as Markham, Richmond Hill, or Vaughan, our officers are more apt to be greeted with "*as-salaam alaikum*", "*namaste*", "*shalom*", "*ni hao ma*", or "*sat sri akal*" than they are with "good morning" or "hello".

With a population in excess of 60,000, York region lays claim to having the fastest-growing and the third-largest Jewish community in Canada. In fact, there are more members of the Jewish community in York region than there are from Dufferin Street West to the Pacific Ocean. With the completion of such projects as the Joseph and Wolf Lebovic Jewish Community Campus, which is going to be the largest centre of Jewish education in North America, that figure is expected to rise to over 100,000 in the next five years.

In York region, the community that I've had the privilege of policing for the last 37 years, diversity is our strength. In York region, being Canadian means the freedom and the encouragement to be yourself. In York region, we celebrate our differences. More importantly, we celebrate how each of us makes a difference.

Our region is one that has earned respect and admiration from countries all around the world. Although we can take pride in that, as you've heard here today and over the last few days, we must remain vigilant. Despite being one of Canada's safest communities, the sad fact remains that there are individuals within our community who still seek to hurt and intimidate others merely because of their religious beliefs, their sexual orientation, their cultural practices, or the colour of their skin.

Within days of my taking office as chief of York Regional Police in 2002, I received correspondence from an individual—ironically, named Brad Love—criticizing the comments I had made during my

swearing-in speech about better serving the growing diverse community that we so proudly protect.

The mail I received was accompanied by a cut-out of a newspaper article containing my photograph. The author of the hate mail, who was later determined to be the 45-year-old Brad Love, had drawn a Star of David on my forehead, and had written the comments, "Hey just what we need...another cop who licks the ass of every criminal member of our uninvited and unwanted N_____ bitch ethnic community". Claiming that Canada's faulty immigration policy killed 6,000 people in New York in the blink of an eye, Love demanded that there be no more silence, no more lies, no more excuses, and no more tolerance. Love wrote that, "The government and police can't protect you", and he urged white Canadians not to turn in or register their weapons, and to arm themselves against the scourge that Immigration Canada had unleashed on our nation.

Detective Peter Heard, one of the most proficient and determined hate crime investigators that York Regional Police has, discovered that Love had sent similar pieces of correspondence to the Simon Wiesenthal Center, the Premier of Ontario, the leader of the NDP, the Ontario Human Rights Commission, the provincial medical officer of health, and the Canadian Race Relations Foundation, to name but a few. Sadly, police had been alerted to some but not all of the anti-Semitic, anti-black, anti-Muslim, anti-Asian, anti-immigrant mail that he had authored and distributed. After painstakingly gathering all such correspondence, and after a very detailed and lengthy multi-jurisdictional investigation, Love was arrested on April 8, 2003, at a construction site in Cambridge, Ontario, by Detective Heard.

On May 26, 2003, after some frustration and delay, consent was received from the Attorney General's office to prosecute Love pursuant to the hate crime sections of the Criminal Code. Love was subsequently charged with 23 Criminal Code offences, including twenty counts of hate propaganda, two counts of mailing obscene matter, and one count of weapons dangerous to the public peace.

● (1320)

Some time prior to Mr. Love's arrest, I, along with members of the York Regional Police Diversity and Cultural Resources Bureau, spoke at the Jaffari Islamic Centre about the rich diversity that makes up Canadian society and about the important contributions that Canadians of all religions, races, and backgrounds have made to our great nation and to the global community.

Moiz Karimjee, a member of the Jaffari Islamic Centre and a dynamic young assistant crown attorney in Newmarket, approached me after the presentation and inquired whether York region had a dedicated hate crime crown. Upon learning that we did not have a hate crime specialist within our crown's office, Mr. Karimjee approached the then head crown, Mr. Robert Magee, and volunteered his services for that responsibility.

One of his first prosecutions in this very complex field of hate crime was against Mr. Love. On July 23, 2003, after spending 111 days in pretrial custody, Love appeared before His Honour Justice William Gorewich, whereupon he pled guilty to two counts of mailing obscene matter and one count of criminal harassment. In addition to time served, he was sentenced to the most substantial period of incarceration for this type of offence at the time: 11 months in jail for each count consecutively, followed by three years' probation and a 10-year weapon prohibition.

This case, along with another case of anti-Semitism that we investigated, highlights the importance of reporting any and all incidents of hate, and it also underscores the importance of having trained and determined hate crime investigators within a police service, and equally trained and determined hate crime prosecutors within the crown's office.

The other case I'm sure everyone is familiar with occurred in March of 2004 in the very largely Jewish Beverly Glen subdivision of the city of Vaughan, with the spray-painting of swastikas and other anti-Semitic symbols and phrases on 11 cars and homes, including the home of Holocaust survivor Maria Leib and her son Ichil.

My good friends and mentors, the late Kamil Sadiq, the founder of the Canadian Federation of Intercultural Friendship, and Mobeen Khaja, the founder of the Association of Progressive Muslims of Canada at the national level and in Ontario, were among the first community leaders to condemn this attack on innocent people and on the Canadian values of peace, respect, and harmony.

The seeds of hatred and intolerance sown by the cowards who perpetrated these offences in the dark of night had unquestionably fallen on fertile ground, because the hate crimes they committed and the ensuing media attention they garnered inspired others to commit similar acts in other parts of Vaughan, in Richmond Hill, and elsewhere across Canada, crimes that included the desecration of a Jewish cemetery in Toronto and attacks on other religious and cultural institutions.

These acts of hatred and anti-Semitism sparked outrage across our community and across Canada. These acts were condemned here in the House of Commons by the Prime Minister. They were condemned in the legislature of Ontario by the Premier, and they were condemned by other political, community, religious, and police leaders all across Canada.

Despite the fact that such incidents of hatred are often directed against a specific community, every community in Canada experiences its pain and its hurt, and the Canada that my cousins, Bernard and Léo Labarge, and many of your relatives risked their lives or sacrificed their lives for during two world wars was a Canada where people could worship their god, practise their culture, or speak their language free from intimidation at the hands of cowards, bullies, and hate-mongers.

Cowardly acts of anti-Semitism represent an attack on all of us, and we have a collective responsibility to do whatever we can to eliminate racism in all of its ugly forms and manifestations, and as police officers, we have a responsibility to leave no stone unturned in our search for the authors of such crimes.

At York Regional Police, the Diversity and Cultural Resources Bureau and our hate crime unit answer directly to the chief of police. I'm proud to say that our hate crime unit is among the best staffed and the best trained anywhere in Canada. Under the leadership of Inspector Ricky Veerappan, who is also a member of the provincial hate crime and extremism team, the unit comprises a 16-member hate crime team that is responsible for investigating any occurrences that may fall under the hate propaganda sections of the Criminal Code or any occurrences that may have been motivated by hate, bias, or prejudice.

The unit is ably supported by our hate crime community advisory group, which comprises leaders from the most targeted communities in our region. It is also supported by our new, dedicated hate crime crown, Mr. Amit Ghosh. Mr. Ghosh, along with invited presenters from such organizations as the Canadian Jewish Congress, B'nai Brith of Canada, the Friends of Simon Wiesenthal Center, the African Canadian Legal Clinic, the South Asian Legal Clinic, the Chinese Canadian National Council, and the Korean Community Centre for Multiculturalism, to name but a few, meet with our hate crime investigators five times a year.

I, like every member of our hate crime unit, have completed training at the Holocaust Memorial Museum of Toronto and the Friends of Simon Wiesenthal Center's Tools for Tolerance training in California.

● (1325)

Each year, members of our hate crime unit attend the OPP hate crime extremism conference. Every two years, we attend the Canadian Race Relations Foundation "Combating Hatred" conference in Toronto.

Last year, the team investigated 76 allegations of hate crimes in York region, six less than the year before. The Jewish community was the target of 19 of those 76 hate crime allegations, while 19 were directed at our African Canadian community, and 8 were directed at the South Asian community.

In 2008 the Jewish community was the target of 26 hate crimes, compared to 19 against the African Canadian community, and four against the South Asian community. Fourteen persons were charged in 2009 with offences related to hate crime occurrences, eight less than the year before.

At York Regional Police, hate- or bias-motivated crime is defined as a criminal offence committed against a person or property that is motivated by the suspect's bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.

Serious impediments to police services in dealing with anti-Semitic acts and crimes of hate are the absence of a common definition, measurement, and reporting standards for such incidents from service to service and community to community across Canada. The establishment of national standards for police services would lead to a better and a common understanding of what constitutes an anti-Semitic crime, together with consistent, across-the-board mechanisms for data reporting and statistical analysis.

Like Hamilton, most of the occurrences we investigate deal with mischief to property, the uttering of threats, and assaults where hate, bias or prejudice were deemed to be motivating or aggravating factors. Despite the concerns that such crimes generate within our community and other communities across Canada, nowhere in society today are hatred and anti-Semitism more evident and more tolerated than on the Internet.

The Internet is a tableau where the messages of Holocaust denier Ernst Zundel, Reinhard Mueller, and white supremacist David Duke abound. The recent edition of Raymond Franklin's "The Hate Directory" contains 145 pages of websites, blogs, mailing lists, groups, games, and friendly web hosting sites that promote racial, religious, ethnic, gender, and sexual orientation hatred on the Internet, listed alphabetically from the "Adolph Hitler Online Tribute and Memorial" to Stormfront's "Zionism & Judaism: Eye Opening Facts" websites. This directory contains one page listing 24 organizations that are dedicated to combatting hate on the Net.

By conservative estimates, there are approximately 6,000 different sites on the Internet that propagate hate. Although it's difficult, if not impossible, to secure an accurate count of the Canadian-based hate sites, the sad reality is that many of them do exist. These sites, which offer everything from Nazi symbols to Aryan dating agencies, are part of a worldwide network of sites supporting religious, gender, and ethnic intolerance.

In view of the role the Internet has played and will continue to play in propagating hate material, attention must also focus on combatting the recruitment of youth into hate organizations and the spread of hate information to younger people. As Canadians, we should be very concerned about this new electronic frontier, this land without borders, this place where hate-mongers and anti-Semites have a far wider reach than anyone could have ever imagined.

Unlike other mediums, the Internet is far more powerful and far more persuasive than print or the spoken word. By its very nature, the Internet allows hate groups to recruit networks and even to plan events more easily than they could have in the pre-web days. Also, the Internet raises the impact that a single hate-monger can have, and people who have only heard about their ideas can now read them, up close and personal.

Compared to the rest of the population of this world, the actual number of racists is very small, but with the Internet newsgroups and chat rooms, it becomes much easier to find others who profess and propagate the same hate-filled beliefs. With the advent of the Internet, the battlefield has changed as far as the lunatic fringe is concerned.

Despite the fact that the dissemination of hate propaganda is prohibited in this country, hate-motivated crime and hate on the Internet continue to exist and flourish. Websites that promote intolerance and outright hatred exist with seemingly little or no fear of prosecution, due in large part to the international scope of the Internet and, most recently, court decisions. Coupled with the seeming anonymity the Internet provides, it makes control, regulation, and investigation a daunting task.

● (1330)

Although prejudice and hatred cannot be legislated or prosecuted out of existence, a more concerted effort by government and police is required to deter hatred and bigotry on the Internet. If we're going to be successful in our efforts to fight hatred on the Internet, we need to use every resource at our disposal, including strengthening our criminal justice system and the laws that should protect those who fall victim to hate crime. Higher priority must be given to monitoring hate groups and individuals and to ensuring prosecutions take place.

Einstein once said that it was distressing to live in a time when it is easier to break an atom than it is to break a prejudice. The war against anti-Semitism must be fought on all fronts, and the greatest tool in our arsenal is education.

Every year some 35,000 to 40,000 children attend the York Regional Police community safety village, where in addition to learning about road and personal safety, they receive training and education on the safe use of the Internet. The character attributes of dignity and respect, empathy, and inclusiveness that are taught in schools across York region are reinforced at our community safety village. These values have the potential to break the cycle of violence, racism, and discrimination that has destroyed human life and has brought untold misery and despair to countless millions and millions in other parts of the world.

Our strength as crime prevention and law enforcement officers is at its greatest when officers are joined by the community and strongly unified against a common threat, whether it's natural disasters, gang and gun violence, terrorism, anti-Semitism, or hate crime. None of these threats, I'm convinced, is a match for the unified strength of training and education, effective communication, mutual commitment, and community mobilization.

Thank you.

The Chair: Thank you very much for your presentation.

I'll go to Chief Clive Weighill.

Chief Clive Weighill (Saskatoon Police Service): Thank you very much, Mr. Chair and committee, for inviting me from Saskatoon today. I do appreciate the opportunity to speak to the committee.

Just to put it into context, for those of you who aren't familiar with Saskatoon, Saskatoon is the largest city in the province of Saskatchewan. By standards in Ontario, it's not very large; we're about 250,000 in the census metropolitan area. We have a police service of about 600 members, sworn and civilian.

We have a very small Jewish population in Saskatoon. We have two congregations and about 120 to 135 practising families in the city of Saskatoon.

My testimony today will include all reported incidents of anti-Semitism in Saskatoon. The time period covered is from 2000 until present. It will also include comments taken from interviews with members of the Jewish community within Saskatoon.

Anti-Semitism is defined as discrimination against or prejudice or hostility towards Jews. Since 2000 Saskatoon has had few events reported that could fall into the category of anti-Semitism. However, we have had incidents, to the extreme of a fire at one of the synagogues, and graffiti. The most serious anti-Semitic event occurred in 2002, when the Jewish community centre fell victim to arson. A Molotov cocktail was thrown in through the basement window in an attempt to set the synagogue on fire. Hate graffiti was placed at the area where the Molotov cocktail was prepared. An extensive investigation was conducted over a three-year period; unfortunately, the file was concluded without any arrests.

In 2002 a first nations leader was charged regarding anti-Semitic comments made to a Saskatoon *Star-Phoenix* reporter. He was convicted of hate crimes in 2005. He appealed that conviction to the Queen's Bench Court. The Queen's Bench Court upheld that he should have a new retrial. It was appealed to the Saskatchewan Court of Appeal by the crown. The Saskatchewan Court of Appeal upheld the Queen's Bench judge that he should receive a new trial. He did, and in 2009 he was found not guilty of the offence.

Over the course of the next eight years, two anti-Semitic events of graffiti occurred in Saskatoon. Our Saskatoon Police Service expert in graffiti, Constable Lee Jones, states that hate graffiti towards religious groups accounts for less than 1% of all graffiti; specific anti-Semitic graffiti accounts for even less. Most offenders would fit the profile of ignorant persons placing such graffiti, as opposed to organized racist hate activity. In one of the two incidents where actual hate graffiti was placed on the Jewish synagogue, the guilty parties were made accountable by the justice system.

Interviews with members of the Jewish community were conducted prior to my coming to Ottawa. As mentioned, we have two separate Jewish congregations in the city of Saskatoon. The following statements were made by these community leaders about anti-Semitism in Saskatoon.

At local events the Jewish community does not fear for its safety. They have greater concern with international events of anti-Semitism. The hate crime issue involving the first nations leader I previously mentioned in 2002 has left some issues of concern, but there certainly are better relations between the FSIN and the Jewish community in Saskatoon now. They felt Saskatoon was a great place to raise a Jewish family, and they've received great service from the Saskatoon Police Service.

In conducting interviews with members of the community, they were specifically asked if they or any known members of their community had been a victim of an incident that they failed to report to the police. They were also asked if they ever felt that reporting an incident to the police might result in possible retaliation. In both cases they stated that they never have, and believe that Saskatoon is a safe place to live and to raise a Jewish family.

The Saskatoon Police Service has a seven-person cultural unit, which is a considerable commitment to a service our size. We have sent two members from the cultural unit and two members from the criminal investigation division to the Wiesenthal Center in Los Angeles to provide them with the background and training to deal with anti-Semitism and various hate crimes. A detective in the criminal investigation division has been appointed as the primary

hate crimes investigator. Fortunately, she has received no files for the past two years.

The police service has also formed the Saskatoon police advisory committee on diversity. The committee is chaired by a community member and meets monthly to discuss and advise the service on cultural and ethnic issues.

● (1335)

The city of Saskatoon has a long-standing committee called the Cultural Diversity and Race Relations Committee. The committee is comprised of two city councillors, the police chief, and 12 members of the public who apply to sit as participants. The committee discusses cultural issues and assists with diversity information in the schools and with the general public, and it funds some small cultural events.

It would be my opinion that in the city of Saskatoon the probable flash point for racism or discrimination will occur against a first nations or Métis community or the gay and lesbian and transgender community. We have not had any incidents at a Jewish religious function or a Holocaust memorial. All incidents have been aimed at property and not personally towards anyone.

I thank you for allowing me to give this testimony today.

● (1340)

The Chair: Thank you very much.

We now go to Superintendent Mike Burns.

Superintendent Mike Burns (Criminal Investigations, Halifax Regional Police): Good afternoon, Chair and honourable members. It's indeed a pleasure to be invited here today to participate in these proceedings.

I wish to also thank you for the opportunity to speak to this issue.

The Halifax Regional Police, along with the Royal Canadian Mounted Police, provide municipal policing services to the residents of the Halifax Regional Municipality. The unit of which I am in charge, the criminal investigations division, is an integrated venture in which members of the Halifax Regional Police and the Royal Canadian Mounted Police work under a unified command structure. The mandate of the criminal investigations division is to provide both general and specialized investigative services in support of community safety and crime reduction efforts for both partner agencies. As a result, I can speak to the efforts of both HRP and the Royal Canadian Mounted Police in relation to the incidents of hate-related crime, in this case instances of anti-Semitism within the Halifax Regional Municipality.

First, as background information, the Jewish community in Halifax has had roots as far back as 1750, one year after the original founding of the city. Many years passed before there was a settled, stable Jewish community in Halifax, due to slowing immigration, assimilation, and economic depression, which forced some families to emigrate to other parts of Canada. Shortly after Canadian Confederation in 1867, the Jewish community came to Halifax to form the nucleus of a permanent community. The community has grown to the point where at present it is now the largest Canadian population east of Montreal, and it's estimated at 1,500 citizens. The community supports two synagogues, Shaar Shalom and Beth Israel.

The reporting of hate crime within HRM is a relatively rare event. A review of police statistics during the period of 2005 to 2010 identified eight reported incidents that would be considered anti-Semitic in nature. These incidents were defined by property damage and graffiti. There were no reported incidents of assault or criminal threats that would be considered to be anti-Semitic in tone. However, as many of the previous speakers have stated, this type of crime can be scored so many different ways I find it quite difficult to locate all related entries.

Recent changes in our reference management system allow the investigators the opportunity to now indicate how a particular occurrence is hate related. However, this only applies to occurrences created after the most recent software upgrades.

While the incidents are few, the subsequent media attention raised concerns in the larger community in relation to community safety and how the municipality is viewed in terms of inclusiveness and tolerance. These incidents, even though isolated, had a significant impact on the victims' perception of personal safety. Often in policing we refer to the importance of an individual's or community's perception of personal safety being more important than or as important as public safety measured simply by crime statistics.

For two decades Halifax police have provided, at the request of the community, an enhanced visible presence in the area of synagogues during significant Jewish religious holidays. This enhanced service has been provided to address the concern in the community that individuals may wish to disrupt or threaten personal security in the area of the synagogue. While there have been no such incidents in recent years, the community's concern for their safety still exists.

Anti-Semitic incidents have also had a negative impact on the community at large. The disdain towards such incidents portrays the larger community in a negative light, both regionally and nationally, long after the occurrence of the initial incident.

There is also concern within the Jewish community and HRM in relation to activities that occur in the local university community. Halifax is home to five universities, which significantly contribute to the overall feel of the local community, and they are also major drivers of the local economy. There is concern raised by advocates for the local Jewish community that student groups in the debate on current Israeli foreign policy have been the target of attempts to hijack their agenda. These attempts have taken the form of trying to equate an anti-Israel position to that of an anti-Jewish position. This is troubling to the community, as it is seen as a subtle attempt to utilize the criticism of Israel to promote anti-Semitic sentiment in the

larger community. This strategy has also been seen at the local level, with peaceful protests related to current political issues in the Middle East. What's troubling here are instances where third parties, mostly those that are self-proclaimed anarchists, have engaged in efforts to promote anti-Jewish sentiment behind a veil of legitimate criticism of Israel.

Hate crime and specific anti-Semitic behaviour are difficult crimes for police to identify, investigate, and prosecute.

● (1345)

I have no doubt that hate crime is grossly under-reported to police agencies. As a result, it is difficult for police to gauge the seriousness of the problem within their own communities.

Police need to engage their communities at a grassroots level in order to be suitably informed of the tensions that exist in their jurisdictions. In many instances, the official crime statistics are not reflective of the prevalence of this type of criminal behaviour in a community.

A critical part of any strategy to combat anti-Semitic crime, in my opinion, is to increase the awareness of front-line officers in regard to the nature, prevalence, and impact of such crime.

My home agency, the Halifax Regional Police, has a sworn member complement of 575. Roughly one-third of this membership has been hired since 2006. If my organization's human resources statistics are accurate, one-third of the current membership will be eligible to retire within the next five years. Such a turnover is inevitable during the upcoming decade; however, the risk is that organizations across the country are getting very young, and a great deal of corporate knowledge is getting ready to leave. This includes knowledge of the community and the communication and skill sets required to stay abreast of and investigate hate crime.

I would suggest that any response this committee makes on this issue include a component that provides readily available resource material and education that could help bridge this experience gap. Education in relation to the dynamics of hate-based crime and the human impact of anti-Semitism is an essential police skill set if we as a police community are to competently identify, investigate, and prosecute such criminal behaviour. A police officer properly informed on the relevant issues will be better equipped to engage the public in community-based solutions to decrease community fear and tension.

Thank you for your time. It's been a privilege to represent Halifax Regional Police here today.

The Chair: Thank you very much.

We'll now go to Sergeant John Burchill.

Sergeant John Burchill (Winnipeg Police Service): Thank you for having me here today.

By way of background, the Winnipeg police hate crimes team was created in 1993 after a high-profile murder. The mandate of the unit was to ensure the effective identification, investigation, and prosecution of crimes motivated by hate. A number of members were specifically trained after that point to carry out this task.

Any response to the problem, however, cannot be made by law enforcement alone. Tackling hate crimes effectively relies on cooperation and partnerships. Government, regulatory bodies, police, community organizations, and individuals must be committed to working together to reduce hatred in our society.

You've already heard from Justice Minister Swan from Manitoba about the multicultural background of Manitobans, and from Shelley Faintuch of the Jewish Federation of Winnipeg regarding the status of her community in Winnipeg, so I won't repeat that.

With respect to the policies and procedures of the Winnipeg police regarding hate crimes, we are consistent with those of the police forces you have already heard from, in particular Toronto. The one major exception is that the hate crimes coordinator in Winnipeg is not a stand-alone position. Rather, it is a function that I carry with me, along with my other duties, which currently include oversight of our commercial crime unit.

As coordinator, where a hate crime is believed to have occurred, I'm advised on that incident. Historically the vast majority of these incidents in Winnipeg are property crimes or vandalism. However, the use of e-mail and the Internet, particularly social networking sites, to disseminate discriminatory messages is increasing, as you've already heard.

Generally the motivation for property crimes can be discerned based on the surrounding circumstances. However, that is not always the case, as indicated earlier by Chief Fantino. A swastika spray-painted on its own on the ground may be nothing more than a childish act of vandalism. Change the context, change the place, change the surrounding circumstances and that swastika now becomes a profound message intended to hurt, ridicule, vilify, and condemn.

In 2009 there was a total of 12 hate crime incidents in Winnipeg, as captured using Statistics Canada UCR2 reporting criteria. This is down considerably from past years, particularly in acts of vandalism. This may be related to the fact that several youths were arrested for these types of offences earlier, or community condemnation of the acts to dissuade earlier. In one particular community, they had posted a sign with a swastika crossed out, saying it would not be tolerated in their community. Acts like that from the community can go a long way in discouraging that kind of activity.

I personally have a good relationship with both the Jewish Federation of Winnipeg and B'nai Brith, both of whom advise me of most incidents that are reported to them. As such, I don't know how much under-reporting there is from the Jewish community regarding hate crimes. However, some of the incidents that are reported to me may very well be regarded as acts of discrimination and not hate, and otherwise better left with other agencies and regulatory bodies to investigate. While I document this information, these other incidents are not necessarily recorded as hate crimes.

On a related note, I would like to address one point that arose earlier. A previous witness had suggested eliminating the need for crown approval under the hate propaganda sections of the code, sections 319, 320, and 318. From my experience, I would disagree. We've heard that there is no definition of hate, and currently there is no definition of hate regarding hate propaganda in the Criminal Code. In Keegstra and Andrews, the two leading cases from the Supreme Court, the meaning of the word "hatred" was restricted to the most "severe and deeply felt form" of opprobrium and enmity: "Hatred is not a word of casual connotation. To promote hatred is to instil detestation, enmity, ill-will and malevolence in another." Unpopular, distasteful, and even offensive expressions are not criminal. Clearly, an expression must go a long way before it qualifies as hateful in the criminal sense.

Furthermore, the Supreme Court in those cases was unanimous that section 319 infringed section 2 of the charter, with a bare majority holding that the legislation was demonstrably justified under section 1. As such, I think it is too much to ask of a front-line police officer to make the distinction between what is merely distasteful and what is the most severe form of opprobrium and enmity.

For that reason, I would not change the section until a better definition of hate can be incorporated. However, for that same reason, and as noted by other witnesses, a clear definition of what hate is would go a long way in assisting front-line officers as well as the crown, and perhaps as well in clearing up the differences between police-reported statistics and victim-reported hate crime data.

• (1350)

Interpretations of hate-motivated crime by victims and community groups are likely to be more subjective in nature, whereas police interpretations are restricted by law and policy. With that said, the nature of the material may clearly be discriminatory and suitable for investigation by another agency, regulatory, or disciplinary body, such as, for example, the Human Rights Commission, the CRTC, Canada Customs, the various provincial ombudsmen's offices, or the colleges of teachers. However, if we looked at all of these different bodies and agencies together, we might see a narrowing of the gap between officially reported hate-related or discriminatory incidents and self-reported victimization data.

As indicated earlier, tackling hate crimes effectively relies on cooperation and partnerships between all the stakeholders. Nevertheless, no one is looking at all of these different agencies collectively, and I think that was raised earlier by the Vancouver chief: look at all the different sources of information that are out there that exist regarding hate-related incidents or discriminatory acts. While hate-related crime data in some jurisdictions is forwarded to the Criminal Intelligence Service of Canada, it is not within their mandate to collect, analyze, and disseminate hate-related intelligence products. Their central role is to examine the major developments and trends in criminal marketplaces and the criminal groups that capitalize on those trends.

Hate groups are generally motivated by an ideology or a belief, not financial gain. However, like the deputy chief of Hamilton, I'm not afraid to ask for money, and I think that through federal funding to the provinces, each provincial bureau within the Criminal Intelligence Service of Canada could acquire specific personnel to track, monitor, and report on hate-related activity, whether criminal or not, looking for major developments and trends in the area on a national scale. As the Criminal Intelligence Service of Canada already has that infrastructure in place, taking on this responsibility would be in keeping with their vision of a new criminal intelligence model for Canada.

This is the latest annual report on organized crime from the Criminal Intelligence Service of Canada. It's easily available for download off the Internet. If a report like that were prepared for all police chiefs across the country, for Parliament, it might give a good indication of where resources should be allocated for hate crime if such a national review of that kind of information were prepared.

Last, there is an acknowledged lack of training in the area of hate crimes. Many of the witnesses have already spoken to this, and some admit they go outside of the country, to California, for that kind of training. While many agencies have some form of in-service or recruit training on hate crimes, including that offered through the Canadian Police Knowledge Network, which has an oversight body, including police officers, an ongoing federal multiculturalism grant could be used to establish a higher-level comprehensive training curriculum for all justice participants seeking to specialize in this area without having to leave the country. Perhaps the models from California might be worthwhile. Professor Levin of the California State University in San Bernardino, in conjunction with the Federal Law Enforcement Training Center in the United States and the Southern Poverty Law Center, has developed a course curriculum, which I took, that was fantastic. I can make that curriculum available to you. I spoke with Professor Levin on Friday, who advised that due to a lack of funding, that course is no longer offered, but I thought it was a valuable template for any kind of course that could be offered on a national basis in Canada.

While funding for such a course might generally go to the Canadian Police College, with the building of a national human rights museum in Winnipeg and the recent creation of a centre for human rights research at the University of Manitoba, including a Canadian Research Council research chair on human rights, perhaps some kind of tripartite agreement to develop and sustain world class training in Winnipeg might be worth considering.

In closing, in this era of electronic communication, the ability to disseminate racist and discriminatory messages through the Internet, I would not want to see any significant changes to section 13 of the Canadian Human Rights Act, which is currently under review. It provides a complementary, if not less blunt, way of dealing with this social problem without the same stringent requirements the criminal law now requires.

In addition, through my knowledge of past projects we have conducted in this area, I would look to Parliament to support the reintroduction of Bills C-46 and C-47, regarding investigative and technical assistance for law enforcement, when Parliament reconvenes, specifically as they apply to hate crimes, interception

capabilities, and the ability to obtain subscriber information from telecommunications service providers.

My colleague, Stephen Camp, co-chair of the Alberta Hate Crimes Committee, also asked that I pass along some proposed changes to the Criminal Code regarding specific hate crime offences and how they may better assist in tracking and punishing hate crime offenders. That information was previously forwarded. I saw copies on the table back here earlier.

● (1355)

That concludes my comments. I thank you very much for having me here today. I look forward to any questions you might have.

The Chair: Thank you very much.

We'll begin with Lois Brown.

Ms. Lois Brown: Thank you, Mr. Chair.

As a volunteer with the York Regional Police for the last 10 years, I'd like to start by saying thank you to Chief La Barge for the exemplary leadership he's given to the York Regional Police.

Chief, you have very clearly told this committee that York region represents quite a global microcosm. We have every background and every religion recognized in our community, which sets up some unique challenges for us as a region.

I was pleased to hear you give the definition that you're using with the police in order to understand what's going on in our community, but I think one of the things that we need to focus on is something the minister talked about this morning, and that is bridge building. His comment was that it doesn't matter how many posters we put up; that's not going to change the hearts of people.

I know that one of the areas where you have concentrated your efforts is bridge building with our youth. In our schools, which could be an incubator for problems, quite frankly, you have reached out to the young people and have brought them together.

My observation last week was that you had young people there from every background and from schools all across the region. I wonder if you could talk about the success of that program, how you see that influencing young people in the schools, and how that is having an influence in our community at large.

Chief Armand La Barge: Thank you, Ms. Brown.

The sister agency to our hate crime unit is the Diversity and Cultural Resources Bureau, and their specific mandate is to build bridges. Their specific mandate is to take the organization's vision and values out to communities that historically might not want to approach the police service.

As you can appreciate, in our community we have one of the largest Asian and South Asian populations anywhere in Canada. You can appreciate that many of the people who make York region their home come from countries and backgrounds where the police weren't seen as individuals who were there to protect your civil rights; moreover, they denied you your civil rights or subjected you to torture and all kinds of negative types of influences.

So what we did was reach out to the community. We identified leaders within each of our communities. We've worked closely with those communities to build bridges. We have many of these individuals sitting on what we call district community liaison committees or police community advisory committees. As well, that's not just focused on the adult community; it's also focused on the young people.

Ms. Brown appeared before one of our youth council meetings last week. We had about 25 or 30 students from all across the region representing virtually every culture, every race, and every religion that is here in Canada and in York region.

It's a case of making sure that we don't just concentrate our efforts on enforcement and investigation, but that we also prepare the young people for adulthood. We also prepare the young people to appreciate the values of empathy, dignity, respect, and inclusiveness.

We've seen a dramatic transformation in our relations with the community, but we've also worked hard to represent and reflect the community. Over the last six or seven years that I've been the chief of police, we've changed our own diversity rate from 6% to almost 16%. There are representatives in our organization reflecting all communities, all religions, all races, and all cultures, and I think that's critically important too.

•(1400)

Ms. Lois Brown: Do I have more time, Mr. Chair?

The Chair: Yes, you have time. Go ahead. Thank you.

Ms. Lois Brown: I have another question to ask, if I may.

Anyone can answer, although I would like your comments on it as well, Chief.

We heard from Mr. Steven Sullivan this morning, the federal ombudsman for victims of crime, who said that victims don't access the services that are available for victims. I guess the saddest comment is that we need to have services for victims of crime.

Is there specific training for the people who are providing those services, for people who are dealing with issues of acts of anti-Semitism against victims? Is there specific training? Are people accessing those services?

Chief Armand La Barge: Part of our responsibility under our regulations and procedures when dealing with hate crimes is to ensure that the victim is properly connected to our victim services of York region. They are trained; I wouldn't say they're trained to the extent that they should be to deal with incidents of anti-Semitism and hate.

I can tell you that they're woefully underfunded, like most victim services organizations across Canada. They're in constant need of funding. They're in constant need of training. They do a fantastic job for the resources they have. Our officers are required to ensure that victims are dealt with through victim services of York region.

The Chair: Thank you very much.

Mr. Sweet.

Mr. David Sweet: Thank you very much, Mr. Chairman.

First of all, thank you very much for travelling here and investing your time.

Chief, thanks for reminding us that every day is Veterans Day, as well. I'm the chairman of the veterans affairs committee here, which is a new committee since the 39th Parliament.

I think all of you have universities in your jurisdiction. Earlier Deputy Chief Leendertse mentioned that in the case of Hamilton and McMaster University, they have a special relationship. There are special constables sworn in.

Maybe I'll start with you, Sergeant Burchill, and just go across. Is that the case in the university in your jurisdiction?

Sgt John Burchill: I can tell you that the majority of the officers who work for University of Manitoba security services are former members of the Winnipeg Police Service, including the assistant director, who is a former staff sergeant of the Winnipeg police. So they are trained to that standard.

We have a very good relationship with them, and they have a very good understanding of the criminal law and what is required of them, both under the University of Manitoba Act and as peace officers.

Mr. David Sweet: Are they sworn in as constables?

Sgt John Burchill: They are, and the majority of them are former Winnipeg police officers as well.

Mr. David Sweet: Thank you.

Chief Clive Weighill: The University of Saskatchewan campus has special constables who are sworn in under the Saskatchewan police act. They have a very close working relationship with the Saskatoon Police Service. Things are divided up so that the Saskatoon Police Service would handle any of the major criminal offences, and the security there would handle minor thefts, motor vehicle accidents, things of that nature. Certainly anything that would have to do with a hate crime or any disturbance of that nature would be reported to the Saskatoon Police Service.

Mr. David Sweet: Just to clarify, that means, in the case of the Hamilton Police Service at McMaster, all of their occurrences flow through into their data. Is that the same for Winnipeg and Saskatoon?

•(1405)

Sgt John Burchill: Their reporting system is not tied into ours, so we don't have a record. They don't have direct reporting access for their data into our system.

Mr. David Sweet: So you would have a record of a crime but not of an occurrence?

Sgt John Burchill: That's right.

Chief Armand La Barge: York region is home to two campuses of Seneca College. The security personnel there are not sworn in as special constables.

Mr. David Sweet: Thank you.

Chief, in Saskatoon, is it the case that their data would flow through to your department?

Chief Clive Weighill: No, they have a small data bank themselves for minor issues. They also have a direct link to the Canadian police information system through their security agency. We would get only the major files that would come through there.

Mr. David Sweet: Thank you.

The Chair: Thank you very much.

Mr. David Sweet: What is the case in Halifax?

Supt Mike Burns: Within Halifax it's predominantly a private security function. If they're sworn in as special constables, what they do is very limited. It is probably traffic or parking enforcement, or things like that.

As far as reporting goes, they don't have a direct link to our database. Reporting to the police service would be based on whatever the management of that particular security force thought was necessary or was in the interest of the university to report. Once it was reported, then it would become part of a police investigation within our records management system.

The Chair: Thank you.

Judy Wasylycia-Leis.

Ms. Judy Wasylycia-Leis: Thank you very much, and thanks to all of you for being here. I want to direct my questions to Sergeant Burchill. Thank you for coming from Winnipeg.

As a member of Parliament from Winnipeg, I'd like to get a sense from you of whether you think anti-Semitism is on the rise in Winnipeg and Manitoba. What's your overall pulse in terms of anti-Semitism in our city?

Sgt John Burchill: My overall pulse would be that I don't believe it's on the rise. That's based on looking historically at what's been reported to me, or tasked to me, or the phone calls that I receive from either B'nai Brith or Shelley advising me of what's going on in the community. Based on that, I don't feel it's increasing.

Ms. Judy Wasylycia-Leis: You mentioned at the outset that investigating hate crimes is not your sole responsibility. Do you feel that you're able to do that job as well as your other work, or do you think it should be a stand-alone responsibility?

Sgt John Burchill: My personal feeling is that it should be a stand-alone responsibility so that the community, whether it's the Jewish community, the Muslim community, or the aboriginal community, has that kind of direct contact, that direct relationship, and so that further intelligence or analysis and so on can be done in that regard. I personally feel that having it as a stand-alone responsibility, as some of these other larger departments in places like Calgary, Toronto, and Edmonton do, is the best way to go.

Ms. Judy Wasylycia-Leis: What is the police force in Winnipeg now able to do in terms of assisting the Jewish community when they have big events, whether it's at the synagogues or at the campus?

What I'm trying to get at is that many people have suggested that we should have a separate fund federally that would help big organizations in the Jewish community, synagogues, to have the extra police capacity and security personnel to protect themselves against an anti-Semitic attack.

Sgt John Burchill: There are two streams where that happens, and I'm assuming it's the same with most other departments. Usually it's the Jewish Federation that contacts me. They indicate that they have an event that's going on, and they advise me of it. I notify our communications centre, and it's flagged. The address is flagged. There might be routine or regular patrols, with no on-site staff; however, they're well aware that an event is going on at a specific location, what the function is, and how many people might be attending.

The other stream is that they want a specific police presence. For that, the Winnipeg Police Service does provide special duty officers when requested. However, there is usually a cost tied to that, unless there is perhaps a direct threat of some kind; police officers would be assigned at that scene. Where there is a concern, then special duty officers are available in any amount to go to those events.

• (1410)

Ms. Judy Wasylycia-Leis: When there is an organized boycott, as happened in Winnipeg recently at Mountain Equipment Co-op, do you take any extra precautions? Do you watch for anti-Semitism? What does that kind of event trigger in terms of the police force?

Sgt John Burchill: You know what? I couldn't give you an exact answer, other than to say that we would just monitor the situation. Certainly if there are people making remarks, or signs, or banners....

We do try to collect that kind of intelligence and identify people, but along with the definition of hate and what it is, the police are somewhat constrained with what they can do outside of just monitoring these situations.

Ms. Judy Wasylycia-Leis: Have you seen evidence—I'm not looking for specific anti-Semitic activities—of material and posters in marches, parades, and demonstrations that are borderline, that maybe could be open to interpretation in terms of anti-Semitism?

Sgt John Burchill: With respect, I would say that the big place right now is the Internet. You can pretty much go there and download anything you want, and it doesn't necessarily have to be posted or come from somebody in Canada.

In the past year, there haven't been any flyers. It used to be popular to put flyers under windshield wipers in parking lots where Jewish events were happening, but that hasn't really occurred recently. E-mail is now the popular way to disseminate the same message.

Ms. Judy Wasylycia-Leis: Okay.

What changes would you like to see in terms of federal law or federal programs or federal funding to help you in terms of hate crimes, particularly anti-Semitism?

Sgt John Burchill: Personally, I think it would be a standardized training package in understanding what hate crimes are and how you investigate them. This is not just for me; it's for whoever replaces me. It's for the front-line investigators. It's for anybody who wants to become an expert in this area.

The way the law stands right now is that you need to go to the crown attorney for approval to lay certain charges. At some point, if they eliminated that, having a police officer to make that determination would be helpful, and that higher level of education would be beneficial.

So that's kind of what I would look for—a better tracking and intelligence network with respect to what hate crimes are with the groups that are active and the means of dissemination, perhaps something along the lines of what the Criminal Intelligence Service of Canada puts together in their organized crime reports. I suspect that this kind of report is very beneficial to chiefs of police when they're trying to determine allocations of money and resources, whether it be in their criminal investigation bureau, their morals units, or their organized crime or gang bureaus.

So something like that, along those lines, would be very helpful in terms of allocating resources.

Ms. Judy Wasylcia-Leis: You said at the outset of your remarks that you did not necessarily support eliminating the AG authorization—

Sgt John Burchill: That's right.

Ms. Judy Wasylcia-Leis: —in the areas that it now covers. I'm wondering if the other members of this panel would comment on whether they see any merit in that.

What would be the pros and cons of moving in that direction?

Chief Armand La Barge: I would be glad to jump in on that one. We've experienced some incredible delays, sometimes as long as six months, in getting permission to prosecute under the hate crimes sections.

One particular case I remember was very disturbing. We had a group of individuals identified as white supremacists. They had taken a life-sized plastic skeleton and spray-painted it black. They suspended the skeleton from a flagpole in their front yard with a noose and had a Confederate flag attached to the top of the flagpole. This was happening in one of our communities.

It took almost six months to get permission from the crown's office to prosecute that under the hate crimes sections of the Criminal Code. Obviously, from the moment our officer came across this—and it was an officer who actually found this—and approached the people in the house, demanded they remove it, and was politely told that was not going to happen, we were left in a situation where we couldn't leave that there, because, quite frankly, I knew the community's response, and quite appropriately.

We had to secure a search warrant to actually seize the item and hold onto it until we got permission to prosecute the individual under the hate crimes sections. He eventually pled guilty and was sentenced to 45 days in jail, I believe, for the wilful promotion of hatred. The delay in getting that permission was a little disconcerting to us.

I understand and appreciate the concern of my friend from Winnipeg about us ultimately making that decision. What I would like to see is more informed crowns making the decision in a more timely fashion. The benefit of having the crowns make that ultimate decision is that you can almost be assured they're going to prosecute it, as opposed to not prosecuting it once it gets to trial and that type of thing. There tends to be a little more substance to the prosecution when they've ultimately made that decision.

• (1415)

The Chair: Superintendent Burns.

Supt Mike Burns: Very quickly, I agree with Chief La Barge. Training a specialized crown will go a long way to expediting matters for the courts.

Just in my jurisdiction, we've seen great results with specialized crowns in domestic violence court and in dealing with juvenile prostitution, where they're trained to be sensitive to the areas and they're well schooled in how to approach the prosecution. They're able to have an effective dialogue with the investigating officer in order to almost micro-teach when the officer brings in the case for consultation, by saying that either you have it or you're close but you need a little more, and by saying that this is what is needed and this is what will constitute it.

Although I didn't see them represented here today, with the various provincial public prosecution services you could help police services a great deal by developing expertise in dealing with hate-based crime, much as we've done in other areas over time.

Ms. Judy Wasylcia-Leis: Thank you.

The Chair: Thank you very much.

Mr. Sweet has one very brief question. We're a little over time.

Mr. David Sweet: Mr. Chairman, thank you for your indulgence.

We're way over time, so I'd certainly invite you to e-mail the secretariat regarding this.

Sergeant, you brought up a very good point based on a question the Honourable Irwin Cotler asked earlier about the dialogue of incitement to anti-Semitism that was happening, particularly in his community, but I think it's happening in a lot of communities around the country.

You mentioned the one community where they had a sign with the swastika and a red slash through it. I would just ask if you have any responses from your community like that, those community responses. I think that is part and parcel of diminishing this underground dialogue of incitement to anti-Semitism. If you have any examples of that, I would really appreciate it, because this is the first time that we've really zeroed in on that, and this is our last meeting. If you would send that to the secretariat, that would be great.

Sgt John Burchill: My arms weren't long enough, but I put the news report from the local newspaper over there.

In that neighbourhood there was a rash of swastikas being spray-painted. Sometimes they had no reference. Sometimes the reference was with respect to the black community and sometimes it was with respect to the Jewish community. There was an arrest made in that area and pretty much all the vandalism dried up after that. Whether it was the community response or the arrest of the young offenders, I don't know, but I thought it was a very good response by the community.

Mr. David Sweet: Absolutely.

Chief Armand La Barge: If I can, Mr. Chairman, the Canadian Association of Chiefs of Police recently established what we call an international committee. I had the privilege of co-chairing that, along with Chief Superintendent Barb Fleury from the RCMP. We established that committee because we realized that a lot of the roots of violence and of hate crime that we investigate are actually taking place in other parts of the world. Most recently the demonstrations we saw in Toronto and in York region from the Tamil community had their roots in Sri Lanka, the civil war, the ultimate death of Vellupillai Prabhakaran, and the actions in Kilinochi and Elephant Pass. We're also dealing with issues such as the green revolution in Iran. The conflict between Gaza and Israel had a great impact on our community in York region and an impact on communities in Toronto. As a result, we had to heighten our security. But we must also anticipate that we're going to see hate crimes evolve and result from these types of world and international situations.

The hate crime investigator today has to be very in tune with what's happening all around the world, not just from the perspective of anticipating, but also as to how they investigate those, the types of questions they ask, and the knowledge they bring to that investigation. It's quite apparent that if you're asking questions for which you should be aware of the answers...it takes a lot away from the investigation and it has a significant impact on either the individual or the agency reporting that. That's why community consultation, working with people such as Bernie Farber and Len Rudner of the Canadian Jewish Congress, Dr. Frank Diamond from B'nai Brith, and Avi Benlolo from the Simon Wiesenthal Centre, has been so critical to us as it relates to anti-Semitism.

• (1420)

The Chair: Thank you.

If I may ask one very brief question, I think all of you have spoken about the challenge of prosecuting individuals for hate under the Criminal Code. At the same time, I believe some of you have talked about the importance of the tool of section 13. Can I have it on the record whether there is support there for that section in terms of dealing with issues of hate crime?

Sgt John Burchill: That would be the Canadian Human Rights Act?

The Chair: Correct.

Sgt John Burchill: I would certainly support keeping it there. I've read the positions of Professor Moon and the response from the Canadian Human Rights Commission. My personal preference is for the Canadian Human Rights Commission and keeping that section intact as it is. It does provide a useful balance for police action, because intention is not required, whereas wilfulness is required under the Criminal Code. It's there because it's likely to expose a person to hatred and contempt. Again, you don't have to prove the wilfulness. The ability to get injunctions until they can have a hearing is beneficial. There is some concern about being able to levy fines under the act, which came in in 2001, and the Canadian Human Rights Commission agrees that maybe that should be removed.

I believe it provides an excellent companion to criminal legislation; where the police can't act, they may be able to.

The Chair: Do other witnesses wish to comment on it as well?

Chief Armand La Barge: We need to fight this type of crime with 21st century legislation. Some of the tools we're using are from the last century, especially as it relates to the Internet. The most recent decision of the United States in regard to Mr. William White, who had threatened Mr. Richard Warman from here in Ottawa, causes me great concern. It reminds me that we're very challenged as it relates to individuals on the other side of the 49th parallel victimizing individuals in our community. It's not just that. It's also the other individuals who are incited to violence or incited to commit similar types of crimes in our community. We need more contemporary legislation to deal with these and countless other challenges that we face in the fight against hate crime.

The Chair: Thank you.

No further comments? Okay.

I want to thank everybody for their presentation. This is our last session.

I also want to thank the members for their attendance. Thank you very much.

This session is adjourned.

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