



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

Hansard Verbatim Report

No. 22 — April 5, 2023

**Published under the
authority of
The Hon. Randy Weekes
Speaker**



Legislative Assembly of Saskatchewan

Twenty-Ninth Legislature

Hansard on the Internet

Hansard and other documents of the
Legislative Assembly are available
within hours after each sitting.

<https://www.legassembly.sk.ca/Calendar>

STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

Mr. Terry Dennis, Chair
Canora-Pelly

Ms. Erika Ritchie, Deputy Chair
Saskatoon Nutana

Mr. Gary Grewal
Regina Northeast

Mr. Travis Keisig
Last Mountain-Touchwood

Ms. Lisa Lambert
Saskatoon Churchill-Wildwood

Hon. Tim McLeod
Moose Jaw North

Mr. Greg Ottenbreit
Yorkton

[The committee met at 15:32.]

The Chair: — I'd like to welcome everybody to Intergovernmental Affairs and Justice. My name is Terry Dennis. I am the Chair of the committee. With us today, we have Mr. Gary Grewal, Mr. Travis Keisig, Ms. Lisa Lambert, Mr. Tim McDonald, Mr. Greg Ottenbreit . . . [inaudible interjection] . . . McLeod. Sorry, old MacDonald. Sorry about that, Tim. And substituting for Erika Ritchie is Nicole Sarauer.

Referral of estimates to committee pursuant to rule 148(1), the following estimates and supplementary estimates were committed to the Standing Committee on Intergovernmental Affairs and Justice on March 30th, 2023 and March 22nd, 2023, respectively. 2023-2024 estimates: vote 73, Corrections, Policing and Public Safety; vote 92, Firearms Secretariat; vote 30, Government Relations; vote 91, Integrated Justice Services; vote 3, Justice and Attorney General; vote 27, Parks, Culture and Sport; vote 88, Tourism Saskatchewan.

2022-23 supplementary estimates no. 2: vote 73, Corrections, Policing and Public Safety; vote 92, Firearms Secretariat; vote 30, Government Relations; vote 3, Justice and Attorney General; vote 27, Parks, Culture and Sport.

Today we will be considering the four bills: *The Saskatchewan Firearms Act*; *The Saskatchewan Public Safety Agency Amendment Act, 2022*; *The Police Amendment Act, 2022*; and *The Provincial Protective Services Act*.

Bill No. 117 — *The Saskatchewan Firearms Act*

Clause 1-1

The Chair: — We'll begin with Bill No. 117, of *The Saskatchewan Firearms Act*, clause 1-1, short title.

Minister Tell is here with her officials. I'd ask that the officials please state their name for the record before speaking and do not touch the microphones. The Hansard operator will turn them on for you to speak. Minister Tell, please make your opening comments and introduce your officials.

Hon. Ms. Tell: — Usually I touch the button. It's just habit, I'm afraid.

Yes, to my right is Robert Freberg, Chief Firearms Officer for the province; Blaine Beaven, senior legal counsel, Saskatchewan firearms office; and of course Neil Karkut, senior Crown counsel, legislative services, Ministry of Justice and Attorney General. Thank you very much for having me here this afternoon.

Mr. Chair, this bill implements legislation to defend the rights of lawful firearms owners and enhance public safety. Parts 1 and 2 clarify the minister's responsibility and duties and establishes a Saskatchewan firearms commissioner to administer the Act. Part 3 of the Act creates a provincial regulatory system consisting of Saskatchewan firearms licence and provincial firearms offences.

Under this new system, individuals who commit non-violent provincial offences involving firearms can receive a ticket, and alternative measures in sentencing may be used by prosecutors

and the courts with such offenders. Individuals who commit criminal firearms offences also face suspension or cancellation of their provincial licence.

Part 4 contains licensing requirements for seizure agents who conduct the seizure and destruction of firearms on behalf of the federal government. These licensing rules and requirements will help protect the public from large-scale firearm theft and disclosure of personal information.

Proposed House amendments will clarify that police also require a licence under part 4 when acting as a seizure agent. Originally it was anticipated the federal government would contract non-police agencies to conduct seizures of firearms. However, recent information suggests the federal government may rely on policing agencies. These types of seizures fall outside the scope of normal police activities and present unique risks, leading to the need for all police to be licensed as seizure agents.

The House amendments will clarify that police do not require a licence when carrying out their normal enforcement duties; instead, the licensing requirements only apply to the enforcement of specified federal laws. For example, police who seize a firearm used in an armed robbery would not be subject to these licensing requirements that we're talking about here.

Part 5 ensures lawful firearms owners are properly reimbursed when their firearms are expropriated and require seized firearms to be tested prior to destruction. House amendments to part 5 will add definitions to clarify the scope of the part. It will require full compensation be paid before firearms are destroyed and add offence provisions. House amendments will clarify that the requirements under part 5 do not apply to police who are carrying out their normal law enforcement duties.

Finally, part 6 contains general administrative and enforcement provisions, including the requirement for municipal police services to seek approval from the minister before they can accept federal funding to conduct firearm seizures under the specified federal law. This approach ensures funding for police services is not misdirected from core policing duties.

With that, Mr. Chair, I welcome any questions respecting Bill 117.

The Chair: — Thank you, Minister. We'll now open it up for questions. Ms. Sarauer.

Ms. Sarauer: — Thank you, Minister, for your opening remarks. I might start by going into some more detail around some of these proposed amendments which you just talked about in your opening remarks. And I just had the opportunity to see them for the first time now. You've answered most of my questions in your opening statement, but I just wanted to clarify a few things.

As you had mentioned, originally the bill purposefully excluded as a seizure agent any officers or constables of any police service, including the RCMP [Royal Canadian Mounted Police]. You are now including them back in, removing them as an excluded group of individuals.

Hon. Ms. Tell: — That are not requiring a licence.

Ms. Sarauer: — Correct. Can you explain again why? You mentioned further information. I'm looking for more detail as to why they were excluded to begin with and why they're being included back in.

Hon. Ms. Tell: — In the summer of 2021, there was an RFP [request for proposal] put out by the federal government looking for a company, an agency, in order to expropriate or seize these particular firearms, whatever ones they deemed necessary at the time. There was absolutely no interest. Nobody applied to take the job of taking away people's firearms. And so it came to light that there's only one group of people that can actually do this particular job. And as a result, I mean, the municipal police and the RCMP were the only group that the federal government had any scintilla of confidence in that they could fulfill this function.

So as a result, obviously I've spoken to this in my comments that the expropriation, the seizure of firearms from lawful firearms owners is outside of the duties, their regular duties. And there's also a concern, and that's why they were put back in. This has been an evolving situation. Anything we started with has evolved, and it's even changed within the time that we had it.

So we're making the best decisions that we possibly can, given the fluid nature of what we're dealing with. And the most critical part is that this is truly outside of their regular duties. What about liability issues, you know, data breaches, whatever may happen when they are executing on behalf of the federal government and acting as police, but it's outside their duties. What are the issues? What are the risks?

Ms. Sarauer: — So as I understand, and I think you mentioned this provision as well in your opening remarks, there's also a provision in this bill that states that if a municipal police force or RCMP wish to accept federal dollars to do this, they cannot accept that money without approval of the minister. That's correct?

Hon. Ms. Tell: — That's correct. Yeah, just municipal. It didn't say anything about the RCMP in that section.

Ms. Sarauer: — Just municipal. Are there any concerns about interfering with the independence of policing bodies by putting that provision in?

Hon. Ms. Tell: — We added a clause to the amendment, and being very clear about what we are doing here and what we're not doing here. Parts 4 and 5 apply to officers or constables of any police service, including the RCMP, only with respect to the enforcement of a specified law as defined in section 4-1, and not with respect to enforcement of any law during the officers' or constables' normal course of duties.

[15:45]

So I mean we recognize that there are obviously situations when police must seize a firearm, but they're not . . . They're acting in the course of their duties. They're not acting on behalf of the federal government in confiscation of firearms. So we tried our very best to make it very clear, and I mean we've had conversations and I think we've made it very clear in those discussions with our policing agencies.

Ms. Sarauer: — And that's leading actually into my question. Were these amendments, did these amendments flow out of consultation with policing agencies?

Hon. Ms. Tell: — As I stated earlier, this situation that the provinces find themselves in is constantly evolving and it's changing quickly. Our conversations with policing agencies and their concerns are, and they expressed to ministry officials, is that if they were to take on the function of a duty of confiscating firearms, they don't have enough staff and it takes away from their ability to respond to the needs of their community.

The other part of it is that it actually, what the amendments provide is an avenue for policing agencies, if they were approached by the federal government to do this, they can point to this legislation and say, no, we can't. So perhaps . . . [inaudible interjection] . . . pardon? Oh yeah, they just need permission. Yeah, I kind of misspoke there. But that there are certain steps that they must go through in order to get that consent to actually perform that function.

So you know, from our standpoint that I and all of us are of the opinion that if you have our municipal policing agencies being confiscation, seizure agents for the federal government and taking away firearms from legal firearms owners, that it does take away and does decrease the level of public safety. If they're busy doing that, they're not doing their other job.

Ms. Sarauer: — What advice have you received with respect to the constitutionality of the legislation as a whole?

Mr. Karkut: — Neil Karkut, Ministry of Justice. So I mean we don't provide legal advice in this forum. However we can indicate that, you know, we have consulted with our constitutional law team and we believe that this is a valid piece of provincial legislation. If there were any challenges raised to this legislation, it would be defended through the normal course of any other piece of provincial legislation.

Ms. Sarauer: — Thank you. Broadly speaking and understanding this has been an evolving process so I'm sure consultations are still ongoing. But moving on to the bill as a whole, what consultations have you and your officials had with respect to this legislation and I suppose are continuing to have?

Mr. Freberg: — Hello, Ms. Sarauer. It's Robert Freberg. I'm the Chief Firearms Officer. I'm glad you brought that question forward. We've put an advisory group together within . . . That was the first thing that I did when we established the firearms office.

And we've been in consultation with many people including the previous CFO [Chief Firearms Officer] that worked for the federal government, other individuals that are with the federal government. And Dean Dahlstrom was another individual we had consultations with which was also a CFO under the federal system. We've had consultations of course with stakeholders, firearms owners. We've been attending pretty regularly all the gun shows, have tables set up there, and talking to the stakeholders. And of course we've had several discussions with Public Safety on what their intent is. I've also reached out to some senators in Ottawa and some of their officials who are in the PMO's [Prime Minister's office] office and also Public

Safety's office.

So we've been doing the best we can to get as much information we can, get as much feedback. We've also dealt with several large associations as well. And then in my previous role, before I took on the CFO role, I had a lot of involvement with the tribal council, with Chief Arcand and some of the folks there and the elders, and had expressed some of their concerns which is also in the bill, around some of the safety training and some of the things that we're doing there and the advocacy work that's in here as well for safety.

And this whole thing is about public safety. And again, we've also met with our prosecutions folks who have also felt that these provincial offences are a very useful tool for us to use with law enforcement partners to drive best practices around safety without giving people Criminal Code offences.

So we've done a lot of consultation. I'm continuing to reach out. There's certainly more we can do, but this gives us a good framework to sit down and have some discussions on the road map and where we're going.

Ms. Sarauer: — Thank you. Have you consulted with the RCMP?

Mr. Freberg: — Well I sit on the Saskatchewan Association of Chiefs of Police and so we have meetings there both, you know, on a regional basis and within the SACP [Saskatchewan Association of Chiefs of Police] meetings. So we've had discussions with them on various topics around the ballistics lab and around the summary convictions.

Obviously there's different reactions with regards to the legislation of who should be responsible for the confiscation of firearms. But again, we've had dialogue with them because of our involvement with the association. And I do sit on there as an associate member. So again, we've reached out to as many people as we can to . . .

And as you know, we've just made an agreement with Saskatoon police to locate the lab in there as well. So yes, we do have consultations going on. But again, more obviously can be done as we develop the framework. And as you said earlier, this is evolving, so it seems to be ever-changing.

Ms. Sarauer: — Thank you. Can you elaborate on what you mean by different reactions that you've received?

Mr. Freberg: — Well the reaction of course on some sides is that if we don't move forward with the confiscation of the firearms, what happens in October? And again, you know, we don't know if that October date is a firm date or not. But again, we've put in some requirements in here that once October passes, that the owners of these firearms still have value, that they can appeal to the commission to get some type of an order put onto these firearms as to what the value of them is.

So again, I think the RCMP of course report to Public Safety and they're driving the initiative. So you know, obviously there's some allegiance there, or some direction that's coming out of Ottawa so I can't speak to that. That falls into Rhonda's area of . . . You know, and of course Public Safety and RCMP have

been holding their cards pretty close to the chest as to what their involvement will be and won't be. But we've certainly had some discussion with some of the police chiefs.

I think the main thing centres around so, you know, what happens with these firearms at some point if the legislation moves forward and the federal government actually, you know, decides that they're going to move, you know, actually implement this. But at this point, it's all just been orders in councils and a lot of suggested ideas. So there hasn't been a firm platform, nor have we seen anything, which again is why the legislation is . . . We're trying to take our best approach as to what we know today.

Ms. Sarauer: — Thank you for that. The FSIN [Federation of Sovereign Indigenous Nations] have stated publicly frustration over feeling as if they have not been consulted about this legislation. Do you have any comments?

Mr. Freberg: — I'm going to ask Blaine to speak to that because we had had a discussion and he put some thoughts together.

Mr. Beaven: — Thank you, Blaine Beaven, senior legal counsel with the Saskatchewan firearms office. It's important to consider that this Act doesn't affect treaty rights or the rights of Indigenous people.

We have reached out. We have attempted engagement with the FSIN, with Métis Nation of Saskatchewan, with other leaders. And there has been, throughout consultation . . . not consultation, sorry, but engagement and discussions with stakeholders. And a number of those stakeholders include Indigenous persons that we meet at gun shows. Through Mr. Freberg's prior life and his engagement with different tribal councils, he has relationships with those people who talk to him as a CFO and provide him their thoughts on what's going on with the proposed federal buyback, and also our proposed *The Saskatchewan Firearms Act*.

So we've had those consultations — sorry, I keep saying that word — engagements and attempted engagements but we're still just waiting for people to come back to us. Of course because we've been moving fairly quickly on some of these things, we've reached out but we just haven't gotten back, or they haven't gotten back to us and we're trying to have those conversations.

That's an important part obviously, especially around public safety. We know that from statistics in the news that there's a fair amount of concerns about firearm crime on Indigenous communities or in Indigenous communities. And from our point of view as a regulator at the Saskatchewan firearms office, we want to see an increase in compliance and licensing in those communities, especially when I look at . . . We have statistics for some of the communities in the northern part of the province and the numbers of licensed individuals in them is very low compared to the number of people that are in that community.

Yet we know that, you know, Indigenous people exercise their right to hunt and that they use firearms to do so. And we want to encourage that, and we want to bring those people into compliance so that we know that they've got the minimum knowledge to use those safely, but also that they're storing them safely because of the risk of theft, and obviously the risk of accidents that can occur if firearms aren't stored safely. So those are areas that we're reaching out and engaging with those

communities with continually.

But again, because of the evolving process, it's been seen as critical that we get this out there. And I know I'm talking a little bit long on this, but there's one important thing that I think — and it might come up to a question of yours later, Ms. Sarauer — but is the provincial offences part of this Act.

And what we see is . . . We don't want to see individuals who could be brought into compliance and could become licensed firearms owners criminalized for what is non-violent and otherwise non-criminal use of firearms. For example, an Indigenous hunter who's going hunting but doesn't have his licence. And right now I think that police forces are both understaffed and realize that's not a big critical issue, so they're not addressing it because their only tool is the Criminal Code. And that tool involves forfeiture of firearms, which can have a disproportionate effect on people who rely on that firearm to hunt for sustenance, and also a criminal record, which can have long-standing implications, especially a criminal record for firearms.

By providing these provincial offences options to law enforcement officials, they can then go out and provide people with a much less punitive measure that can say, hey, you're offside of this provincial law. Here's a ticket. You're going to go to court. And then our office or the prosecution's office can get in touch with that person and say, here's what you need to do to be legal, and here's how we're going to help.

And the nice thing is, especially for Indigenous individuals, there are . . . The federal government has the Aboriginal peoples of Canada's regulations, which allows for fee waivers, allows for support from elders in the community, and some mitigation of the training courses that are required to bring people into compliance.

A little long, but thank you.

[16:00]

Ms. Sarauer: — Thank you, Mr. Beaven. I appreciate it.

One of the concerns raised publicly by the FSIN was a worry that this legislation would be applied unevenly against Indigenous and Métis populations. Can you comment on that, please?

Mr. Beaven: — Thank you for that question. So I don't see how, and I'll just . . . When we look at the structure of *The Saskatchewan Firearms Act*, obviously there's the seizure agent provisions, which deal with seizure of firearms, which is going to affect anyone who holds one of those firearms. It's got the compensation provisions, which is there to protect people's property value in those items regardless of who they are.

In the offence provisions I don't suggest . . . I mean I used that example of an Indigenous person, given your question, but those offence provisions could apply just as equally to a farmer who . . . And I've had clients as a defence lawyer who believed because they were a farmer and grew up on a farm that they're allowed to have a shotgun and a twenty-two in their front porch to shoot coyotes, and they don't need a licence because they're a farmer. Unfortunately that was a rude awakening for them when they ended up with a criminal record out of that, which obviously

affected their ability to travel and future employment prospects. So these types of provisions will apply equally to those individuals as well.

And really I think it's good for all individuals who wish to possess and use firearms, because it gives us an opportunity to bring them into compliance and make sure that they're law-abiding and especially — the big thing in a number of these communities — making sure that the firearms are stored properly and safely so that they don't get into the hands of people who might misuse them. But there's no . . . I appreciate there's that concern, and hopefully with engagement we'll get past that concern and explain why this is going to be beneficial to Indigenous people, especially with bringing them into compliance with licensing so that they're not offside of the law when they're exercising their traditional rights.

Ms. Sarauer: — Thank you for that. Another concern that you've actually touched on briefly, Mr. Beaven, that has been raised is around our high rates in Saskatchewan of firearms-related crimes as well as our high rates of intimate partner violence. And the amount of firearms-related intimate partner violence that occurs in Saskatchewan is quite high compared to other jurisdictions.

I'm just wondering if you have any comments that you can put on the record about those concerns and how this legislation might impact those rates.

Mr. Freberg: — Yes, thank you. So I'd be happy to answer that question. Robert Freberg, CFO. One of the reasons I think I took this job when I was asked to, you know . . . A few friends said, you should put your name in to be CFO. And I literally looked at it and one of the main cornerstones why I took the job is to make a difference, and not just to do the status quo and have another job. I was retired. I did that for 35 years. I wasn't interested in it.

And I think I'm pretty proud of our team. Since we've taken over, revocations and refusals are about three times higher than what they were under the federal government. In fact our reference hearings cases that Mr. Beaven has gone and attended, many of this is much higher than what was ever done in the past. In fact I believe that the lawyer who was dealing with them was in Nova Scotia, so the CFO here didn't even have really good access to someone to provide advice, where we have Mr. Beaven down the hallway.

So what we're really doing is focusing on people who are not using firearms responsibly, or have issues around domestic violence, mental health, other health issues that's put them at risk to not have a firearm or involvement with, you know, criminal intent or just simply not storing their firearm safely and someone getting hold of those firearms, as we saw in the La Loche incidents, which made a major impact on me. I looked at that and saw, you know, the federal government coming in and offering, you know, prayers and condolences to everybody, but then after that I saw nothing.

So one of the things that we've been doing in the program is to make sure that we're doing our part of the job where we're vetting the licences and encouraging education to have people locking up these firearms, so if you have people in the home that have issues around mental health or depression or whatever,

you're not leaving the firearm by the side door and the ammunition in case a coyote comes in the yard. Because your bigger threat isn't the coyote, it's the person who has mental health issues.

We've also created a 1-800 number and a couple of other resources that we have for people to be able to report, in addition to what the federal system has, in regards to concerns around public safety. And we've been spreading that message around and been getting a lot more calls from people around licensing or asking questions around licensing or saying, hey, how come, you know, this gun is just not locked up?

So again education at the gun shows, handing out trigger locks, these type of things are all things that we're working on to certainly improve public safety. And that's one of the reasons why I was so adamant on the summary provincial charges that we have, is because a lot of the police officers out there, as Mr. Beaven has said, would come across somebody who wasn't in a safe storage situation. They had a break-in and their firearm got stolen.

And they weren't charging them with unsafe storage because they would have to, you know, lay a criminal charge and really have a devastating effect on that person where really what we're trying to do with this conviction is put some teeth in so that they're not ignoring that, and they're actually giving them a ticket under the provincial Act and then letting our office . . . Then we can put the licence under review, get the person in compliance, probably encourage them to put in a safe. Maybe they have to go back and take their firearm safety course again before we're going to turn their licence back on.

So I think that this is going to be a very good tool to allow police officers to encourage people to do that, along with the education program that we're currently running, as you've probably heard on the radio and social media, which is being well received by the responsible firearms community and our law enforcement partners. So we've gotten a lot of really good feedback on that recently, both last year and this year.

Ms. Sarauer: — Thank you for that. As you said, Minister, this is something that all provinces are having to deal with. I'm curious to know how other jurisdictions have chosen to tackle on this new initiative from the federal government.

Hon. Ms. Tell: — Oh, I touched the button. Bad girl. Bad girl, I know. I know. So to the question: yeah, Alberta just recently — I think they proclaimed it too — proclaimed their firearm legislation, which is virtually a copycat of our legislation. And if they get mad at me for saying that, too bad. BC's [British Columbia] *Firearm Violence Prevention Act*, Quebec's *Firearms Registration Act*, and Quebec's *Act to protect persons with regard to activities involving firearms*.

So I mean we have Manitoba who is of course opposed to having provincially and/or municipally paid police act as seizure agents. And I think that goes for Nova Scotia and Prince Edward Island. I think that's what I was told. And I could be wrong on that specifically, on the last one.

But obviously there's significant concern across the country. I think everybody is seeing the increase in violence and especially

involving firearms. Obviously there's other factors involved there too but, you know, illegally obtained firearms, illegal firearms and . . . But this legislation, ours specifically and Alberta's, which is exactly the same as ours, is looking out for that public safety component which is necessary, and also ensuring the rights of lawful, law-abiding, licensed firearms owners.

Ms. Sarauer: — Aside from Alberta, those other ones that you had mentioned, operationally how do they differ from this legislation?

Mr. Karkut: — Okay, I might have to read off my notes for some of these but BC and Quebec, their legislation is focusing on public safety. Oh, Neil Karkut, Saskatchewan Ministry of Justice and Attorney General.

So BC's Act, as the last time I checked, isn't enforced yet but it contains various provincial offences that are similar to what you'd see in part 3 of our Act. So just some examples of that is using, transporting, carrying, or storing a firearm in an unsafe manner; transporting a loaded firearm in a vehicle or boat; or providing false or misleading information respecting firearms. So they have a lot of those type of offences, provincial offences in their legislation that would be similar to what you see in our part 3.

In terms of the seizure agent aspect of things, that hasn't been dealt with in BC's Act. I think their Act has passed prior to that even being announced, so we're still waiting to see legislatively how some of those jurisdictions might respond.

Ms. Sarauer: — Thank you. I was curious about the seizure agent piece in particular. So is Saskatchewan and Alberta the only two jurisdictions that have dealt with that aspect of this issue?

Mr. Karkut: — That is correct. Saskatchewan and Alberta are the first two jurisdictions that have dealt with that legislatively.

Ms. Sarauer: — Speaking to the seizure piece in particular, could you just walk us through — start to finish — how that is going to work under this legislation?

Mr. Karkut: — Neil Karkut, Ministry of Justice. I guess from the seizure agent perspective, there's two different parts of the Act that really apply. There's part 4 and then there's part 5. Under part 4, that's the seizure agent licensing requirement and safety compliance. So before they can conduct those activities, they have to apply for a licence. With that licence there's certain requirements, for example, certain insurance requirements that they have to meet to get that licence. And once they have that licence, part 4 establishes the safety requirements they have to comply with while conducting those activities. So there's certain requirements with how they transport the firearms, how they store the firearms.

Another important component that was identified by the Chief Firearms Officer is privacy issues, that if you're collecting large volumes of firearms and you're also collecting identifying information of those owners, that can be very risky. You've got a lot of privacy concerns there as well. So part 4 lays out that licensing requirement, and then all the rules they have to follow

when they're conducting those activities.

When you move to part 5 — I'm just going to flip over there — there's two additional elements that are really set out in part 5. The first is the compensation requirement. Under those provisions the Act . . . The federal government, what they're essentially doing with these new rules are that they're taking lawfully owned firearms and they're now saying that these firearms are no longer yours, that we can confiscate them.

And in the province's view that amounts to an expropriation. And under the law of expropriation you are entitled to fair compensation when the government acts in that manner. So under part 5 our . . . not the Chief Firearms Officer, the Saskatchewan firearms commissioner be required to receive notice of that seizure and then would be able to set the fair market compensation for that firearm. So when that firearm is expropriated and seized we're ensuring that they do receive fair compensation in accordance with part 5.

The second part that comes in, or second component of part 5, is the firearms testing component. And Mr. Freberg might be able to speak more to the ballistics lab. But what this would require is also when a seizure agent seizes that firearm, they also have to send it in for testing. And part of that is that once this firearm is seized and destroyed by the federal government, it's gone. There's no more evidence there. If you ever did have an instance where a firearm had been used for unlawful purposes, there needs to be a way to ensure that there's been proper testing on that so that if it is evidence of an offence, that that can be I guess saved and used for its . . . further in that matter. So this ensures that that proper testing takes place before the firearm is destroyed.

[16:15]

So those are the main components of the seizure agent provisions. And I don't know if either of my colleagues want to step in here, add any . . .

Mr. Beaven: — Just on the forensic testing bit . . . Blaine Beaven, the Saskatchewan firearms office. You might recall in October of 2022, Minister of Public Safety for Canada came out and said that all firearms seized by the RCMP would be tested and the federal government would pay for that. And this was just about regular seizures, but that was the expectation of . . . See, tracing was the big thing. And when asked about what the provinces were going to do, he said, well that's up to the provinces.

And so one of the important things is that we are providing firearms tracing here, and forensic testing of these firearms. And it's not necessarily that we expect, because we don't expect our licensed firearm owners to have guns that were involved in crimes that they would know about. But firearms change hands. It's a normal thing that they are transferred and there might be some useful evidence there.

I think it's also important that there be some statistical evidence of what these things were, and the forensic testing can also . . . Part of that testing and their operability can play into the evaluation of them as to how they function or whether they function properly when we consider what value that firearm is worth. Because if one is received that isn't functioning properly,

it might not be worth as much as one that functions properly. So that testing is part of that evaluation process.

Ms. Sarauer: — Thank you. A few questions just getting into the nitty-gritty on the process side of things.

4-18(3) states that:

A seizure agent shall not transport more than 3 firearms within a vehicle at one time.

Could you explain why three was the number chosen?

Mr. Beaven: — Blaine Beaven. I'm with the Saskatchewan firearms office. So thanks for the question.

One of the things to keep in mind is when we set up a lot of these requirements of *The Saskatchewan Firearms Act* for seizure agents, we were operating in a vacuum in the sense that no clear indication from the federal government as to how they're going to do this, who they're going to use, was there.

We knew about the RFI or the RFP that was put out for contractors. So as far as we know, a courier delivery service might get hired and run it in a 2005 Dodge Caravan. You know, like we don't know what kind of vehicles they're going to use. We don't know what kind of safety measures the federal government was planning on requiring these contractors to do.

So we looked at what made sense with the . . . We sat down and visualized, what do we want the seizure to look like? What's the safest way that it can be done in Saskatchewan to ensure public safety? And limiting the number of firearms in a vehicle at one time for transport, if that vehicle breaks down . . . Or I mean, say someone attempted to rob the vehicle. It would limit the number of firearms available for that. Or the vehicle was stolen, left outside a café.

These were all scenarios that we worked through and thought, there has to be some limit. We don't want someone driving around with a hundred guns on the back seat of a minivan, you know, going to a depot to throw them on a bus or something, right. Like, we didn't know what the federal government had planned, and we just tried to lay out a framework that would be as safe as possible.

Ms. Sarauer: — Okay, sure. But from what I understand now, we know that in Saskatchewan it's going to be policing bodies who will be doing this work, most likely.

Mr. Beaven: — We think.

Ms. Sarauer: — Okay. Is there going to be . . . If the seizure agent is a policing body, does it make logical sense for them to be restricted to seizing only three guns at a time? It could result in . . . Say there were 12 guns, a dozen guns at a location, they would have to go back and forth four times to seize all of that.

Mr. Beaven: — With that, there is a provision in the Act to exempt persons from portions of the requirements under these. So for example, if we had a seizure agent licensing . . . and keep in mind there are going to be regulations that are going to be published that come out with more detail, and policies that will

be established by the firearms commissioner as to how we license seizure agents. But say we had one with an armoured car that was going to do it, then that might be a portion of the Act that we exempt them from or provide a condition that allows them to.

It allows us to be nimble and reflexive to the actual situation. But when we were laying these out, we want to just provide the minimum, safe requirements that we thought were necessary for the province.

Ms. Sarauer: — Can you speak in more detail about what the plan is for storage? I see the provisions in the legislation, but I'm curious to know about the operations of what that's going to look like.

Mr. Karkut: — Neil Karkut, Ministry of Justice. You had asked about the storage of firearms specifically. That's dealt with in 4-19, in part 4. There are a number of requirements. We worked with the Chief Firearms office in identifying what safety requirements should be when you are storing potentially a very large quantity of firearms. So you're going to see details around the firearm being unloaded, rendered inoperable, and then a lot of requirements around the storage, how they're stored, what safety measures are taken there.

Also some requirements around personal information. You don't want to have all the owner's identifying information necessarily located near the stored firearms themselves, so we have a little bit of rules around how that has to be separated as well.

Ms. Sarauer: — I'm pleading ignorance on this one. Can you explain how storage of seized guns is currently working in Saskatchewan?

Mr. Freberg: — Robert Freberg, Chief Firearms Officer. So currently it depends on the agency that's seizing the firearms. So it varies from police agency to police agency. For example, in Saskatoon where they have exhibit storage, you know, it's a cement building. The exterior walls are usually concrete. There's staff there all the time. There's a screen in the walls. You know, there's a variety of different things to make it very difficult to break into those facilities. And the big thing is that they're manned, you know, on a continuous basis.

Again when this was announced by the federal government and they were talking about using private people to do it, we've had all kinds of different scenarios thrown out — that they were going to chop the gun up on the driveway or bend the barrel or do something to it at the point that they seize it. Then they came back and said, well okay, maybe we'll get some warehouses and, you know, store them and maybe ship them to Alberta where we'll have a central place that's going to shred them. Maybe we'll intake the ones from Saskatchewan and Manitoba into that facility. I mean, that's been said. In all cases there seems to be interim locations.

We've also had it mentioned to us from Public Safety that, well we may not use the police facilities at all. We may just go out and get our own buildings and use those because the province doesn't want us to use their resources. So we'll just go out and get our own buildings. So what are those buildings going to look like? Are they just a place that they rented for 6 months or 12 months to do temporary storage and they don't put, you know, these kind

of precautions into place? So we wanted to make sure that this was being done, regardless of how the program was going to be rolled out, that there was a consistent process.

So obviously most of the police stations that I've been in, in particular in Saskatoon, I mean, they're jammed and crammed and packed with exhibits now because they're storing everything from drug exhibits, firearms exhibits, knives, you know, other things that they've received. And they just don't have room for intake of thousands and thousands of firearms. So we know that there's going to be some sort of resource used to store these firearms until they can be tested and of course eventually destroyed. So we want to make sure that, wherever those locations are, that they're not being targeted by a criminal element.

But again, speaking to the security of the data is very important, because other countries that have done this have had significant failures where they've had data breaches because private contractors were involved in the process and their data was able to be intercepted. And now they had a list of addresses and phone numbers and names of all the licensed firearms owners who complied legally with turning in their firearms, who now have their address published in the newspaper as being one of the people that participated in the buyback program. So we want to make sure that that doesn't happen.

So that's part of this whole storage issue and, again, even with the server that we wanted located in Saskatchewan so it is subject to our legislation around the security and privacy of people's information, just like we have on health data and other things where we want to have, you know, centralized storage of information.

Ms. Sarauer: — Thank you. How are seized guns currently being disposed of in Saskatchewan?

Mr. Freberg: — Robert Freberg, Chief Firearms Officer. Well I should mention that incorrectly, under the public service regulations, all the firearms that are seized by police agencies, they're supposed to go to the Chief Firearms Officer and receive authorization to destroy those firearms. And when I took over and started looking through the records, I said, where's the authorizations in the past? And there wasn't any. Police agencies were just simply intaking the firearms, and when they were done with them for the purposes of court or whatever, they were taking them down to, you know, a metal fabrication company or whatever and just putting, you know, having two people there witnessing it and they were chopping up the firearms.

When I took over I went through SACP because we're members and said, I have concerns about that, and for a few reasons. One is we had many folks, including the RCMP, that were looking for firearms they could use for testing, for scientific purposes, for serial number restoration classes and things where people have obliterated the serial numbers. And they came to us and said, can we get some of these seized firearms for the purposes of this lab testing and then destroy them later? And we found out that they were destroyed before any authorization had gone through. So we've got that resolved.

So currently going forward, if the police seize a firearm from a criminal investigation or from the amnesty that's going on right

know — which I've been working collaboratively with the police agencies on and do support, that firearms come in — they collect them and then they contact me and say, here's an inventory of what we've got for firearms. And we may say, okay, fine, these ones can be destroyed cause they're, you know, sawed-off prohibited firearms or junk. And then we'd get rid of them.

Other firearms, we may end up having them retained for scientific purposes for testing in a laboratory or to exchange with other law enforcement agencies for them to use for the purposes of ballistic testing or scientific testing or so forth. But for the most part, that's the process that they go through.

With this confiscation, expropriation that's been under the federal government, there isn't . . . That process hasn't been established. Doesn't seem to be the same process in place for it as there was for seized firearms, so that's why we created a process here. Because we didn't know what ultimately was going to happen there.

Ms. Sarauer: — Thank you for that. I have no further questions. I do want to say, though, that I did not realize that Mr. Beaven had joined your office. I think you have very sound counsel with him. And as this committee well knows, I'm always advocating for more lawyers around this table. So very good to see you, Mr. Beaven, and thank you to all of you for answering my questions.

The Chair: — Thank you, Ms. Sarauer. Do committee members have any more questions on the bill? Seeing none, we will proceed to vote on the clauses. Clause 1-1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1-1 agreed to.]

[16:30]

[Clauses 1-2 to 3-19 inclusive agreed to.]

Clause 4-1

The Chair: — Clause 4-1. I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment for clause 4-1:

Clause 4-1 of the printed Bill

Amend Clause 4-1 of the printed Bill:

(a) in subsection (1) in the portion of the definition of “seizure agent” preceding clause (a) by adding “, including an officer or constable of any police service or the Royal Canadian Mounted Police,” after “person”; and

(b) in subsection (2) by striking out clause (d).

I so move, Mr. Chair.

The Chair: — Mr. Keisig has moved an amendment to clause

4-1. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 4-1 as amended agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 4-1 as amended agreed to.]

[Clauses 4-2 to 4-29 inclusive agreed to.]

Clause 5-1

The Chair: — Clause 5-1, is that agreed? Oh, sorry. I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment for clause 5-1:

Clause 5-1 of the printed Bill

Amend Clause 5-1 of the printed Bill by adding the following definitions in alphabetical order:

“firearm” includes ammunition;

“seizure” includes the taking of a firearm pursuant to a specified law, whether or not the firearm is provided voluntarily by the owner”.

I do so move.

The Chair: — Mr. Keisig has moved the amendment to clause 5-1. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 5-1 as amended agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 5-1 as amended agreed to.]

[Clause 5-2 agreed to.]

Clause 5-3

The Chair: — Clause 5-3. I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment for clause 5-3:

Clause 5-3 of the printed Bill

Amend Clause 5-3 of the printed Bill:

(a) by renumbering it as subsection 5-3(1); and

(b) by adding the following subsection after subsection (1):

“(2) No person who seizes a firearm from an owner pursuant to or for the purposes of enforcing a specified law shall destroy or deactivate the firearm until the person has provided the owner full compensation for the fair market value of the firearm in accordance with this Division”.

I so move.

The Chair: — Mr. Keisig has moved the amendment to clause 5-3. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 5-3 as amended agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 5-3 as amended agreed to.]

[Clauses 5-4 to 6-9 inclusive agreed to.]

Clause 4-26

The Chair: — I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment to add a new clause:

Add the following Clause after Clause 4-25 of the printed Bill:

“Non-application of sections 4-23 to 4-25

4-26 Sections 4-23 to 4-25 do not apply to a seizure agent who is acting as an officer or constable of any police service or the Royal Canadian Mounted Police”.

I so move, Mr. Chair.

The Chair: — Mr. Keisig has moved the new clause 4-26.

Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is the new clause 4-26 agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 4-26 agreed to.]

Clause 5-13

The Chair: — I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment to add a new clause:

Add the following Clause after Clause 5-12 of the printed bill:

“DIVISION 4 Offences pursuant to Part

Offences pursuant to Part

5-13(1) Any person who contravenes any provision of this Part or any regulations made with respect to this Part is guilty of an offence and liable on summary conviction to:

(a) a fine of not more than \$20,000 for an individual and not more than \$100,000 for a corporation;

(b) imprisonment for a term of not more than six months; or

(c) both the fine and imprisonment.

(2) If a corporation commits an offence pursuant to this Part or any regulations made with respect to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on conviction to the penalties provided by this Part, whether or not the corporation has been prosecuted or convicted”.

I so move, Mr. Chair.

[16:45]

The Chair: — Mr. Keisig has moved a new clause 5-13. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is new clause 5-13 agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 5-13 agreed to.]

Clause 6-7

The Chair: — I recognize Mr. Keisig.

Mr. Keisig: — I have an amendment to add a new clause:

Add the following Clause after Clause 6-6 of the printed Bill:

“Police enforcement

6-7 Parts 4 and 5 apply to officers or constables of any police service, including the Royal Canadian Mounted Police:

(a) only with respect to the enforcement of a specified law as defined in section 4-1; and

(b) not with respect to the enforcement of any other law during the officer’s or constable’s normal course of duties”.

I so move, Mr. Chair.

The Chair: — Mr. Keisig has moved a new clause 6-7. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is new clause 6-7 agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 6-7 agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Saskatchewan Firearms Act*.

I would ask a member to move that we report Bill No. 117, the firearms Act, with amendment.

Mr. Grewal: — I so move.

The Chair: — Mr. Grewal has moved. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Minister, is there any closing remarks? Minister, any closing remarks?

Hon. Ms. Tell: — No, just thank you very much for your time. Thank you.

Bill No. 98 — *The Saskatchewan Public Safety Agency Amendment Act, 2022*

Clause 1

The Chair: — Thank you. We'll move on to consideration of Bill 98. Our next bill is Bill 98, *The Saskatchewan Public Safety Agency Amendment Act, 2022*. We will begin with our consideration with clause 1, short title. Minister Tell is here with her officials. I would ask the officials to please state their name and not touch the microphones; Hansard will turn it on for you. Minister Tell, please make your opening comments and introduce your officials. Thank you.

Hon. Ms. Tell: — Thank you Mr. Chair. To my left is Marlo Pritchard, president of Saskatchewan Public Safety Agency. Mr. Chair, I'm pleased to offer opening remarks, and I'll get right to it.

Deciding who pays for emergency response costs and how much they pay is a complex decision. Generally speaking, we should hold people responsible for their actions and recover the costs the province incurs for other people's negligent actions. However, we also need to recognize that some emergencies are no one's fault or that recovering the cost could cripple a person, municipality, or business. No one wants to see people and communities face this undue hardship.

Under the current legal framework, the SPSA [Saskatchewan

Public Safety Agency] must recover any wildfire costs it incurs when assisting a municipality, business, or person. The SPSA cannot recover non-wildfire response costs for response services like train derailments or flood assistance. This inconsistency causes confusion among stakeholders. They simply don't know when the province will be sending them a bill.

This wildfire response recovery framework is also very rigid. It does not provide the province with sufficient flexibility to develop policies for determining when to recover costs and how much to recover. We do have the ability to reduce a municipal wildfire bill, but only after undergoing an administratively inefficient process.

Bill 98 will allow us to develop a consistent cost-recovery framework. The bill will also allow us to develop policies and cost-recovery procedures to determine when we collect and how much we collect. That includes flexible and administratively efficient policies and procedures.

I want to be clear that we are only talking about response cost recovery. These are the costs the SPSA incurs in significant emergencies where costs can only be determined after an event. The SPSA is not changing its approach to supporting prevention and mitigation efforts through other services like training and education. These would be more appropriately addressed by introducing fees when appropriate.

Thank you, Mr. Chair. With these opening remarks, I'd be pleased to entertain any questions.

The Chair: — Thank you, Minister. I'll open it up to questions. Ms. Sarauer.

Ms. Sarauer: — Thank you, Minister, for your opening comments. Was there a specific event that precipitated this change?

Mr. Pritchard: — Marlo Pritchard, president of the Saskatchewan Public Safety Agency. There wasn't a specific event. It was a number of events that identified the inconsistent approach to billing when appropriate under *The Wildfire Act*. It was a must and some of those bills were extremely large, especially if we had an air response. And then when we viewed it internally, as a relatively new agency, we saw this inconsistency and realized that there is a better approach and to allow a more fair and equitable . . . across the province when we do respond.

Ms. Sarauer: — How do the changes in this bill compare with other jurisdictions, and how they handle these events?

Mr. Pritchard: — It would be similar. Different provinces have a wildfire component. From an agency perspective we are the only public safety agency in Canada, so it's a little bit of a difference. But from a wildfire perspective, a number of provinces do bill. There are other provinces that do not. So building a policy that this bill will support some flexibility will align with pretty much all of the provinces.

Ms. Sarauer: — Okay. Just to clarify on your statement. This of course expands that cost recovery beyond wildfires to, for example I think you used, Minister, the examples of train

derailments and floods. Is that consistent with other jurisdictions?

Mr. Pritchard: — I would say that it is as similar as wildfire. Some provinces charge, some provinces do not. So this again will allow a flexible policy that would be fair and equitable.

Ms. Sarauer: — So it's fair to say it's somewhat inconsistent all across the board?

Mr. Pritchard: — That's correct.

Ms. Sarauer: — Okay, thank you. No further questions.

The Chair: — Seeing no more questions, we'll proceed to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clause 2 to 8 inclusive agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Saskatchewan Public Safety Agency Amendment Act, 2022.*

I would ask a member to move that we report Bill No. 98, *The Saskatchewan Public Safety Agency Amendment Act, 2022* without amendment.

Ms. Lambert: — I so move.

The Chair: — Ms. Lambert moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 106 — *The Police Amendment Act, 2022*

Clause 1

The Chair: — We'll move on to the next bill, Bill No. 106, *The Police Amendment Act, 2022*. We begin consideration with clause 1, short title. Minister Tell is here with her officials. Ms. Tell, will you please make your opening comments and introduce your officials.

Hon. Ms. Tell: — Thank you, Mr. Chair. To my right is Dale Larsen, deputy minister; to my left, Rob Cameron, assistant deputy minister of policing and community safety services. And of course Neil is back again for round number two.

Okay, we're going to be talking about Bill 106, *The Police Amendment Act*. The bill contains two sets of changes to *The Police Act* of 1990.

First change is just section 24.1. We'll provide greater flexibility for designating police services, allow regulations to expand the types of members recognized under the Act, permit police

services to have alternate governing structures beyond traditional police boards, and grant broader regulation-making powers for services established under this section.

Second, changes to section 87.1 will give the minister responsible for the Act more options to intervene in special circumstances where there are administrative or operational deficiencies within a municipal policing agency.

Additionally, a section 87.2 will be added that will require the police board or chief, at the minister's request, to provide information regarding policing services. Currently if there are concerns with the level of policing service provided by a municipal police agency, the minister's only intervention option is to order a special inquiry. Special inquiries are expensive, time consuming, and sometimes inappropriate for addressing deficiencies.

The proposed amendments will grant the minister the power to request that a police board take the necessary action if the municipality is not providing adequate policing services. If a municipality does not comply with this request, the minister may take necessary action to provide adequate and effective policing services. The proposed amendments align with other Canadian jurisdictions, including British Columbia and Alberta. The amendments encourage preventative measures to ensure Saskatchewan residents continue to receive safe and effective law enforcement.

I welcome any questions respecting Bill 106. Thank you, Mr. Chair.

The Chair: — Thank you, Minister. I'll open it up for questions. Mr. Sarauer.

[17:00]

Ms. Sarauer: — Thank you, Minister, for your opening comments. Minister, as you mentioned, the definition of "police service" is being expanded. The expansion is not clear at this time because, from what it appears, it will be designated more thoroughly in the regulations. Can you explain why this change is happening?

Mr. Karkut: — Neil Karkut, Ministry of Justice. The expansion of the definition of police service, there's essentially two components to that. The first is that currently I would suggest it's a bit of a housekeeping amendment. Under the Act, "board" is a very tightly defined term. So right now the Act defines a police service as being a police department, police service, or police board or police force established by a board, which is defined to mean a municipal board. And it fails to take into account some of the other policing structures that you can already establish under the Act, notably a police service that's established under 24.1, which under the new changes may not have a traditional board structure, but even previously may not have been a municipal board governing that police service.

And then also I guess that would be the main change, is it provides flexibility to recognize some of these police services that maybe don't fit within the traditional municipal policing structure.

Ms. Sarauer: — Why is there a desire to allow for policing bodies to have alternate governance structures than the traditional board structure?

Mr. Karkut: — Neil Karkut, Ministry of Justice. So as the government looks towards the future of policing and what changes there may be — and I'll flag the Saskatchewan marshals service which has been announced recently — a traditional board structure may not be the most appropriate governing structure. I can't speak to exactly what that structure might be. However, when the government was developing this legislation, they wanted to provide some flexibility under 24.1 that would allow for a variety of different type of governing structures for something like the Saskatchewan marshals service.

Ms. Sarauer: — So this change, just to clarify what you've already stated, but this change is to allow for the Saskatchewan marshals service and the governance structure that that will be a part of?

Mr. Karkut: — That's correct. This change will provide greater flexibility to establish the Saskatchewan marshals service as a section 24.1 police service under the Act. That's correct.

Ms. Sarauer: — And what will that governance structure look like?

Mr. Karkut: — That specific governance structure is still under review, so I can't personally comment on what that will look like, but it's being considered at this time.

Mr. Cameron: — Rob Cameron, ADM [assistant deputy minister] of policing. I'd also like to go back maybe a little bit to your question with regards to what is it meant to allow for. It's not just the Saskatchewan marshals service though. As we get into the next sort of evolution of policing in the province, we're certainly looking towards self-administered First Nations policing as well, which could potentially have a completely different structure to it as far as governance goes.

As we look at, for example, PAGC [Prince Albert Grand Council], we're right now in a process where we have a letter of agreement with them, and we're looking at an implementation strategy for First Nations policing there. The First Nations themselves may not want a traditional style of governance.

So we don't know what that looks like today, but we have to have some flexibility built in so we can look at what that is for tomorrow. And so that is one of the abilities of this. Although it does allow for the marshals service, because it allows for those other types of policing and First Nations and other areas that might have a unique requirement or a different need than we've traditionally had in policing.

Our Act is fairly old, 1990, and the model of 1990 is certainly changing as we evolve in policing.

Ms. Sarauer: — Have any First Nations reached out to you and requested this change?

Mr. Cameron: — Rob Cameron, ADM of policing. No. As far as I'm aware, no First Nations have asked us for this change. This is more of an evolution and a process in the fact that we are

looking proactively at what would be the next models of policing in the future.

Certainly as we look towards . . . Right now there's an Act being created by the federal government that is going to be dropped at some point in time, probably in the fall, that's going to cover First Nations policing. We don't really know what that's going to look like yet, so we have to be prepared for some sort of flexibility, some nimbleness, the ability to adjust to whatever that might be.

As well as when we go and look at . . . And it's not specifically about First Nations policing either, but that is a good example of where we could have to consider something alternative, some sort of alternative governance. It could be with other communities as well. It could be as we look at potentials for other police services within the province and other municipalities and what they may look at as well.

So there's a variety of different areas where I think this could apply, although to directly answer your question, no, First Nations hasn't asked. At least I haven't been asked by a First Nation.

Ms. Sarauer: — Are there any other provinces that allow for alternate governance structures for policing? And if so, what are they?

Mr. Karkut: — Hi. Neil Karkut, Ministry of Justice. I can't speak to the governance structures in other jurisdictions. I don't have that information with me.

Ms. Sarauer: — So it's fair to say that this is not something that exists in other jurisdictions in Canada?

Mr. Karkut: — I can't say that specifically. But in this case we developed this specifically for Saskatchewan as a Saskatchewan solution.

Ms. Sarauer: — So was this a request made by municipalities?

Mr. Karkut: — Neil Karkut, Ministry of Justice. So municipalities haven't specifically asked for this change, but I'll also note that section 24.1 doesn't actually apply to traditional municipal police services like Regina or Saskatoon or Prince Albert. Those are the police services that fall under the traditional structure of *The Police Act*.

Section 24.1 falls in those cases where you might have a unique situation. And I'll pick on Vanscoy, where under the Act they're a rural municipality, so they're not actually considered a "municipality" that can establish a police service. They were established under 24.1. A First Nation, for example, could establish a police force under 24.1. Again the Saskatchewan marshals service is a non-traditional type of police service that could be established under 24.1.

So to answer your question directly, municipalities haven't specifically requested this, but it doesn't directly apply to them either.

Ms. Sarauer: — So just to clarify, has anybody come and requested an alternative governing structure for policing with your office yet?

Mr. Cameron: — No. Simple answer is no.

Ms. Sarauer: — Moving on to 87.1, and this is the provision around the minister stepping in and taking action. You mentioned this in your opening remarks, the reasons why. Can you explain again why this change is being made? And why the ministry has deemed that the current investigative process is no longer sufficient?

Mr. Cameron: — Rob Cameron, ADM of policing. So I would start first by saying what we're presenting here in the proposals is actually consistent with the trends across multiple jurisdictions. And so we're looking at BC, Alberta, Ontario, very similar processes in place there.

But I think also what this does is it provides the minister . . . I'm going to use an analogy of a carpenter. Right now as the Act it has . . . We only have section 88 or 89 that we can utilize which requires a special inquiry. And as the minister mentioned before, special inquiries are expensive. They're complex and not always suitable for everything that can happen.

What the proposed amendments here do for us is provides us with more tools in that toolbox. Instead of having to use a hammer all the time, we have a screwdriver; we have, you know, a wrench, things to use and in that context where we can . . . We don't have to jump to the most aggressive or assertive mechanism we have within the Act. We can use a progressive process and perhaps deal with something proactively before it actually gets to the point where it needs to be dealt with in a special inquiry.

[17:15]

So from the point of view of the minister — and as I said, it is very consistent with other jurisdictions — is that this is going to allow us to utilize more of those tools. Maybe we can resolve problems within a police service before they actually become larger problems. And we can also then minimize the impact on the police service, the police members, the cost of it, and get to a proper resolution that way.

Ms. Sarauer: — Was there a specific event in Saskatchewan that precipitated this change?

Mr. Cameron: — So I guess I would go back to an event we had in Estevan with the Estevan Police Service where there was some issues internally. It got quite a bit of public notoriety, if you can say it that way.

But we were forced in that case to go in and utilize a special inquiry. I believe it was under section 89 which involved the police commission in that case and which became an elaborate process. And we had to . . . It cost a fair amount of money.

And where maybe we could have . . . If this had existed at that particular time, we could have utilized maybe a different process in a more progressive way and deal with those systemic issues that were inside the police service before they got to a point where we needed a special inquiry. So that is a good example of why we need this type of structure that we don't have currently now.

Ms. Sarauer: — So what would that have looked like if this

provision were in place? What sort of progressive measures could be conducted?

Mr. Cameron: — Well it's a bit speculative because of course I can't really say what it would have been like. But there could have been some advice to the chief of police. We could have engaged with the police service management and perhaps the association to look at what the issues were, what kind of resolutions there could have been. We could have gone in and seen if there was any policy issues or things like that and do more of a general review without having to go to a special inquiry.

Ms. Sarauer: — Moving on to 87.2, the request for information by the minister. What sort of information could this include?

Mr. Cameron: — Rob Cameron, ADM of policing. So what 87.2 allows for . . . Right now we don't have a mechanism that's codified for the minister to be able to go into a police service and ask for information. And it could be about a variety of different things. You could be talking about, for example, domestic violence and how is a police service actually tracking that, and are they taking proper steps? Are they following policies? Or it could be with regards to the way they are interacting with the public. You know, a few years ago we talked about carding — you may remember that — and there's certain policies that are in place, and are they following those policies?

This section here allows for the minister . . . If there was an indication there was issues with a police service or an issue with their service delivery or if we had situations such as multiple fatalities in the holding facilities, things like that, this would allow us to go in there and ask for that detail, that information to be able to assess that situation and then determine if there's a need to do any other kind of action, up to and including of course a special inquiry if we needed to.

So it's a mechanism to codify that to allow for a cleaner line, so the police services understand that that's something the minister can ask for.

Ms. Sarauer: — Wouldn't that information be more appropriate to go through the board? Either the Sask board of police of commission . . . the Sask board or if it's a municipal, the municipal board as well?

Mr. Larsen: — Good afternoon. Dale Larsen, deputy minister, CPPS [Corrections, Policing and Public Safety]. The question relative to asking the board of police commissioners or requesting the information be gathered by the commission could technically occur. However there's no mechanism requiring a police agency to provide that information in relation to an example like Rob had mentioned, domestic violence, and how their RMS [records management system], how their officers record incidents of domestic violence that they attend to.

So this process would basically simplify the ask. When we go to a police agency asking for specific data, whether it be lower level uses of force, right now they have to report to the police commission a use of a firearm or use of a taser. But that's the extent of use-of-force type of requests or demands, so to speak, in relation to number of usage. So this would simplify that process of getting the information that perhaps is required.

Ms. Sarauer: — Does this provision only require the disclosure of information about investigations in broad strokes, as you've used as examples? Or does it also allow for requests for information about specific investigations?

Mr. Larsen: — Dale Larsen, deputy minister, CPPS. No, it does not get into operational investigation type of questions.

Ms. Sarauer: — It feels like several . . . Oh, sorry.

Mr. Karkut: — Neil Karkut, Ministry of Justice. I guess I'd answer this both with respect to 87.1 and 87.2, that these are really dealing with, we would call it systemic matters. It's not meant to deal with an individual investigative matter. And you'll see the language is, "respecting the provision of policing services." So it's to deal with policing on a broader, systemic level, not an individual investigation or an individual matter.

Ms. Sarauer: — But those exemptions aren't included in this; it will be in the regulations. Is there an idea of what will be in those regulations as things that the board and chief are not required to provide?

Mr. Karkut: — We don't have the information on the regulations at this time, but in my opinion the language in subsection (1), when you . . . [inaudible] . . . "respecting the provision of police services" is intended to be on a broader scale, and to exclude those individual investigative matters.

Ms. Sarauer: — There is a feeling that the amendments in this legislation are designed to allow for the ministry to essentially circumvent the work of the Saskatchewan Police Commission and other boards as they exist in the province, and that the governance bodies that allow for the independence of policing from government — as we all well know — is an important pillar of our democracy.

Does the ministry have any concerns about how these changes will affect the work of the boards or the independence of police from the ministry?

Mr. Larsen: — Dale Larsen, deputy minister, CPPS. We're very cognizant of concerns and issues and interpretation that could be taken in relation to police independence and political interference. That's not the purpose. The discussion has to be a balance between that police operational independence and accountability to an authority to make sure that that agency is operating as it should be.

Ms. Sarauer: — Have the Saskatchewan Police Commission been consulted with respect to this legislation?

Mr. Larsen: — Dale Larsen, DM [deputy minister], CPPS. We've had numerous conversations with the executive director to the police commission. I don't recall, off the top of my head, a conversation with the entire commission.

Ms. Sarauer: — Conversations about the changes in this legislation?

Mr. Larsen: — With the executive director, correct.

Ms. Sarauer: — But not with the entirety of the commission?

Mr. Larsen: — That's correct.

Ms. Sarauer: — Have the Saskatchewan Association of Chiefs of Police been consulted with respect to this legislation?

Mr. Larsen: — Which portion?

Ms. Sarauer: — The SACP, as broadly speaking.

Mr. Larsen: — The changes mentioned today have been discussed with SACP at numerous times.

Ms. Sarauer: — Okay. What feedback did you receive from that consultation with the executive director of the police commission as well as the SACP?

Mr. Larsen: — The executive director of the police commission did not have any concerns in either section 24 or the proposed changes to section 87. The Saskatchewan Association of Chiefs of Police executive did not have any comments or concerns relative to section 87. They did discuss the 24.1 with . . . in relation to the marshals. And that would be the extent of that.

Ms. Sarauer: — What did they say specifically about the marshals?

Mr. Larsen: — It was more around the questions of operationalizing the unit and discussions on how we work out the jurisdictional discussion and those types of things. More or less, you know, just what it was about. Sask Fed had the same type of questions that were relative to that. Sask Fed was also advised of the sections, of changes to section 24 and 87.

[17:30]

Ms. Sarauer: — Any other consultations that we haven't mentioned yet that occurred with respect to this bill?

Mr. Larsen: — Dale Larsen, DM, CPPS. There were no other conversations that are coming to mind other than the ones that were previously mentioned.

Ms. Sarauer: — Thank you. I have no further questions.

The Chair: — Seeing no more questions, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 8 inclusive agreed to.]

His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Police Amendment Act, 2022*.

I'd ask a member to . . . We move to report Bill 106, *The Police Amendment Act, 2022*, without amendment. Mr. Ottenbreit moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 107 — *The Provincial Protective Services Act*

Clause 1

The Chair: — We'll now move on to Bill 107, the last bill on our agenda today, the provincial protective Act. We will begin our consideration with clause 1, short title. Minister Tell, do you have any opening comments?

Hon. Ms. Tell: — Okay. Pleased to offer opening remarks and the players stay the same at the table here.

The Provincial Protective Services Act will implement a legislative structure for the ongoing operation and administration of the new provincial protective services, also known as PPS. This bill will confirm several PPS matters, including clarifying the minister's duties and responsibilities under section 3.

The bill also clarifies the composition of PPS members, including appointing a commissioner, deputy commissioner, and assistant commissioner to oversee the administration management of the PPS under sections 4, 5, and 6. Section 7 of the bill contains provisions respecting the powers, duties, and functions of the PPS.

Finally, the bill contains provisions concerning administrative and structural matters of the PPS and makes consequential amendments to the legislation that currently governs the PPS members. Establishing the PPS demonstrates our commitment to enhancing protective and security services to protect Saskatchewan people, natural resources, and infrastructure. Mr. Chair, with these opening remarks, I welcome any questions. Thank you.

The Chair: — Thank you, Minister. I'll open it up. Ms. Sarauer.

Ms. Sarauer: — Thank you, Minister. Forgive me if I missed this in your opening remarks. Can you explain why these change, why this is being created?

Mr. Cameron: — Rob Cameron, ADM of policing. So the purpose of this is actually just to set the framework around . . . It's an already established entity; the PPS has been in existence since April of 2022. And this sets the framework around it, provides the structure and how the day-to-day business of the PPS will be carried out. And simply, that's the simple function of this bill.

Ms. Sarauer: — Thank you. There are several titles in here, position titles in here that mirror what exists in policing bodies, like commissioner, assistant commissioner, member. Why are policing titles being used here?

Mr. Cameron: — Rob Cameron, ADM, policing. So you're right. There's some parity with some of the language that you would see in other policing environments. But I think it's important to state that PPS isn't a police service. From the point of view of a legal standpoint, it's not a police service. It's a variety of government services that provide core law

enforcement functions — very specifically, conservation officers, for example or highway patrol.

However, those entities have been using ranks, if you will, that are very similar to police ranks for their existence, frankly. So these ranks or these titles are in line with the law enforcement duties that they carry out, and also so that inside that larger law enforcement environment there's an understanding of who and how they fit into the bigger picture.

So for example, we have in conservation officers, in the highway patrol, we have sergeants, we have inspectors, we have chief superintendents. They've been in existence for their entire time. So this is just really completing the circle, if you will, of the types of titles that we would expect to see in a law enforcement environment.

Ms. Sarauer: — I suppose my question is, why would you even invite the potential for the confusion when a term like executive director, for example, or something to that effect would suffice?

Mr. Cameron: — I think the true purpose is to avoid confusion, frankly because when you have an entity like the PPS that's working with other law enforcement entities, the fact that they speak a common language they understand. And frankly, when you're in the field and you need to find out who's in charge of something, as a former law enforcement officer, I would say, well where's the sergeant? Who's the inspector? Who's in charge of this?

And if somebody were to respond to me . . . If I was an RCMP member and you told me that the deputy director was in charge, that doesn't make a lot of sense to me as a law enforcement officer. What would make sense to me is, the inspector over there is in charge. So that's to keep that common playing field. It's sort of an interoperability issue. It is a common language, and so it functions quite well in this law enforcement environment.

Ms. Sarauer: — So then is the intent to have the commissioner of the PPS to be at the same level as, for example, a commissioner at the RCMP?

Mr. Cameron: — So I think to answer your question is to recognize the fact that commissioner or deputy commissioner or assistant commissioner, they're titles that apply to a law enforcement environment, but it's not about having equivalency. I'm not sure exactly sure how to answer that because it's not intended to be a situation where the commissioner of the RCMP or the firearms commissioner that's being established or the fire commissioner, they don't have a parity.

Now in the function of running the PPS, the commissioner would be the lead executive, of course, and then have a variety of executives below that and then on down through the rank structure. From a point of view, for example, our commanding officer of the RCMP here is an assistant commissioner. That's the title the RCMP has. In my role as ADM I'm constantly communicating with the RCMP commanding officer, but we don't look at each other as the same rank per se. We work together in a context of providing policing services to the province.

And maybe that's part of the confusion there would be, is there

isn't an attempt to equalize things or to find a parity across the board. They're simply titles that within the structure itself. People understand how they fit, and then in a larger policing environment they understand where that person would fit in the context of are they in charge of this or in charge of that.

Ms. Sarauer: — Thank you. I appreciate that. I'm just highlighting the confusion that this type of naming structure could present in the wider public, in particular with those who aren't involved in policing on a day-to-day basis.

Mr. Cameron: — Rob Cameron, ADM policing. Yeah, so what I would say to that is, from the general public's point of view, from the general context of policing and the public, I think it's very fair to say that the public does understand, at least in the local detachment areas and in the municipal policing world, they understand what sergeants are and they understand what inspectors are, or corporals perhaps, in the RCMP context.

I think, for most of the public, when you get into the executive levels in the municipal policing service, we talk about deputy chiefs and chiefs. In the RCMP world you talk about chief superintendents, assistant commissioners, deputy commissioners, and commissioners. The chief superintendent often confuses people because a chief of police in the municipal police service is the boss, and then the chief superintendent is the third from the top. So it doesn't necessarily always translate that way. And sometimes, I know from my own experience, I've had to explain to people how that rank structure works in RCMP versus municipal police.

But generally speaking, I think it's safe to say that the public understands the basic principles of police ranks. And if we get into the military context, it even gets more confusing there.

Ms. Sarauer: — Right. I think where I'm going around the confusion is who is a policing body and who is not a policing body. So if this is not a policing body, then using policing terms really invites that confusion in the broader public.

Mr. Cameron: — Rob Cameron, ADM, policing. So I guess the first answer I'd give is that I don't think it really is going to cause great confusion to the public. The public, as I said before, understands the basic concepts of police terminology. What it really is, is structure internally keeps the . . . So for employees within that — in the PPS in this case, or any other law enforcement body — they understand the concept of the reporting line and how that works.

[17:45]

When we look at interoperability, for example at James Smith we sent 39 officers out there from PPS. And what was important there is when they got on scene that they knew how they fit into that bigger picture and who they needed to talk to say, hey I'm here. I'm ready to help you; what do you need me to do?

So I'm actually not very worried about that confusion from the public point of view. And really, if the public did have confusion, I mean we could clarify that with them. But I don't see that as a big challenge in this case.

Ms. Sarauer: — 7(1)(b)(iii), does this expand the work that is

already being done by those who are already falling under the PPS?

Mr. Karkut: — Neil Karkut, Ministry of Justice. So you're referring to, just to clarify, 7(1)(b)?

Ms. Sarauer: — Yeah, "(iii) executing warrants and performing other related duties." Yeah.

Mr. Karkut: — Okay. Those all fall under the core term of "PPS legislation." When government was creating this legislation, as Rob mentioned, this is really about the administrative structure of the PPS. However all those officers have their own core legislation that contains duties. The SCAN [safer communities and neighbourhoods] officers have safer . . . Conservation officers have *The Environmental Management and Protection Act*, whatnot.

So the term "PPS legislation" was used kind of as a way to cross-reference those duties. When you're looking at 7(1)(b), that's really just trying to capture the scope of those duties that could fall under that legislation. And it's not intended to . . . And you can look to (4) for this where it says "Nothing in this section expands or limits a power, function or duty of a member . . . or any other person set out in PPS legislation." So it's not meant to expand that; it's just meant to capture what their duties would be.

Ms. Sarauer: — Thank you. I know we've talked about this before, but I want to clarify again. All of those, well they will be called members soon that fall under PPS structure. If the public has a complaint about an interaction with one of them, they all fall under the purview of the Public Complaints Commission. Is that correct?

Mr. Karkut: — I've just confirmed that all the members of the PPS are subject to the public complaints process, and I'll also add they are subject to the serious incident response team as well.

Ms. Sarauer: — Thank you. One thing I've never fully understood maybe, and I hope you can take this opportunity for you to explain it to me, is around the command structure or the instruction structure once the PPS was formed. For example, COs [conservation officer] have their CO duties and obligations, and then they report to their authoritative individual who is, you know . . . I'm not going to go there again.

But then there's also the PPS and there's that structure. And you know, for example James Smith, there was the call-out to have some individuals go there. How does all of this and the competing — and complementary at times — responsibilities and roles of these individuals, how do they all work? Who makes those decisions? I'm just curious from an operational perspective how that all works out.

Mr. Cameron: — Rob Cameron, ADM, policing. And do you have a couple of hours?

Ms. Sarauer: — No, no.

Mr. Cameron: — This is going to take a bit. So really when we combined all the entities into the PPS, they all had their individual structure. So one of the challenges we had was to combine them all. And one of the advantages of PPS is that we

have a common command and control structure. We broke it into different components. So we have an operational side. We have a support services side. And then the rest of my division that has things like the financial supports and the First Nations policing side, they all come under one division that's led by me.

And then under PPS, the deputy commissioner, we break it down into those two sides. You have an operational structure, so they look after the daily operations, enforcement services. You then have the support and they provide . . . for example under that is the K9 service from the COs, our intelligence groups, things like that.

And then your third component is the things like witness protection and our security intelligence unit that's mostly in the correctional facilities, things like that. And so now there's a reporting line that comes out of each one of those areas into a centralized, more generic executive crew, like there's another line of executive there that reports into what we're talking about here in the Act. That's a really quick breakdown of how it looks.

Ms. Sarauer: — It sounds complicated.

Mr. Cameron: — It would take some time to go through it but, in honesty, many different organizations structure this way. It works very efficiently, but one of the challenges was of course taking multiple groups and then combining them all like that.

Ms. Sarauer: — So one of the challenges, when the expansion of the scope of some of these different bodies happened, there was challenges with one particular body and some purchasing of some equipment that was a little inappropriate. Okay, one person's nodding so he knows what I'm talking about. Okay. So how would that . . . Does this help to alleviate some of those challenges and sort of centralize some of these decisions?

Mr. Cameron: — So the events you're speaking of actually occurred prior to PPS being formed; however I can answer your question. So there were some changes that were made. One of the changes was with regards to special constables and, Neil, you're going to have to give me a hand on . . . I forget what it was called but there was, in legislation . . .

Mr. Karkut: — Amendment regulations.

Mr. Cameron: — Amendment regulation, there was an ability to . . . The ministry was able to have oversight of when people bought weapons or certain equipment. And so they needed authority and approval from us. So that was one check and balance that was put into place.

Of course when they came under us as PPS, we have a command structure and a procurement structure that also looks at that type of thing to make sure that when equipment's bought, particularly weapons or policing equipment, that there is appropriate checks and balances in there to make sure it's (1) appropriate for our use, and then (2) that we're following government procurement rules.

Ms. Sarauer: — Thank you. I have no further questions.

The Chair: — Thank you. Seeing no more questions, we will proceed on to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 11 inclusive agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Provincial Protective Services Act*.

I'd ask a member to move that we report Bill No. 107, *The Provincial Protective Services Act* without amendment.

Hon. Mr. McLeod: — I'll so move, Mr. Chair.

The Chair: — Mr. McLeod moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. That completes our committee's business for tonight. I would ask the minister if she has any closing remarks.

Hon. Ms. Tell: — No, I think I've said enough for tonight. Don't you, Mr. Chair? Thank you all, committee members, Hansard.

The Chair: — Thank you. Ms. Sarauer?

Ms. Sarauer: — Just a thank you to you, Minister, for your answers, as well as all of your officials for the work they do all the time but also in answering my many questions at committees. Thank you to the committee members and you, Mr. Chair, as well as committee Clerks and of course Hansard. Appreciate it.

The Chair: — Thank you. Myself, I'd like to thank the minister and her staff and the staff members in here and Hansard, along with the committee members for all their work they've done today. I'd ask a member to move a motion of adjournment. Mr. Keisig?

Mr. Keisig: — I move a motion of adjournment, Mr. Chair.

The Chair: — All agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned until Wednesday, April 19th, 2023 at 3:30 p.m.

[The committee adjourned at 17:56.]