



CANADA

Debates of the Senate

2nd SESSION

• 40th PARLIAMENT

• VOLUME 146

• NUMBER 65

CRIMINAL CODE

**Bill to Amend—Second Reading
of Bill C-26**

Speech by:

The Honourable Larry W. Campbell

Thursday, October 29, 2009

THE SENATE

Thursday, October 29, 2009

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Wallace, seconded by the Honourable Senator Johnson, for the second reading of Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime).

Hon. Larry W. Campbell: Honourable senators, I find myself following that scintillating Question Period in being the first to speak on Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime). As honourable senators know, this bill addresses trafficking, importation and exportation of property obtained by crime, but its main purpose is to target auto theft.

Across Canada, there is wide variance in the underlying reasons for vehicle theft. The West experiences higher theft rates, but also high vehicle recovery rates. This situation is generally attributed to the fact that the thieves are either teenage joyriders or drug addicts who use the vehicles for transportation and then abandon them.

In Quebec and Ontario, theft rates are lower and vehicle recovery rates are also much lower. The problem in these provinces is generally considered to be organized crime in which vehicles are disassembled, commonly referred to as “chopped,” and resold as parts. These provinces also have a significant problem with what is known as “vehicle rebirthing,” in which all the identifying tags are switched and the vehicle is sold, and stolen vehicles are exported to other countries.

This bill establishes the distinct offence of “theft of a motor vehicle.” The bill creates a new offence for altering or removing a vehicle identification number; and it creates new offences for trafficking in, and possessing for the purpose of trafficking, property obtained by crime.

These offences are particularly important when attempting to fight auto theft related to organized crime. Organized crime groups have profited greatly from vehicle theft in Canada, and this bill will give law enforcement agencies more ability to target them. It is estimated that approximately one in five cars stolen in Canada have been stolen by organized crime to be chopped, reassembled, or shipped overseas.

Honourable senators, we are all aware that auto theft in Canada is a serious problem. Motor vehicle theft is estimated to cost Canadian taxpayers in excess of \$1.2 billion a year, and the dangers involved put their safety at risk. As a former chief coroner, I know that, on average, 40 people per year die in this country due to auto theft.

Nonetheless, auto theft has declined substantially in recent years. This decline is due to changes in legislation, specifically federal legislation, making immobilization devices mandatory. This legislation, of course, will not save my 1955 Chevy three-quarter-ton from being stolen, but it is highly unlikely thieves will steal any car built after 2007.

This decline in auto theft is also due to the hard work and dedication of Canadian police forces. Our law enforcement agencies have been able to evolve and adapt with changes in criminal activity.

In British Columbia, we have what is known as the “bait car.” This highly successful law enforcement tool is a bait car left in a parking lot with a remote immobilization device, and surprisingly, equipped with a video camera facing the driver. It is taken, the police follow and basically say, “Surprise.” Some of the video is quite dramatic. In one case, a person in the car, who was high on meth, had a handgun and was contemplating whether life was worth living any more.

• (1450)

I support this bill. I believe it is another good step in the ongoing fight against auto theft.

Some Hon. Senators: Hear, hear.

Senator Campbell: It was supported in the house.

Senator Tkachuk: That has not stopped you before.

Senator Campbell: There are, however, some issues I would like to have raised in committee when we study this bill.

Some of the statistics that have been used in the study and discussion of this legislation are not as up-to-date as they could or should be. We cannot expect our justice system to effectively battle things like vehicle theft if our legislation is based on old data. That is something I would like to address at committee.

I would also like to address at committee some concrete evidence to support the implementation of minimum sentences for third-strike vehicle theft offences. That is something that the committee has dealt with in Bill C-26 and Bill C-15, and I suspect we will be dealing with it as we go forward on other government motions.

I look forward to hearing from expert witnesses on the subject when the time comes.

The Hon. the Speaker *pro tempore*: Is the house ready for the question?

Some Hon. Senators: Question.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read the second time.)