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2 pages

**LAW AMENDMENTS COMMITTEE****(representation)****Bill No. 159****Missing Persons Act****An Act Respecting Missing Persons**

I want to state that I am generally supportive of this measure, as long as the regulatory regime authorized by this Bill strikes the necessary balance between the need to help quickly find missing relatives and loved ones and the need to protect the whereabouts of those facing domestic and other threats of violence or to their safety.

I am confident that the government will work hard to try and balance these competing objectives.

My main purpose for writing is to ask for one technical amendment to the Bill:

I would prefer that the wording in clause 4(1) be changed:

Current wording of Bill:

4 (1) A member of a police agency may apply for a search order or record-access order if the police agency is conducting a missing person investigation.

**I would strongly recommend that the wording be changed to the following:**

4 (1) A **peace officer** may apply for a search order or record-access order if the **peace officer or a police** agency is conducting a missing person investigation.

(over)

Why is this important?

- Let us be specific. A "member" of a police agency is not clearly defined in this Bill or in the *Police Act* and is ambiguous. For example, the RCMP serve as our provincial police force under contract, and that police force has "regular members" and "civilian members". Does the language of this Bill mean that a civilian "member" or other employee of a "police agency" is able to apply for a search order or record-access? What is a "member"?

I was a teenager when my great-great uncle went missing several years ago. Many family and friends made heroic efforts to try and find him; the great difficulty that the family had was convincing the police to take the issue seriously. In the end, after a week-long search, he was found a day or two too late. He died of exposure. He was only found when one of my great uncles hired a helicopter for the search.

For real change, police need to take reports seriously; and, to be fair, modern police procedures and the important development of local search and rescue teams have helped in this respect.

Thank you for considering my comments.

Yours sincerely,

Russell

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