

Simplify DNA sampling from criminals, committee urges

By OMID GHOREISHI
Epoch Times Staff

EDMONTON—A Senate committee is recommending that Canada's DNA Identification Act be amended to make it easier to collect DNA samples from convicted criminals.

While stressing the need to achieve a balance between public protection and personal privacy, the Senate Committee on Legal and Constitutional Affairs has outlined 22 recommendations in its statutory review of the Act.

"No other forensic identification technique is as effective in aiding criminal investigations as DNA," Senator John Wallace, deputy chair of the committee, said in a news release.

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"It is an extremely important tool for the administration of justice in Canada, and consequently, the committee decided that certain areas of the National DNA Data Bank should be expanded, with caution, in order to further enhance the protection of Canadians."

According to the Senate report, the Criminal Code must be amended to allow for immediate and automatic collection of DNA samples from adults convicted of designated offences without the need for a court order.

The report says that according

to several witnesses, the current system requiring a court order before a DNA sample can be collected is "administratively cumbersome and could be improved."

"While allowing such sampling would almost certainly create some additional costs, both for police and the Data Bank, in terms of time spent taking samples as well as in processing those samples and turning them into profiles, these changes would likely result in reduced costs and effort in other parts of the criminal justice system," the report says.

The DNA Identification Act was passed in 1998 and became official in 2000. The Act allowed the creation of the National DNA Data Bank to assist police investigations. Using the data bank, investigators can match DNA profiles from a crime scene to DNA profiles from other crime scenes or DNA profiles of criminal offenders stored in the data bank to help solve crimes.

To date, the data bank has assisted in over 15,000 investigations, including 1,080 murder and 2,031 sexual assault cases, and contains 195,074 profiles of convicted offenders. The number of offences classified as designated offences requiring DNA collection has also grown substantially since the legislation was passed.

Another recommendation made by the committee is establishing a framework to allow automatic DNA collection from young persons convicted of a serious designated offence but to require a court-ordered collection in other circumstances.

The accused should also have access to relevant information about the analysis done on their DNA samples, and the information from the National DNA Data Bank should be shared with international entities that Canada has agreements with or when investigating crimes that happened in foreign countries in the absence of treaties.

In addition, the report says the National DNA Data Bank should be enhanced with a missing person's index and an unidentified human remains index.

One of the more controversial subjects reviewed by the committee was whether the Act should be amended to allow police to perform "kinship analysis" in case an exact match to an offender is not found. This would allow the police to know that they are likely looking for a close relative of an individual whose profile is already in the data bank and help narrow down the list of suspects.

Although this is already being done in the U.K. and many U.S. states, the Senate committee says that the approach would entail serious privacy concerns and needs to be studied further by the Department of Justice before it is implemented.

"Kinship analysis or familial searching could lead to genetic surveillance of certain groups of people who are overrepresented in the justice system, such as Aboriginal persons or other racial or ethnic minority groups," witnesses told the committee.



Chatham Point lighthouse on northern Vancouver Island. The service provided by keepers at lighthouses in B.C. and Newfoundland is currently being reviewed by a Senate committee. © 2010 THEMEDIASALON.COM

Future of staffed lighthouses up in the air

Senate review to decide the fate of lightkeepers in B.C. and Newfoundland

By JOAN DELANEY
Epoch Times Staff

The fight to preserve Canada's staffed lighthouses, which began almost three decades ago, took on new momentum after keepers learned last September that the government was planning to fully automate the country's remaining manned light stations.

That news was enough to prompt Steve Bergh, who has been a keeper at Chatham Point light station on northeastern Vancouver Island for the past 20 years, to cancel plans to retire in order to throw his weight behind efforts to prevent the move.

"I felt a responsibility to the users," says Bergh, also president of B.C. Lightkeepers Local 20232.

After receiving a barrage of letters from both lighthouse advocates and user groups such as commercial fishery, mariner, and aviation organizations, Fisheries and Oceans Canada (DFO) put the decision to de-staff on hold pending a review.

Fisheries and Oceans Minister Gail Shea has asked a Senate committee to make recommendations regarding the staffed lighthouses on both coasts—27 in B.C. and 24 in Newfoundland and Labrador.

"Concerns raised regarding additional services provided by lightkeepers have been brought to my attention by a variety of stakeholders," Shea said in a statement.

Canada began replacing lightkeepers with automated navigational aids in the early 1970s. The last big push to de-staff the country's remaining manned stations occurred in the mid-1990s. However, the plan was abandoned after a public outcry.

VITAL SERVICE

The government maintains that keepers are obsolete in these days of automated weather readers, foghorns, and other high-tech navigational aids, and that automated stations are just as effective as having a human presence. But keepers argue that they pro-

vide a multitude of vital services that are impossible with automation, including issuing immediate weather updates to aviators and mariners, relaying warnings and distress calls, reporting suspicious vessels, aiding in search and rescue, and in some cases literally saving lives.

"Many times in my 20 years here we've been instrumental in keeping boats afloat, pulling skin divers out of the water that had drifted off the shore and into the shipping channel, and providing emergency first aid to people who had injured themselves on boats," says Bergh.

"We also monitor the high-frequency radio on all emergency frequencies and have heard distress calls that were not picked up by the coastguard radio station. And we liaise with other federal and provincial departments."

These and other duties are outlined in the Canadian Coast Guard's job description for keepers, Bergh says, adding that "most if not all [of B.C.'s] light stations have been active in search and rescue and other means such as spotting flares or assisting search and rescue resources."

Shea says aids to navigation at unmanned stations are highly reliable and that "evidence has shown that automated light stations have not compromised mariner safety and can deliver a high level of service."

But supporters of staffed lighthouses have noted that automated aids to navigation can be unpredictable. According to Barry MacDonald, president of the Nova Scotia Lighthouse Preservation Society, failures are common.

"If you talk to the users of this stuff, the foghorns and lights do break down on a regular or semi-regular basis."

B.C. AND NEWFOUNDLAND UNIQUE

On the rugged west coast in particular, says MacDonald, lightkeepers play a crucial role.

"You've got vast stretches of coastline, particularly on the western side of Vancouver Island and indeed in the Inside Passage—there's just no human presence there except for the lightkeepers. They're the eyes and ears of the coast."

The same holds true for the remote coastline of Newfoundland, he says, the difference being that Newfoundland doesn't have the volume of air traffic found on the west coast.

Charlie Dominaux, captain of the MV Arethus, a ferry that carries more than 10,000 people a year between St-Pierre-Miquelon and Fortune Bay in Newfoundland, told Lighthouse News that he relies on lightkeepers to let him know if the entrance to the bay area is safe because the weather is often worse than that forecasted by Environment Canada.

"Based on their information, I'm staying home, or I go. I'm carrying precious cargo. I don't want to take chances, and I'm sure the passengers don't want me to take chances. Without those lightkeepers I have nothing," he said.

While current figures on the cost of staffed lighthouses are unavailable because lighthouse budgets cross several ministries, according to the Victoria Times Colonist, a DFO marine program's national performance report stated that staffing lighthouses cost the federal government \$24.5 million between 1999 and 2003.

Manned lighthouses have been phased out in most of Europe and the United States. However, some Central and South American countries including Chile are expanding the number of light stations that are staffed.

In announcing the review, Shea said B.C. and Newfoundland "are uniquely situated as Canada's eastern- and western-most provinces and therefore face unique challenges. As such, they must be approached from that perspective."

She added that if the review determines that "a staffed presence is the only way to ensure the delivery of services, then this option will receive full consideration."

The Senate committee has been hearing from a variety of groups including lightkeepers, recreational boaters, commercial shippers and fishers, business and community interests, as well as Canadians at large.

Bergh, who has worked as a lightkeeper for 27 years, says all the senators have to do is read the letters sent in by lighthouse supporters and users to see that keepers provide an essential service.

"If the senators actually study the letters that have been written by the associations and users and the airplane companies, you would think it would be a fairly easy decision for them."

For sale: 1,000 lighthouses

Almost 1,000 lighthouses across Canada, including the iconic Peggy's Cove in Nova Scotia and Race Rocks in British Columbia, have been declared surplus property.

In May, Fisheries and Oceans Canada (DFO) announced that under the new Heritage Lighthouse Protection Act, 480 active and 490 inactive lighthouses—not including staffed light stations—are "surplus to its needs."

This means that the lighthouses can be purchased by individuals, municipalities, or non-profit groups wishing to take advantage of their heritage designation or tourism potential.

However, in order for active lighthouses that contain aids to navigation to remain operational, the new owner would have to enter into an agreement with DFO, permitting it access to the site for maintenance and operation of the navigational aid.

"It should be clear that while still active lighthouse structures can be transferred to the public, the actual navigational light will not be transferred and will remain the property of the department with the Canadian Coast Guard ensuring its continued operation," DFO's website says.

Lighthouse supporters are upset over the move, saying there is a considerable financial burden attached to the acquisition and upkeep of a lighthouse, and some structures are already in disrepair from neglect.

Barry MacDonald, president of the Nova Scotia Lighthouse Preservation Society, says DFO's announcement "came as a major disappointment."

"By doing this DFO is bypassing or circumventing their responsibility, as far as we're concerned, in the implementation of the Heritage Lighthouse Protection Act that took nine years to get in place."

DFO said the surplus lighthouses "could be replaced with simpler structures whose operation and maintenance would be more cost-effective."

Interested parties have until May 2012 to seek heritage designation for a surplus lighthouse. A petition must be signed by 25 Canadians over the age of 18 and sent to the Minister responsible for Parks Canada. In addition, a written commitment to acquire ownership and protect a lighthouse must be submitted to DFO in order for it to receive heritage designation.

Aside from the Heritage Lighthouse Protection Act, there are also other government programs that allow groups to either acquire or lease lighthouses.

— Joan Delaney

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Fadden hearing focuses on politics not security, says expert

CSIS CONTINUED FROM P1

When asked whether he thought he owed an apology to the Chinese community and Chinese politicians, Fadden replied "No," saying cases were extremely rare and those being influenced were victims.

"I don't think they are the problem. I think the foreign power is the problem."

Toward the end of the hearing, and in a few other moments, some parliamentarians raised the issue of foreign influence.

A Liberal MP and more than one Conservative MP brought up the example of the Russian ring recently broken up in the United States.

That spy ring included undercover Russian agents posing as Canadians. The U.S. Justice Department says the group was instructed to "search and develop ties in policymaking circles in [the] U.S."

The group worked to ingratiate itself with former politicians, financiers, government officials, and others in positions of power and influence, a phenomenon remarkably similar to that laid out by Fadden.

Fadden said the intelligence agency decided to voice concerns over foreign influence because the issue is too often overlooked. He told MPs that if not for his most controversial remarks, his warning would

not have brought them back from summer break for a hearing.

"We do not as a country often reflect on threats relative to espionage, terrorism, and foreign interference. I would argue it is good public policy for Canadians to be more attuned to the threats the country faces."

In a press conference following the hearing, Chinese dissidents commended Fadden for speaking out on the issue. Chinese democracy advocates and Falun Gong practitioners said there were many Canadians impacted by the Chinese regime's efforts to influence politicians.

"Falun Gong practitioners have been the target of the Chinese regime's interference and influence for over 10 years," said Lucy Zhou of the Falun Dafa Association of Canada (also known as Falun Gong).

Zhou listed a string of occurrences where politicians seemed to act on the Chinese regime's interests after returning from a trip to China, sometimes making a complete reversal on earlier decisions. Often those decisions hurt those in Canada who have taken positions upsetting to the regime.

Sometimes those changes followed pressure from Chinese consulates and letters threatening damaged trade relationships, said Zhou.

Hou Wenzhuo, a one-time visiting fellow at Harvard Law School who has testified as an expert witness before the U.S. Congressional Executive Commission on China, told reporters the regime recalculated its foreign policy strategies following the 1989 Tiananmen Square Massacre, using an often-hidden and multifaceted approach to establish long-term infiltration programs in countries around the world.

"This is a long-term project called 'transforming by raindrops,' meaning change the West by subtle and imperceptible means," she said.

Before leaving China, Hou founded an NGO called Internal Migrant Workers Legal Aid and Research Center (IMW) and was a researcher for UNICEF in Beijing. She says Beijing has spent billions in its efforts to infiltrate and influence Western democracies. Both Hou and previous CSIS reports have identified Chinese state news agency, Xinhua, as a leading component in those efforts.

In the U.S., two congressional commissions examine China and issue an annual report to Congress. No such equivalent exists in Canada.

In 2009, Dr. Ross Terrill, a China specialist and Research Associate at Harvard's

Fairbank Center for East Asian Research, told the U.S.-China Economic and Security Review Commission of other attempts the regime has used to influence U.S. foreign policy, including making "healthy donations" to Western think tanks.

"Self-censorship, which is a daily necessity for journalists in China, also occurs in diluted form among American editors, academics, and others dealing with China. Folk worry about their next visa, their access to a sensitive area like Xinjiang for research, or take a Beijing point of view because of largesse available for their project from the Chinese side," he said.

The commission's report that year echoed Canada's former intelligence chief Jim Judd, who called China the most aggressive country conducting espionage.

The report said the Chinese regime's efforts to influence commentary about China from American academics and think tanks included offering rewards, such as special access to interviews and documents, and punishments, like denying visas.

"These rewards and punishments offer the Chinese government leverage over the careers of foreign scholars and thereby encourage a culture of academic self-censorship," the report said.