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TRANSITIONING NATIONAL SECURITY

FROM POLICY TO REALITY

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TABLE OF CONTENTS

TABLE OF FIGURES

ABSTRACT

Over the past two decades, natural and human-induced hazards and disasters have increased in frequency and number, with their effect being increased due to the concentration of population in major urban centers. In response to the threat, Canada has adopted an all hazards approach establishing an integrated security system that follows four basic functions: mitigation and prevention, preparedness, response and recovery.

In 2004, Canada released its first ever National Security Policy to outline the measures that would be taken at the national level, incorporating a whole of government approach; however, the cooperation and integration between government departments and levels of government have been slow and inadequate to meet the current threat environment

This paper will discuss the important aspects to integrate the national and provincial levels of government. Specifically Canada's legislation, policies plans and organizations will be reviewed in conjunction with Ontario and Alberta's systems. Several problem areas will be analyzed with suggested methods to overcome the identified shortcomings.

The findings of the analysis will suggest that short of changing the Constitution Act or enacting the Peace Order and Good Government Clause; the Federal and Provincial government and their agencies must take a more pro-active role to integrate with each other and the myriad of other actors involved in National Security. Through integration and unity of effort Canada will be able to transition National Security from policy to reality.

TRANSITIONING FROM POLICY TO REALITY

INTRODUCTION

In Western democratic societies, an important function of government is to ensure that their citizens are protected from threats, both foreign and domestic. Due in large part to Canada's relative isolation and proximity to the world's remaining superpower, the United States, Canadians have enjoyed a relatively peaceful history compared to many other states. Canada's fortuitous geography has played a major role in shaping Canada's national policies with respect to domestic priorities and foreign relations, and has enabled Canada to effectively pick and choose the international disputes it wishes to intervene in without major concerns for its own security.

A corollary effect of this geographic good fortune has been that Canada has been able to conduct domestic policy relatively free from the constant requirement to physically secure its own borders. In the past, Canada was able to focus more attention on domestic policy, and in particular, the social programs aspect of domestic policy without assuming large risks to its citizens' security.

However, since September 11, 2001 the global situation has changed considerably. The advent of global terrorist networks, regional conflicts over resources, and asymmetric guerrilla and insurgency operations, coupled with the ease of people moving freely between states has necessitated a change in security practices for all the Western democracies. The United States, the United Kingdom, and Australia, have all implemented new legislation to address the emerging threats, and have either introduced new national security policies or have greatly strengthened existing laws. In the case of Canada, the country has introduced the *Anti-Terrorism*

Act in 2001[1] and the *National Security Policy* (NSP) in 2004.[2]

The new global security environment, where states are no longer exclusively threatened by other states, will inevitably force governments to make difficult decisions in the age-old debate of "guns versus butter". Canada appears to have established a new stance on its priorities towards national security by stating in the first line of the NSP; "there can be no greater role, no more important obligation for a government, than the safety and protection of its citizens."[3]

National Security is an incredibly complex topic, as essentially all elements of society play a role in national security through either the prevention of attacks, response to attacks, or by providing a window of vulnerability that can be exploited by an attacker. Further, a balance must be struck between ensuring individual and collective freedoms, while still maintaining the capability to provide security through information gathering and action.[4] This delicate balancing act must be achieved in a swamp of competing jurisdictions and priorities.

The aim of this paper is to demonstrate that Canada's changes to national security since 9/11 have been an improvement; however, the cooperation and integration between departments and levels of government have been slow and inadequate to meet the current threat environment. In the interest of clarity, this paper will focus on specific areas where theory has yet to meet

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[1]The *Anti terrorism Act* is an Act to amend the *Criminal Code*, the *Official Secrets Act*, the *Canada Evidence Act*, the *Proceeds of Crime (Money Laundering) Act* and other Acts, and to enact measures respecting the registration of charities, in order to combat terrorism. Department of Justice, "Anti-terrorist Act," 31 August 2004, http://laws.justice.gc.ca/en/A-11.7/index.html; Internet; accessed 20 January 2007, n.p.

[2]The National Security Policy is intended to put Canada on a long-term path to enhance the security of the country and to contribute to the creation of a safer world. The policy highlights the importance of engaging Canadians on its content to facilitate the iterative process of reassessing Canada's security requirements. Privy Council Office, "Securing an Open Society: Canada's National Security Policy," April 2004, [document on-line]; available from http://www.pco-bcp.gc.ca/docs/Publications/NatSecurnat/natsecurnat_e.pdf; Internet; accessed 4 August 2006, n.p.

[3]Canadian Forces College, "Introduction to National Security Studies" (Joint Command and Staff Program 33 Activity Package C/DS 522/CNS/LE-2, 2006), 18/59.

[4]Stephen J. Schulhofer, *Rethinking the Patriot Act: Keeping America Safe and Free* (New York: The Century Foundation Press, 2005), 6.

reality on the road to achieving an integrated system of national security. The remainder of the introduction will cover the recent history of national security and emergency management, to recognize the complexities involved and to understand the rationale why Canada has adopted a whole of government approach.[5] Examples of natural and human-induced disasters over the past two decades will be used to delineate the importance of federal involvement in emergency management and to demonstrate why previously acceptable risks are outdated.[6]

In assessing the current jurisdictional divisions; emergency management policies; political leadership; organizational structures; and emergency operation centres, this paper will use the National, Ontario and Alberta perspectives as a lens to see the progress that has been made to date, as well as the work that remains, to integrate the federal and provincial levels of government. The final two sections, response plans and intelligence, will not follow the National-Ontario-Alberta format because of the commonality of issues facing the nation. The papers' conclusion will consolidate the salient points of the main arguments, accompanied by an illustration of the significance of federal-provincial integration to support Canada's complex security system.

The Complexity of National Security

National security affects every part of society. It is dependant upon, and influenced by, each level of government; international partners; Non-Governmental Organizations (NGOs); the

[5]The term 'whole of government' refers to collaboration between all governmental departments involved.

[6]Natural and human induced disasters are no longer considered separately, the term 'all hazards' is used to identify the spectrum of threats from natural to human induced disasters.

private sector; first responders and individual citizens.[7] The multitude of actors involved have a common desire to conduct their functions free from threats, but the perspectives on the ways to achieve their goals often differ significantly. The federal perspective must consider all hazards ranging from marine and border security to global pandemics. On the other hand, provinces or territories without coastlines or international borders have different priorities, perhaps focused on infrastructure, storms or nuclear power generation.

Similar differences of perspective occur between agencies and organizations that support air travel to those who rely on cyber security to protect research and development technologies. Competing perspectives and priorities place the responsibility on governments to establish the legal and policy foundation for an integrated security system that will support the mosaic of actors involved. Figure 1.1 on the following page, depicts Canada's developing integrated security system intended to coordinate resources and integrate perspectives to ensure the overall safety of Canadians.

[7]International organizations refer to other states and their agencies, as well as internationally governed organizations such as the World Health Organization (WHO). Non-Governmental Organizations (NGOs) denotes organizations such as Doctors Without Borders or the International Committee of the Red Cross (ICRC). The private sector signifies providers of industry and resources such as communications and technology, civilian transport, or power and water generation facilities.

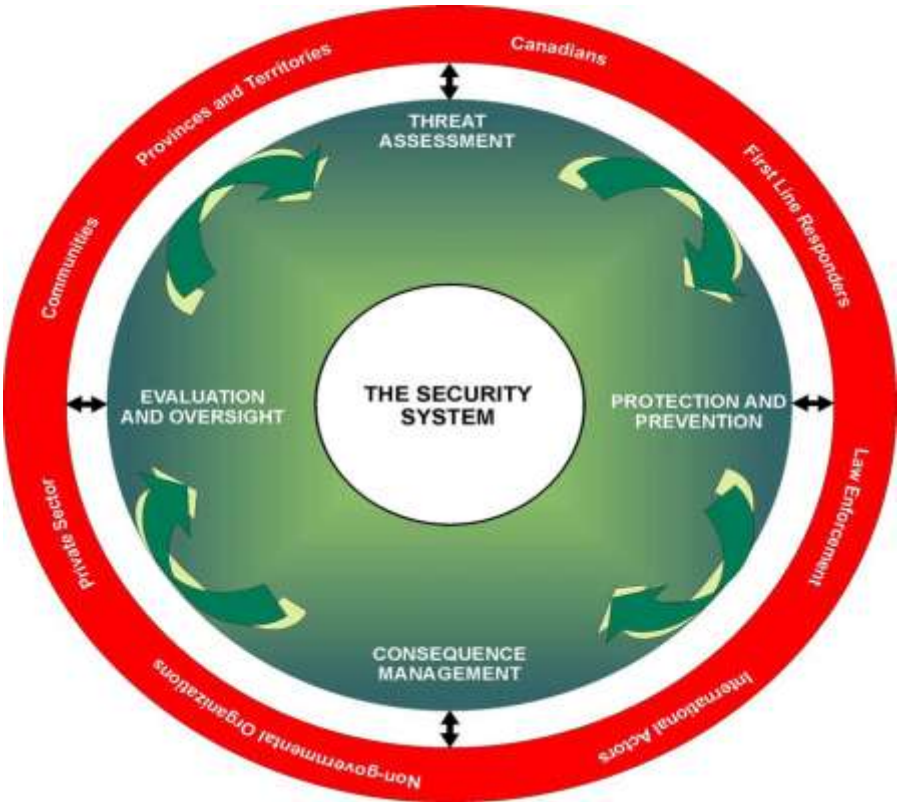

Figure 1.1 – Integrated Security System.
Source: Privy Council Office, "Securing an Open Society: Canada's National Security Policy, 10.

This paper will confine its consideration of perspectives to those of the federal and provincial levels of government. The significance of the national perspective will provide the starting point for legislation, policy, leadership and organization of security and emergency management in Canada. At the provincial level, Ontario and Alberta will be used as the benchmarks. Both provinces have the complete spectrum of small municipalities to large cities with critical infrastructure that supports concentrated population bases. Regional disparities, differing terrain features, and climate conditions introduce different threats between the two provinces.

Traditionally, Ontario's manufacturing sector has been the economic leader amongst the provinces. Quite often implementing strategies within Ontario has led to other provinces adopting similar strategies. Within the emergency management system, Ontario has undergone recent challenges with the 1998 Ice Storm, and then considerable adversity in 2003 with the

Severe Acute Respiratory Syndrome (SARS) disaster and then the August Blackout that affected millions of citizens. Improvements and change have been common place to upgrade Ontario's emergency management abilities particularly in the health sector as a consequence of SARS. Alberta was chosen as the other province to examine because it contrasts Ontario's experiences very well. Alberta's emergency response systems have had considerable stability and consistency, allowed to develop and grow with the flourishing economy in Alberta. As an industrial leader focused on oil and gas, Alberta is developing faster than any other province in Canada. Together, Alberta and Ontario provide differing perspectives, yet represent the leading edge of Canadian provinces and thereby act as an appropriate study for security in an emerging threat environment.

The focus on federal-provincial integration is not intended to marginalize the importance of integrating international, municipal, corporate, or the other actors involved in national security, but the legislation, policy and structures established at the federal and provincial levels set the framework for the security system. This discussion will not be entirely comprehensive due to the quantity of instances across the spectrum of industries involved; however, it will provide a wide cross-section of examples to demonstrate a clear indication of the progress that has been made to date, and the considerable work that remains.

Canada's National Security Policy articulates that we must be prepared for, and possess the capability to respond to current and future threats.[8] In Canada, emergency management adopts an all hazards approach to address both natural and human-induced hazards and disasters. The intent is to have one system able to respond to emergencies, such as the 2003 blackout in Eastern Canada and the United States, regardless if it was caused by a storm or a terrorist.

[8]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, 9, 10.

The previous distinction between national security and emergency response has diminished since the advent of international terrorism, and the difference has essentially faded away since 9/11. Natural and human-induced hazards and disasters have increased in frequency and number, with their effect being increased due to the concentration of population in major urban centers. This concentration leads to each disaster having a correspondingly heavier toll in economic cost and human suffering. Canada is not immune to these threats, with terrorist attacks on Western targets likely to persist in the immediate future.

Background

Historically speaking, there have been only two direct threats against Canadian territory since Confederation, primarily due to the geographic difficulties of invading Canada.[9] The relative luxury of the absence of a direct military threat against Canada has allowed past governments to focus their attention and resources on agendas such as social programs and health care, programs almost universally embraced by Canadian citizens, rather than national security. Essentially, national security efforts were centered on the Canadian Forces for international concerns, and the RCMP for internal policing.

Prior to the end of the Cold War, natural disasters were more common than the risk of an armed attack against Canada. Hence, the Constitutional division of responsibilities and jurisdiction between the Federal and Provincial governments (wherein the Federal government retained responsibility for national territorial defence, while the Provincial governments retained the responsibilities for emergency management within their respective borders) was quite

[9] The first was from the United States in the years immediately following Confederation (Fenian raids, Manifest Destiny), while the second was the risk of nuclear Armageddon by the USSR during the Cold War. Desmond Morton, *A Military History of Canada: From Champlain to Kosovo*, 4th ed. (Toronto: McClelland & Stewart, 1999), 77, 89-90, 292.

sufficient.[10] The Federal government therefore received the best of both worlds; provision of a stable and secure environment for Canadians in exchange for a minimal Federal investment. This meant that each province was free to develop its own emergency response plan and system, but it also meant that there was no coherent national plan.

As we move forward into the 21st century, the Federal government has unequivocally recognized the "…new and more complex [threats to our national security],…the September 11, 2001, attacks were a powerful example of this."[11] While only the United States was attacked directly, the far-reaching implications of global terrorist attack (wherein every country is vulnerable, and every installation and citizen is a potential target) changed the overall security environment throughout the world. Immediate responses to the new situation included the adoption of the *PATRIOT Act (Providing Appropriate Tools to Intercept and Obstruct Terrorism)* by the United States within six weeks[12], and the *Anti-Terrorism, Crime, and Security Act (ATCSA*) of the United Kingdom[13] and Canada's *Anti-Terrorism Act*, all before the end of 2001.[14] This new global reality required new approaches, and the calls began for a coherent, integrated NSP that would address the new security requirements across Canada.

The Standing Senate Committee on National Security and Defence (SCONSAD) issued a report in February 2002, entitled *Canadian Security and Military Preparedness*, which illustrated

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[10]Department of Justice, "Constitution Acts 1867-1982: Canadian Constitution," 2 March 2006, http://laws.justice.gc.ca/en/const/c1867_e.html; Internet; accessed 4 March 2007, 91 (7).

[11]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, 1.

[12] Senate of the United States, "170th Congress, 1st Session, H.R. 3162 in the Senate of the United States," 24 October 2001, http://www.epic.org/privacy/terrorism/hr3162.html; Internet; accessed 4 March 2007, n.p.

[13]Acts of the UK Parliament, "Anti-Terrorism, Crime and Security Act," 21 December 2001, http://www.opsi.gov.uk/ACTS/acts2001/20010024.htm; Internet; accessed 4 March 2007, n.p.

[14]On 21 December 2001, Canada also signed the *Smart Border Declaration* with the United States. Department of Royal Canadian Mounted Police, "Integrated Border Enforcement Teams (IBETs)," 20 January 2006, http://www.rcmp.ca/security/ibets_e.htm; Internet; accessed 4 March 2007, n.p.

the woeful state of Canada's national security situation and called on the Federal government to take corrective action.[15] The most damning indictment within the report was the statement that "Canada does not have a specific National Security Policy that would place defence policy, foreign policy, and internal security in context, and relate them to one another."[16]

In response to the SCONSAD report, a new ministry was created to rectify this deficiency. In the past, the Federal response to domestic crises was the Office of the Critical Infrastructure and Emergency Preparedness (OCIPEP), a sub-element within the Department of National Defence (DND). In 2003, a completely new cabinet ministry was created. Public Safety and Emergency Preparedness Canada (PSEPC) was mandated to coordinate the efforts of all federal departments and agencies responsible for national security and the safety of Canadians.[17] In order to accomplish this, PSEPC works with six different federal agencies, and three separate review bodies to integrate Canadian responses to natural and man-made disasters as depicted in Figure 1.2 on the following page.[18] Shortly after the creation of PSEPC, in order

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[15]This was the first of many recent reports issued by the committee on this subject. Senate of Canada, Standing Senate Committee on National Security and Defence, "Canadian Security and Military Preparedness," 5 February 2002, [document on-line]; available from http://www.parl.gc.ca/37/1/parlbus/commbus/senate/com-e/defe-e/rep-e/rep05feb02-e.htm; Internet; accessed 4 March 2007, introduction, n.p.

[16]Ibid., Part 1, 14.

[17]PSEPC has recently been ammended by the current government to Public Safety Canada; however, the new name has yet to universally applied, therefore to avoid confusion, this paper will continue to use PSEPC. Public Safety and Emergency Preparedness Canada, "Keeping Canadians Safe," 2 March 2006, http://psepc.gc.ca/abt/index-en.asp; Internet; accessed 3 March 2007,n.p. The new department website is http://www.publicsafety.gc.ca/index-en.asp; updated 7 March 2007, n.p.

[18]The former Department of the Solicitor General, the Office of Critical Infrastructure Protection and Emergency Preparedness, and the National Crime Prevention Centre were amalgamated into PSEPC, making the Minister of PSEPC responsible for the following agencies: the Canada Border Services Agency (CBSA); the Canada Firearms Center (CAFC) (not depicted in Figure 1.2); the Canadian Security Intelligence Service (CSIS); Correctional Services Canada (CSC); the National Parole Board (NPB); and the Royal Canadian Mounted Police (RCMP). The review boards of the Commission for Public Complaints Against the RCMP (CPC), the Office of the Correctional Investigator (OCI), and the RCMP External Review Committee (ERC) also report to the minister of PSEPC. Public Safety Canada, "Speaking Notes to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness: Speaking Notes for The Honorable Anne McClelland," 24 November 2004, http://www.ps-sp.gc.ca/media/sp/2004/sp20041124-en.asp; Internet; accessed 17 April 2007, n.p.

to more clearly delineate the role and responsibilities of PSEPC, the Federal government issued its first ever formal NSP, *Securing an Open Society*, in April 2004.

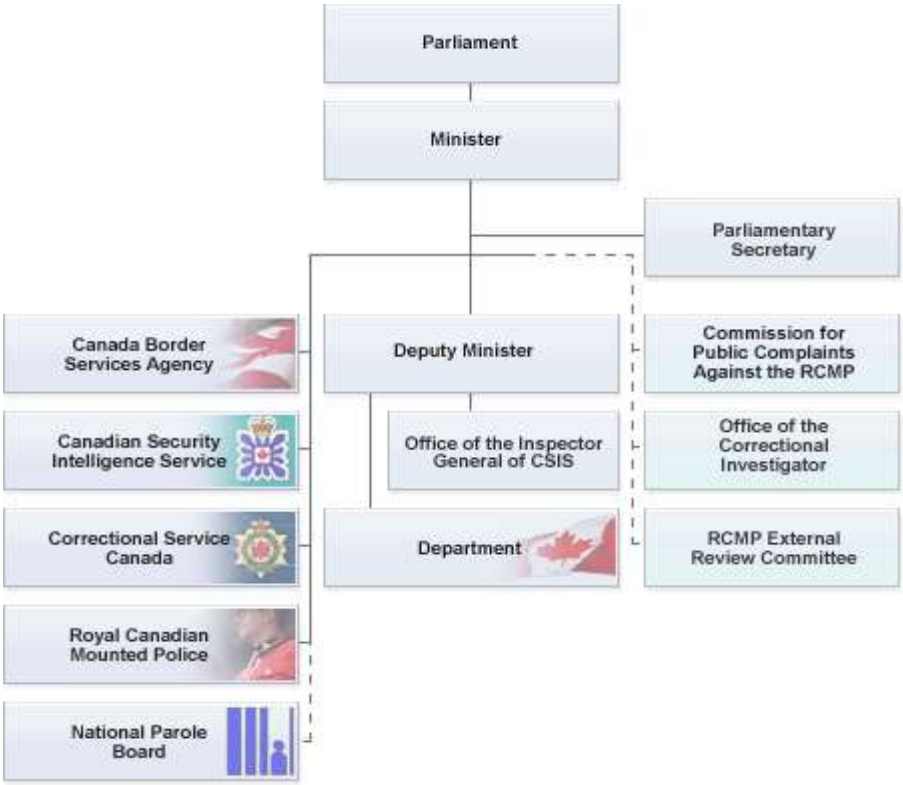

Figure 1.2 – Organization of Public Safety and Emergency Preparedness Canada.
Source: Preparedness Canada, "Keeping Canadians Safe, n.p.

The difficulties inherent in the development of a coherent, integrated national security plan is made obvious by the length of time between the attacks of September 11, 2001 and the publication of the NSP in April 2004. All elements and levels of government are stakeholders in national security, as all elements and levels of government have at least some degree of responsibility for the well-being of Canadians. Further, legal jurisdictional requirements add to the gordian knot, as the *Constitution Act, 1982* states in Section 91, that the Federal government retains responsibility for national defence and security, while Section 92 states that Provincial governments are responsible for the well being and safety of citizens within their municipalities

and borders.[19] This is an obvious jurisdictional conflict that must be addressed before any national plan can be implemented.

The difficulty of coordination does not end with merely these two levels of government. There is the matter municipal governments and first responders. Much like the popular slogan 'all politics are local', all responses to an emergency, whether man-made or a natural disaster, begin at the municipal level. Police, fire, ambulance, and other emergency services from the affected locale will be the first on the scene of any disaster, and this must be taken into consideration in the development of provincial and federal emergency plans.

Finally, governmentally-controlled assets are not the sole agencies involved in national security and emergency response. For any plan to be truly effective, the acquiescence of private corporations, NGOs, and private citizens are essential. Only the understanding, acceptance, and cooperation of all these actors will lead to the successful execution of national security plans designed to prevent the threats along the continuum proposed by the NSP shown in Figure 1.3 on the following page.[20] Canada is thus at a critical stage with respect to the implementation of its National Security Policy. The necessary elements for a coherent strategy are in place; what remains is the proper coordination of effort to transition from policy to reality.

[19]Department of Justice, "Constitution Acts 1867-1982…, 91 (7), 92 (16).

[20]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, 4.

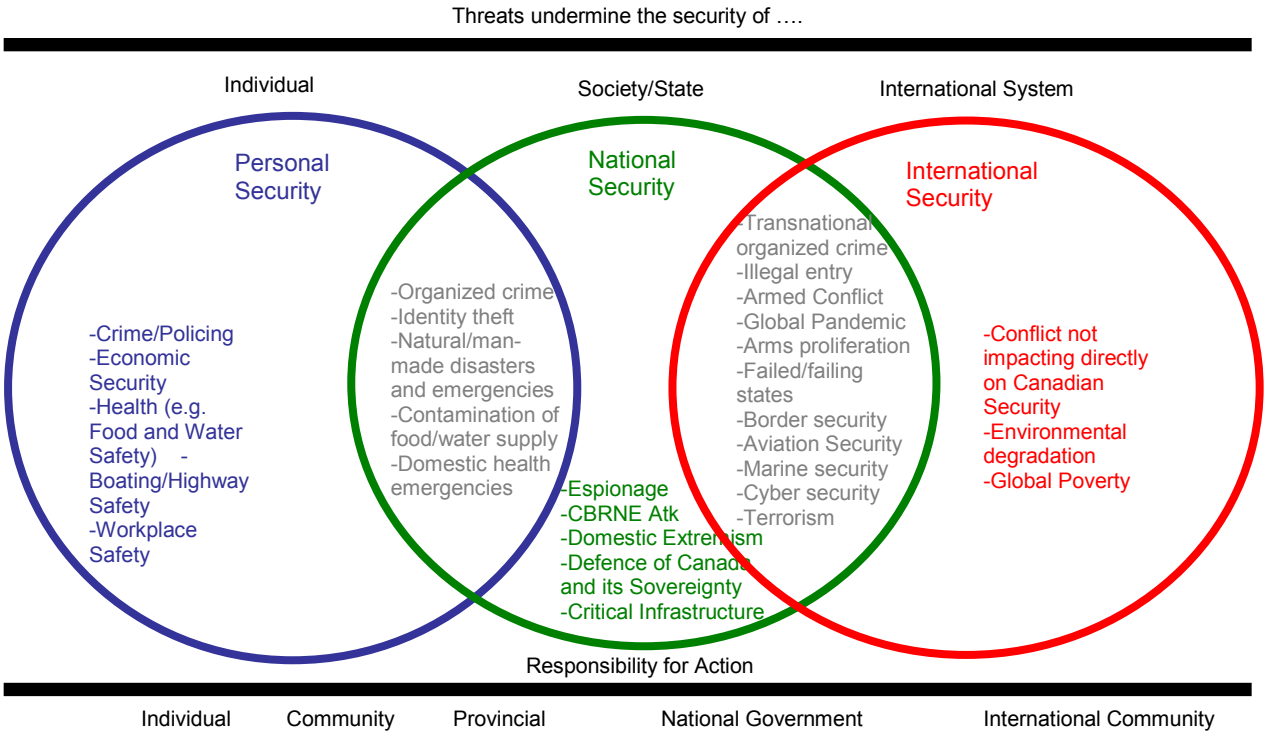

Figure 1.3 – Continuum of Security Responsibilities.
Source: Privy Council Office, "Securing an Open Society: Canada's National Security Policy, 4.

The Importance of a National Security Policy

Before the formation of PSEPC and issuance of the NSP, there was delineation between levels of government responsible for national security (federal) and those responsible for emergency management (provincial). This delineation kept to the division of jurisdiction outlined in the *Constitution Act, 1982*, thereby creating a wedge between what is now considered all hazards. The all hazards approach, along with responsibilities of PSEPC outlined in the NSP, has created grey areas that are problematic to complete implementation of the NSP, leading to internecine jurisdictional squabbling between the various levels of government.[21]

In the past two decades, natural disasters and emergencies have increased in number and

[21]The grey areas between federal-provincial responsibilities will be amplified and substantiated further in this paper.

intensity forcing national level oversight and eventual involvement.[22] In accordance with the *Emergencies Act*, a national emergency must be "…of such proportions or nature as to exceed the capacity or authority of a province to deal with or seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada."[23] We have experienced several of these examples in Canada over the past ten years, and are just as likely to experience more in the future.

The Red River floods of 1997 overwhelmed the Manitoba government's capability to respond, and eventually necessitated national intervention to assist in mitigation and restoration.[24] This is a prime example of a disaster which exceeded the capabilities of a single province, thus triggering a request for national assistance. Extraordinary weather in eastern Ontario and southern Quebec in 1998 created a six-day 'ice storm' that affected millions of people, caused extensive damage to infrastructure, resources, and deprived a large number of people of the basic necessities of life.[25] This state of emergency spanned two neighboring provinces, and consumed the combined resources of Canada's two largest provinces, which again required national coordination and support. These two examples met the criteria articulated in the *Emergencies Act*, because they exceeded the capacity and authority of the provinces involved.

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[22]Public Safety and Emergency Preparedness Canada, *An Emergency Management Framework for Canada* (Ottawa: Emergency Management Policy Directorate, 2005), 3.

[23]Exceeding the capacity of the province includes disasters that span more than one province/territory, or a disaster that overwhelms provincial capabilities, leading to a request from the Provincial government for federal assistance. This discussion will be further developed later in this paper. Public Safety Canada, "The Emergencies Act," http://www.publicsafety.gc.ca/pol/em/em_act-en.asp; Internet; accessed 10 March 2007, 3 (a)(b).

[24]Canadian Broadcasting Corporation, Archives: Extreme Weather, "A State of Emergency: Red River Rising: Manitoba Floods," 22 April 1997, [news on-line]; available from http://archives.cbc.ca/IDC-1-70-670-3790/disasters_tragedies/manitoba_floods/clip6; Internet; accessed 3 January 2007, n.p.

[25]Canadian Broadcasting Corporation, Archives: Extreme Weather, "The Ice Storm of 1998," 5-10 January 1998, [news on-line]; available from; http://archives.cbc.ca/IDD-1-70-258/disasters_tragedies/ice_storm/; Internet; accessed 3 January 2007, n.p.

The second criteria outlined in the *Emergencies Act*, is to preserve the sovereignty, security and territory of Canada. On February 23, 2003, Toronto's index patient for SARS returned home from a visit to Hong Kong where she was unknowingly infected with SARS, after staying at the same hotel as a doctor from China's Guangdong Province.[26] The subsequent poor handling of SARS, which killed 44 people in Ontario and struck down more than 330 others with serious lung disease, sparked fear of a pandemic across Canada and beyond our national borders. These fears created a situation wherein Toronto in particular, and Canada in general, suffered grievous health and subsequent economic effects through a restriction on trade and tourism. Figure 1.3 above, clearly illustrates that a pandemic is a threat to national and international security that requires action from the Federal government.

Large-scale natural disasters, such as storms and earthquakes, fortunately have not had direct physical impact on Canada in the past decade but there have been such instances that have had secondary effects on Canada and the rest of the world. The 2004 Indian Ocean Tsunami is a prime example of a natural disaster on an international scale. More than ten countries were physically affected by the tsunami, costing in excess of 300,000 lives, while the sheer scale of this disaster caused a global response wherein scores of countries contributed either material aid, manpower, or both to alleviate the suffering.[27] Hurricane Katrina in 2005 is a second example of how the Federal government was expected to offer assistance at the international level through

[26]Commissioner Archie Campbell, "Volume 1: Spring of Fear," in *The SARS Commission*, December 2006, http://www.sarscommission.ca/report/index.html; Internet; accessed 12 March 2007, 4.

[27]Western States Seismic Policy Council, Tsunami Center, "2004 Indian Ocean Tsunami," 26 December 2004, [documents on-line]; available from http://www.wsspc.org/TsunamiCenter/2004IndianOceanTsunami.html; Internet; accessed 3 January 2007, n.p.

the provision of resources to assist our closest ally in their moment of need.[28] Each of these natural disasters caused unique challenges to the responders involved, but at the end of the day, none of them could be fully co-ordinated at other than a national level. Combined, these examples substantiate the necessity for a national security policy that incorporates a wide range of capabilities during natural disasters.

Man-made disasters (such as terrorist attack) pose similar risks and consequences to the safety of the general population as natural disasters. The reality of globalization with its concomitant freedom of movement, and the increasing lethality of weaponry that can be employed by an individual, mean that attacks against a nation are no longer solely the realm of another nation-state, a key consideration in any security strategy. The following examples will demonstrate that targeted attacks remove the wedge between jurisdiction responsibilities for national security. Similar to natural disasters, emergencies in one city can have an effect through all levels of government and the international community.

The 2004 bombing of a Madrid commuter train that killed 191 people and injured over 2000, raised international concern over the vulnerability of citizens using public transit systems.[29] Similarly, the 2005 London subway bombing saw terrorists initiate a series of coordinated blasts during morning rush-hour, killing 50 people and injuring approximately 700.[30] The attack temporarily crippled the London public transit system, but the security and economic

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[28]Three Canadian ships, three embarked Sea King helicopter detachments, a Canadian Coast Guard ship, and a composite team of divers from two fleet diving units deployed as part of the Government of Canada contribution to the relief efforts. National Defence, "News Conference Regarding Canada's Response to Hurricane Katrina," 4 September 2005, [document on-line]; available from http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1740#tphp; Internet; accessed 3 January 2007, n.p.

[29]Canadian Broadcasting Corporation, The Fifth Estate, "War with out Borders: The Madrid Bombing," 1 December 2005, [news on-line]; available from http://www.cbc.ca/fifth/warwithoutborders/bombing.html; Internet; accessed 3 January 2007, n.p.

[30]Cable News Network (CNN), "Bombers Target London," July 2005, [news on-line]; available from www.cnn.com/SPECIALS/2005/london.bombing/; Internet; accessed 3 January 2007, n.p.

repercussions were not solely limited to the UK. The US, Australia, and Canada immediately increased their safety alert measures on public transit systems, demonstrating that an internationally executed man-made disaster is enough to warrant a national level response in Canada. Conceptually, these attacks were similar to 9/11 in that terrorism targeted the chosen way of life of the victim, and while the physical attacks themselves were located in specific cities, the effects were felt from individuals through to the international community. The examples of both natural and man-made disasters show that the division of responsibility between federal (security) and provincial (natural disasters) cannot be clearly delineated.

It is evident that direct effects from both terrorist acts and natural disasters trigger the same response and recovery efforts to restore personal security. The preparedness required mitigating the secondary effects of man-made or natural disasters on infrastructure and economic systems will need involvement of all levels of government and include private citizenry. This requirement will remain true, albeit to varying degrees, whether the event takes place domestically or internationally. The responsibilities for action, in Figure 1.2 above are misleading in this regard. For example, terrorism and pandemics are expressed in the figure as part of national and international security, with national governments responsible for action. The secondary and tertiary affects of the examples given above affect health, workplace and economic security which, according to the figure, are personal securities responsible to individuals. Following this line of reasoning, individuals, communities, provinces, states and the international community all have responsibilities to achieve security; therefore we require the legislation, policies, strategies and plans to reflect this reality.

Accepting Risk due to Geographic Isolation

Historically, national security has not affected ordinary Canadians on a daily level, unlike, for example, the citizens of Israel where bombings and attacks are a daily fact of life. Successive governments chose to accept risk and concentrated time and scarce resources on the daily issues of Canadians such as health care and education, executing national security issues 'on the cheap' by placing considerable reliance on the US. This approach worked well for years, due to the relative stability during the Cold War; however, accepting this level of risk is no longer a tenable approach for Canada. While many citizens do not dwell upon national security as it does not have a daily impact upon their lives, there can be no denying the fact that Canada has been targeted by international terrorist organizations. Indeed, the Federal government publicly acknowledges the fact that Canada has been identified in the top five on al-Qaeda's list of target nations,[31] and the arrest of the 'Toronto eighteen' in 2006, is an indication of the domestic requirement to respond to what has developed into a global threat.

There are other, less immediate reasons as to why Canada needs to take action by implementing the strategies outlined in the NSP. Perhaps the most foremost of these reasons is the fact that the Bush doctrine concentrates on global deterrence as an enabler to achieve continental defence. The United States, due in part to globalization, is no longer willing to rely upon the geographic isolation of North America, and is now actively engaging threats to their security around the world.[32] Canada's most important national security interests, as part of North America, are irrevocably tied the security interests of the United States. As stated by SCONSAD

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[31]Canadian Embassy, "Canada's Position: Securing an Open Society," February 2005, [document on-line]; available from http://www.canadianembassy.org/defence/nationalsecurityposition-en.asp; Internet; accessed 5 March 2007, n.p.

[32]This is not intended to argue that global deterrence is the way of the future or to debate its success and sustainability. In the context of Canadian national security; cooperation, bilateral agreements and alliances are an important aspect of our strategy.

in September 2002:

> "...if we are not willing to be part of the solution, American decision-makers are likely to start thinking of us as part of the problem. And, in fairness, they would be right...in simple practical terms, if we do not signal a willingness to defend the continent its defence will be taken out of our hands."[33]

In the end, the fact that the Federal government created the new ministry of PSEPC shows that a coherent national security policy is desired and required. In the words of the mandate of the NSP, "[a] core responsibility of the Government of Canada is to provide for the security of Canadians. The right to life, liberty, and the security of the person is enshrined in our Charter of Rights and Freedoms."[34] To this end, the Federal Government has already made significant investments to make the NSP a reality;[35] what remains is the requirement to maintain that momentum and to explain the requirement of this important policy to ordinary Canadians.

JURISDICTION

Federal Legislation

Canada's legislation for national security and emergency preparedness is centered on the division of jurisdiction, responsibility and authority to respond to national security threats. The *Constitution Act* of 1867 is the foundation document from which all other legislation is derived, while the 1985 *Emergencies and the Emergency Preparedness Acts* provides more modern legislation for jurisdictional parameters. How each of these *Acts* affect federal-provincial

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[33]Senate of Canada, Standing Senate Committee on National Security and Defence, "Defence of North America: A Canadian Responsibility," 8 September 2002, [document on-line]; available from http://www.parl.gc.ca/37/1/parlbus/commbus/senate/com-e/defe-e/rep-e/rep08sep02-e.htm; Internet; accessed 3 March 2007, Part III, C.

[34]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, 1.

[35] Since September 11th, 2001, the Federal government has invested almost $10 billion toward improving Canada's security in six specific areas; Intelligence, Emergency Planning and Management, Public Health, Transport Security, Border Security, and International Security. Canadian Embassy, "Canada's Position: Securing an Open Society…, n.p.

relations will be briefly discussed to outline the root of the integration challenges that affect emergency management today.

The realities of 1867 make it understandable that the *Constitution Act* does not explicitly state divisions of responsibility in terms of current emergency preparedness terminology. Section 91 of the Act lists the responsibilities that are to be held at the federal level while Section 92 articulates provincial responsibilities.[36] Therefore, the modern interpretation of the *Constitution's* intent for emergency management is that the Federal government maintains responsibility for national security and the Canadian Forces, while "…exclusive jurisdiction for matters of property and civil rights in the province and for all matters that affect the public health, safety and environment of the province…"[37] are held at the provincial level.

In 1985, the *Emergencies Act* replaced the *War Measures Act* as the legislation empowering the Federal government to invoke exceptional, yet incident-specific, powers to deal with emergencies. The *Emergencies Act* includes four types of emergencies, namely public welfare emergencies, public order emergencies, international emergencies, and war emergencies. The *Act* defines public welfare emergencies as a "severe natural disaster or major accidents affecting public welfare, which are beyond the capacity or authority of a province or territory to handle."[38] Section six of this legislation appears to give the Federal government authority to overrule provincial jurisdiction by declaring a public welfare emergency should the situation

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[36]Common law, Supreme Court decisions and updated legislation have provided legal and political clarity to the original Act; however it is beyond the scope of this paper to outline the evolution of the constitutional supporting documents. Amendments to the constitution act, as well as common practices, will be discussed throughout this paper.

[37]Ministry of Community Safety and Correctional Services, *Provincial Emergency Response Plan* (Toronto: Emergency Management Ontario, December 2005), 4.

[38]Public order emergencies are defined as security threats that are beyond the capacity or authority of a province or territory to handle. International emergencies constitute intimidation, coercion or the use of serious force or violence that threatens the sovereignty, security or territorial integrity of Canada or any of its allies. War emergencies include war or other armed conflict, real or imminent, involving Canada or any of its allies. Public Safety Canada, "The Emergencies Act, n.p.

dictate; however, section eight restricts that any orders and regulations given after an emergency is declared must not interfere with provincial measures to deal with the emergency.[39] Further restrictions exist in section 14 that oblige the Federal government to consult with the affected provinces before issuing a declaration of public welfare emergency, and if only one province is involved, that province must indicate that the emergency is beyond its capacity to respond before the Federal government can make any declarations.[40] Although the *Emergencies Act* places responsibility for national emergencies in federal hands, the Act does not grant the associated authority that coincides with the responsibility.

In emergency situations, the Federal government may enact temporary laws under the Peace Order and Good Government (POGG) clause of the *Constitution Act, 1867*. This clause allows the government to specify residuary functions that are not included in the headings of section 91 or 92 of the *Act*, but it can also be used to assume jurisdictional responsibility when the situation meets one of the following branch tests: if the matter is of an ongoing national concern, such as the threat of terrorism; if the matter is of provincial inability, meaning that it is likely to have 'spillover effects' from one province to another, such as SARS; or when an emergency exists. The latter criteria also include prevention of an emergency if the federal government has a rational basis for believing it exists.[41] Although this clause can be used by the Federal government as described above, it should not replace the requirement for clear legislation and policies to define jurisdiction, responsibilities and authority between the levels of government.

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[39]MCSCS, *Provincial Emergency Response Plan*…, 4.

[40]Ibid., 4.

[41]A. A. McLellan, "Peace, Order and Good Government," in *The Canadian Encyclopedia*, [article on-line]; available from http://www.thecanadianencyclopedia.com/index.cfm?PgNm=TCE&Params=A1ARTA0006162; Internet; accessed 21 April 2007, n.p.

The 1985 *Emergency Preparedness Act (EPA)* is the basis for the Government of Canada's emergency preparedness and management activities, while making amendments to the *National Defence Act*.[42] The *EPA* charges the Minister of National Defence with the responsibility for advancing civil preparedness in Canada for emergencies of all types, including the responsibility to coordinate and support provincial governments in their development and implementation of provincial emergency plans. It also makes every Minister accountable to Parliament to identify civil emergency contingencies, to develop a civil emergency plan, and to conduct training and exercises within or related to the Minister's area of accountability.[43] Again, federal ministers are responsible for developing and implementing emergency plans within their departments throughout all levels of government, yet corresponding restrictions found in the *Emergencies Act* are also found in the *EPA*. Implementation of any civil emergency plan in response to a 'provincial emergency' shall not be implemented unless the Provincial government requests or agrees to assistance.[44]

When the three documents are read together, the *Constitution*, the *Emergencies Act* and the *EPA*, all charge members at the federal level with responsibilities that are within provincial level jurisdiction. This overlap in responsibility and jurisdiction relegates federal authority to one focused solely on funding and planning, guaranteeing that any legislation, administration, and coordination is dependant upon provincial concurrence. These constraints mean that federal ministers are charged with the responsibility for resolving emergencies, yet lack the authority to implement measures without provincial accord. For example, had SARS in Canada only been

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[42]Department of Justice, "Emergency Preparedness Act," 1985-2007, http://laws.justice.gc.ca/en/ShowFullDoc/cs/E-4.6///en; Internet; accessed 11 March 2007, n.p.

[43]Department of Justice, "Emergency Preparedness Act…, 7.

[44]'Provincial emergency' in the *EPA* means an emergency occurring in a province, if the province or a local authority in the province has the primary responsibility for dealing with the emergency. Ibid., 2.

detected in Ontario, the matter would have remained a provincial jurisdiction, unless the Premier of Ontario requested or agreed to federal support, the Federal government would have remained in a supporting role unless they enacted legislation under the POGG clause.

The legal relationship from the provincial level to municipal (including regions, counties, and districts) is somewhat different than the federal-provincial dynamic. Provincial authorities have focused on administering and planning emergency preparedness through provincial legislation in order to set the conditions for execution by first responders at the municipality level. The main difference between the federal-provincial and the provincial-municipal dynamics is that the authority to declare emergencies and take control of the situation is not contingent upon municipal agreement. Should the Provincial government deem it necessary to declare a 'local emergency' over the wishes of the affected municipality, they have the authority to do so. This "cascading" approach to emergency preparedness creates a nested series of emergency plans and responses, wherein an affected municipality's plan must be in accord with the provincial plan, and the provincial plan must be in accord with the federal plan. Ultimately, municipalities and first responders are reliant upon the other levels of government for the provision of the necessary resources and framework for them to execute their difficult mandates. This relationship will be expanded further as we look at two of the thirteen different provincial/territorial relationships with their municipalities.

Provincial Legislation

Ontario

The legal basis for emergency management in Ontario is the 1990 *Emergency Management Act*, which tasks the Minister of Community Safety and Correctional Services (MCSCS) to formulate the Provincial Emergency Response Plan (PERP). The *Emergency*

Management Act also outlines the duties and responsibilities for Ontario ministers by placing lead responsibility for Ministry Emergency Response Plans (MERP) in their respective portfolios. Each minister is legislated to take ownership of their emergency plan through conduct of an annual review, ensuring that their ministry is trained on the plan, and the promotion of their plan to other ministries and the general public.[45] Figure 2.1 shows the relationship between the PERP, the MERPs, and municipal emergency plans under the *Emergency Management Act*.

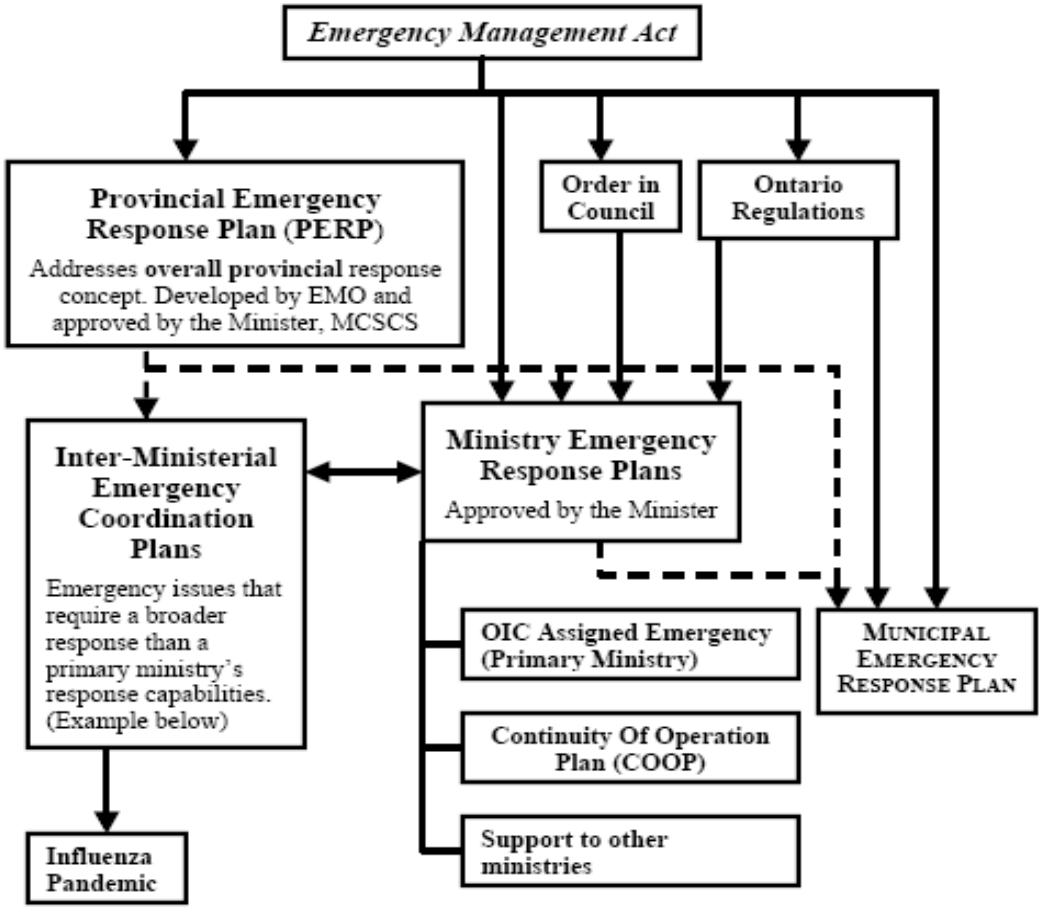

Figure 2.1 – Ontario's Emergency Response Plans Structure (Non-Nuclear).
Source: MCSC, *Provincial Emergency Response Plan*, 12.

[45]As an example, the Minister of Natural Resources in Ontario is responsible for the following emergencies: forest fires, floods; drought/low water; dam failures; crude oil and natural gas exploration and production, natural gas and hydrocarbon underground storage and salt solution mining emergencies; erosion; and soil and bedrock instability. MCSCS, *Provincial Emergency Response Plan*…, Appendix 11 to Annex B.

Unlike federal legislation, the limitations on declaring an emergency order in Ontario state that any actions taken in response must be limited in their intrusiveness, only apply to areas of the Province where it is immediately necessary, and remain in force for only as long as necessary to resolve the specific emergency. Thus, Ontario legislative powers guide the province and even empower their authority to execute emergency management. Under Section 7 of the Act, the Premier may "…direct and control the administration, facilities and equipment of the municipality in the emergency area…."[46]

The *Emergency Management Act* places much of the authority for Ontario's emergency management at the provincial level; however, there are some legislative requirements in the act that steer municipalities as well. As illustrated in Figure 2.1 above, the *Act* directs municipalities to formulate 'municipal emergency management plans' to be adopted through municipal by-laws. Guidance for municipal emergency plans and municipal emergency programs is vested in the office of the Provincial Solicitor General, and the Solicitor General is empowered to set provincial standards and regulations. Every municipality is then directed to certify that their emergency management programs and emergency plans conform to these established provincial standards.[47] This guarantees by law that there is a basic standard of emergency preparedness throughout municipalities in the province (there is no such comparable legislation that forces each province to meet a federally mandated, basic standard of emergency preparedness).

Conformity to a provincial minimum standard also facilitates cooperation between municipalities, whether coordinated through policy initiatives (to be discussed below) or in accordance with Section 7 of the *Emergency Management Act*. This section requires any municipality to be prepared to provide assistance to an emergency area that is outside of their

[46]Province of Ontario, "Emergency Management and Civil Protection Act," 1990, http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90e09_e.htm; Internet; accessed 11 March 2007, 7.0.3 (2).

jurisdiction. Building this type of contingency into the *Act* provides excellent flexibility at the provincial level, and allows the Premier to direct resources from one municipality to another as needed for assistance in emergency restoration and recovery.

The Ontario construct of emergency management strays from national legislation in that a hierarchy is created within the levels of government. This is exemplified in the *Emergency Management Act* in Section 5 through 'conformity with upper-tier plan'. This means that the "…emergency plan of a lower-tier municipality in a upper-tier municipality…shall conform to the emergency plan of the upper tier…."[48] As we will see below, this type of tier process is not present in Alberta's legislation; however, they have their own unique methods of command and control.

Alberta

The baseline legislation for emergency management in Alberta is the *Disaster Services Act*, supported by Alberta Regulation 51/94, *Disaster Recovery Regulation* and Alberta Regulation 62/2000, *Government Emergency Planning Regulation*.[49] Alberta's legislative approach differs slightly from that of Ontario by assigning responsibility and authority through a command structure, rather than through a plan structure like Ontario. The Minister designated to administer the *Disaster Services Act* in Alberta is the Minister of Municipal Affairs.

The unique power exercised by the Minister of Municipal Affairs is the "division of Alberta into subdivisions for the purpose of organizing integrated emergency planning, training,

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[47]Province of Ontario, "Emergency Management and Civil Protection Act…, 14 (3).

[48]Ibid., 5.

[49] Province of Alberta, *Disaster Services Act* (Alberta: Queen's Printer, 1999), n.p.

assistance and emergency operations programs."[50] This organizational difference creates a command structure; wherein all municipal authorities within a subdivision have a single point of contact to coordinate and integrate their plans and procedures, while the subdivisions integrate their plans at the provincial level. Thus, municipal plans and integration can more accurately reflect the realities of their subdivision, instead of being required to conform to an overall provincial standard that may not be entirely appropriate. Local authorities of each municipality are also legislated to appoint an advisory committee and a Director of the Municipal Disaster Services Agency to direct and control emergency responses. Legislation specifically outlines the duties and responsibilities within the command structure from the Director of each Municipal Disaster Services Agency all the way to the Provincial Minister of Municipal Affairs

The powers and duties of the minister as outlined in the *Disaster Services Act* include the authority to provide oversight and coordination over the review procedures of provincial and municipal emergency plans and programs. This oversight responsibility includes the authority to enter into agreements with any level of government, any department, or any agency that deals with emergency preparedness. This method of provincial emergency preparedness seems more consistent with the federal perspective by providing an integrated approach to assistance and coordination at the provincial level to facilitate municipal level response to emergencies.

Alberta's legislative documents establish common definitions and terminology used throughout 'disaster services', which improves integration between the plethoras of responsible agencies and clearly delineates jurisdictional responsibilities between the different levels of government. Consistency of approach is also demonstrated in Section 21 of the *Disaster Services Act* by delegating the same authority to 'local' authorities to declare a 'local state of emergency' as is maintained in Section 16 for a declared 'state of emergency' at the provincial

[50]Ibid., 7 (1)(a).

level.[51] This delegation of authority demonstrates the willingness to decentralize the authority consistent with the policy concepts and structures that will be discussed below. The *Government Emergency Planning Regulation* expands on the division of authority between levels of government by articulating the responsibilities of each provincial department during emergencies.

Comparison of the two provinces demonstrates two different methods of control measures to achieve integration within the emergency management sector. Alberta's legislation defines is more focused on common terminology and structures to establish consistency throughout the province. It also delegates authority and responsibility to the local level relying on the same bottom up approach that is demonstrated between the Provincial and Federal government. On the other hand, Ontario's legislation retains the overall authority at the provincial level and places more emphasis on integrating plans throughout the levels of government and across ministries.

Overall, the Federal government is ultimately responsible for the safety and protection of its citizens; however, without using emergency legislation they are unable to act unilaterally. The municipal level is the first level of government to respond to emergencies, yet they are constrained in their responses by the requirement to conform to provincial regulations. This creates a situation wherein jurisdiction over emergency response becomes very murky between the conflicting needs of the municipality to react directly to the emergency, and the contradictions inherent in Sections 91 and 92 of the *Constitution Act*.

The jurisdictional responsibilities as outlined by the various legislatures are succinct if

[51]The use of the term 'local' refers to the city, town, village, or municipal district. Consistent use of terms adds simplicity to the act when discussing the integration of emergency response structures. Common terminology and definitions would be quite valuable at the national level to avoid confusion between levels of government, between provinces, and throughout industry and the private sector.

overlapping; the question that must be asked is whether these responsibilities are still relevant today in the midst of globalization and the post 9/11 security environment. From a strictly legal perspective, it appears the logical solution to the jurisdictional problem is to amend legislation to meet the new reality and threat environment. One method to achieve this is to amend the *Constitution Act* and the emergency preparedness laws that have been derived. The *Constitution Act* is the bedrock foundation of our governmental system, and amendment of its division of powers is extremely unlikely.[52] A second method to adjust the jurisdictional division is for the Federal government to enact the POGG clause to specify residuary functions that are not included in the headings of section 91 or 92 of the *Constitution Act*.[53] A third method to overcome the jurisdictional contradictions is through common agreements; policies; cooperation; and understanding between all levels of government to achieve an integrated security system. This is the method that has been adopted by the Federal government and articulated within the NSP.

Emergency Management Framework and Policies

In 2005, the federal, provincial and territorial (FPT) emergency managers joined efforts to produce an emergency management framework for Canada. The resulting framework is a compilation of common concepts and principles agreed upon between FPT managers in order to

[52]Amending Sects 91 and 92 of the constitution of Canada may be done with resolution of the Senate and the House of Commons as well as two thirds of the provinces, who together comprise of at least 50% of the national population. Amending the constitution can be achieved; however, negative political experiences with the Meech Lake and subsequently the Charlottetown accords make it unlikely. Department of Justice, "The Constitutional Act, 1982: Amended by Constitution Amendment Proclamation, 1983" (Ottawa: Canadian Government Publishing Center, 1986), Part V, 38 (1).

[53]This method seems to be the most logical from a security and emergency management perspective but the overall political implications make it unlikely that provinces would willingly relinquishing their authority and that the Federal government is unlikely to force it.

standardize policies and approaches while still respecting each government's jurisdiction. They acknowledge that most emergencies in Canada are local in nature, and are managed by the municipalities or at the provincial or territorial level. This acknowledgement is accompanied by the understanding that dependence on critical infrastructure, climate change, terrorism, animal and human disease, urbanization, and movement of people and goods around the world are all on the rise.[54] These dependencies increase the potential for larger scale catastrophes of many different types that could transcend geographic and jurisdictional boundaries.

The consensus framework established between the FPT managers recognized four functions and nine principles for emergency management in Canada. The four interdependent risk-based functions to emergency management consist of prevention and mitigation, preparedness, response, and recovery, and all four functions are focused on an "all hazard" approach in order to maximize the safety of Canadians. Essentially, the FPT have attempted to develop a framework wherein all emergencies are treated (at least in the initial stages) in a common manner, in order to simplify a field characterized by diversity. Direct attacks on critical infrastructure are very different in their particulars from flooding, for example, but if a single plan can be applied to all emergencies in their initial stages, understanding can be improved. Although the functions of emergency management are not incorporated into Canadian emergency preparedness legislation, the necessity of formalizing these functions has begun to be recognized within recent policy statements, and is incorporated into the federal governments' proposed changes to the *EPA*.[55]

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[54]PSEPC, An Emergency Management Framework for Canada…, 4.

[55]The nine principles: responsibility, comprehensiveness, partnerships, coherency of action, risk-based, all hazards, resilience, clear communications, and continuous improvement, do not have a dedicated section as they are incorporated throughout this paper, although they have yet to be formally recognized in legislation or policy statements. Public Safety and Emergency Preparedness Canada, *Modernization of the Emergency Preparedness* Act (Ottawa: Minister of Public Works and Governmental Services, 2005), Annex A.

The preceding section of this paper recognized that jurisdiction over, and administration of, emergency preparedness has been approached in a 'top down' manner, forcing the municipal level to rely on administrative and financial support from the provincial and federal levels of government. Policy and its execution is quite the opposite; the key to immediate response is a 'bottom up' approach. First responders must be able to deploy quickly to the scene of any disaster in an attempt to minimize the immediate impact on Canadians. Geography, the span of control of emergency managers, and response time drive the requirement for immediate life saving resources to be controlled at the local level.

The general 'bottom up' approach requires municipalities to manage situations using all of their internal resources, the resources of neighboring municipalities, and resources available from any previously negotiated agreements before requesting provincial support. The same procedures are followed at the provincial level prior to requesting federal level support. All avenues for mitigation and relief must be exhausted before requesting help from the next higher level of government. In order for this approach to be successful, timely and accurate situational updates from the lower levels of response are needed, while the higher levels of response must be pro-active in anticipating requests for assistance. Only then can informed decisions be made, and only then can much-needed resources be pre-positioned in order to cut response times.

A key element to enable 'bottom-up' response in a 'top-down' jurisdictional environment is policies and procedures that assign responsibility at the correct level of oversight. If resources must be exhausted at lower levels before additional resources are made available, empowered individuals must be assigned to the correct places. With this general concept in mind, we will take a closer look at the national security policy and the emergency policies from Ontario and Alberta.

National Security Policy (NSP)

Prior to September 11th, 2001, Canada had never felt the need to formalize national security policy (in terms of emergency preparedness) beyond the division of responsibilities enshrined in Sections 91 and 92 of the *Constitution Act*. Since that time, the publication of Canada's first-ever NSP has initiated progress to prepare Canada against emergent threats to security. Articulated in the policy is the need to "focus on events and circumstances that generally require a national response, as they are beyond the capacity of individuals, communities or provinces to address alone."[56] The NSP thus exists as guidance at the federal level on how to react to national security issues through assisting and coordinating provincial actions.

The NSP was crafted to address the previous lack of formal national level attention to a single, coherent plan by specifically articulating the steps that will be taken (and in some cases earmark associated funding) at the federal level to improve Canada's national security. The creation of the National Security Advisory Council, a Cross-Cultural Roundtable on Security, and a permanent federal-provincial- territorial forum on emergencies are three examples of good policies with poor execution.[57] For example, the FPT managers who established the above-mentioned emergency management framework initially met in January 2005 to begin their deliberations. The actual framework was not approved until their next meeting in January 2007.[58] Two years to develop a framework to coordinate already-existing emergency

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[56]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, vii.

[57]The larger measures introduced in the policy will be addressed in more detail in the following sections of this paper to include: the creation of the Ministry of Public Safety and Emergency Preparedness Canada; the Government Emergency Operations Centre; the Integrated Threat Assessment Centre; and procedures to protect critical infrastructure. Ibid., vii-ix.

[58]Canadian Intergovernmental Conference Secretariat, "FPT Meeting of Ministers Responsible for Emergency Management," 10 January 2007, [document on-line]; available from http://www.scics.gc.ca/cinfo07/830903004_e.html; Internet; accessed 12 March 2007, n.p.

preparedness plans hardly appears to reflect the urgency of national security in today's global environment. The managers also agreed at their 2007 meeting, that the frequency of their conferences was insufficient, and the next date was set for January 2008. Again, annual meetings seem insufficient to meet the requirements of the NSP to build a dynamic system by coordinating plans to support an overall framework.

Since the publication of the NSP, the creation of a National Security Advisory Council of up to 15 members was authorized; however, this council has been reduced to a single National Security Advisor working within the secretariat in the Privy Council Office.[59] This again fails to meet the intent articulated in the NSP, as the complexity of national security greatly exceeds the span of control and attention of a single person. No one individual can remain sufficiently informed on the myriad of issues that affect national security. The third example of a good policy poorly implemented is the cross-cultural roundtable on security. The documents authorizing the creation of this institution mandate that the 15-person committee meet at least twice-annually, but no more than four times per year.[60] Since its inception in 2004, the committee has met seven times to establish terms of reference and develop public awareness programs. In today's rapidly changing security environment, this is again insufficient to address the existing threats, outlined in the emergency management framework, and to anticipate future threats to Canadian citizens.[61]

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[59]Privy Council Office, "Advisory Council on National Security," http://www.pco-bcp.gc.ca/default.asp?Language=E&Page=PCOsSecretariats&Sub=si&doc=acns_e.htm; Internet; accessed 12 March 2007, n.p. In May 2006, Mrs. Bloodworth was appointed to the position of Associate Secretary to the Cabinet, Privy Council Office and on October 10, 2006, she assumed responsibilities as National Security Advisor to the Prime Minister. Privy Council Office, http://www.pco-bcp.gc.ca/default.asp?Language=E&Page=clerk&Sub=Biography&doc=Bio-Bloodworth_e.htm; Internet; accessed 12 March 2007, n.p.

[60]The ministers of PSEPC and Justice are mandated to meet with the council once a year, with other senior government officials of Canada attending when appropriate. Public Safety Canada, "Cross-Cultural Roundtable on Security: Terms of Reference," 2006, [document on-line]; available from http://www.publicsafety.gc.ca/prg/ns/ccrs/ccrstor-en.asp; Internet; accessed 12 March 2007, n.p.

[61]PSEPC, *An Emergency Management Framework for Canada*…, 3, 5.

The publication of the NSP articulating exactly how Canada will address security at a national level was a step forward, but actually transforming the words of the policy into concrete reality is lagging. Canada now has a plan as to how to improve the security of its' citizens; unfortunately, the gap between the existing and emerging threat and the implementation of the NSP is growing. Until such time that the NSP is fully implemented in the manner in which it was intended, Canadians will remain at risk.

Ontario

As indicated in Figure 2.1, the main policy and framework document regulating emergency preparedness in Ontario is the PERP. This framework establishes centralized command (through a hierarchical approach to administration and legislation), with decentralized control, empowering lower levels of government (regions, counties and municipalities) to assign and manage their own resources. This system is premised on the recognition that emergencies generally arise and are dealt with at the community level. When more than one community is affected, integration challenges begin to appear. In this situation, the PERP directs that communities will each implement their own emergency plans, and maximize the use of their own resources, but regional authorities retain the right to implement the regional plan and directly control the application of all resources under their jurisdiction.[62] The same concept is applied in Ontario at the provincial level, where the province retains the right to override regional jurisdiction in order to implement the provincial plan.

This hierarchical system sees policy development and execution responsibilities move up the chain (from municipality to region to province), while jurisdictional authority moves down

[62]In some cases, prior warning may come from outside organizations that have access to scientific methods of predicting floods, forest fires, and severe weather. Where reliable prediction is possible, action can be taken before the onset of an emergency. MCSCS, *Provincial Emergency Response Plan*…, 18.

(from province to region to municipality). The point of intersection between policy and jurisdiction (region) is crucial for establishing an integrated approach to disaster management. The challenge encountered at the point of intersection is that the policies established in the PERP are subordinate to the legislation established in the *Emergency Management Act* (refer to Figure 2.1). For example, a municipal emergency plan established in accordance with the PERP that conflicts with regional priorities, can be overruled based on the authority that is vested in the region (higher tier) as outlined in the *EMA*. This constrains lower level communities to creating generic plans, complementary with county and regional requirements, rather than focusing on specific needs of the community as intended in PERP.

The PERP states that if emergency management plans are well coordinated between municipalities in a region, the municipal plans should be mutually supporting. This statement implies that the needs of community 'A' will be essentially identical to communities 'B', 'C' and 'D' and vice versa. This is wishful thinking at best, given the sheer size of Canada and the distances between communities within most regions. For example, it is quite possible that community 'A' must place priority of effort on a nuclear site, while 'B' places its priority on their portion of the international border. Community 'C' might be most concerned with major rail lines transporting chemicals parallel to sources of water, while community 'D' might be most occupied with a major power distribution grid located on a flood plain. This hypothetical situation demonstrates that much more coordination is required than simply placing the responsibility for emergency response on lower levels within the hierarchy without concurrently providing sufficient measures to de-conflict priorities. Deconfliction methods and structures do not exist below the provincial level and, as will be demonstrated in the structures portion of this

paper, the provincial level does not have the mandate or manning to integrate individual communities.

Policies are established to integrate provincial level plans in Ontario,[63] but there are no such associated policies to integrate community level plans (including municipalities, regions and counties). At the provincial level, the PERP and other MERPs must be approved by the Minister of the department responsible for the plan. The Chief of Emergency Management Ontario (EMO) is then the Minister responsible for oversight and deconfliction of provincial level plans. At lower levels, community plans are based on the direction from the *Emergency Management Act, Ontario Regulations*, and in conjunction with the PERP and MERPs (Figure 2.1).

Overall, the control mechanism within the policy does not overcome jurisdictional challenges described above; in fact, it amplifies the division of responsibility held at the lower levels while authority is maintained at the higher levels.

Alberta

The Alberta emergency plan is the main document outlining emergency management policy and structures for the province, based on the legislative documents discussed in the section on jurisdiction. Consistent with the FPT managers' framework, Alberta's policy uses as a cornerstone, the four basic functions of mitigation and prevention, preparedness, response and recovery, and a "bottom-up" system of disaster response. The plan outlines the duties and responsibilities at the provincial (including ministerial responsibilities) and municipal levels of government.

[63]The effectiveness of EMO to oversee provincial level plans will be discussed further in this paper.

Alberta's plan follows a structure of decentralized command and control based on three different emergency response levels. A 'level I' emergency has "…limited community impact which the local authority can manage within its emergency response capabilities."[64] Figure 3.1 shows that the emergency site manager and responders are provided with coordination and communication from Disaster Services, but the relationship from Disaster Services does not have direct control, leaving the local level free to handle the incident.

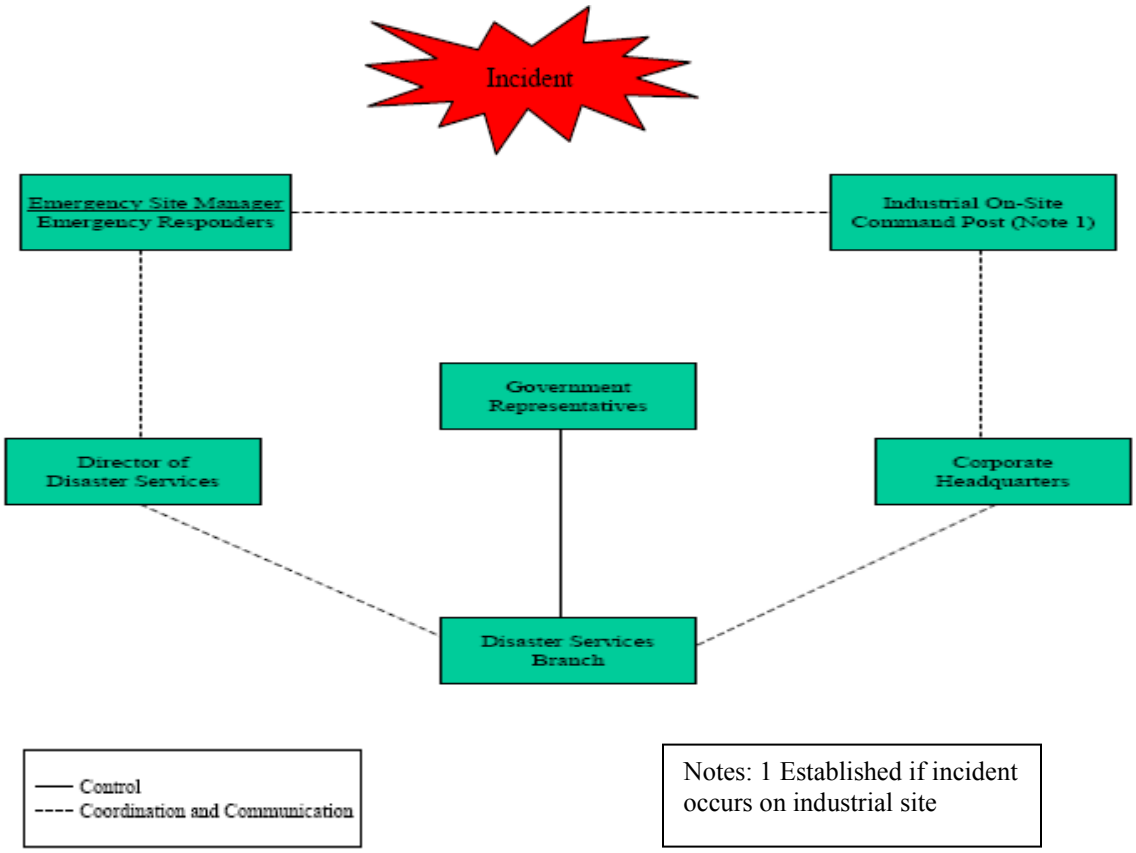

Figure 3.1 – Control structure for level I emergency in Alberta.
Source: Ministry of Municipal Affairs and Housing, "Provincial Emergency Response Plan, 38.

The emergency plan defines a 'level II' emergency as having "…high community impact"[65] and requires the local authority to mobilize their emergency response capabilities. A

[64]Ministry of Municipal Affairs and Housing, "Provincial Emergency Response Plans: Alberta Emergency Plan," November 2000, [document on-line]; available from http://www.municipalaffairs.gov.ab.ca/ema_emerg_plans.htm; Internet; accessed 12 January 2007, 12.

[65]Ministry of Municipal Affairs and Housing, "Provincial Emergency Response Plans…, 13.

level II emergency is one in which it is likely that the local authority will request external assistance. During a level II emergency, a Disaster Services officer will go to the local Emergency Operations Centre to act as a liaison officer, and to provide advice if required. Figure 3.2 demonstrates that the municipal command post is now under control of its own Emergency Operations Centre with coordination links to Provincial government resources and the Provincial Operations Centre if activated.

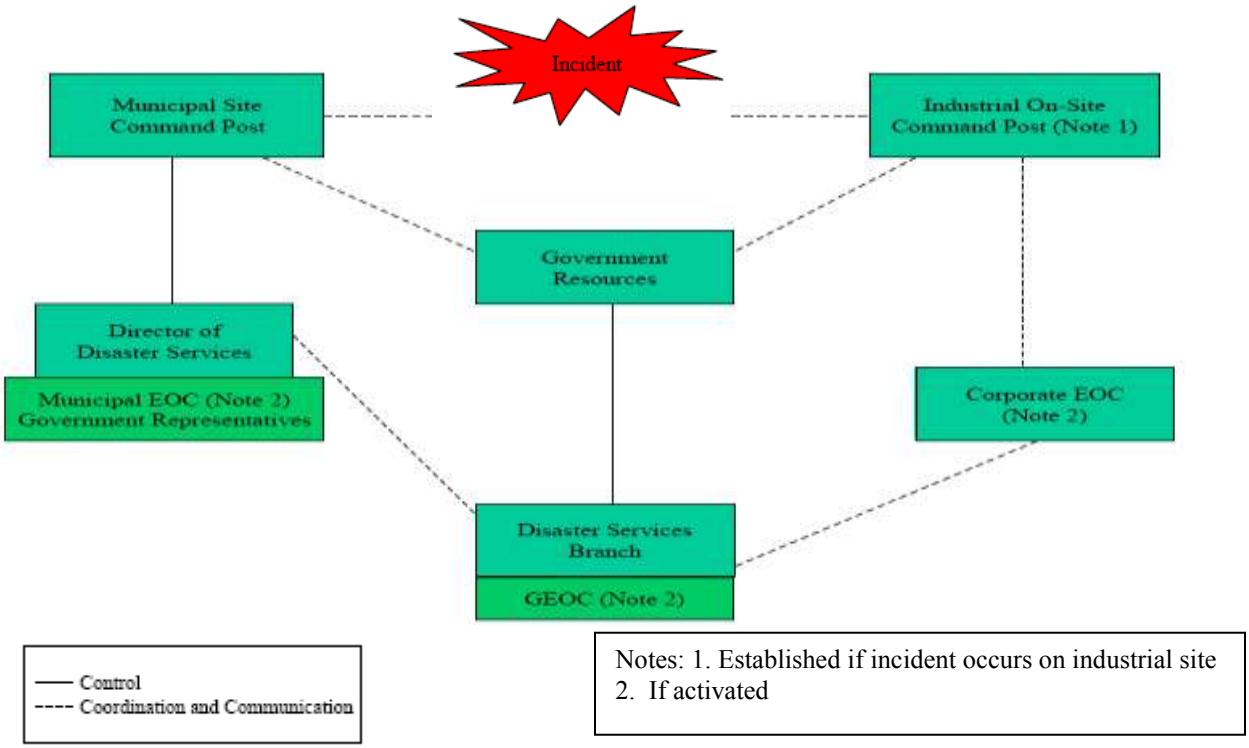

Figure 3.2 – Control structure for level II emergency in Alberta.
Source: Ministry of Municipal Affairs and Housing, "Provincial Emergency Response Plan, 39.

A level III emergency is an "…incident of extended duration and high community impact. The local authority will fully activate its municipal emergency plan and can be expected to request assistance from government, non-governmental organizations and the private sector."[66] A Disaster Services officer will be located in the Municipal Emergency Operations Centre as liaison to the provincial level and to provide advice if required, but the Municipal

[66]Ibid., 13.

Emergency Operations Centre remains in direct control of the municipal site. Figure 3.3 illustrates that control from the Provincial Operations Centre and resources flow to the Government Representative at the Municipal Emergency Operations Centre, thus permitting municipal authorities to retain the responsibility and the authority to execute the emergency plan specifically designed for the disaster area. This method of emergency response merges the responsibility for response established in legislation, with authority established through policy.

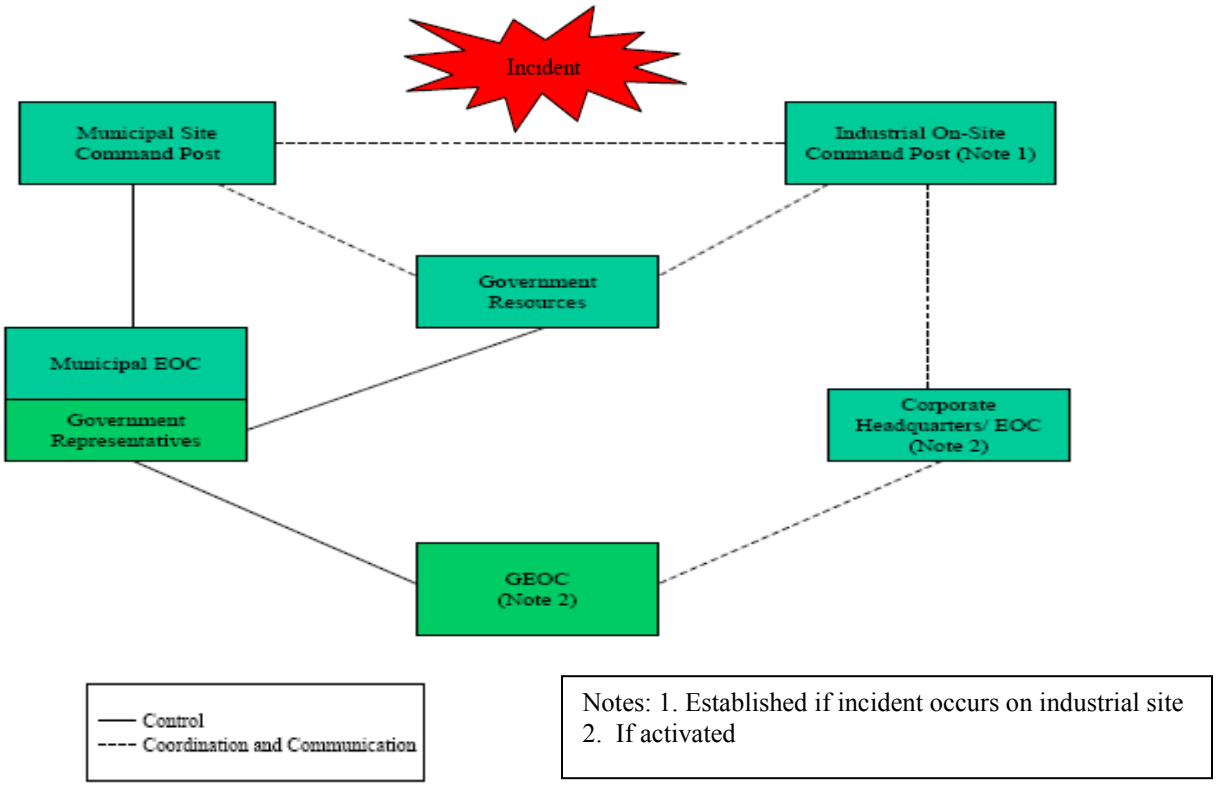

Figure 3.3 – Control structure for level III emergency in Alberta.
Source: Ministry of Municipal Affairs and Housing, "Provincial Emergency Response Plan, 40.

The overall concept of escalation of emergency levels used within the Alberta emergency plan forces integration between levels of government and NGOs. The legislative decision to divide the province into nine emergency response Districts, each with their own responsible Disaster Services officer, allows District officers to become more familiar with the needs of their district. Additionally, this system builds understanding between the municipal, district, and

provincial levels of disaster response through increased familiarity with the people who will be involved in disaster response. District officers act as a conduit between local authorities and provincial representatives for all functions of emergency management establishing consistency throughout the province in operations, planning, training, public awareness and education.

Summary

While it is true that all immediate responses to emergencies will come from local authorities, thereby causing a "bottom-up" approach to be the preferred option, this fact does not absolve provincial and federal authorities of their obligation to ensure the availability of adequate resources and assistance. It is imperative that federal, provincial and territorial governments act in common cause, and with common urgency, in devising strategies and tactics, and allocating resources and training to ensure optimal responses to major emergencies. All levels of government must cooperate to ensure that the jurisdictional relationship does not interfere with their primary task of ensuring the security of Canadians.

POLITICAL LEADERSHIP

National

The lessons learned by the United States political leadership for its involvement, or lack thereof, during Hurricane Katrina (four years after adjusting their procedures as a result of 9/11) should serve as a warning to Canada and other nations to address their own shortfalls in emergency planning as soon as practicable. Addressing these types of deficiencies must be done in a steady and deliberate manner without economically handcuffing the country, or instilling a needless sense of anxiety throughout the general population. The first step in achieving a truly integrated approach to emergency preparedness is the leadership and guidance to enlighten

citizens of this issue's importance.

Immediately following the Prime Minister's preamble in the NSP is the statement that "[t]here can be no greater role, no more important obligation for a government, than the protection and safety of its citizens".[67] This is taken as an institutional responsibility that is spread across all members of the government. There is no such comparable message within the Prime Minister's preamble, illustrating no degree of individual ownership of the concept. The lack of political leadership on national security has resonated through several governments since the World Wars. In general elections since 1945, national security has only been a contributing factor twice: in 1957, following the 1956 Suez crisis, and in 1963 when the Conservative government fell due to its lukewarm response to the Cuban Missile crisis.[68] These two examples reveal that political inaction on issues of national security can significantly affect leadership during a crisis. It also demonstrates another example of how a statement within the national policy does not reflect reality.

The marginalization of national security was readily apparent during the last federal election, where health care, ethics, taxes, and the economy were the top four issues concerning Canadians.[69] At no time was national security elevated to a major issue during the campaign. The Conservative campaign and present government chose to focus on "accountability, accessible health care with reasonable waiting times, greater flexibility in child care choices, safe

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[67]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, vii.

[68]Colonel G. Hines, "The Citizen's Role in Defining Policy: A Case for Public Consultation in the Development of a National Security Policy for Canada in the 21st Century" (Toronto: National Security Studies Course, 2002), 10, 11.

[69]Canadian Broadcasting Corporation, "Hunger for Change: Fed Tory Vote- Poll," 24 January 2004, [news on-line]; available from http://www.cbc.ca/story/canadavotes2006/national/2006/01/24/vote-poll060124; Internet; accessed 10 March 2007, n.p.

streets, and tax cuts"[70] as the top priorities that would meet the immediate concerns of the population. These priorities indicate that either the government has chosen the "butter" approach as their central tenet, or these priorities were aimed at the public in an attempt to garner votes. Regardless of the intent, the initial message received by the population is the priorities established in the political platform. Since the election, the updated government priorities for Fall-Winter 2006-2007 are based upon four pillars: accountability, security, environmental protection and strong economic management.[71] These adjusted priorities bode well for the future security of Canada, to resume the momentum already initiated regarding emergency preparedness.

Citizens expect their leaders to instill confidence in the policies and systems that are in place to react appropriately in disaster situations to minimize the damage and restore normalcy. Methods to build public confidence are numerous, but as a minimum should include obtaining the support of other levels of government, experts, NGOs and perhaps most importantly, ensure that the public is aware of the measures that are in place. Initiative and decisive action from leaders is not only required in response to major events such as Hurricane Katrina, the London subway bombings, or SARS, but is required to mitigate and prepare for disasters before they occur.

The difficult lessons experienced by the United States government should be acknowledged by all levels of our own governments to meet the public's demand for action and accountability. The US special report of the Committee on Homeland Security and

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[70]Office of the Prime Minister, "Prime Minister Harper Outlines his Government's Priorities and Open Federalism Approach," 20 Apr 2006, (news release on-line); available from http://www.pm.gc.ca/eng/media.asp?category=18page=11; Internet; accessed 10 March 2007, n.p.

[71]The inclusion of security as a priority assists in building public confidence that the Federal government is considering the safety and security of its citizens. Office of the Prime Minister, "Canada's New Government: Getting Things Done for All of Us," [document on-line]; available from http://www.pm.gc.ca/eng/feature.asp?featureId=5; Internet; accessed 10 March 2007, n.p.

Governmental Affairs stated that critical elements of the national response plan were executed late, ineffectively, or not at all. Harsh criticism fell upon the federal government, its agencies, particularly the Federal Emergency Management Agency (FEMA), and the President for slow responses, poor planning and preparation, and lack of unity of effort, among many other shortfalls.[72] This criticism can be avoided by our political leaders and their supporting agencies by providing the leadership during the planning and preparation stages before a major disaster strikes Canada.

Ontario

The citizens of Ontario have unfortunately experienced a more re-active and deliberate approach to security from their leadership, primarily exemplified by attempts to overcome shortfalls identified within the provincial health care system. Premier McGuinty has listed three priorities for his government of which 'better health' is included; however, there is no mention of emergency preparedness or security that is not linked to health issues.[73] Since the SARS tragedy, there have been many advances within the health services in Ontario but they have occurred quite slowly. The Campbell report: *SARS and Public Health in Ontario*, released on 15 April, 2004 sent a clear message to the leadership of Ontario regarding the state of emergency in health care:

> "The SARS crisis exposed deep fault lines in the structure and capacity of Ontario's public health system. Having regard to these problems, Ontario was fortunate that SARS was ultimately contained without widespread community transmission or further hospital spread, sickness and death. SARS was contained only by the heroic efforts of dedicated

[72]Special Report of the Committee on Homeland Security and Governmental Affairs, *109th Congress, 2nd Session, Special Report 109-322of the Committee of Homeland Security and Governmental Affairs* (Washington, DC: U.S. Government Printing Office, 2006), 2, 3.

[73]Province of Ontario, "Government Priorities," 2001, http://www.gov.on.ca/ont/portal/!ut/p/.cmd/cs/.ce/7_0_A/.s/7_0_24P/_s.7_0_A/7_0_24P/_l/en?docid=EC002001; Internet; accessed 17 March 2007, n.p.

> front line health care and public health workers and the assistance of extraordinary managers and medical advisors. They did so with little assistance from the central provincial public health system that should have been there to help them. These problems need urgently to be fixed."[74]

An indictment of this nature should send an irrefutable message to the provincial authorities that immediate action is required to ensure this type of disaster is never repeated. The challenge that remains is to ensure that improvements to the health system occur in a timely manner, and that the other emergency management structures are not ignored in the process.

It is very encouraging that on the same day the final SARS report was published, the McGuinty Government announced it was committed to "applying [the] lessons learned from SARS."[75] Unfortunately, only selected recommendations articulated in the interim reports since 2004 have been implemented to date. It is equally unsettling that the same government has done little to review critical infrastructure within the province, and that emergency management plans remain woefully out of date. For example, the last Provincial Nuclear Emergency Plan (PNERP) was issued in March 1999.

The responsibility rests on provincial leadership to address areas of concern in order to mitigate future threats to their citizens. Adopting a more pro-active approach will help reduce the risks of devastating emergencies, and create much needed public confidence in security and emergency management practices. As stated in the interim report by Commissioner Campbell, leaders have a clear choice to improve the political will to prepare for emergencies. Prior to the SARS outbreak, Ontario "…slept through many wake-up calls. Again and again the systemic flaws were pointed out, again and again the very problems that emerged during SARS were

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[74]The interim report has been incorporated into the final report signed in December 2006 and issued January 2007. Ministry of Health and Long-Term Care, "The SARS Commission Interim Report…, 25.

[75]Province of Ontario, "McGuinty Government Committed to Applying Lessons from SARS," 9 January 2007, [news on-line]; available from http://ogov.newswire.ca/ontario/GPOE/2007/01/09/c4231.html?lmatch=&lang=_e.html; Internet; accessed 17 March 2007, n.p.

predicted, again and again the warnings were ignored."[76] The onus now goes back to the Ontario government to follow through with their declaration to implement the recommendations of the final SARS report and heed repeated warnings from industry professionals.

Alberta

Three months before September 11th 2001, two foreign men posing as engineers walked unchallenged into a massive ATCO natural gas plant near the Alberta-Saskatchewan border. Shortly after 9/11, intelligence sources assessed that these men were spies and "capable of posing a threat to Canada."[77] This potential threat, coupled with the disaster in the US, triggered the Premier to order an assessment of Alberta's emergency preparedness.

In November 2001, a conference was held in Calgary where 350 representatives from the provincial government, fire departments, police services, ambulance services and other private industries began to integrate their approaches to emergency management within Alberta. The end result of the conference was the transformation of the Alberta Disaster Services Branch to the Alberta Emergency Management Agency, with the responsibility to coordinate all activities for preparation, response and recovery of emergencies in the province. The pro-active approach taken by the Alberta leadership to re-evaluate their emergency measures in light of emergent threats is a sterling example of governmental action to pre-empt disasters.

Leadership on security remains a burning topic in Alberta. Since the development of the Alberta Emergency Management Agency, a change in premiers has occurred; however, safety and security of Albertans is still listed within the top five priorities of the government, and

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[76]Ministry of Health and Long-Term Care, "The SARS Commission Interim Report…, 210.

[77]Alberta Justice and Solicitor General. "Counter-terrorism Conference Hears of Threat to Province's Oil and Gas Industry," *Just-In Newsletter* (Fall 2002), http://www.justice.gov.ab.caJustIn/fall2002/page19.htm; Internet; accessed 14 March 2007, 19.

continues to receive considerable attention.

Summary

A major challenge facing both the federal and provincial levels of government is one of leadership. To create sustained change, governments must stimulate involvement by as wide a cross-section of society as possible in the process to achieve truly national consensus. But even before that consensus exists, the government has a responsibility to make tough choices about national security; Canadians need to protect themselves and their interests. The Prime Minister, Cabinet ministers, the governing party's caucus, opposition politicians, the Canadian media, and most of all, the citizens of Canada must express their needs and concerns to properly achieve a truly integrated security system (Figure1.3). Previous public involvement is not on the side of the federal leadership, as the Canadian public has traditionally shown little interest in emergency preparedness and risk mitigation. Generally, the citizens of Canada, when they think of national security at all, do not consider it as an issue that affects their daily lives. Unfortunately, this 'historical amnesia' only changes after an emergency, where a 'recency effect' creates a window of heightened awareness and interest before people return to their pre-disaster perceptions and behavior.[78] Alberta has demonstrated that a pro-active approach with continued leadership and support can build public confidence in the emergency management systems established.[79] Political leaders must be proactive in making citizens aware through outreach programs, that emergency preparedness efforts must be focused, and sufficient funding will be required to

[78]Dan Henstra and Gordon McBean, "Canadian Disaster Management Policy: Moving Toward a Paradigm Shift?" *Canadian Public Policy 31*, no.3 (September 2005): 303-318; http://www.jstor.org; Internet; accessed 3 February 2007, 311.

[79]A review of PSEPC, EMO and EMA websites gives an indication of the level of public support and awareness to the citizens. A simple example is the amount and type of information available to the public through the respective agencies websites. EMA's plans, policy and documents are available to its citizens for easy reference, whereas EMO requires citizens to request plans from the ministry.

ensure that government policies and resources will be capable of providing a flexible and timely response when disaster strikes.

STRUCTURE AND ORGANIZATION

The intersection between jurisdiction and policy has created a seam between responsibility and authority within the realm of security and emergency preparedness. The *Emergency Preparedness Act* holds Ministers, such as Transport and Agriculture, responsible for emergency preparedness within their departments, yet the *Department of Public Safety and Emergency Preparedness Act* expects the Minister of PSEPC to coordinate these responsibilities at the federal level even though he lacks the power and oversight to do so.[80] The risk involved in devolving this responsibility to a single Minister and Department without the associated authority is that it creates loopholes of accountability. These loopholes make it extremely difficult to overcome Canadian's traditional apathy towards a critical subject, a subject that has the potential to affect so many citizens. The *Canadian Security Guidebook (2005 Edition)* authored by SCONSAD, even suggested that "[t]he legislation creating the Department of Public Safety and Emergency Preparedness should tie the position to the role of Deputy Prime Minister,"[81] implying the importance the portfolio should command within the federal government. This suggestion, as well as a recommendation to form a cabinet committee on security, public health and emergencies, was temporarily adopted under former Deputy Prime Minister McClelland, but has since reverted back to its previous status under the current federal leadership.

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[80]PSEPC, Modernization of the Emergency Preparedness Act…, 6, 7.

[81]Senate of Canada, Standing Senate Committee on National Security and Defence, C*anadian Security Guide Book (2005 Edition): An Update of Security Problems in Search of Solutions*, December 2004, http://www.parl.gc.ca/common/Committee_SenRep.asp?language=E&Parl=38&Ses=1&comm_id=76; Internet; accessed 3 March 2007, 85-87.

These structural shortfalls have been acknowledged by the government through the initiation of a consultation paper in July 2005 to modernize the *Emergency Preparedness Act*. The consultation paper made several recommendations to update the act based on modern security challenges and current emergency management practices. The consultation paper also encouraged participation and comments from all levels of government, organizations (government and non governmental) as well as the general public.[82]

National (PSEPC)

The PSEPC mandate is "...to keep Canadians safe from a range of risks such as natural disasters, crime, and terrorism...they do this by...coordinating and supporting the efforts of federal organizations ensuring national security and the safety of Canadians."[83] PSEPC intends to execute this mandate through the coordination of all functions of Federal government departments (less DND and the RCMP), while managing resources throughout the various jurisdictions in the country in order to effectively and efficiently respond to or prevent an event. Figure 4.1 on the following page, illustrates the department's organizational structure. Previous sections within this paper described jurisdictional and leadership challenges that PSEPC must

[82]At the time of writing the results from the consultation paper or public input have not been made public; however, the following recommendations were proposed by the Government of Canada to amend the *Emergency Preparedness Act*: recognize the full spectrum of emergency management activities, including mitigation, preparedness, response, and recovery; recognize that critical infrastructure protection and cyber security are elements of emergency management; establish a mechanism to monitor, coordinate, assess and make recommendations about the Government of Canada's state of emergency preparedness; explicitly provide the Minister of PSEPC with the responsibility to coordinate, on behalf of the Government of Canada, the actions of federal players in emergencies of national significance; require federal departments and agencies to adopt and use a standard all hazards federal emergency response framework that is complementary to provincial and territorial systems; recognize that a coordinated approach – through collaboration, agreements, and arrangements with other Canadian jurisdictions, NGOs, the private sector and other countries – is required for modern emergency management; recognize that information on threats, vulnerabilities and critical systems provided by the private sector to the Government of Canada requires protection from unauthorized use; and recognize the need for collaboration on standards and best practices in emergency management and critical infrastructure reliability. PSEPC, Modernization of the Emergency Preparedness Act…, Annex A, 16.

[83]PSEPC, "Keeping Canadians Safe…., n.p.

overcome to effectively achieve their mandate, but there are also structural hurdles that they must contend with.

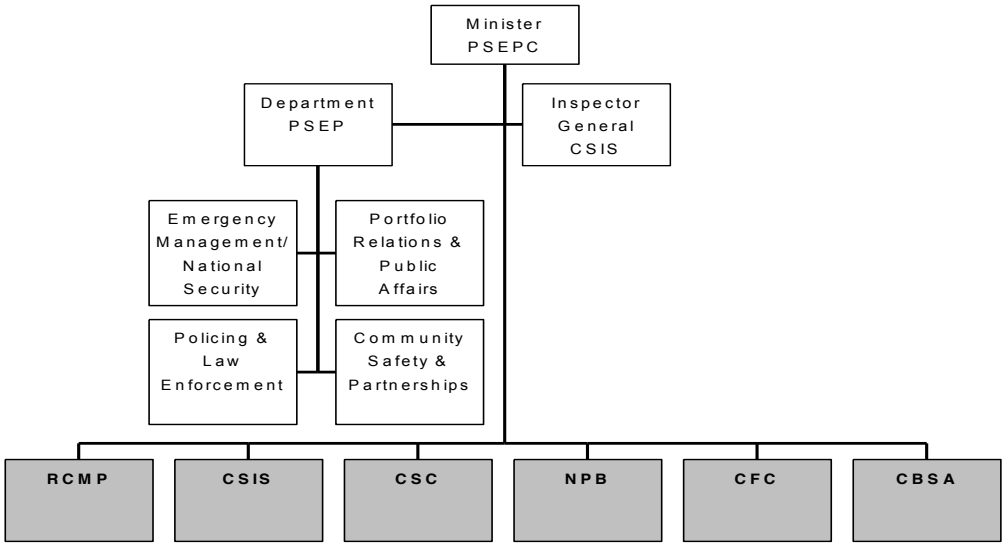

Figure 4.1 – PSEPC Departmental Overview.
Source: Canadian Forces College, Defence of Canada - Federal Agencies…, 2/18.

Oversight of Other Federal Departments

As the lead federal agency for emergency management within Canada, PSEPC's greatest challenge will be that of command, control, communication, and coordination throughout the countless actors within the emergency management community. Even solely within the federal level this task is a major challenge, as the *Emergency Preparedness Act* places responsibility for emergency planning within each individual ministry for that ministry's particular area of responsibility. As individual ministries accept risk with regard to emergency preparedness and their key security responsibilities, the overall vulnerability and risk of the Federal government as a whole is increased. Without PSEPC visibility of each department's plans, or departmental accountability to PSEPC in terms of plan development to a common standard, there is no way of confirming that each government department has adequately prepared to function in emergency

situations. The most widely publicized example of departmental unreadiness for an emergency was that of the Prime Minister's Office being forced to work by candlelight during the Central and Eastern Canadian Blackout in August 2003.[84]

To achieve an acceptable level of public confidence in the federal government's ability to effectively respond to a crisis, minimum levels of effectiveness and performance measurements must be developed by each ministry, in collaboration with PSEPC, to ensure that national level command and control of resources are available when they are most needed.[85] With appropriate resources and authority, PSEPC should be able to provide much-needed oversight in reviewing federal departmental procedures with respect to their interoperability, and allow PSEPC to make recommendations for improvement on an annual basis. This measure will transform the current situation wherein PSEPC is responsible to coordinate autonomous departmental plans to a situation wherein PSEPC has a hand in plan development, thus ensuring that all departmental plans act in concert. Only then will PSEPC be able to execute their mandate of ensuring that federal departments are able to function and support the country during emergency situations.

Ontario Structures

In Ontario, EMO falls under MCSCS legislated by Ontario's *Emergency Management Act*. The same coordination challenges encountered by PSPEC at the federal level exist with EMO at the provincial level. Figure 4.2 on the following page, is a simplistic version of the organization of the MCSCS ministry emphasizing EMO's relationship within the ministry.[86]

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[84]SCONSAD, C*anadian Security Guide Book (2005 Edition)*…, 199, 200.

[85]One of several methods to achieve this is through exercises and assistance visits from PSEPC to act as subject matter experts, assisting other departments in emergency plan development and departmental preparedness.

[86]Although EMO is the only agency listed; it is one of several subordinate agencies to the three commissioners.

The Chief EMO is responsible for monitoring, coordinating the execution of, and assisting in the development of municipal and provincial emergency management programs throughout Ontario. Included in his duties the chief EMO is also charged with the responsibility "for ensuring that those programs are coordinated in so far as possible with emergency management programs and emergency plans of the Government of Canada and its agencies".[87]

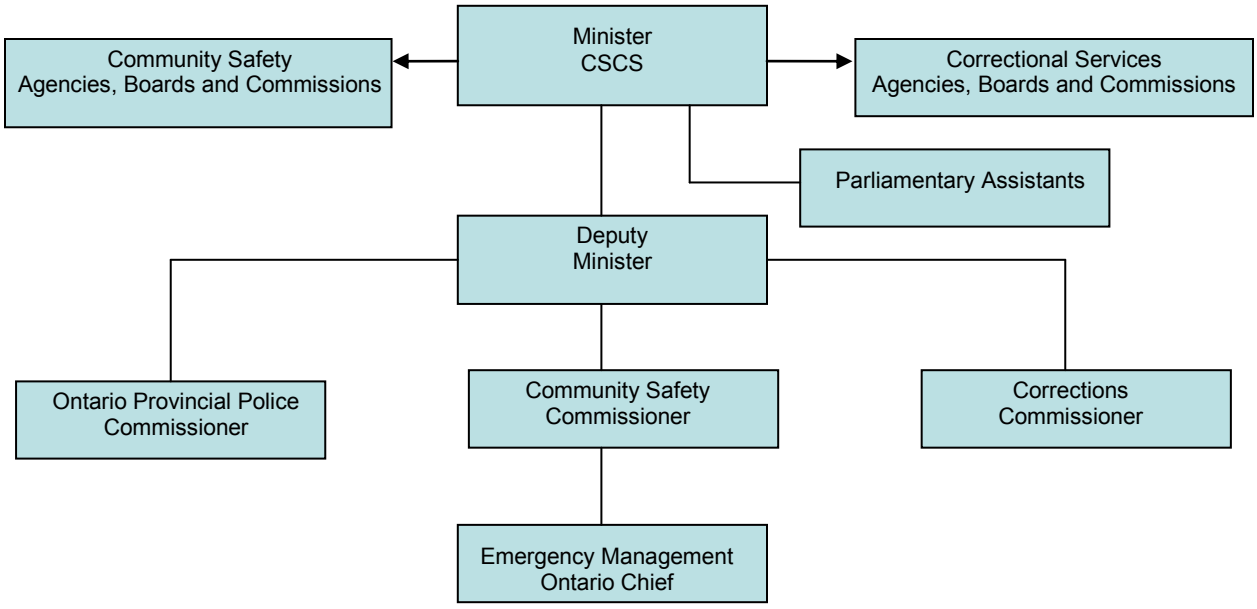

Figure 4.2 – Ministry of Community Safety and Correctional Services organization chart.
Source: Recreated by author from Organization Chart on MCSC main webpage.

In the conduct of his duties, the Chief EMO has significant challenges in successfully collaborating with the multitude of intergovernmental agencies, federal organizations, municipalities and NGOs involved in emergency management in Ontario. The key difference between the federal and provincial levels of government is that EMO has the legal authority to carry out its mandate.

EMO's primary challenge is to ensure that their structures are correct to meet the responsibilities outlined in the *Emergency Management Act* and the PERP. The organization of

[87]MCSCS, *Provincial Emergency Response Plan*…, 9.

EMO, approved in May 2006, is currently under review to address this concern. EMO itself is organized into four sections under deputy chiefs that report to the chief EMO. Deputy Chief Program Support provides the logistics, financial and technical support. Integral to this 20 person section is a person dedicated to federal/international liaison and another to conduct strategic planning and review of emergency plans.[88] The second section is program development which is responsible for planning and exercises, public education and training. This section totals 21 people to advise and assist other ministries and municipalities throughout areas of program development. The 19 person program delivery section contains a liaison officer dedicated to NGOs as well as 14 community officers dedicated to integrate with the communities, regions and counties across the province. Operations and response is the final section of EMO which dedicates eight operators in the response section whose primary employment is in the provincial emergency response center (PEOC) and another eight specialists work on risk assessment.

From a structural point of view, EMO is well organized on paper to conduct its duties and responsibilities as assigned by legislation and the derived policies. Although it is beyond the scope of this paper to assess whether the sections within EMO can truly integrate their duties with their working partners, it is difficult to accept that an organization that is effectively 'one-deep' have the redundancy to live up to citizen expectations during disaster situations.[89]

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[88]The federal/international liaison is not the sole point of contact for all issues, but is the main liaison between PSEPC regional offices, DND, and is the EMO point of contact for general issues with the US Department of Homeland Security.

[89]During routine operations, organizations that are 'one deep' cannot maintain on-call status for extended periods of time, employees may be away for work purposes, vacation or illness. During emergency operations, one staff member cannot be expected to provide round the clock service for an extended period of time.

Alberta Structures

EMA is a Branch of the Public Safety Division of the Ministry of Municipal Affairs and Housing as created by Alberta's *Disaster Services Act*. The branch acts as the coordinating agency for the provincial governments 'all hazard' approach to emergency management. The intent of EMA is to coordinate the response for all levels of government, the private sector, and NGOs in Alberta, using technological and spatial systems as an integrated link in a full emergency management operating system. EMA also assists municipal governments in all four emergency management functions and has separate, but interconnected plans, processes, and operations centres for crises, while also offering consequence and government business continuity management.

EMA's stated mission statement is to continuously lead and develop Alberta emergency management, with all partners, in the face of evolving natural and human induced hazards. The branch intends to achieve their mission through a "…seamless, synchronized, resilient emergency management system, which protects the safety and security of Albertans, their property and their environment, from all hazards."[90]

The organization of EMA is a functional layout with specific responsibilities residing in specific sections of the branch. Figure 4.3 outlines the organizational structure, including the primary responsibilities of each of the sections within the branch.

[90]Ministry of Municipal Affairs and Housing, "Emergency Management Alberta Branch: EMA Presentation," [document on-line]; available from http://www.municipalaffairs.gov.ab.ca/ema_branch.htm; Internet; accessed 12 January 2007, 13, 14/56.

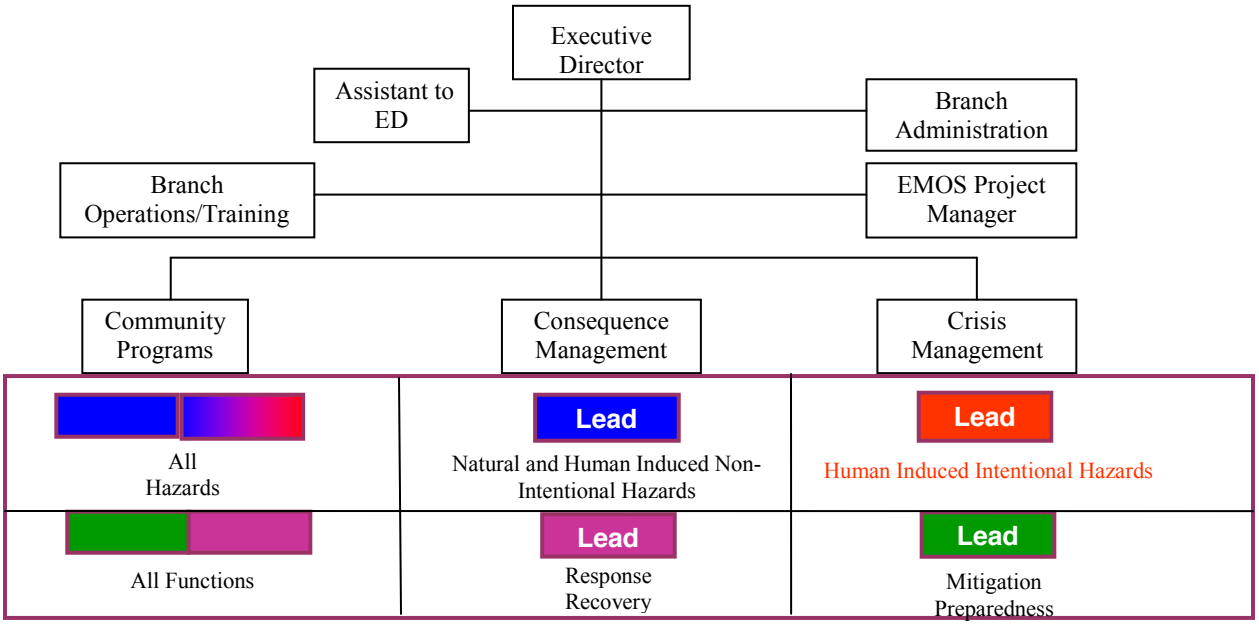

Figure 4.3 – EMA organization chart including primary responsibilities by section.
Source: Municipal Affairs and Housing, "Emergency Management Alberta Branch: EMA Presentation, 16/56.

The Community Programs section is the link to the 'local level' through the District Offices discussed earlier in this paper. As depicted in Figure 4.3 above, the section must be responsible for all hazards and functions as they pertain to operations, plans and training.[91] The Consequence Management and Crisis Management sections focus on natural and non-intentional human induced disasters and intentional human induced disasters respectively. Table 4.1 on the following page, clearly shows the division of responsibilities by section and function to achieve their mission and vision.

[91]Operations responsibilities are liaison, joint programs and projects with local partnerships. Planning responsibilities are coordinated plans with municipal, first nation, other community and industrial facilities in accordance with the provincial policies. Training includes the requirements mandated in the policy as well as municipal grants and courses. Municipal Affairs and Housing, "Emergency Management Alberta Branch: EMA Presentation…, 16/56.

	All hazards			
	Consequence Management		**Crisis Management**	
	Mitigation	Preparedness	Response	Recovery
EMA Edmonton	Legislation (Disaster Services Act) Regulations Emergency Planning Disaster Recovery Risk Assessment National Disaster Mitigation Strategy Public Awareness Programs Warning Systems Emergency Public Warning System Emergency Notification System Public Alerting Projects Security Best Practices Security Measures	Policy Implementation Federal/Provincial Cross Govt Initatives Plans Alberta Emergency Plan Crisis Management Plan Hazard Specific Plans Business Continuity Plans Bldg Emergency Plans Industry Plans Public Awareness Programs Training/Exercises Municipal Cross Government Federal/Provincial Industry	Government Situational Awareness Priorities/Objectives Public Confidence EMA OC Federal/Provincial Coordination Cross Government Coordination Municipal Coordination Private Sector Coordination NGO Coordination Public Awareness	Disaster Recovery Program Establishment Administration DFAA Coord Federal/Provincial Coord Private Sector Coord NGO Coord Lessons Learned Process
Community Programs	Advice By Laws Zoning Local Strategies Evacuation Shelter in Place	Plans Municipal Emergency Plan First Nations Plan Facility Specific Plans Templates Training Grant Coordination Joint Emergency Preparedness Grants Training/Exercises	Advice to Communities Liaison in District (mutual aid) Liaison – to EMA operations centre	Disaster Recovery Private Sector Coordination NGO Coordination Lessons Learned Process

Table 4.1 – Responsibilities of EMA by section in accordance with functions.
Source: Recreated by author from Municipal Affairs and Housing, "Emergency Management Alberta Branch: EMA Presentation, 40/56.

Table 4.1 must be viewed in conjunction with Figure 4.3 to understand the supporting roles of crisis management in the mitigation of, and preparation for, human induced disasters. Further, the table does not adequately convey the necessary interconnectedness between consequence management and ability to respond and recover from natural disasters. This type of integration within the branch forces the sections to support each other ensuring consistency of planning, training, and execution of operations throughout the branch and the province.

Much in the same manner as EMO in Ontario, EMA has a good structural organization to carry out the functions and principles of emergency management. The main difference between the two provincial structures is that EMO has managers responsible for operations, planning and

support regardless of the type of disaster, whereas EMA managers have a leader-follower relationship with each other depending on the type of disaster and the basic emergency management functions. It is easy to see how EMA has integrated its legislation, policies, and structures with the support of Alberta provincial leadership to meet the integrated intent of the NSP.

Summary

Organizational structures of emergency management agencies must be carefully designed to carry out the responsibilities assigned to them by legislation and government policy. The changing nature of threats coupled with the inability to predict where, when and what type of disaster will strike, demand that structures and organizations have depth and flexibility to adapt. Well thought out, flexible, and integrated structures will help minimize the conflicts created when jurisdiction is not in agreement with policy, whereas rigid, superficial organizations will only amplify problems when it really counts.

OPERATIONS CENTRES

Operation centres, while technically part of the structure of emergency management agencies, will be discussed separately in this paper. This is due to the important role they play in integrating agencies and ministries from all levels of government, as well as NGOs and the private sector. The NSP articulates the importance of establishing operations centres as part of emergency response, including the federal governments' commitment to "…co-locate, where practical, with provincial, territorial, and municipal emergency measures operations centres."[92]

[92]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, 3.

National (GOC)

The Federal government created the Government Operations Centre (GOC) in Ottawa for stable, round-the-clock coordination and support across the government and key national players in the event of national emergencies.[93] Its role is to provide strategic level coordination and direction on behalf of the government in response to an emerging or occurring event affecting national interests. While PSEPC contributes a major component to the GOC, the Operations Center follows the whole of government approach which does not fall directly under the ministry of emergency management. The centers' mandate includes domestic and international incidents, providing a single point of contact on a 24/7 basis. The GOC provides expert knowledge in areas of national security, consequence management, cyber and public communications to Provinces, Territories, Federal departments and agencies.

In its short history, the GOC has established a good rapport with US, UK, NZ and AU national operations centres, becoming the single point of contact for many international events affecting Canadian interests. Figure 5.1 illustrates the primary capabilities (operations, intelligence, planning and logistics) designed to focus on the four emergency management functions. The intelligence and planning sections concentrate on emerging threats and awareness in order to mitigate and prepare, while the operations and finance sections are designed to respond and assist in recovery during and after disasters. The cyber response section is a niche capability that spans all four functions to manage emerging technological requirements.[94]

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[93]Ibid., 3.

[94]Canadian Forces College, "Defence of Canada - Federal Agencies" (Joint Command and Staff Program 33 Activity Package C/DS 522/CNS/LD-4, 2006), 11/18.

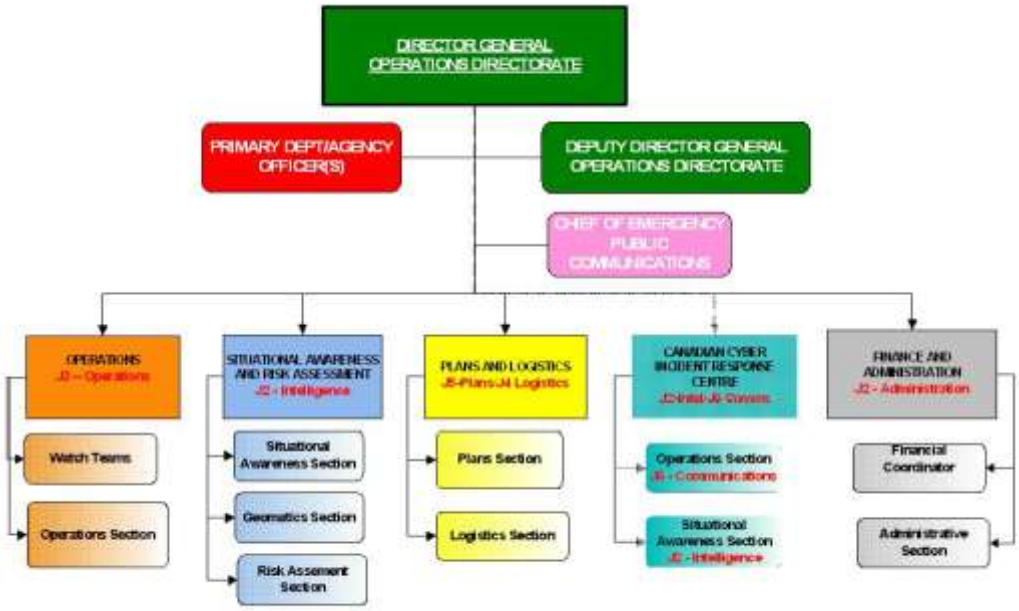

Figure 5.1 – GOC Functional Structure under the Federal Coordinating Officer.
Source: Canadian Forces College, "Defence of Canada - Federal Agencies…, 11/18.

The strength of the GOC was demonstrated during Hurricane Katrina, as the centre was able to monitor the storm as it developed, warning Federal departments and Provincial operations centres of the potential risks to Canadians. As the scope of the storm became apparent, the GOC implemented its crisis and consequence management capabilities to organize resources that would likely be requested by US officials and canvassed provincial authorities on possible resource availability. Upon receipt of requests from the US government, CF ships, Coast Guard vessels, Urban Rescue teams and medical supplies were all made available to support our allies in their moment of need. Just a few short months earlier, this type of response would have been impossible, as the lack of a dedicated Government Operations Center and nationally coordinated emergency response plans would not have allowed for identification of these resources.

Ontario (PEOC)

The Provincial Emergency Operations Centre (PEOC) is a 24/7 centre staffed and

controlled by the operations and response section of EMO. The centre and its alternate location are both located in downtown Toronto, but neither is co-located with other emergency management agencies as articulated in the NSP. There are, however, designs to develop a new location in conjunction with PSEPC and the Department of National Defence, integrating two of the main departments involved in national security.[95]

The centre is designed to monitor and respond to emergencies or potential emergencies according to three levels of operational response. 'Routine monitoring' consists of the PEOC duty officers advising EMO community officers (as the link to municipalities) and MCSCS if an incident warrants attention. 'Enhanced monitoring' includes a duty team from EMO who monitor the specific incident, notifying affected ministries as required. During this level of response the PEOC issues a daily emergency situation report to update other ministries and organizations. 'Activation' consists of the PEOC becoming fully operational with all ministries and agencies involved in the response sending a liaison officer to be physically located in the PEOC.

When emergencies require a coordinated provincial level response, or a ministry requires assistance in responding to the emergency, the PEOC will be activated and the necessary provisions of the PERP be implemented. Figure 5.2 demonstrates several of the actors with whom the PEOC will coordinate during all three levels of response, particularly during 'activation'. The point to note in this figure is that the connection to PSEPC is through the regional representative and the relationship to the GOC does not exist.[96]

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[95]Leslie Hunter, EMO liaison officer to DND, meeting with author, 26 January 2007.

[96]The source of this diagram is the MCSC, *Provincial Emergency Response Plan*, dated December 2005, which was distributed well after the creation of the GOC. As the EMA structure in Figure 5.5 illustrates, directly linking operation centres between levels of government is essential to information sharing and integration.

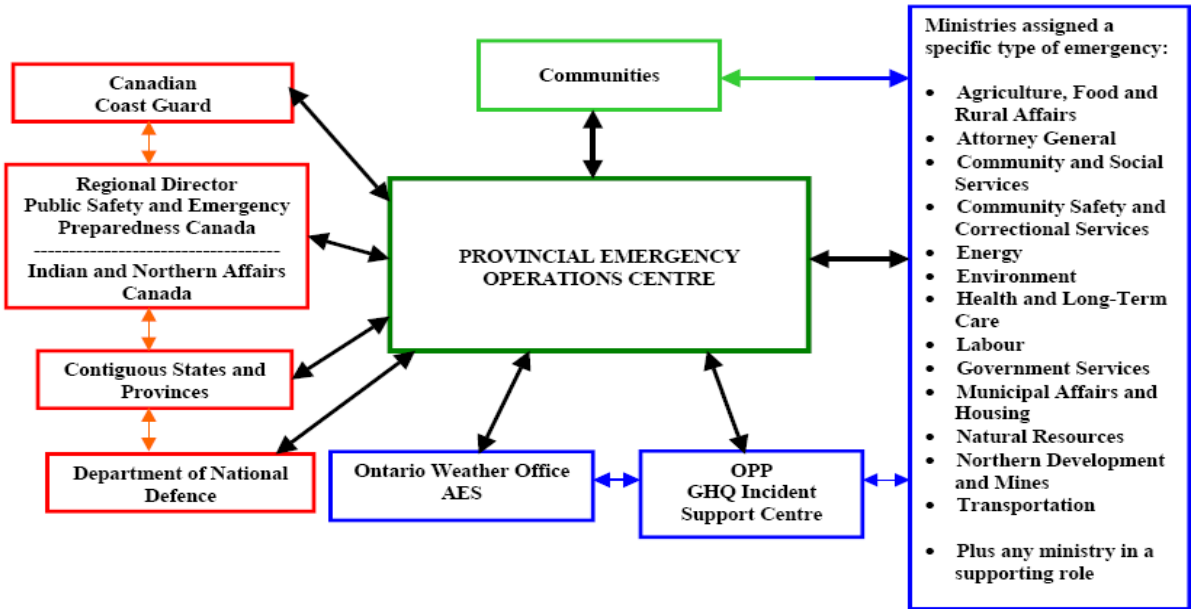

Figure 5.2 – PEOC coordination.
Source: MCSC, *Provincial Emergency Response Plan*, 25.

The Assistant Chief of Operations and Recovery is responsible to develop the PEOC procedures in which the detailed organization, staffing, and operational procedures are set out. The major components of the PEOC are outlined in Figure 5.3. The executive authority is the Premier of Ontario, or a designated minister in accordance with the *Emergency Management Act*. As discussed earlier, the committees that link the executive authority to the PEOC are currently under review.

The staff for each of the internal components of the PEOC is only sourced once activation is initiated. The staff is drawn from members of EMO, or from the appropriate ministry, based on the nature and magnitude of the emergency. The operations staff, for example, will be comprised of permanent members based on special responsibilities assigned by Order in Council, the PSEPC Regional Director, and a liaison officer from the Department of National Defence. The other members of the operations staff will come from ministry operations staffs, based on the jurisdiction and primary incident responsibility.

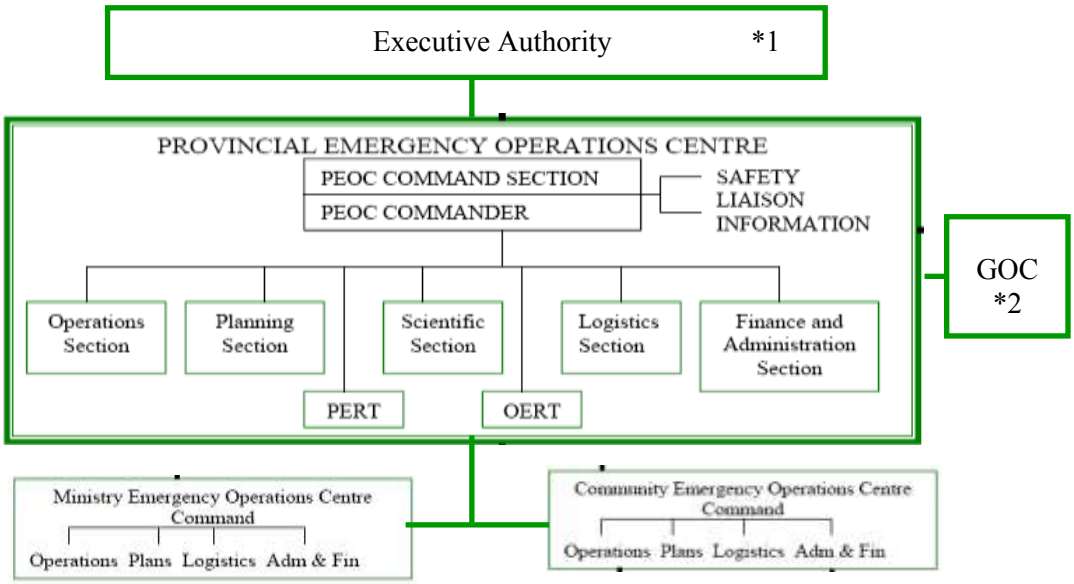

Figure 5.3 – PEOC organization.
Source: Recreation by author based on MCSC, *Provincial Emergency Response Plan*, 37.
Notes: *1. The committee structure between the executive authority and the PEOC is under review.
*2. GOC was added by the author from the previous link to national support – National Support Centre (NSC).

Like the GOC, the PEOC is a very valuable tool for the integration of emergency management systems. The facility allows information sharing and joint planning during disaster situations. The outline and structure for PEOC coordination portrayed in Figure 5.2 highlights the intent to achieve interoperability. However, the fact that the PERP has not been updated to include the relationship with the GOC is a prime example of policy lagging behind reality. A second is the integration of staff into the components. The PEOC is legislated to train and exercise annually, but that does not guarantee that individuals assigned to the PEOC's operations, planning or logistics components have worked in that capacity and are experienced with the standing operating procedures outlined by the command cell. This concern begs the question of whether the PEOC, upon activation, is ready and capable of dealing with a large-scale disaster.

Alberta (GEOC)

The Government Emergency Operations Centre (GEOC) is located in downtown Edmonton. The GEOC is designed to have the necessary personnel, facilities and communications for the coordination of a provincial level response to an emergency. The GEOC is activated by EMA's executive director (the GEOC would likely be partially activated for a level II and fully activated for a level III response) and run by the Branch Operations Manager. (Figure 4.3). In accordance with the responsibilities outlined in Table 4.1, the GEOC is manned by members of EMA and augmented by specialists from other ministries, agencies, and levels of government as required.

The Crisis Management section has primary responsibility for coordination in the centre, supported by planners from the Consequence Management section. The emergency planning officers whose districts are not involved in the crisis will act as duty officers in the GEOC. Figure 5.4 gives the layout of the GEOC with the section distribution on activation.

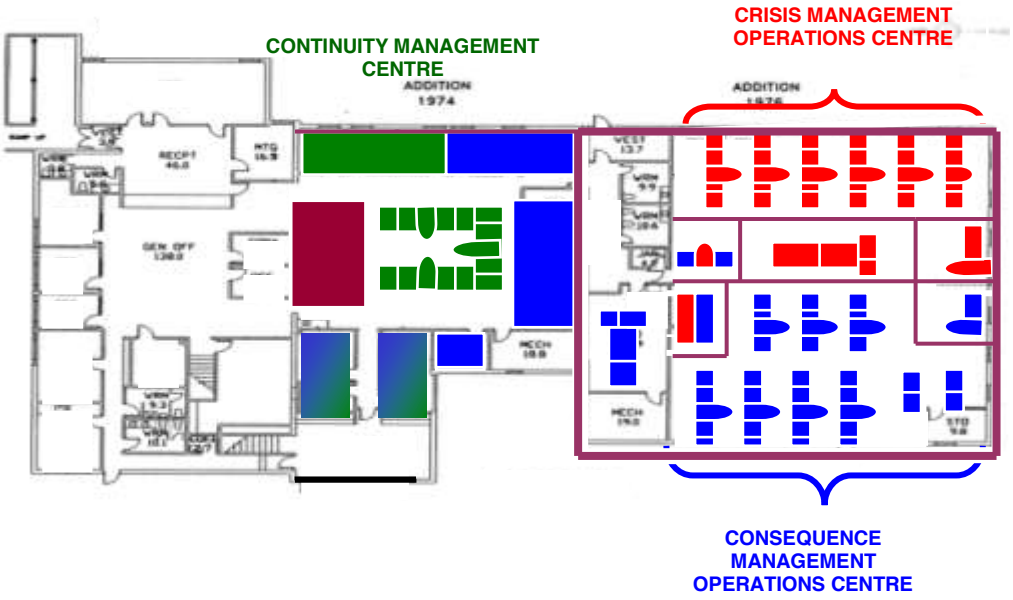

Figure 5.4 – GEOC layout.
Source: Ministry of Municipal Affairs and Housing, *Emergency Management Alberta Branch: EMA Presentation*, 26/56.

Communications, administrative and financial support is also coordinated by the staff within EMA. Co-location of operations centres with federal agencies has not yet occurred; therefore liaison officers from other agencies move into the GEOC during activation.

Alberta's GEOC organization and staffing is very complementary with the structure and responsibilities of the sections of EMA. The direct link between levels of government, other ministries and industry is through technology and shared communications systems.[97] The simple control structure, shown in Figure 5.5, intended for the GEOC to achieve integration of response, reveals the importance of the relationship between operations centres in terms of overall coordination.

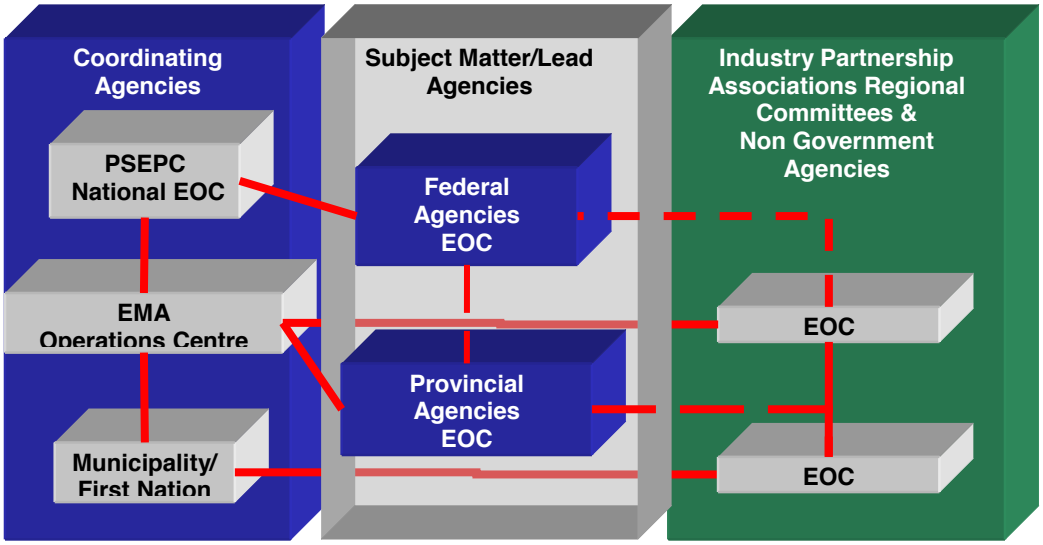

Figure 5.5 – Inter-relationship between operation centres.
Source: Ministry of Municipal Affairs and Housing, *Emergency Management Alberta Branch: EMA Presentation*, 47/56,

COOPERATION AND INTEGRATION

Coordination between Federal Departments

Public confidence and international credibility will be achieved in emergency situations

[97]Alberta's communications and warning systems are beyond the scope of this paper; however they have established local area networks (secure and non-secure), notification and tracking programs, geomatic and weather updates all designed to inform and share information internal to the province and other emergency management

when federal departments are able to quickly establish national level leadership during a multi-sector emergency of significant scope.[98] The Martin Government had taken an important step towards a coordinated federal approach by creating the Cabinet Committee on Security, Public Health, and Emergencies, chaired by the Deputy Prime Minister. This committee included several senior ministers who possessed significant responsibilities toward national security. This committee no longer exists within the current government; however, the composition of the Cabinet Committee is very similar to the current committee of Foreign Affairs and National Security.[99] This type of committee is one example of positive steps towards coordinating key departments involved in emergency preparedness and security, such as PSEPC and the Department of National Defence (DND).

The challenges that remain primarily concern command and control to respond to natural and man-made disasters. DND remains the largest federal agency capable of responding during emergencies, but of course does not fall under the aegis of PSEPC, and cannot be given orders by PSEPC. While the efforts of DND would no doubt be coordinated by PSEPC in the event of an emergency, the fact remains that jurisdictional and policy impediments will not allow DND to be controlled by PSEPC, a distinction that could prove crucial in a time-sensitive situation or one in which the desired resolution differed amongst the departments.

There are two others facets of DND that could greatly enhance emergency management capabilities through closer integration with PSEPC. The first is the Disaster Assistance Response Team (DART), who are "designed to deploy rapidly anywhere in the world to crises

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partners.

[98]The US government and FEMA provided a clear demonstration in response to Hurricane Katrina in 2005 that the converse is also true if federal departments are not able to cooperate. Special Report of the Committee on Homeland Security…, 586-588.

[99]Office of the Prime Minister, "Cabinet Committee Mandates and Membership," 25 January 2007, [document on-line]; available from http://www.pm.gc.ca/grfx/docs/cab_committee-comite.pdf; Internet; accessed 12

ranging from natural disasters to complex humanitarian emergencies". [100] This rapidly deployable 200 person unit can provide four critical needs: primary medical care, production of safe potable water, a limited specialist engineer capability, and a command and control structure that allows for effective communication between the DART, other domestic agencies, and international and NGO and aid agencies.[101]

Individual states or the UN may request deployment of the DART, with the final decision on deployment resting with the Canadian government based on advice from the Department of Foreign Affairs and International Trade (DFAIT), DND, and the Canadian International Development Agency (CIDA). The government has also looked at options to deploy the DART within Canada, eventually stating that lift capabilities, equipment and cold weather upgrades would be required to carry out this function. This lack of domestic capability is not consistent with the current DND priorities and policy of "Canada First." The ongoing procurement of strategic airlift within DND should resolve the first hurdle in employing the DART within Canada, and equipment and cold weather capabilities should be part of any Canadian military unit due to our climatic conditions. The challenge that remains is the focus of this argument: PSEPC and DND must coordinate their requirements and capabilities through standing agreements to meet the needs of Canadians in emergency situations to preserve life, and restore critical requirements during disaster situations.

The second example of DND resources that are not well coordinated by PSEPC is the potential use of military reservists (militia) across the nation to assist in disaster relief efforts.

March 2007, n.p.

[100]Department of National Defence and the Canadian Forces, "Canadian Forces Disaster Assistance Response Team," *Backgrounder 04.002E* (10 January 2005), http://www.dnd.ca/site/Newsroom/view_news_e.asp?id=301; Internet; accessed 18 March 2007, n.p.

[101]Controversy arose over the government's decision not to deploy the DART to Haiti in September 2004, maintaining that it would be too expensive to deploy, even though its resources were required. Ibid, n.p.

The current procedures for call-ups and contracts for military reservists are cumbersome and inadequate to respond quickly to domestic emergencies. This contracting difficulty, taken with the lengthy procedure for provinces to request assistance from military authorities, make the use of military resources in response to an emergency slow and costly. There are several examples in the US of individual states recalling their National Guard in support of domestic response to emergencies. Most notable has been the support of the Louisiana Army National Guard (LANG) in New Orleans by providing immediate aid following Hurricanes Katrina and Rita, followed up by assisting the New Orleans police department to maintain public order, and in October 2006 where they assisted the office of emergency preparedness in rescuing victims of rain flooding.[102] In Canada this type of employment would add to the capability and credibility of the militia in its primary role of augmenting the regular force, while providing national civil defence force capabilities for domestic emergencies.

Three simple measures could be implemented across the country to take advantage of reservist capabilities augmenting first responders at the onset of emergencies. First, a memorandum of understanding should be established between PSEPC and DND to recall reservists as required for domestic response. This contract should include simple procedures and guidelines for employment by municipal or provincial authorities through the leadership system of Canada Command (the Canadian Forces domestic response chain of command). Second, the militia should be added to the national inventory of emergency preparedness resources, which will be discussed in greater detail further in this paper. Lastly, PSEPC should be responsible for informing first responders, through provincial and municipal authorities, of the militia's assets, capabilities, and limitations in assisting in emergency and security situations.

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[102]Louisiana Army National Guard, "Louisiana National Guardsmen are Helping Battle New Orleans," 12 February 2007, [news on-line]; available from http://www.la.ngb.army.mil/; Internet; accessed 18 March 2007, n.p.

Federal-Provincial Integration

The SARS tragedy of 2003 was a devastating example of how federal agencies did not provide adequate leadership and oversight over provincial planning and emergency management, and the lack of integration between ministries.[103] Now that PSPEC is charged with these responsibilities, PSEPC must take appropriate measures to understand and resolve these previous failures before history has the opportunity to repeat.

Aside from jurisdictional divisions, the major hindrance in integrating three levels of government and their associated responsibilities are that jealousies and differences of opinion inevitably arise with regard to management issues, funding priorities, and operating procedures. The differences between the risk mitigation and safety precautions adopted by the Ontario and British Columbia public health authorities during the 2003 SARS crisis serve as a recent example. Since 1993, legislation mandated that all health care workers were "…to be trained and fitted with the N95 respirator to ensure full protection. In Ontario, few hospitals complied with this law and some even denied its existence."[104] This confusion and denial demonstrated deep structural contradictions in hospital worker safety. The lack of hospital inspections for SARS in Ontario by the Ministry of Labour until June 2003 exemplified the unwillingness to accept advice from independent work safety experts. B.C. did not demonstrate the same disdain toward labour officials. Workplace regulators took decisive action and began inspections in early April to ensure workers were being protected as required by law."[105]

The previous example is just one of several that were cited in the Naylor Committee Report, revealing how one Provincial government was willing to accept and implement

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[103]Commissioner Archie Campbell, "Volume 1: Spring of Fear…, 1.

[104]Ibid., 10.

mandated 'precautionary principles' whereas another province placed more importance on scientific certainty and therefore delayed implementation of the policy. This case is not used to discredit one province and praise another; rather it serves as an illustration of the vulnerabilities at the first responder level when priorities and differences of opinion are not immediately resolved during jurisdictional infighting.

Differing protocols in Canada's emergency management systems are not isolated to health services during the SARS outbreak, nor are they specific to any one province or municipality. The jurisdictional authority at the provincial/territorial level means that there are 13 different models of emergency management in Canada. These differences in name may seem superficial; nevertheless, the lack of commonality of emergency management structures and their associated legislative foundations create confusion in integrating the tremendous number of actors involved in the overall system. Many of the previous examples of jurisdictional, policy, leadership, and organizational differences between EMO and EMA provide evidence of this fact.

The creation of PSEPC as the central federal department for emergency response and management will hopefully provide oversight on policy issues, facilitating a common approach to integration. However, the transitional period between restructuring OCIPEP to PSEPC invariably had negative effects on incorporating common approaches and the NSP throughout the emergency management system. Reorganization of the department and its associated responsibilities forced the federal level to focus inward, creating an experience and credibility gap between the national and provincial level. In some cases, this placed the provinces in a position where they have greater knowledge and expertise than their federal counterparts, always a recipe for disaster where national security relies upon voluntary cooperation rather than compulsion.

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[105]Commissioner Archie Campbell, "Volume 1: Spring of Fear…, 10.

In an effort to overcome communication problems between the provincial and federal levels, PSEPC created regional offices in each provincial capital. From a provincial perspective, this measure has not been terribly helpful to the process. Regional offices are too small to act as a credible interface with the expertise resident within provincial governments (for example, the PSEPC Regional office for Alberta consists of six people). The undersized regional offices and the fact that PSEPC does not control resources imply that regional offices are incapable of providing the oversight and services mandated by the NSP. As a daily point of contact from the provincial level to the federal level, the regional offices simply impose an extra link within the system that extends the line of communication without providing any appreciable results in return. In terms of acting as liaison, regional offices will prove to be much more effective if they are physically co-located with provincial counterparts in provincial level emergency operations centers, enabling them to be fully connected to key partners in the provinces, territories, communities, first-line responders, the private sector, and the Canadian public at large.[106]

All is not lost when it comes to federal-provincial integration. The operations section of this paper explained the relationship between the GOC to GEOC/PEOC as a positive step to integration, including their relationships with NGOs and the civilian sector of emergency management. Meetings of FPT managers, as well as conferences such as emergency preparedness conferences organized by the private and public sectors, will assist in integrating emergency preparedness beyond the functions and principles already approved.

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[106]Regional Offices are now divided into three functions: Aboriginal Policing; Crime Prevention; and Emergency Preparedness. These functions are not always located with each other (Crime prevention in Alberta is in Calgary, while aboriginal policing and emergency management are in two different locations in Edmonton). Public Safety Canada, "Regional Offices," http://www.publicsafety.gc.ca/ abt/regional_offices-en.asp; Internet; accessed 18 March 2007, n.p.

RESPONSE PLANS

Conferences and meetings of emergency managers are a good first step towards integration, but only represent a beginning. In order to move beyond the theoretical, national standards and structures for response plans must be turned into reality. Significant challenges must be overcome to develop national plans that ensure all departments, agencies, provinces/territories, municipalities, the private sector and other actors involved in emergency management work together towards common goals.

Resource Management

One of the leaders in the field of emergency management coordination at the national level is the public health sector. As is common for many of the advances in emergency preparedness, it took a disaster to initiate change. In the wake of the 2003 SARS tragedy in Ontario, all levels of government worked together to strengthen Canada's public health and emergency response capacities through the creation of the Public Health Agency of Canada (PHAC) in September, 2004. PHAC is a specialized, Manitoba-based agency that coordinates with all levels of government (including NGOs such as the World Health Organization), the private and public sectors, regarding all matters concerning Canadian health and pandemic issues. One of the agency's initiatives in support of emergency preparedness was the creation of a National Emergency Stockpile System (NESS). NESS provides emergency supplies quickly to provinces and territories when requested on a 24-hour response system.[107]

The system has a central depot in Ottawa, with eight other warehouses and 1,300 pre-positioned supply centers strategically located across Canada. The focus of the system is

[107]Public Health Agency of Canada, "Emergency Preparedness: National Emergency Stockpile System," July 2006, http://www.phac-aspc.gc.ca/ep-mu/ness_e.html; Internet; accessed 14 March 2007, n.p.

medical and pharmaceutical supplies, but NESS also contains other hospital supplies from beds and blankets to bedpans. There are 165 mobile "field hospitals" positioned throughout the country, each capable of providing 200 beds that can be set up in existing buildings within 24 hours notice of an emergency situation. The NESS has already proven its worth domestically, and through provision of significant quantities of pharmaceuticals, supplies and equipment overseas to South-East Asia during the tsunami of 2004.[108]

The NESS is an excellent initiative to centralize control of reserve emergency medical resources; the challenge to this system is to ensure it is properly managed. PHAC has shouldered the responsibility to always ensure stocks are maintained, replenished and updated, but the procedures to request and authority to release these resources must be better coordinated. First responders and local officials should be made aware of what resources are available within their geographic region and how to access them. Larger cities may be aware of the available resources and how to access them, but this awareness of this information should be mandatory for all municipal level emergency managers.

The use of militia and its resources has previously been discussed, but valuable assets such as Heavy Urban Search and Rescue (HUSAR) teams should not be limited to major cities. Specialized assets should be coordinated regionally through standing agreements to assist municipalities that are not able to afford such resources. PSEPC and its regional offices should be responsible for coordinating these unique resources, and ensure that provincial and municipal authorities are intimately aware of what assistance can be requested in emergency situations. The corollary to this level of awareness throughout the community will be increased public confidence in the system through the knowledge that federal assets are there to support provincial and municipal first responders if required.

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[108]Ibid., n.p.

National Emergency Response System

Both natural and human disasters often transcend municipal and provincial borders. Therefore, the systems used to coordinate response to those disasters must be flexible enough to be just as capable of crossing the same boundaries. In 2005, PSEPC announced the development of a National Emergency Response System (NERS) as a tool to coordinate federal actions, and provide integrated and complementary national response. Figure 7.1 demonstrates how this system was intended to integrate federal authorities with provincial/territorial authorities to achieve synergy in respect to emergency response.

The necessity of a central command and control system was exemplified in the recommendations from the US commission on 9/11: "[e]mergency response agencies nationwide should adopt the Incident Command System (ICS). When multiple agencies or multiple jurisdictions are involved, they should adopt a unified command. Both are proven frameworks for emergency responses."[109] The US began to adopt a National Response Plan (NRP) based on a National Incident Management System (NIMS) using ICS as the building block for this unified command approach. This system was not fully implemented or understood at all levels when Hurricane Katrina struck.[110] The shortfalls in command and control were obvious at all levels, depriving citizens in need of proper leadership and help, resulting in unnecessary deaths and dislocation.[111]

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[109]Special Report of the Committee on Homeland Security…, 559.

[110]The Hurricane Katrina report stated "all levels of government have a fundamental lack of understanding for the principals and protocols set forth in the NRP and NIMS." Ibid., 195.

[111]Special Report of the Committee on Homeland Security…, 560-565.

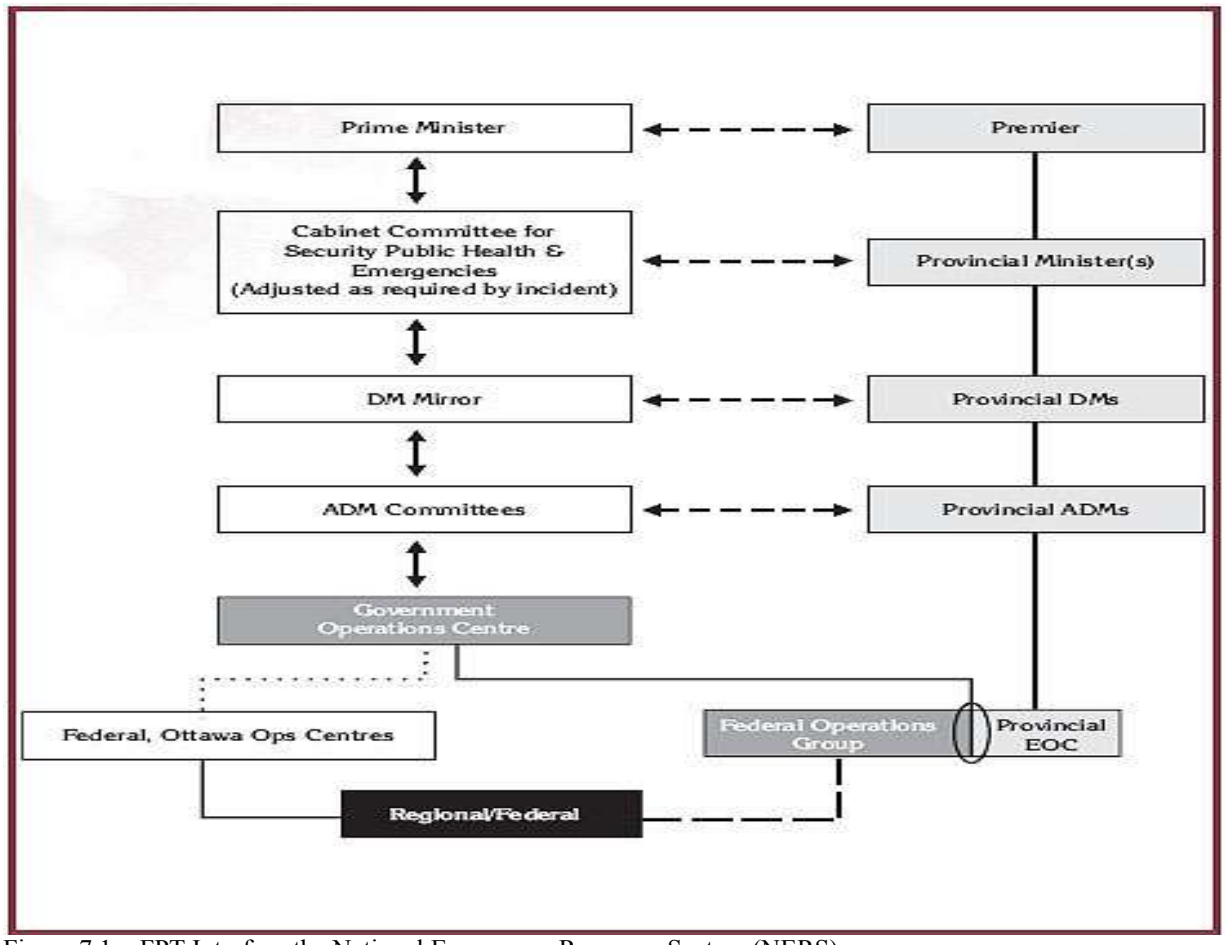

Figure 7.1 – FPT Interface the National Emergency Response System (NERS).
Source: PHAC, Canadian Pandemic Influenza Plan. [112]

The proposal for NERS is quite similar to the US NIMS in that it is also based on the ICS, thus theoretically enabling the GOC to coordinate federal mandates in an emergency situation. A Federal Coordinating Officer provided by PSEPC will lead the GOC, as shown in Figure 7.2. Unfortunately, Canada has experienced the same problems in the implementation of NERS as the US, in addition to duplicating the command structures. At the 15th World Conference on Disaster Management held in Toronto on 11 July, 2005, former Deputy Prime Minister Anne McClelland announced that "…NERS was activated last Thursday…" and

[112]Public Health Agency of Canada, "Canadian Pandemic Influenza Plan for the Health Sector: Annex L - Federal Emergency Preparedness and Response System," October 2006, http://www.phac-aspc.gc.ca/cpip-pclcpi/ann-l_e.html; Internet; accessed 14 March 2007, n.p.

implemented the previous year.[113] The fact is that NERS has not been implemented in Canada, contrary to the former Deputy Prime Minister's announcement, and provinces continue to use their own systems of incident management.

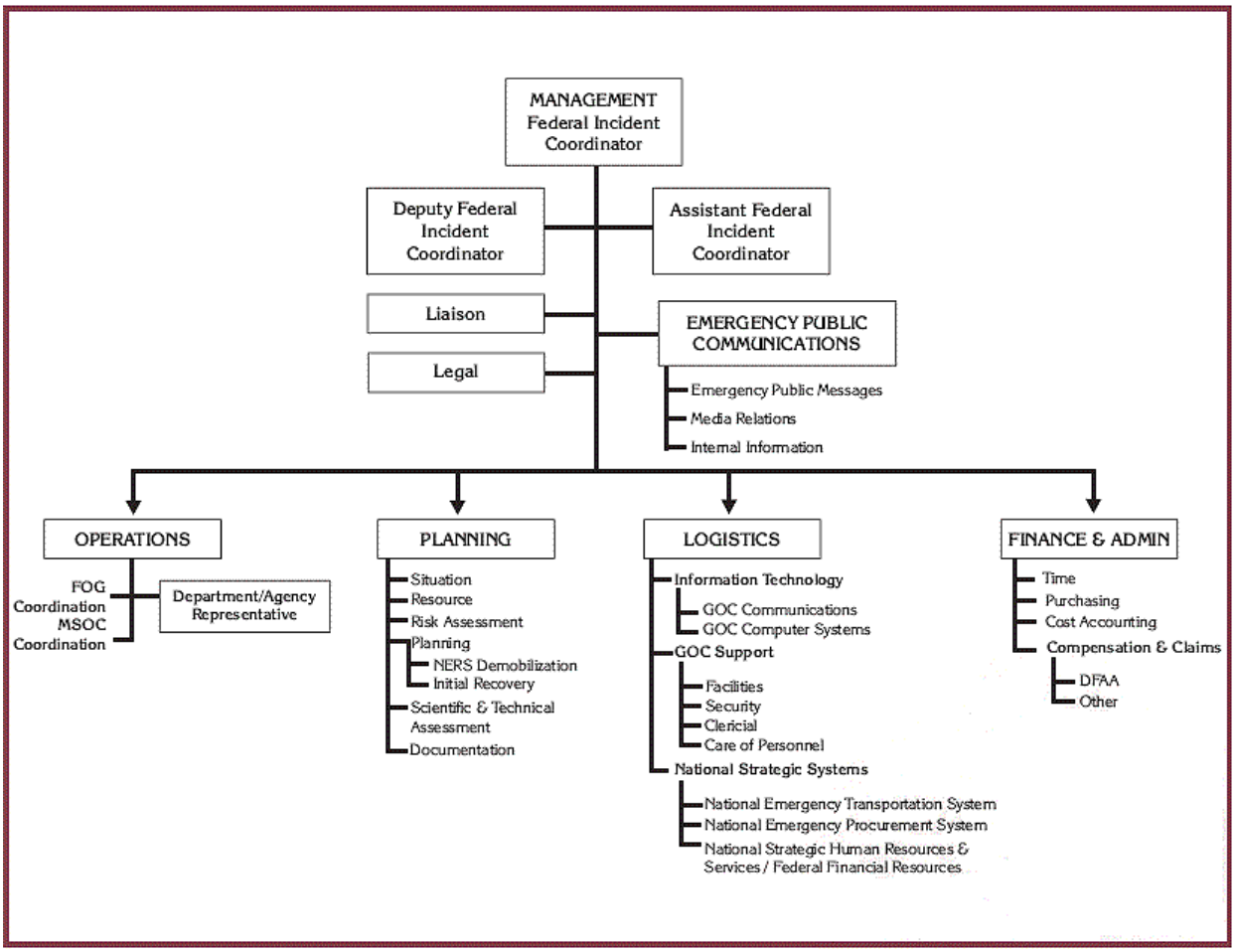

Figure 7.2 – NERS based on ICS.
Source: PHAC, Canadian Pandemic Influenza Plan.

EMO has mandated that all emergency plans will be based on the Incident Management System (IMS) used in the US, while EMA has not officially adopted either IMS or ICS. To add to the potential confusion in emergency management, many groups of first responders, such as

[113]Public Safety Canada, "15th World Conference on Disaster Management: Speaking Notes for The Honorable Anne McClelland," 11 July 2005, http://www.publicsafety.gc.ca/media/sp/2005/sp20050711-en.asp; Internet; accessed 18 March 2007, n.p.

fire departments, have adopted the ICS system throughout Alberta.[114] Previous arguments on jurisdiction and unwillingness to integrate based on differences of opinion and prioritization help explain why NERS still has not been fully implemented two years after the formal announcement.

Experiences from the US show that we are accepting significant risk with regard to command and control systems should a major disaster occur in Canada. Although circumstances within our respective countries are different, and each emergency situation is relatively unique, we must learn from each other to develop effective emergency management practices.

Management of Lessons Learned

This paper is similar to many other documents analyzing national security and emergency management; it refers to numerous examples from the recent past regarding event management and potential for improvement. This situation will not change as information and technology continue to develop. We have seen that threats to safety and security are continually evolving; therefore, it is prudent to continually assess our practices and procedures to learn lessons rather than simply observing lessons. SCONSAD's *Canadian Security Guide Book: An Update of Security Problems in Search of Solutions* recommended that the responsibility to derive lessons learned should be held by PSEPC. The new Public Safety Canada (the newly adopted name for PSEPC) website does contain a page of 'emergency management articles and reports', which haphazardly lists commission and special reports from various sources of

[114]The structural similarities between figure 7.2 and figure 5.3 (PEOC organization) are because they are both based off of a form of ICS. BC emergency management services have adopted ICS throughout the province.

emergency management.[115] Although electronic publication of previous information does constitute progress to make the reports available, it is not sufficiently detailed and organized to be of value to the emergency management community within Canada. Easily searchable archives of best practices and lessons learned should be established and maintained at the federal level covering all levels of government (domestic and international), all jurisdictions, and all hazards.

Simple techniques in information management could make previous reports and lessons learned from terrorist attacks (Air India, 9/11, Oklahoma City bombing, UK subway bombings), natural disasters (hurricanes, tsunamis, ice storms, forest fires) and pandemics (SARS, Avian Flu virus) easily available. An information manager within PSEPC should be designated to maintain this archive to keep it relevant, historically deep, and most importantly, accessible to first responders at the provincial and municipal levels. Information sharing should not be limited to specifically corresponding levels of government (like federal to federal or provincial to state), but rather from emergency management services to emergency management services, thus allowing sharing of techniques and ideas nationally and internationally. The final SARS report clearly demonstrates shortfalls in the Ontario health system, yet the system at the Vancouver General Hospital was able to quickly and effectively contain their SARS index patient, thus sparing BC the devastation felt in Ontario.[116] This type of information must be made available to all emergency managers in order to minimize the effects of a disaster.

Lessons learned must not solely be focused on actual, past disasters; as part of PSEPC's

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[115]Public Safety Canada, "Emergency Management Articles and Reports," November 2006, [documents on-line]; available from http://www.publicsafety.gc.ca/prg/em/cemc/07res_02-en.asp#01; Internet; accessed 18 March 2007, n.p.

[116]The examples previously outlined in this paper such as: the proper use of the N95 respirator; hospital and worker safety inspections; and accepting advice from work safety experts had a part to play in Vancouver's success and Toronto's failure in dealing with SARS. Commissioner Archie Campbell, "Volume 1: Spring of Fear…, 4.

mandate it is required to supervise training exercises oriented toward future disasters. Lessons are derived from these exercises, and they should be incorporated into the archive as well. Measures of effectiveness and performance criteria should be established to ensure common standards are maintained between all provinces, ministries and municipalities. With proper PSEPC oversight and a networked 'best practice' technique of information sharing, it is far more likely that potential risks to Canada's citizens can be reduced.

INTELLIGENCE

September 11th was the catalyst that removed Western nations blindness towards the complexity of today's changing threat environment. This environment is characterized by interconnection and complexity, and requires an integrated framework to properly assess risks. Information, the application of technology, and development of hard intelligence are all key components to conduct effective threat assessments as part of an integrated security system (Figure 1.1). Each department and agency within a state conducts security and threat assessments to meet their own needs; however, quite often one view on a particular threat is insufficient to complete the total threat assessment. Reports on the bombing of Air India Flight 182, the Oklahoma City bombing, and the attack on the World Trade Center clearly demonstrate the consequences of reluctance between agencies and countries in sharing information that could have prevented such devastating attacks.[117]

[117]Bob Rae, *Lessons to be Learned: Independent Report with Respect to the Bombing of Air India Flight 182*, report prepared for the Ministry of Public Safety and Emergency Preparedness Canada (Ottawa: Air India Review Secretariat, 2005), 6-8.

Information Sharing

Encouraging information sharing and cooperation between organizations that collect and analyze intelligence vital to national security is paramount, yet in the recent past the reluctance of nations to do so has proven detrimental towards national security. Information sharing must strike a delicate balance between supporting other agencies or nations, while still protecting your own interests (including the interests of citizens). The covert nature of terrorist threats makes it very difficult to amass accurate information, in a timely fashion, in order to process this information into useful intelligence. Transnational, international, and now, home-grown terrorists have demonstrated that they respect no borders or boundaries. Terrorists have the capability to reside, recruit, train, and plan an attack in one or several countries, and then execute in an entirely different country.[118] This was the case for the terrorists responsible for the September 11 attacks; they trained in Afghanistan, and used cities such as Hamburg, Germany and Brixton, England as staging areas.[119] The willingness to share information and intelligence between allied nations is a large step towards anticipating and preventing future terrorist attacks.

The application of national security policies in an international context is not the only obstacle to information sharing. Most Western governments have had serious difficulty in sharing information between their own internal departments. In many cases, these restrictions were imposed during the Cold War era and have since been amended post-9/11. The *PATRIOT Act* in the US and the *Anti-terrorism Act* in Canada have facilitated information sharing between countries and simplified the process to move information across organizational divides.[120] The structural change adopted to simplify information sharing in Canada has been the formation of

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[118]C.J.M. Drake, *Terrorists' Target Selection* (New York: St Martin's Press Inc, 1998), 54.

[119]Gregory Treverton, "Reshaping Intelligence to Share with 'Ourselves'," *CSIS: Canadian Security Intelligence Service: Commentary*, no. 82 (2003): 7.

the Integrated Threat Assessment Center (ITAC) in 2004.

Integrated Threat Assessment Center (ITAC)

ITAC is a functional component of the Canadian Security Intelligence Service (CSIS), and therefore, a subcomponent within PSEPC. It is housed within CSIS headquarters in Ottawa and is supported by a 24/7 threat management center. It is an emergency management community-wide resource permanently staffed by 13 different organizations, while retaining a surge capability from other federal agencies (such as Health Canada, Natural Resources, and Environmental Canada). ITAC's primary objective is to produce comprehensive threat assessments that are distributed within the intelligence community and to first-line responders. Assessments are based on intelligence and trend analysis, providing the probability and potential consequences of specific threats.[121] It is this type of assessment and analysis that can lead to pre-emptive arrests such as the 'Toronto 18' who were arrested on 02 June 2006, on terrorism related charges.

As previously indicated, threat analysis is truly a 'global activity' that must encompass information sharing between like-minded nations; therefore, Canada has used ITAC as a key link with allied intelligence centres including the Joint Terrorism Analysis Centre in the UK, the National Counterterrorism Center in the US, the National Threat Assessment Centre in Australia, and the Combined Threat Assessment Group in New Zealand.[122] A continued challenge for ITAC is their ability to filter vast amounts of information for proper analysis for intelligence

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[120]Ibid., 5.

[121]Canadian Security Intelligence Service, "The Integrated Threat Assessment Centre," *Backgrounder*, no. 13 (April 2007), [documents on-line]; available from http://www.csis-scrs.gc.ca/en/newsroom/backgrounders/backgrounder13.asp; Internet; accessed 16 April 2007, 2.

[122]Ibid., 3.

purposes, in a timely manner, due to the understaffing that has degraded Canada's intelligence community since the early 1990's.[123]

Despite the requirement for information sharing as part of a comprehensive threat analysis procedure, constraints remain in the form of the *Security of Information (SOI) Act*, confidentiality guarantees required by sources (including foreign intelligence services) and legislative restrictions governing individual departments. The requirement for analysts within the ITAC to follow procedures in accordance with their respective departments' regulations (such as CSIS, DND and the RCMP) often results in 'stove-piping' of information rather than open access within the center. Although these measures are restrictive, they are designed to balance the need for sharing of security intelligence while still protecting the individual rights of citizens from wrongful accusations in accordance with the Charter of Rights and Freedoms.[124]

The difficulty in sharing information between federal departments is amplified when the information is to be shared between different levels of government. EMA's Crisis Management section maintains a limited intelligence capability that works with other security and intelligence experts in monitoring terrorist attacks on critical infrastructure around the world. They then apply trends analysis in designing their own plans for safety and security in Alberta. EMO's Risk Assessment section has two personnel assigned to Hazard Identification and Risk Assessment (HIRA) and two other agents to critical infrastructure. In order for both provinces'

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[123]SCONSAD, C*anadian Security Guide Book (2005 Edition)*…, 105-107.

[124]The Security Intelligence Review Committee (SIRC) is an independent, external review body which reports to the Parliament of Canada on the operations of CSIS. Parliament has given CSIS extraordinary powers to intrude on the privacy of individuals. SIRC ensures that these powers are used legally and appropriately, in order to protect Canadians' rights and freedoms. To do this, SIRC examines past operations of the Service and investigates complaints. It has the absolute authority to examine all information concerning CSIS activities, no matter how sensitive and highly classified that information may be. The results of this work, edited to protect national security and personal privacy, are summarized in its annual report to parliament. Security Intelligence Review Committee, "Security Intelligence Review Committee," December 2006, http://www.sirc-csars.gc.ca/index_e.html; Internet; accessed 16 April 2007, n.p.

threat assessment teams to receive classified information from ITAC, they must first undergo positive vetting for security clearances. CSIS is the only agency in Canada that is authorized to conduct background checks for federally approved security clearances. This cumbersome requirement can cause lengthy delays before designated members at the provincial level can be made privy to nationally sensitive material.[125]

Overall, the establishment of ITAC has been an excellent step forward for both national and international intelligence security. It is proving to be an instrumental part of Canada's efforts to build an integrated security system, but like many of the other measures that have taken place to date, areas of concern must be addressed before it can properly fuse and integrate its capabilities with all government departments and other levels of government.

Critical Infrastructure

Canada has defined its National Critical Infrastructure (NCI) as those "physical and information technology facilities, networks, services and assets, which if disrupted or destroyed would have a serious impact on the health, safety, security or economic well-being of Canadians or the effective functioning of governments in Canada."[126] The August 2003 electrical blackout that affected Ontario and several US states demonstrated how vulnerable we are to accidents or deliberate attacks on critical infrastructure. Consequently, the Government of Canada released a position paper on a National Strategy for Critical Infrastructure Protection (CIP). Figure 8.1 on the following page, illustrates the policy framework suggested for CIP in Canada.

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[125]EMAs former Crisis Management Director was previously an intelligence officer in the Canadian Forces. His background facilitated security requirements, as CSIS had previously conducted security clearances while he was a member of the CF.

[126]Public Safety and Emergency Preparedness Canada, "Government of Canada Position Paper on a National Strategy for Critical Infrastructure Protection," November 2004, [documents on-line]; available from www.publicsafety.gc.ca/prg/em/nciap/NSCIP_e.pdf; Internet; accessed 17 March 2007, 5.

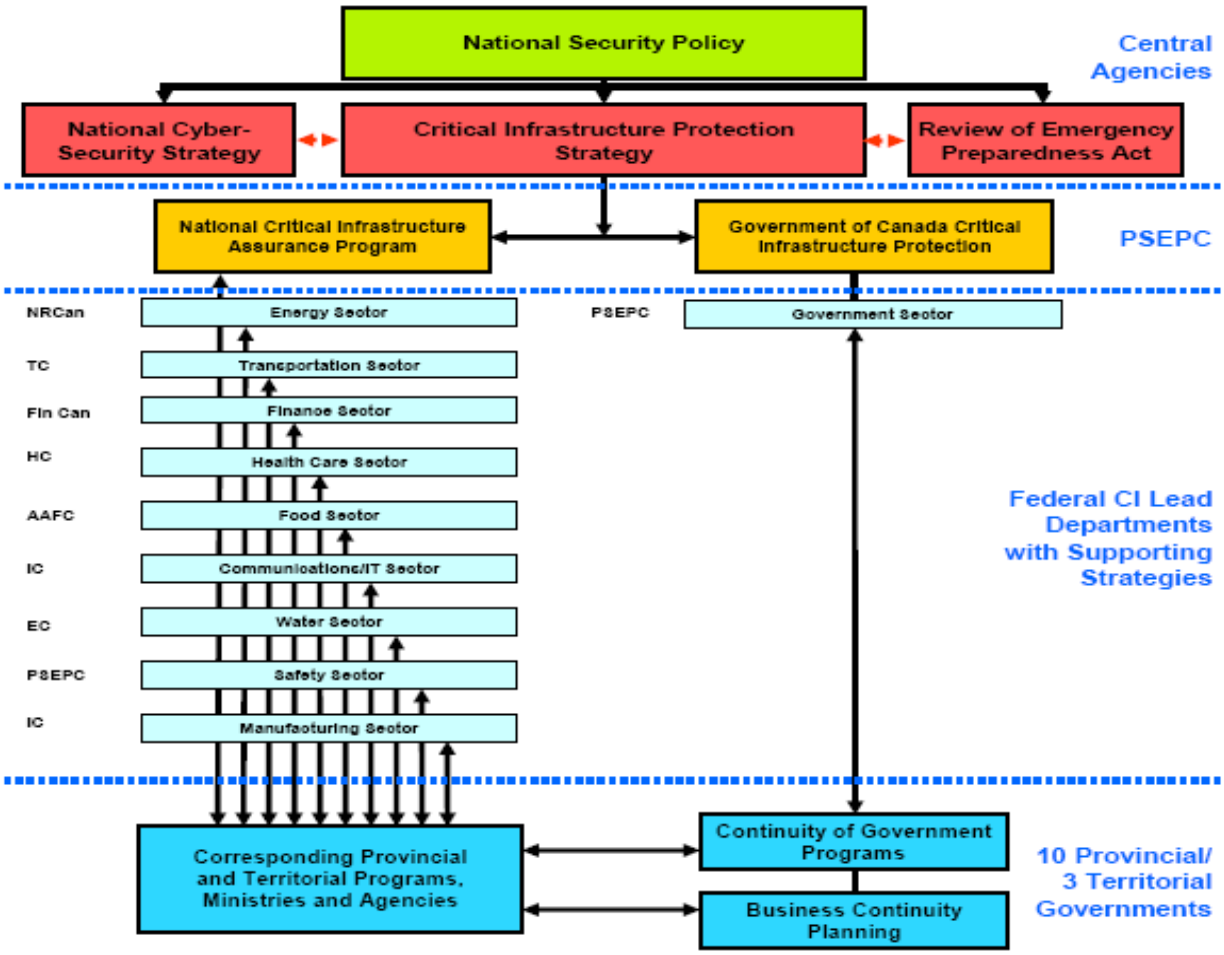

Figure 8.1 – Proposed CIP Framework.
Source: PSEPC, *Position Paper on a National Strategy for Critical Infrastructure Protection*, 4.

Critical infrastructure is categorized into ten different sectors (identified in Figure 8.1), with each sector being further divided into sub-sectors, such as electrical (generation, transmission and nuclear), natural gas, and oil under energy. The challenge for the Federal government is the creation of an integrated and forward looking CIP strategy, with voluntary participation, that will meet the needs of all levels of government and the private sector across the spectrum of stakeholders in the various sectors and sub-sectors. The Federal government has taken the necessary steps to implement this plan, but once again does not have the jurisdiction to enforce the plan on provincial authorities or the private sector that falls under umbrella of provincial jurisdiction.

Since this strategy was released, EMA has developed and conducted threat assessments for critical infrastructure at three different levels consisting of Corporate, Municipal, and Provincial. These threat assessments identified those requirements and resources necessary to respond effectively in the case of "human induced emergencies."[127] While the exact composition of the critical infrastructure list is classified, approximately 85% of all critical infrastructure is controlled by private companies.[128] This leads to the obvious problem that EMA cannot issue direction to these corporations, and lacks the regulatory authority to enforce compliance even if direction was issued. Another difficulty in implementing a truly national security policy from the provincial perspective is the fact that only two provinces, Alberta and New Brunswick, have completed threat assessments for critical infrastructures within their borders.[129]

In Ontario, the *Emergency Management Act* mandates that in developing its emergency management program ministries and municipalities "… shall identify and assess the various hazards and risks to public safety that could give rise to emergencies and identify the facilities and other elements of the infrastructure that are at risk of being affected by emergencies."[130]

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[127]Major (Ret) Brian Hamilton, former Director of Crisis Management Programs EMO, Conversation with Author, March 2006.

[128]The corporate perspective towards national security issues is what would be expected - what is best for the bottom line. While it is true that corporations control the most likely terrorist targets (beyond the political), and corporations control that infrastructure most likely to be disrupted by natural disasters, all corporate decisions on security will be made based on the degree of cost to the company, despite any desires to be a good corporate citizen. Nor is it a simple matter to simply designate a utility or other piece of infrastructure as critical, and thus assume some degree of regulatory authority. If a level of government were to impose this designation, those corporations will likely request funding from that level of government to implement the mandated security measures. If this funding is not forthcoming, the corporation may very well declare itself unable to function at a profitable level, and cease operations. The same is true of the increased insurance costs associated with such a designation. Kyle Marfleet, former Production Foreman, Apache Southern Alberta District, Conversation with Author, December 2006.

[129]A key factor for provinces conducting critical infrastructure is the associated funding, resources and support that is expected to accompany such a designation. Companies designated as critical infrastructure are reluctant to implement provincial or federally mandated security measures and provinces are reluctant to provide financial support to increase security measures of private companies. Major (Ret) Brian Hamilton, former Director of Crisis Management Programs EMO, Conversation with Author, March 2006.

[130]Province of Ontario, "Emergency Management and Civil Protection Act…, 3, 6.

This requirement identifies the need for risk assessment and designation of critical infrastructure, but does not prioritize amongst facilities nor legislate their protection.

While the desire to complete this program at a federal level has been demonstrated, the organizational difficulties of coordinating thirteen different jurisdictions in ten different sectors, coupled with the lack of regulatory ability of PSEPC has meant that compliance with a national critical infrastructure policy is voluntary. Lack of compliance to the policy means that in the event of a truly national emergency, whether natural or human, provinces will be competing with each other for the same scarce resources.

Summary

The requirement to turn policies into reality is equally important and challenging from an intelligence perspective as any other aspect of emergency management. The Cold War attitude of restricting information sharing among Allies or between departments makes achieving national security even more difficult in today's threat environment. All source intelligence cells such as the ITAC will go a long way to improve information sharing among Allied states, and to other levels of government who meet the security classification requirements.

CONCLUSION

The obvious hurdle in achieving a truly national system of emergency management is the fact that the federal agency responsible (PSEPC) does not control resources at the provincial or municipal levels, nor does it have regulatory powers to compel other jurisdictions to comply with their decisions. Thus, PSEPC functions in more of an administrative, rather than managerial or

directory role.[131] The two simplest, but most unlikely solutions to this jurisdictional problem are to amend the *Constitution Act* or for the Federal government to enact the POGG clause to more clearly define the jurisdictional division between the Federal and Provincial governments regarding national security and emergency management. Either of these legislative changes could simplify a 'bottom-up' approach for response and action, with a 'top down' approach for direction and control. Given our political and constitutional realities however, and the unlikelihood of provinces willingly relinquishing their authority, there is no alternative to cooperation and voluntary integration in areas of shared jurisdiction.

The bottom-up approach to emergency management in Canada makes integration between the provincial level and the federal level an absolute necessity. Threats and emergencies do not respect artificial borders (municipal, provincial or federal), and therefore, the time will inevitably come when provinces will require federal assistance no matter what competing priorities or differences of opinion may exist. Provincial authorities may request national assistance for resources or coordination during situations that exceed the provincial capability to respond (such as potential earthquakes in BC, or MB floods), or in situations that involve more than one jurisdiction (SARS or Ontario Blackout). In any of these cases, the conditions for cooperation must be established before disaster strikes. This must be done through the integration of policies and plans, derived from legislation at all levels of government. The NSP is a good start, but it will take discipline and cooperation between FPT partners to establish standardized policies and structures that will prove successful in the case of a national disaster requiring a coordinated response.

Success begins with leadership. Where the leaders of the emergency management community are supported by their political masters, the system will steadily improve. Leaders at

[131]Michel Sigouin, Alberta Regional Director for PSEPC, telephone conversation with Author, March 2006.

all levels must endorse an integrated approach to share information and best practices in order to build the capability and confidence in the security system. The recommendations by SCONSAD to consolidate the PSEPC portfolio within the office of the Deputy Prime Minister is a testament to the federal leadership required; after all, "[t]here can be no greater role, no more important obligation for a government, than the protection and safety of its citizens."[132]

The structure and organization of emergency management agencies must be established in such a manner to enable them to carry out their responsibilities with the authority delegated to them by legislation. The changing nature of today's threats, coupled with the inability to predict the specifics of the next disaster, make it essential that structures and organizations have sufficient depth and flexibility to adapt. Well thought out and integrated structures will help minimize the inevitable conflicts created when jurisdiction and policy are incongruent, whereas rigidity and superficially sufficient organizations will only amplify problems when put to the test.

The consolidated approach of the GEOC in overcoming the jurisdictional, policy and information sharing hurdles has proven to be very effective. The integration of this centre with provincial operations centres establishes a network of crisis management infrastructure on a 24/7 basis across Canada. Integration of PSEPC regional representatives, DND representatives, police forces, other specialists, and representatives from the private sector in accordance with the NSP (preferably co-located within a single operations center) is the next important milestone in the implementation of the NSP.

Significant improvements in emergency preparedness and management have been made in health care following the SARS tragedy in 2003, but most industries have not experienced the same level of cooperation and have not achieved the consensus necessary to develop national

[132]Privy Council Office, "Securing an Open Society: Canada's National Security Policy…, vii.

plans. The health sector has set the standard of cooperation and integration across levels of preparedness through the NESS. Other agencies must now build on this concept, with oversight from PSEPC, to ensure that it is a multi-dimensional system available when citizens need it most.

The establishment of ITAC has integrated many intelligence specialist agencies into one centre, but sharing information to different levels of governments and throughout different ministries is still problematic at best. Oversight by the SIRC and control measures designed to protect citizens' rights must be observed to protect constitutional liberties guaranteed under the Charter, but this requirement must be carefully balanced with the needs of national security. Inability to share information caused by the difficulty in timely security vetting must be addressed, all while retaining sufficient thoroughness in background checks. The responsibility to ameliorate this situation falls upon our leaders through the provision to intelligence agencies of the necessary resources. The key to mitigation and prevention in today's threat environment is timely and accurate analysis of information.

Overall, the federal perspective on national security could perhaps best be summarized by characterizing it as one in which it is necessary to be seen as taking action, but the required resources (staff, regulations, proper authority, financial resources) to actually accomplish the task are lacking. Measures have been implemented towards achieving an integrated security system, but much work and leadership remains before it will be truly an effectively functioning system. While mechanisms do exist to coordinate necessary resources and compel cooperation with PSEPC, these mechanisms are neither quick nor all encompassing.

Overall, the provincial perspective towards national security could perhaps best be characterized as one in which each province will be more than happy to help others when

needed, but only after their own needs have been addressed. Further, due to the lack of federal regulatory authority, and the fact that in many instances provincial authorities possess greater expertise than do their federal counterparts, there is no clear reason as to why the provinces should do otherwise. Finally, provincial security authorities are mired in their own jurisdictional difficulties with their municipalities and corporate Canada.

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