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Chair

Mr. Daryl Kramp

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•(0845)

[Translation]

The Chair (Mr. Daryl Kramp (Prince Edward—Hastings, CPC)): I want to welcome all of our colleagues.

[English]

Colleagues, welcome back after a bit of a frosty break. As far as the temperature is concerned, I'm sure we can heat up the room here as we move forward. Of course we're all envious of Mr. Garrison's 15 to 20 degrees above Celsius.

This is meeting number 45 of the Standing Committee on Public Safety and National Security. Our orders of the day are to study Bill C-12, an act to amend the Corrections and Conditional Release Act.

Appearing before us as a witness today is the Honourable Steven Blaney, Minister of Public Safety and Emergency Preparedness. He will be with us for the first hour. Accompanying Mr. Blaney for the duration from the Department of Public Safety and Emergency Preparedness is Kathy Thompson, assistant deputy minister of community safety and countering crime branch. We also have, from the Correctional Service of Canada, Don Head, commissioner. From the Parole Board of Canada, we have Harvey Cenaiko, chairperson.

Ladies and gentlemen, let us go right to our meeting.

Minister, I presume you have an opening statement. You have the floor, sir.

[Translation]

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness): Mr. Chair, I have a prepared statement. However, I don't have a copy of it in both official languages for the members. I will be very pleased to share it with you.

[English]

Mr. Chair, thank you for welcoming me.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Chairman, I have a point of order. It's my usual point of order when this minister appears.

I find it extremely unacceptable that a minister of the crown comes before this committee and doesn't have his remarks in written form that we can follow as he goes along. It's just plain unacceptable, Minister, and I ask you to reconsider this for the next time you appear.

The Chair: Ms. Ablonczy, on a point of order.

Hon. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Chair, I sat in opposition for 13 years. I heard many Liberal ministers. They never had a statement.

Mr. Easter is being completely disingenuous, and I'd ask him to stop that.

The Chair: Thank you very much.

We won't get into debate right now. The point has been mentioned and a counterpoint made.

We will now go to Minister Blaney. Continue with your opening remarks, please.

[Translation]

Hon. Steven Blaney: Thank you, Mr. Chair.

The committee will have to consider important bills over the coming weeks and months. Thank you for having me again this morning as part of the study of the bill on drug-free federal prisons.

[English]

Once again, I want to thank committee members for inviting me here today to discuss this important legislation, the drug-free prisons act.

[Translation]

The bill before you today aims to provide the Parole Board of Canada with new tools. That body has to ensure that prisoners stop using drugs, be it in the prison system or in the community—for instance, when they are on parole. Mr. Chair, it is important to understand that the objective of Canadian correctional services is rehabilitation. The idea is to take into consideration an inmate's situation when they are incarcerated and be able to provide them with tools that will help them reintegrate into society in a constructive manner.

[English]

In order to assist us in our deliberations on this important bill, I am pleased to be joined by the assistant deputy minister, Kathy Thompson; the commissioner of Correctional Service of Canada, Don Head; and Harvey Cenaiko, the chairperson of the Parole Board of Canada. On behalf of all of us, I thank them for their important work to keep us safe.

[Translation]

As the committee members know, the sale and use of drugs in our penitentiaries is not a new problem or one that is easy to resolve. We must first recognize that a problem exists and take steps to understand its pervasiveness and be able to eradicate it.

[English]

Approximately 75% of inmates entering federal prisons have a history of drug or alcohol use. This means that 15 out of every 20 inmates will require some sort of substance abuse programming as part of their correctional plan.

[Translation]

In order to correct these behaviours, one of the biggest problems we need to resolve is the fact that drugs and other contraband continue to enter and circulate in our correctional institutions.

● (0850)

[English]

While it seems logical that prisons should be free from drugs, the problem persists. Every year, our correctional officers work to remove these illegal drugs. In fiscal year 2013-14, we saw 2,406 drug-related seizures in federal prisons. The rate of seizures has been steadily increasing since our Conservative government was elected.

[Translation]

Over the past few years, our government has invested in measures that help correctional services control the smuggling of drugs into our federal prisons.

[English]

In our economic action plan 2008, we allocated \$122 million to help develop a tougher approach to drug interdiction in our federal prisons.

[Translation]

Correctional Service Canada has expanded its drug detector dog program, which I have had an opportunity to look at. The agency has strengthened its ability to obtain security intelligence in institutions, increased the number of offenders under supervision in communities and helped establish stronger partnerships among law enforcement agencies.

[English]

Building on those significant investments, we have taken strong legislative actions to place a greater emphasis on offender accountability.

[Translation]

That is the goal of the Safe Streets and Communities Act. This piece of legislation adds a legal obligation to establish a correctional plan that encompasses a wide range of elements, including drug addiction. As soon as inmates start serving their sentence, we want to equip them with tools that will help them reintegrate into society free of addiction to alcohol or drugs.

[English]

That important bill also established tough mandatory sentences for those caught trying to sell drugs on prison grounds.

[Translation]

However, there is still work to be done. The bill on drug-free prisons will constitute another legislative tool for dealing with this ongoing problem.

[English]

It will be part of our ongoing efforts. In 2011, our Conservative government made a commitment to Canadians to work to eradicate drugs from behind bars. We will ensure that every federal inmate will undergo drug testing at least once a year, that every federal inmate who is found to be in possession of illicit substances will face appropriate additional charges, and that any parole applicant who fails a drug test will be denied parole.

[Translation]

We are already seeing progress when it comes to the first two points. Correctional Service Canada has taken decisive action to help honour the commitment to subject each inmate to testing annually.

[English]

Urinalysis to detect levels is a key measure for corrections staff. To this end, the CSC increased its monthly random urine testing from 5% to 8% of inmates and then, in April 2013, from 8% to 10%.

[Translation]

This approach has yielded concrete results. In 2013-14, correctional services carried out more than 16,000 urine analyses in prisons—a 114% increase over 2011-12.

[English]

As our government increased testing and enforcement, the logical results followed. The percentages of positive tests and refusals have declined, which indicates that the availability of drugs has substantially decreased. This progress is the result of our government's strong actions.

Furthermore, CSC is working to fulfill our second commitment. CSC is now taking the commonsensical step of automatically referring cases of drug possession to law enforcement for appropriate action. As well, efforts are under way to impose tougher institutional fines on inmates found guilty of disciplinary offences; so if you are caught with a positive test in a penitentiary, you will face the consequences.

[Translation]

Our government is currently considering a regulatory reform that will be necessary to increase those charges. The Drug-Free Prisons Act will help us fulfill the third commitment from our 2011 platform—denying parole to applicants who fail a drug test. You can understand the logic behind this, Mr. Chair. Our goal is rehabilitation. We want inmates who still have substance abuse problems to benefit from the available rehabilitation programs and break free from their addiction before being released.

To do this, we are proposing two amendments to the Corrections and Conditional Release Act that are meant to provide additional legal tools to the Parole Board of Canada, which is represented here this morning by its chairperson, Mr. Cenaiko.

● (0855)

[English]

First, this bill would ensure that the Parole Board has the explicit authority to cancel parole after it is granted if an offender fails or refuses to take a urine test before he or she is released.

[Translation]

If an offender fails their drug test or refuses to participate, Correctional Service Canada would have to pass that information on to the Parole Board of Canada. That information would enable the board to review its decision, if it deemed it necessary.

[English]

Second, the bill would clarify the parole board's authority to apply a special condition that requires offenders to abstain from using drugs and alcohol once they are released on parole.

[Translation]

This authority is another important tool for fighting against illicit drug use and breaking the crime cycle beyond the bars of our prisons.

[English]

If offenders do not abide by these conditions, their parole can be immediately revoked.

[Translation]

Those two changes will help put more emphasis on offenders' responsibility. The ball will be in their court in order to help each and every one of them take control of their condition.

[English]

That is exactly what we promised Canadians in the last election and we are proud to deliver.

Mr. Chair, our Conservative government has a credible plan for tackling the issue of drugs in our prisons.

[Translation]

The challenge we are facing is complex, Mr. Chair.

Drugs are illegal in our penitentiaries, but we have to face this reality and take steps to eradicate it. We have used three measures to do this since we took office. Two of those measures have already been implemented. This morning, with the committee's support, we

will be able to adopt a third measure, which is part of our commitment to eliminating the presence of drugs in our prisons.

I am now available to answer any questions.

Thank you, Mr. Chair.

[English]

The Chair: Thank you very much, Minister, for your dissertation this morning.

Now we will go to our rounds of questioning. The first round, of course, will be for seven minutes.

We will start off with the parliamentary secretary, Ms. James, please.

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Minister Blaney, for appearing today on this important bill.

In your opening remarks, you stated that approximately 15 out of 20 offenders who are admitted to federal penitentiaries require some sort of substance abuse program. I think this ties into the very fact that many serious crimes are related to individuals who struggle with illegal drug use, with addictions of some sort, or are crimes that are connected to the illegal drug industry.

This may sound like a silly question, but do you think Canadians would think that a government should simply turn a blind eye on illegal drug use in prisons, given the fact that in many cases these inmates are in prison related to the very same issue that we're trying to stop in this bill? A second part to that question is do you think that Canadians think, in addition to simply turning a blind eye, they should be able to do this without any sort of ramification?

Hon. Steven Blaney: Thank you for the question.

First of all, I would be delighted to tell you that there is absolutely no presence of drugs in our penitentiaries, but unfortunately, this is not exactly the case. That's why we need to have the courage to tackle this issue. The way we can do that is, first, by reducing the possibility of drugs entering our facilities. That is what our commissioner has been working on over the course of several years.

Prisons are small communities, and like any community, every day hundreds of people pass in and out of these facilities. There are many kinds of people working in them, entering for their shifts. There are garbage trucks. There is food entering. There are inmates going in and out to medical treatments. There are offenders being gradually released who leave for a few hours and come back. They may leave for court appearances. They have visitors and sometimes those visitors may not be helpful for the rehabilitation of those inmates.

We need to adapt. We've even seen drugs entering our facilities by projectile. People can be very creative. That's why it's a big challenge for our correctional services officers.

The core of the problem is that if you enter a facility with an addiction problem and you are trying to continue that addiction, you are not headed toward sound rehabilitation. The first goal of the Correctional Service of Canada is that, while serving a sentence, an inmate has to be given the opportunity to get back into society in a constructive manner. That is why we need to eradicate the presence of drugs, but first we need to acknowledge there is a problem.

We have an issue with drugs in our facilities. That's what the commissioner is dealing with on a daily basis. That's why we've increased the resources to limit the introduction of drugs into our facilities. We have seen the results, with the dogs especially being able to detect the presence of drugs on visitors. These are the kinds of measures we have, but one thing will always remain: Every individual has a choice to make and we have to provide them with the tools, so that if they decide to be free of drugs, they will be able to achieve this goal and get back into society in a constructive manner.

● (0900)

Ms. Roxanne James: Individuals with a serious addiction problem, whether that be illegal drugs or alcohol and so on, have less of an opportunity to lead productive lives and participate in the full economy of our society. For someone who continues to use illegal drugs, who has addiction problems within the jail system, what is the likelihood that when they are eventually released they would be able to lead a successful life, if we didn't implement this type of legislation and if they were still having the same addiction problems?

Hon. Steven Blaney: Wisely, while serving their sentences, inmates can take advantage of the resources we provide them in terms of the opportunity to get into therapy to get free of their addictions. That's why we want to make sure, especially when we are granting parole, that if an individual tests positive, then this is not a condition for successful rehabilitation. That is why we want this to be taken into account when granting the possibility for an inmate to leave the facility. That's why we feel it is important to offer inmates the opportunity to get free by taking advantage of our rehabilitation program.

Ms. Roxanne James: In your opening remarks you indicated that this legislation really puts the accountability back on the inmates. I think your exact words were that the onus is on them.

What is in this legislation that would ensure that the inmates know that the legislation is there and that if they do fail a drug test or if they refuse a drug test, that may impact their eligibility for parole? Will they be fully informed in order for them to make the right choices when they are within the prison system?

Hon. Steven Blaney: Absolutely. You raise a good point. The goal of the legislation is, first, to provide the Correctional Service of Canada with the tools to be able to monitor and face this issue, but also to put the responsibility on the inmate to take his own potential consumption into account, and that it is not helping anyone in terms of getting out of prison. That's exactly the goal we are pursuing. Of course, measures will be taken to communicate this information, but the result is fairly simple and clear: if you are up for parole and you test positive, you're not free for parole and you stay in jail. The message is clear.

I believe this is a strong incentive for individuals to take responsibility for their consumption, and take advantage of what is provided in our facilities for therapy. The commissioner can speak at length on what is offered to the inmates so they can be free of their drug addictions. While serving their sentence they can also get free of their addiction. As I've indicated, almost 75% of inmates entering our facilities may have drug addiction problems. We know that a drug-related issue is an aggravating factor in terms of the potential for committing crime. That's why this bill is a step in the right direction. This is a big issue. It is not a simple one. This is an issue that all modern countries are facing in their facilities. We take the road of empowering the inmates in their own personal choices so they can get rehabilitation and take the therapies that are offered, and also to reduce the possibility for them to get those products that are not helpful for them.

● (0905)

The Chair: Thank you very much, Minister.

We will go to Mr. Garrison, please, for seven minutes.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Thank you very much, Mr. Chair, and thank you to the minister and officials for being here today.

I don't think there's any dispute around the table about the two quite small measures that are in the bill. In fact, we all know that both of these are already common practice at the Parole Board. The bill has a very comprehensive title. The bill says "drug-free prisons". From the remarks I've heard from the minister, I guess I'd say it's a new year, but it's not a new song. The minister appears to be continuing to confuse the symptoms with the problem. The problem is addiction. The problem is not drugs in prison. That's a symptom of the problem we have generally in society and in our prisons.

The minister talked again about punishment and individual responsibility. These are not solutions to drug addiction. People who are addicted don't respond to those same triggers that other people respond to.

I would agree with Mr. Easter that we haven't seen the text of the minister's statement and it's hard to see where he's talking about the actual treatment programs in prisons. We know that since 2010 we have an additional 1,000 people in Canadian prisons. We know the correctional services budget has been cut. We know that the correctional services budget only spends about 3% of all its budget on programming.

The minister said that 75% of the people going in have addiction problems. My question for the minister is, are they being treated? Are 75% of the people in the prison system receiving addiction treatment? I think we know the answer, but I'd like to hear it from the minister since it wasn't in his presentation.

Hon. Steven Blaney: There are some inaccuracies in your question, but let me try to shed some light on your comments.

First, yes, drug addiction is a personal problem. It is the personal responsibility of an individual to take the necessary steps to get free of addiction. Our role is to offer them the support, the help, and the tools that are needed. In fact, we are doing so. We are investing tens of thousands of millions in our correctional facilities to help inmates with the different issues. In fact, you may be interested in knowing that for those individuals seeking a drug-related therapy, 95% of inmates are being provided with the therapy.

Yes, the Correctional Service of Canada is providing help and support to those who need it. That's part of their rehabilitation program. That's why we've been investing in rehabilitation, but that's why we also need to invest in reducing the possibility of drugs entering our facilities, and for anyone who is caught testing positive, to give those individuals the opportunity to get therapy.

If we don't have this testing and if we don't test the inmates randomly like we do, we won't know we have a problem; we won't be helping the inmate and we won't be helping society. The individual will go back into society with a drug addiction problem. You can be sure that there is a strong possibility the individual will come back into our facility, and we'll be dealing again with the same problem.

That's why we are moving forward. That's why we are increasing random testing. The first way to solve the problem is to recognize there is a problem.

• (0910)

Mr. Randall Garrison: Mr. Minister, if you say 95% of those who seek treatment are getting it, then the statistic you are leaving out is how many are seeking treatment. If you are leaving it to them to do it voluntarily, then obviously there is a much smaller number seeking treatment.

The problem here seems to be the lack of people seeking treatment, and that's something corrections has the responsibility to examine.

It's a classic kind of supply and demand. As long as you have people with serious addictions in prison, human ingenuity being what it is, they will try to find ways to get those drugs into prison.

What percentage have in their correction plans drug treatment and what percentage are receiving that treatment; not how many want treatment, but what percentage of those with these problems have it in their correction plans and are receiving that programming? Let's not talk about wait-lists, or those who may receive it in the future. What percentage are receiving the treatment?

Hon. Steven Blaney: Well, I'd say just as I have indicated to you, of those who require therapy, 95% are offered and are taking this therapy. So our program—

Mr. Randall Garrison: With respect, you have just said two different things. Before you said “those seeking”, and now you're saying “those who require”. Which ones are we dealing with here with the 95%?

Hon. Steven Blaney: Of those who need therapy, 95% get the therapy.

Mr. Randall Garrison: Is there a report you could present to us showing this?

Hon. Steven Blaney: Let me give you some more numbers that are encouraging and are indicating we are moving forward in the right direction.

Mr. Randall Garrison: With respect, Mr. Minister, is there a report you can show us to demonstrate what you just said, that 95% of those who need therapy are getting it? Has a report been tabled in the House? Has it been in an annual report? I haven't seen that figure.

Hon. Steven Blaney: What I can tell you is we are offering therapy. We are offering therapy to those who need it, to those who want it, to those who are eligible for it because they have drug-related issues, and 95% of those individuals are receiving the therapy. The therapy is there.

The problem is the fact that we need to make sure those individuals are not only being offered therapy, but also don't have access to drugs.

Mr. Randall Garrison: I would ask you again, Mr. Minister, will you table that report with this committee?

Hon. Steven Blaney: The commissioner is here, and he can respond at length to your question.

Let me just give you an example. We received encouraging results with the drug testing. Now we are randomly testing inmates once a year in our facility. In 2013-14, we received 16,500 urinalysis tests that were given in the penitentiaries. As you know, as we speak, we have fewer inmates than that, so it means some inmates were tested twice during the year.

Mr. Randall Garrison: During the year?

Hon. Steven Blaney: Well, of those 16,000, 1,021 tested positive and 1,139 tests were refused. It means that 6% of tests came back positive, and approximately 7% were refused by inmates.

This means that 87% of—

Mr. Randall Garrison: Mr. Minister, with respect, you said that 95% are getting treatment. Now you've just said that 13% have tested positive.

Hon. Steven Blaney: No, no; wait.

Mr. Randall Garrison: Something doesn't add up here.

Hon. Steven Blaney: No, no; don't mix oranges and apples, my dear colleague.

What I'm telling you is that 87% of the tests we conducted indicated that those individuals don't need treatment because they're drug-free; that's 87% of the tests we conducted. Of those who either tested positive or could have in a drug addiction program, 95% are getting the therapy.

The Chair: Thank you very much.

Your time has expired, Mr. Garrison. You can certainly follow up at a later time with the minister.

We will now go to Mr. Norlock, please.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Thank you to the witnesses and the minister for attending today.

Minister, I'd like to keep things simple. We can throw percentages and numbers and a whole lot of things out there, but my message, and I think your message, isn't to the people sitting in this room or around this table; our message is to the men and women who formulate the population of this country and whose expectation is that when people go to prison, they do not have access to drugs.

In previous committees where this issue has been brought up, the opposition has said that you must be dreaming if you ever hope to eradicate 100% of drugs from prison. I think the answer is that probably not ever will there be a 100%—since we're talking about percentages—drug-free prison. But for members of Parliament, those men and women whom we are very proud of in the correctional service, who help keep us safe and provide the necessary programming to those in our prisons, we have to keep safe, we have to provide them with the ability to help those who are in prison get rid of their addiction.

Would you not agree with me, Minister, that one of the best ways to help people leave their addiction behind is for them to be in a place where they cannot obtain or have access to that very thing, whether it be drugs, alcohol, or tobacco for that matter? Wouldn't that be the best first step?

● (0915)

Hon. Steven Blaney: I thank you for your question.

I think we have two different approaches to the reality of drugs in prison. Our government, the Conservative government, is saying we need to eradicate this issue. Unfortunately, we've seen the opposition, the NDP, say to give them more needles. This is not what this government intends to do. If we find an individual who has a drug addiction problem in our facilities, we want to give him the opportunity to get therapy. Correctional Services Canada provides a range of internationally accredited substance abuse programs to offenders whose dependence on substances is related to their criminal behaviour. We're offering a helping hand to those inmates in facilities so that they can get drug-free and maybe resolve an issue they had before entering our facilities. We've seen that 75% of the inmates who enter our facilities have a drug issue-related problem.

As I just indicated to our colleague, through our random testing we found that 87% tested drug-free. For those who test positive, we now offer them therapy. By participating in substance abuse programs and aftercare, offenders learn to manage their patterns of substance abuse, with the ultimate goal of decreasing the chance that they will reoffend. That's also why, with the support of the committee and the bill that is in front of you, if an inmate is found to test positive before parole, we want to empower the Parole Board to say to that individual, "You are not in a state where you have a chance to successfully reach the goal of your rehabilitation program, which is to be drug-free." That's why we want to give the opportunity to those inmates to stay in our facilities, so that they can have access to those therapies.

Mr. Rick Norlock: Thank you, Minister.

So you would agree with me, then, that for people who are addicted and who, for various reasons, have a very difficult time controlling their addiction, the availability of drugs is not helpful, and that this piece of legislation and our concentration on trying to keep our prisons free of drugs go a long way to assisting those who

are in our correctional system to be successfully rehabilitated and to rid themselves of this problem. Would you not agree with me that in this social atmosphere, and in the modern social atmosphere in our prisons, we have, of course, the gang issue? I have in my riding one of Canada's largest prisons. It's a medium-security prison. The people who work there—the wonderful men and women who help keep us safe and rehabilitate prisoners—tell me that these medium-security prisons are now getting more dangerous because of the influence of gangs, because of the exterior pressure on family, because of the ingenious ways in which they get drugs into prisons, in some cases—one hates to say it—even in the diapers of the infants who are there for conjugal visits or for visits with their mom or dad.

I wonder if you could comment on those modern-day realities we're faced with in our prisons today.

● (0920)

Hon. Steven Blaney: I thank you for your question. Earlier I touched on the challenges that our correctional services officers face when dealing with the numerous opportunities and the circulation of goods and unwanted goods in our facilities. Commissioner Head can comment further on this, but one thing we've certainly noticed in the past is that some visitors may represent the potential for carrying unwanted substances. We have to make sure that correctional services have the authority to prevent those potential threats from entering our facilities in order to maintain a drug-free lifestyle in our prisons.

If I may, Mr. Norlock, let me share with you the positive results we get from our national substance abuse program. It works in our facilities. Correctional Service of Canada is devoting large efforts to supporting inmates who enter into a rehabilitation program. There are very positive results compared to the results for offenders who do not participate in the national substance abuse program. They are almost five times more likely to be granted conditional release because they are drug-free; they are 45% less likely to return due to a new offence, and they are 63% less likely to return due to a new violent offence.

Those numbers say that the programs put in place by Correctional Services to help inmates get free of drugs are an investment, actually, because they prevent inmates from reoffending and being put back into our facility.

The Chair: Thank you very much, Minister.

We will go to Mr. Easter, please, for seven minutes.

Hon. Wayne Easter: Minister, I don't think there's any question that of course we need to do our best to ensure that prisons are drug-free. In order to do that, we need to reduce the market for the drugs, which is inmates using drugs. It's the same as it is in society: if there's no market, then we don't have too much to worry about.

I've even had parents come to me—and there was nothing we could do about it—when their children have been sentenced to two years less a day, which is under the provincial system, to ask if there's any way they could get two years plus so they'd go into the federal system and maybe get some drug treatment. That's how serious the parents were.

There are two approaches that may be taken, or maybe a combination of both. One is penalties, which this bill seems to be all about, and the other is treatment for what's clearly a serious problem.

Minister, you said in your remarks that you were proud to deliver. Let's be honest: you haven't delivered anything other than a piece of paper that says penalties are going to be the answer.

I'm wondering if either you or CSC can tell us from your analysis how much you think these penalties are going to cost the system in terms of longer incarceration and people not being productive in society because they're in prisons. Can you tell us whether or not you think that money might be better spent in a treatment program, which your government has cut back?

Hon. Steven Blaney: I thank you for your question. While I am pleased to answer, I respectfully and totally disagree with your comments and question.

It is not because we don't want to see a problem that there is no problem. It is not because you are not getting the tools to see the magnitude of the issue that there is no problem. That's the position this government has taken.

We have a French expression:

[*Translation*]

“Take the bull by the horns”. This means that we recognize the challenge of the presence of illegal drugs in our penitentiaries. We recognize that 75% of inmates serving a sentence in our prisons have addiction issues.

As I said this morning, we have implemented measures in order to systematically administer drug tests. This will help us identify individuals with drug use problems and provide them with approved therapy that has been tailored to their condition. We could be talking about addiction to opioids or the famous methadone treatment.

Correctional Service Canada has really developed an expertise so that it can provide treatments for inmates with addiction problems. Those treatments have positive effects. They reduce the risk of recidivism among those inmates while increasing their chances of being released.

What we are proposing this morning is not punishment. The goal is to let inmates with addiction issues know that they are not ready to be released because they still have a substance abuse problem and could end up back in prison. We want to keep the inmate in the system and provide them with access to therapy, which produces rather dramatic results.

• (0925)

[*English*]

Hon. Wayne Easter: Mr. Minister, you're not getting any argument from me on the need for therapies. My problem is that your approach as a government seems to be: let's just increase the penalties and that will solve the problem.

If you go to the correctional investigator's report of 2013-14, he was critical of the government's continued refusal to develop a comprehensive program to respond to drug use in prisons. That's part of the problem.

On the numbers, I think he said that he agreed with the number that 75% of federal inmates have a substance abuse problem. But the budget has been cut to \$8.7 million, which is a decline from the \$11 million allocated in 2008-09. Now, the two don't match.

You're going to catch people who fail the urine test. Is the government putting more money into substance abuse programs within CSC so that you can cure these problems? Just having the penalty is not enough. You need the substance abuse program. That's what the correctional investigator is saying you're short on and we're saying you're short on. You have to do both.

[*Translation*]

Hon. Steven Blaney: Mr. Chair, it is difficult to offer therapy to an inmate without knowing that they have a problem. Testing is beneficial because it helps identify inmates with substance abuse issues.

Correctional Service Canada has established a public health program focused on epidemiology and supervision, testing, prevention and control, care, treatment, support and health education. Nearly 95% of inmates who need therapy have access to it.

I would like to make something clear this morning. We have to provide therapies and take steps to eliminate drugs from our prisons, but that's no reason to throw taxpayers' money out the window.

I am very proud of the efforts made by Correctional Service Canada to reduce spending. For example, we have centralized meal distribution. The money saved can be reinvested in treatments for inmates with substance abuse problems, testing or the use of drug-detecting dogs to prevent drugs from coming into our prisons.

We are responsible for managing taxpayers' money, and that is what we are doing. One way to reduce crime and the risk of recidivism is to deal with substance abuse problems in our prisons. This is a wise investment, and we will continue with this approach.

[*English*]

The Chair: Thank you very much, Mr. Easter. Your time is up.

We will now go to Madam Doré Lefebvre.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Thank you very much, Mr. Chair.

I want to thank the officials and the minister for joining us in this committee. It's greatly appreciated.

I'm glad we are talking about Bill C-12 today, but especially about the issue of drugs and substance abuse in our prisons. I think everyone here agrees that there is a problem in our penitentiaries, from coast to coast, and that we cannot ignore it. I think it has to be addressed. It's interesting to hear the comments and questions from around the table.

We all know that inmates in our prisons will have to reintegrate into society. It is our duty, as parliamentarians—and especially yours, as Minister of Public Safety and Emergency Preparedness—to ensure that these individuals become upstanding citizens once they are released. That is why we have to make sure the best tools are available. The figures you are showing us on treatments and substance abuse have given me a lot to think about.

You talked about the positive aspect of testing that has been done and treatments available to those inmates. You specified that therapy was available to 95% of prisoners.

I would like to know whether there is currently a waiting list and, if so, whether it's a long one. Are all those inmates, who account for 95% of the prison population, undergoing treatment or are they on a waiting list?

● (0930)

Hon. Steven Blaney: The objective is to provide treatment to individuals who, during their time in a federal correctional facility, are determined to have substance abuse issues and who want to participate in a rehabilitation program. In fact, 95% of inmates undergo treatment before being released on parole. We manage these situations, and the results enable us to say that any inmates who need therapy and wish to undergo treatment have an opportunity to do so before their parole.

Ms. Rosane Doré Lefebvre: Do those individuals have to put their name on a waiting list to have access to the treatment programs available in penitentiaries?

Hon. Steven Blaney: I will let someone else answer that question.

[English]

I would invite Commissioner Don Head to talk on the management of the rehabilitation program.

Mr. Don Head (Commissioner, Correctional Service of Canada): Thank you, Minister.

We do have waiting lists for various programs. We prioritize the offenders' participation in programs depending on their eligibility dates for potentially day parole, full parole, and statutory release. Ideally those who have a release coming sooner than somebody else will be at the top of the waiting list or already in programs. We target offenders who are likely to be released to go into the programs first, and we'll gauge the right time for those we have for longer periods of time to be placed in programs.

Because it's a question that the minister has been asked several times, I will mention that although we have very specific drug programs, we have revamped our program suite in the last couple of years so that at the initial stages of admission offenders now are partaking in what's called the integrated correctional program model. They're starting to get the primers for the programs, the prerequisite modules to those programs, within their first 90 days in the institution. We're taking very seriously this issue of getting inmates to programs as soon as possible. We are using the new integrated correctional program model in two of our five regions right now.

[Translation]

Ms. Rosane Doré Lefebvre: Please bear with me, as I am something of a neophyte when it comes to substance abuse treatments.

What is the average length of an inmate's treatment?

[English]

Mr. Don Head: We offer intensity levels in our programs. A high intensity level program can be as long as 12 weeks. A moderate intensity program is from 8 to 10 weeks. In addition to that initial program we have maintenance programs. One of the things we're always concerned about is that we could give offenders a program early in their sentence while they're still incarcerated. At some point they're going to go out into the community and we'll be supervising them out there in some form of release. We want to make sure that the learning they've gained in those programs continues. We'll have what we call community maintenance programs that will continue to build on the program learning they gained while they were inside the institution.

● (0935)

[Translation]

The Chair: Ms. Doré Lefebvre, your time is up.

[English]

Mr. Payne, go ahead for five minutes.

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Minister, for coming, and the officials as well.

Minister, it's interesting: you talked about the inventive ways in which people can bring drugs into prisons. I happened to attend the remand centre in Medicine Hat with the Solicitor General of Alberta, and we actually talked about it. In fact, they have this open yard area where the inmates go to get some exercise and so on. They actually ended up having to put nets over top of the yard because people were throwing in projectiles and getting drugs into the prison. That certainly speaks to your point on that.

There are other ways, and I think some of our colleagues here have talked about people's ability to find ways to get drugs into prisons. I know that recently one of the correctional officers was charged. He was implicated in trying to get drugs into the prison for some of the prisoners. That situation is ongoing as well.

Also, Minister, in your opening remarks you talked about numbers. I wonder if you could expand on those numbers regarding the drug seizures in particular, and on what kinds of drugs and what amounts we have seen coming into our facilities.

Hon. Steven Blaney: I thank you for your question.

Once again we have two different visions here. Our government has been dedicated to and involved in eradicating the presence of drugs in our facilities. We are moving in the right direction. I've given you this number, that 87% of those who have undergone drug testing have tested negative. It doesn't mean it's all perfect, but it certainly is a step in the right direction. You're right to mention that there have been seizures of drugs in our facilities. Regarding this vision, I would also like to say that we know the impact of drugs on society. We know the impact of drug addictions that destroy lives, that lead to violence and sometimes to crime. We see the Liberals who want to legalize drugs and promote drugs, and we know the vicious impact of marijuana on the brain of young Canadians. We feel we have to go in the other direction and give a helping hand to those who are caught in addiction. That's why we are implementing strategies and therapies within our own prisons and facilities to help individuals to go back better equipped than they were when they entered the facility. That's why it's important that while they are in a facility we have zero tolerance for the presence of drugs.

In fiscal year 2013-14 there were 2,406 drug-related seizures in federal prisons. In the same fiscal year, 838 offenders incurred a drug-related institutional charge. That number illustrates that this is a big challenge for our facilities, but we don't want to turn a blind eye to it. Actually when we find someone with drugs, that's the beginning of a solution for that inmate, because then we know we have a problem and we are able to offer him therapy, and he can embark on a true journey to rehabilitation. That's how we are dealing with this.

With the bill in front of you today, we are providing more tools for Correctional Service Canada to help inmates reach their objective or rehabilitation by getting free of drug-related addiction.

Mr. LaVar Payne: I agree, Minister, that rehabilitation certainly is the best way to go.

You also talked about needle exchange, Minister, and that gives me a bit of a problem. I see needles as having uses other than the injection of drugs. Certainly I don't believe that in a prison situation providing needles, which are potentially weapons to inmates, would help solve anything.

• (0940)

The Chair: Keep it very brief.

Hon. Steven Blaney: I could not agree more, and we also have to think of the safety of the correctional services officer.

The Chair: That's fine. Thank you.

Now we'll hear from Mr. Rousseau.

[*Translation*]

You have five minutes.

Mr. Jean Rousseau (Compton—Stanstead, NDP): Minister, thank you very much for your time this morning.

When these types of bills are presented, we often wonder whether there are sufficient financial and human resources to implement these good intentions. By "good intentions" I of course mean rehabilitation—which is very important to us—and ensuring that people undergo testing.

I want to stress the importance of a proper diagnosis. In fact, a number of substance abuse problems stem from mental illness. So a proper diagnosis must be made, followed by the appropriate treatment. How can we be sure that you will have the required financial and human resources, and that Correctional Service Canada will have access to them?

Hon. Steven Blaney: Thank you for your question.

I agree with you that addiction and substance abuse constitute aggravating factors. We often see a pattern of mental health problems coupled with substance abuse. This is an explosive combination that can lead to highly regrettable actions and severe imbalances.

As for treatments, I am showing you this morning that programs are available. They are provided to inmates. The commissioner did say that treatments are available to inmates so that, once they are eligible for parole, they will have had access to treatment to kick their habit.

We have also seen that inmates undergo testing as soon as they enter our penitentiaries. Some \$10 million is invested in substance abuse prevention in federal correctional facilities.

However, I would like to return to the most impressive figure from this morning. When an inmate needs treatment, they receive it in 95% of cases. The resources are available, and it is important for us to ensure we can identify people who need treatment.

I would say that, the more effective we become in terms of identifying drug abuse issues through testing or through drug seizures—and we have seen the figures increase because we are more stringent—the greater our ability to provide rehabilitation treatments. The truth is in the numbers.

We are making this investment because, if substance abuse issues are curbed and we help people free themselves of their addiction, they will be less likely to reoffend and more likely to become productive members of society. We will continue to make the necessary resources available. So I hope we will have your support, as this bill will help us better identify inmates with substance abuse problems and send a clear message that inmates who wish to reintegrate into society will have access to tools that will help them end their drug habit.

We will also make even more tools available to help prevent illicit substances from coming into federal institutions.

Mr. Jean Rousseau: This is a well-known problem. We often hear testimony from reoffenders—people who get out of prison, only to return. They say it is very easy for them to get what they want and that a well-established infrastructure exists within our correctional system. They talked about projectiles and all sorts of things. Ways to gain access to a variety of drugs are now very diversified. It even appears that people are making drugs on site using various substances obtained at different times. Ultimately, they are making a cocktail.

How can this be prevented? As I often say, outside gang structures are sometimes reproduced on the inside.

Hon. Steven Blaney: Thank you for your question.

I would very much like to tell you that there is no problem, but that is not the case. Urine tests inmates undergo are positive in 13% of cases.

We know that the majority of inmates have substance abuse issues. However, the situation in Canada is no different from that in other countries. All prison systems around the world, without exception, have issues with substance abuse, and none of them have managed to completely eliminate drugs.

The objective of the bill before you this morning is to take the bull by the horns. This is a step in the right direction. We will have to keep at it, but I think that correctional services are doing their best. Our role, as elected representatives, is to provide them with as many tools as possible. That is what we are proposing to you today. I hope you will support the bill we have presented this morning.

• (0945)

Mr. Jean Rousseau: Thank you, Mr. Blaney.

[English]

The Chair: Thank you very much, Minister.

We've finished our first hour of deliberations. The minister will be leaving now.

Minister, we would like to thank you for your attendance here today.

We will suspend for one moment while the minister is leaving, then we will recommence with further questions.

• (0945)

_____ (Pause) _____

• (0950)

The Chair: Colleagues, we will resume this session now, and we will start with our rounds of questioning.

For the first seven minutes, we will start with Mr. Falk. You have the floor, sir.

Mr. Ted Falk (Provencher, CPC): Commissioner, I'd like to talk to you about some of the comments the minister made earlier. He talked about some of the seizures that have been made, and just recently gave some updated statistics.

There are always two sides to everything. There are two sides to the ledger—the income and the expense side, and the supply and demand. We'll look at the supply side a little bit.

I'm wondering if you could expand on some of the trajectory you've experienced in the seizures in the last five years.

Mr. Don Head: Yes. If you don't mind, I'll actually go back in time. This coming week it will be 37 years ago that I first started working in a penitentiary. In those days when I started as a correctional officer the kinds of tools that were available to us were pretty limited. It was basically our good sense, our good nose and observation skills. With the investments that we've received over the last five years, we've been able to enhance our ability to better detect drugs coming into the institution.

We have seen an increase in seizures. We've seen an increase in seizures through visitors. We've seen an increase in seizures, unfortunately, of drugs being introduced by some staff members. We've also, as the minister pointed out, seen an increase, which has also been intercepted by our staff, in the introduction of drugs through indirect means, so the use of drugs being tied to arrows and being shot into the yard. We've seen recently the use of drones, these UAVs, starting to hover over our fences with packages being dropped in. We've seen tennis balls that have been hollowed out and launched through grapefruit-gun kinds of things with drugs being shot into the exercise yards. We've even seen dead birds whose insides have been removed and have been launched into the yard with drugs inside to make it look like a bird has fallen from the sky.

We have seen an increase in seizures. I attribute that to the great work of my staff. There's always the debate: do more seizures mean you're doing a better job, or that there are more drugs in the institution? I really don't care which way the debate goes. If drugs are getting in there, our job is to find them and stop them. If the numbers are going up, it means my staff are finding them. At this point in time, I feel relatively comfortable about that.

Mr. Ted Falk: Good. It was mentioned earlier that there is rehabilitation treatment available. You've had a lot of experience over the years, and I'd like to get a few comments from you on your experience. Do inmates with substance abuse problems want rehabilitation?

Mr. Don Head: What we see particularly with individuals who come into the federal system is that they've gone through the provincial system a number of times before they end up coming our way. Given that our provincial and territorial colleagues, unfortunately, do not have the same suite of programs that we have available, offenders are at first reluctant to become involved in programming.

One of the things I think is worth noting, and the minister alluded to it, is that we take a lot of time and effort doing front-end assessments of offenders. We look at all kinds of social and economic histories, including individuals who may have been using substances, drugs, alcohol, or anything else. We identify in that first 90-day period whether an individual has a substance abuse problem and what programs to get them involved with. At that point our staff, particularly the parole officers, and even our program delivery officers, start to engage the offenders to convince them that it's in their best interest to follow their correctional plan and to participate in those programs.

As time goes on, there's always a cohort in the population who are very deeply entrenched in their criminal behaviour and will not participate in programs. A lot of the security threat groups, or gangs as they're commonly referred to, will resist that, but a lot of inmates, as time goes on, see the benefit of participating in programs. They see the opportunities it provides them in terms of moving to lesser security within the system. They see the opportunities that are available to them in terms of other employment opportunities within the penitentiaries, and they see the opportunities that are available for them in terms of conditional release, such as day parole or full parole.

● (0955)

Mr. Ted Falk: The minister mentioned that this bill that is before us creates an incentive for positive behaviour, an incentive for inmates to remain substance-free. I project myself into their position and I think I would agree with that. I think this is an excellent bill to create an incentive that would allow me, if I were in that situation, to be eligible for parole, to get day parole sooner, to get early parole perhaps. I think it's a great incentive for an inmate to look at and say, "Boy, if I can remain drug-free, alcohol-free, it's worth it to me because I get to see my family and my friends that much sooner."

Do you think that's a good incentive?

Mr. Don Head: There's always the debate around incentives and disincentives and what works or what doesn't work.

When I look over the last five years, in terms of the kinds of measures we've put in place coupled with the treatment programs, and particularly offenders who are going out into the community and who have conditions to abstain from the use of substances, the number of individuals who are violating that condition is being reduced. Once they're out in the community, offenders see the advantages of being out there. They don't want to come back to my big houses. They want to stay out. So, we are seeing a reduction.

About five years ago around 4% to 5% of offenders who were out on day parole, full parole, were being revoked for violating their abstinence clause. Last year that was down to 2.8%. The combination of the approaches we're using, the detection methods we're using, the treatment programs we're offering, and the maintenance programs are driving those numbers down. We still have a lot of work to do, but it's moving in the right direction.

The Chair: Thank you very much. Your time is over, Mr. Falk.

We will now go to Mr. Garrison, please, for seven minutes.

Mr. Randall Garrison: Thank you, officials, for staying and sharing your time with us.

I want to start with Mr. Cenaiko and talk about what's in this bill to make sure we're on the right track here.

What I see in the bill is putting into law explicitly what is already Parole Board practice. I want to know if Mr. Cenaiko sees that.

Mr. Harvey Cenaiko (Chairperson, National Parole Board): Mr. Chair, before I start, I'd like to remind elected officials of the purpose of conditional release itself. It is to "contribute to the maintenance of a just, peaceful and safe society by means of decisions on the timing and conditions of release that will best facilitate the rehabilitation of offenders and their reintegration into the community as law-abiding citizens". The paramount consideration in all board decisions is the protection of the public.

This bill will amend the Corrections and Conditional Release Act to specifically stipulate that Correctional Service Canada will advise the board prior to an offender's release that the offender has tested positive in a urinalysis or has refused or failed to provide a urine sample. This has been in practice for some time; however, now it will be the law. Of course that law has to be taken into consideration, just as section 100 of the act is regarding the purpose and principles of conditional release.

● (1000)

Mr. Randall Garrison: Thank you very much.

Mr. Head, without a written statement from the minister, some of the statistics he presented seem to be quite spectacular. I'm looking for some confirmation.

One of the things he said by implication was that when people enter the system, 75% need drug treatment and now only 13% are failing. That is a success rate of almost 90% for your eight- to ten-week programs. That would be a spectacular success rate. I wonder if you have any documentation you could table with this committee or whether there's some misunderstanding.

Mr. Don Head: If you don't mind, Mr. Chair, I'll try to clarify some of those numbers. The minister's comments were in the right zone; I just want to make sure that the context was clear.

I'll talk about the urinalysis testing first. The minister was talking about the testing we do. On a monthly basis we random test in the institutions 10% of the population. In addition, we have the ability to do tests if we believe somebody is involved in drug activity or has taken a toxin into their body, and we do the same in the community. The statistic around the 87% is that of all the tests we do in a given year, 87% of them are negative tests, which leaves 13%. To clarify, half of that 13% is individuals who have refused to provide a sample and the other half is individuals who have tested positive. Internally we treat individuals who refuse to provide a sample as being a positive test, which means that 13% on average in a year test positive.

In terms of the program numbers that the minister was talking about, the 70% number that he briefly mentioned talks about the number of offenders who receive what we call a complete nationally recognized correctional program prior to their first parole eligibility date. So 70% of offenders complete at least one nationally recognized program before their parole eligibility date.

In terms of the 95% number that the minister mentioned, 95% of offenders have completed at least one nationally recognized program before their warrant expires, before their sentence is entirely up.

I hope, Mr. Chair, that clarifies at least those numbers. There may be subsequent questions, but I just wanted to clarify those numbers.

Mr. Randall Garrison: So the 95% might not include a drug treatment program; it's any recognized national program.

Mr. Don Head: It could be any nationally recognized program. What will happen, as I mentioned earlier, is that every offender who comes through our door right at the time of admission has a correctional plan. That correctional plan, based on a number of evidence-based assessment tools, will determine what programs the offender needs to address both in the institution and in the community. If they have a substance abuse problem, we have several tools to help us identify that. That will be identified in their correctional program.

Earlier in my intervention I mentioned the integrated correctional program model we've implemented in two of the five regions now. It will be implemented in the other three in the coming year. We start those program teachings and learnings within the first 90 days now, as opposed to when offenders could have waited up to six to nine months before getting into their program and starting any program learning. We have now started to gear ourselves to providing offenders with that training and that teaching. It includes the very basic elements that are included in our national substance abuse program.

• (1005)

Mr. Randall Garrison: With the integrated correctional programming, do we have any evaluation yet of its success rate when it comes to dealing with addiction problems? Before we had a much more specific program for addictions, which was very successful. Do you have those evaluations at this point and could you table them with the committee, please?

Mr. Don Head: Yes, we have an early evaluation just in terms of its general implementation. Over the next two years we'll have a more detailed evaluation as to its overall effectiveness and efficacy as it relates to various correctional planning modules. Over the next two years those research reports will hopefully validate what we're seeing in the early stages.

Mr. Randall Garrison: My specific question was whether the early evaluation can be tabled with the committee.

Mr. Don Head: We can definitely share that, yes.

Mr. Randall Garrison: Okay. Thank you.

The Chair: Thank you very much, Mr. Garrison.

We will now go to Ms. Ablonczy, please.

Hon. Diane Ablonczy: Thank you for appearing. Mr. Head, we appreciate you for the leadership you show in Canadian society. We know this is a very difficult area, and we just want you to know that we're appreciative of the leadership you show.

You mentioned that 95% of offenders who require treatment through their correctional program receive it by their warrant expiry date. I'm wondering if you could provide this committee with some information about the kinds of programs that are available.

Mr. Don Head: We offer a variety of evidence-based programs. A lot of our programs have actually formed the basis for many other jurisdictions around the world for their correctional programming models they put in place. The work we've done around substance abuse programming has been a model for over 15 years. Violence prevention programming is another specific area that we spend a lot of time on.

Cognitive behavioural programming is the basis for a lot of the various programs that we offer. It helps individuals look at situations, look at options, and make better choices in life. Cognitive behavioural programs are part of our suite.

We also have programs that are specific to aboriginal offenders and to women offenders. As a matter of fact, with aboriginal offenders we have an aboriginal substance abuse program—just in keeping with the theme of the discussion today—that builds on the evidence-based substance abuse program that we've had in place for a number of years. It builds in the cultural and spiritual components that keep aboriginal offenders interested in participating in the program.

We also offer education, which is part of our programming suite. We also offer employment skills development for offenders.

There's quite a variety of programs we offer that target those factors that evidence has shown us lead people into criminal behaviour.

Hon. Diane Ablonczy: Thank you. I appreciate that.

Mr. Cenaiko, I'm wondering about your opinion of the tools that are in this bill to allow the Parole Board to apply to prevent parole for people who have failed their drug test. Are you satisfied that it is going to be helpful to the Parole Board to have this new tool?

Mr. Harvey Cenaiko: The new information that will be provided with the legislation will trigger a review by the board, as is currently the case when any new information regarding an offender is provided to the Parole Board of Canada prior to an offender's release, which we obtain from CSC. The board would assess whether the criteria for granting parole is met.

We make in the area of 27,000 decisions; approximately 85 board members make about 27,000 decisions every year, reviewing about 19,672 cases.

In addition to that, the use of the special condition to abstain from drugs and alcohol was used in 2013-14 on 15,683 occasions, which again ties in with the large number of offenders in the institutions who have come into the institutions, or had a drug or alcohol criminogenic factor in committing criminal offences prior to being institutionalized, prior to being convicted.

I think it is important legislation. It touches on the majority of offenders, as the minister mentioned, 75% in the institutions. As we move forward, the opportunities for rehabilitation are in the institutions.

They're also noted in the correctional plan, which the offenders are responsible for working with CSC in developing, to prepare themselves for their release back into the community. As they prepare to come before the Parole Board, they're preparing themselves. We take note of all the programming that they've taken in the institution, which would include alcohol and drug prevention programs, in preparing themselves. Obviously, if they haven't, if they've tested positive, those are taken into consideration.

• (1010)

Hon. Diane Ablonczy: Are there any other jurisdictions that you're aware of that have put this kind of provision in place?

Mr. Harvey Cenaiko: Not that I'm aware of, I'm sorry. I can check and get back to you with that information, if there are other jurisdictions that we work with closely.

Hon. Diane Ablonczy: It puts more responsibility back on the offenders, really, to take ownership or to take charge of their corrections plan, to have accountability at the end of the day.

Mr. Harvey Cenaiko: I think that part of earning parole is working themselves towards bettering themselves. The remorse behind the criminal act they may have committed and the victimization they may have caused someone are all extremely important as they move forward through their time in an institution.

Hon. Diane Ablonczy: You mentioned some numbers, but roughly what percentage of parolees would have to follow the condition of refraining from alcohol and drugs?

Mr. Harvey Cenaiko: As I mentioned, of the 27,000 decisions we make each year, 15,683 decisions included that special condition of not consuming, purchasing, or possessing alcohol.

Hon. Diane Ablonczy: That's over half.

Mr. Harvey Cenaiko: Yes.

Hon. Diane Ablonczy: Thank you.

The Chair: Thank you very much, Ms. Ablonczy.

We will now go to Mr. Easter. You have the floor, sir.

Hon. Wayne Easter: Thank you, ladies and gentlemen, for appearing.

I'll start with the Parole Board. Under Bill C-12, I don't believe—and I could be wrong on this—that if an offender fails a urine test or fails to take it, the board would absolutely cancel the parole. Is that true or is it not?

I will put my question this way. Does the board itself have any discretion over the offender's parole if he or she fails the urine test or fails to take it? Is any discretion left with the board, or is the legislation absolute that the parole will be cancelled?

Mr. Harvey Cenaiko: As the legislation states, the board shall cancel the parole if, in its opinion...

Hon. Wayne Easter: That's right.

Mr. Harvey Cenaiko: However, I can say that if there is a concern regarding the protection of society—and again, this section is going to come into play within that roughly five-day period when he has been granted parole, if he has now tested positive prior to his being released from the institution, or if he refused to be tested—that's where the board has to take that into consideration.

We are an independent administrative tribunal. Each board member makes decisions based on their assessment of all relevant information, and if they have concerns regarding the purpose of conditional release—to ensure the protection of society—they take those into account and they make and write their decision based on that information.

•(1015)

Hon. Wayne Easter: Then what you're telling me is that regardless of this decision, this legislation will be a factor in your decision, but the discretion is still left up to the board.

Mr. Harvey Cenaiko: That's right.

Hon. Wayne Easter: Okay. Thank you.

So it's not quite as absolute as the minister led us to believe.

There is a lot of confusion, Mr. Head, around the numbers the minister was talking about this morning. What percentage of the prison population is currently in drug treatment? Can you give us that number?

Mr. Don Head: It varies because of the new approach we're taking with the integrated correctional program model. Before, we used to be able to just count everybody who was in the substance abuse program, but with the introduction of the integrated correctional program model in two regions, where they start their initial program primers right at the time of admission, those numbers now get confused.

If you don't mind, I'll just talk about the integrated correctional program model. It's a new approach we're taking to get offenders enrolled in their programs as early as possible in their sentence. We start delivering what are called the primers. If we look at the substance abuse program, the cognitive skills program, and the anger management program, the first several modules are the same in each of those programs. We are now starting to deliver those early modules right at the time of admission, so within the first 90 days.

In the last two years, offenders admitted in the Pacific region and the Atlantic region have started those program primers within the first 90 days.

Hon. Wayne Easter: So to get into the substance...as everyone agrees on the number that 75% of the people coming into the prison system have an addiction, whether it's to alcohol or drugs or whatever. I don't disagree at all with that early intervention, anger management, and the rest of the programming. But getting to the drug addiction issue, which seems to be the big one, if we listen to the correctional investigator, they'll claim the numbers went down from 11 million five years ago to 8.7 million now.

Is that the whole story, or just part of the story?

Mr. Don Head: Thank you for that question and the opportunity to clarify. It is actually part of the story. If you go back and look at the amount of money that we were spending just on substance abuse programming back in 2009, we were spending about \$11.7 million. Now, with the approach of the integrated correctional program model combined with the substance abuse programs that we're still offering in the other three regions, we're spending just shy of \$23 million. Because the approach with the integrated correctional program model is hitting every offender when they come through the door, we're actually spending more time, energy, and money in delivering programs than we were five years ago.

Hon. Wayne Easter: It could be a number of problems combined, I'm sure—anger management and addiction, etc. So it's \$23 million then, in total.

Coming back to the numbers the minister raised, he said there was a 95% success rate for people who take programming. Can you expand on that a little more?

Is that 95% success rate on programming just for substance abuse? What percentage success rate would that be in terms of the prison population?

Mr. Don Head: Just to clarify again, the 95% actually refers to the number of offenders that complete at least one nationally recognized correctional program prior to warrant expiry date. So 95% of offenders, before their entire sentence is up—both the institutional and community part—have completed at least one nationally recognized program in relation to their correctional plan. Many of those offenders will complete two or three during their length of sentence. As you remember from your days, individuals who have longer sentences have more opportunities to complete more programs than somebody who's doing a two-year sentence.

• (1020)

The Chair: Thank you very much, Mr. Easter.

[Translation]

Mr. Rousseau, the floor is yours for five minutes.

Mr. Jean Rousseau: Thank you, Mr. Chair.

[English]

Thank you very much for being here. I'll be speaking in French, of course.

[Translation]

I'm worried about something.

Is there an ongoing information-sharing mechanism between Correctional Service Canada and the Parole Board of Canada? Are updates made to ascertain the progress of rehabilitation programs and tests?

How does this mechanism ensure that every individual is under constant supervision and, more importantly, that public safety is not jeopardized when someone is released under false pretenses or a wrong assessment?

[English]

Mr. Don Head: There are several ways in which that occurs.

To begin, I'll talk about individuals who are coming forward for conditional release. During that process there's a significant exchange of information between the Correctional Service of Canada and the Parole Board of Canada. As well, that same information we share between the two services is also shared with the offender, so that the offender understands the basis for the decision-making going forward.

We also have a requirement that if there is new information that comes forward for certain kinds of situations, there are mechanisms where that information is brought to the attention of the chair of the Parole Board. For example, if we're talking about detention cases, if new information comes up within specific timeframes, I am actually obligated under the law to write directly to the chair and bring that kind of information forward to him.

In terms of progress going forward once a decision is made and a release occurs, the dialogue of the ongoing monitoring is really one by exception. That's probably the best way to describe it. If a case is being managed well, an offender is not getting into trouble and is not violating their conditions, there is really no ongoing discussion or dialogue with the Parole Board. Very clearly their expectation is that they set out the conditions for success for that offender; our job is to ensure the offender abides by those conditions and does not get into trouble. When offenders do get into trouble, then we have an obligation to bring that to the attention of the Parole Board for it to make the subsequent determination of whether it wants to revoke the parole.

Maybe I'll defer to the chair to talk about that process.

Mr. Harvey Cenaiko: The issue that's extremely important here is to ensure that the offender has all the information that the board members get when making the decision. There are no secret papers that aren't made available to the offender. The offender has all the information that the board members have, which is provided by CSC, and then the board members review the file and make their determination.

In the last two years the Parole Board of Canada has seen some of the best parole outcomes in more than a decade and a half, more than 15 years. For example, 99% of federal day parole periods and almost 97% of federal full parole periods were successfully completed by offenders without reoffending in 2013-14. Those are very good rates. In addition, more than 99% of the parole periods, both day and full, were successfully completed without a violent offence occurring. This is up to their WED.

The board has invested heavily in board member training over the last five years. As the chair, when I came here we determined that we needed to develop a stronger risk assessment regime and we developed a number of standardized tools to support high-quality decision-making for board members right across the country. You can see some of these positive results that are occurring. The ones who have worked to be released back into the community as law-abiding citizens are those who have made it. The others are being denied and are still in our institutions working on their next opportunity for a parole hearing.

•(1025)

Mr. Don Head: I would add that the combination of the risk assessment approach that the Parole Board uses and the risk-based supervision approach that our staff applies in the community is what is providing those public safety results for Canadians.

[Translation]

The Chair: Thank you, Mr. Rousseau.

[English]

Mr. Payne, you have five minutes.

Mr. LaVar Payne: Thanks to the witnesses for being here. It's important that we get this information.

Mr. Head, you talked about the total sum of \$20-some million in terms of the combined programming. Could you review that again for me?

Mr. Don Head: Yes, and just to clarify, that's not my total program budget. That's just if we're talking about the opportunities to address substance abuse issues. Currently I'm spending about \$8.9 million specifically on substance abuse programming and with our new integrated correctional programming module, which delivers those primer portions of the programs to all offenders coming in and now admitted, I'm spending \$14 million. The combination of the two is approximately \$23 million, which is targeting issues that we would target through the normal substance abuse programming activities.

Mr. LaVar Payne: With some of the programming that you've done, I think you indicated earlier in some of your comments that in fact some of those are newer programs, and I'm going to say world-class, but I'm not sure that is correct.

Mr. Don Head: I'll accept that comment.

Mr. LaVar Payne: Okay, and I'm glad to hear that it is world-class.

Could you give us an update as to when some of these programs came into effect, how you've seen them instituted and the results from those programs?

Mr. Don Head: It's worth mentioning that several programs, particularly the work around the cognitive behavioural skills development, substance abuse programming and the anger management violence prevention programs have been in our service for well over 15-plus years. In relation to the substance abuse program its early infancy was almost 20 years ago.

What we've seen, as the minister pointed out in the statistics that he shared, is that offenders that complete these programs are four and a half to five times more likely to receive conditional release. They're about 45% to 50% less likely to commit an offence while they're out under supervision. About 65% of them are less likely to commit a violent offence while they're out in the community. These kinds of success rates in terms of correctional programs are unheard of in relation to a lot of the smaller programs that you hear about in some jurisdictions. Our substance abuse programming, our anger management programming, and our cognitive behavioural-based programming have been sought after by many international correctional jurisdictions. They have been implemented in other countries as part of their public safety approach. We see the impact

in terms of public safety, in terms of a less likely commission of offences while they're out there. We see it in terms of individuals reaching their warrant expiry without being revoked by the Parole Board. The research that has been done over the years continues to validate the efficiency and effectiveness of these programs.

•(1030)

Mr. LaVar Payne: I want to review this in terms of the timing of the inmate having had drug testing just prior to a potential parole. Can you tell us what that timing would be so the Parole Board, along with the inmate, would have that information?

Mr. Don Head: Thanks for that question.

As the bill stands, there is no requirement for us to do a urinalysis test immediately prior to release. All it requires us to do is that if there is a drug test that occurs before the release, either through random sampling in the institution or because we've had reason to believe that the individual is involved in drug activity, then we would be obligated to share that information. We would have done that anyway, but the fact that it's in law now makes it absolutely clear there is no question that this has to be done. There is no requirement for us to administer, from the time the decision is made until the release...there is no automatic requirement for us to do a urinalysis test unless it meets the current legal definition in order to administer one.

The Chair: Your time is up, Mr. Payne.

We will now go to Madam Doré Lefebvre.

[Translation]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair.

I would like to put a question to Mr. Cenaiko.

Much has been said about the percentage of people who participate in a prison program. I don't know what the recidivism rate is among people who receive treatment and are released on parole. Are urine tests administered? What is the success rate of programs parolees participate in? I assume that they also participate in substance abuse programs once they leave prison.

What does the big picture look like?

[English]

Mr. Harvey Cenaiko: That's a very good question, Mr. Chair.

The Correctional Service of Canada supervises the offender. If there was an issue in relation to a breach of a condition or abstaining from drugs and/or alcohol, the parole officer who was supervising the offender would make note of it. They can cancel the parole at that point. The offender could go back into the institution, and then the board would have to convene another board to decide whether to cancel the suspension of that offender's parole, or they could revoke the original decision. Depending on the seriousness of the offence, if it was a minor breach, the board could make the decision to cancel the suspension and the offender would remain in the community, obviously under close supervision by the CSC official.

[Translation]

Ms. Rosane Doré Lefebvre: Do parolees often fail their drug test and have to be sent back to prison?

[English]

Mr. Harvey Cenaiko: No, as I mentioned in the statistics I provided, those are where parole was successfully completed. It doesn't happen a lot. I don't have the exact numbers. However, I can tell you that I think the programming regime that CSC has changed within the past four or five years has done a tremendous job in relation to providing offenders with treatment and with programs preparing them to be law-abiding citizens in the community. I think the regimes we've taken at the board in relation to assessing a risk truly can determine whether the individual will. Now, it's not in every case; we don't have a crystal ball. However, from the risk assessment and the scientific tools we use, you can see the results over the past 15 years, and we truly have seen some remarkable successes, especially in these last two years.

• (1035)

[Translation]

Ms. Rosane Doré Lefebvre: Thank you.

Mr. Head, about 3% of the Correctional Service Canada budget is earmarked for prison programs. What proportion of that 3% is allocated to substance abuse programs for inmates? Do you have those figures?

[English]

Mr. Don Head: Yes, as I said, the problem with trying to break out the numbers specifically to drugs, with the implementation of the integrated correctional program model, which has early components of the program, it's hard to give you that precise percentage. I can give you very quickly a breakdown of the substance abuse programming in relation to the overall programs.

In terms of our overall programming initiative, as I mentioned, we spend almost \$9 million on substance abuse, about \$9.8 million on violence prevention, \$2.2 million on family violence, \$4.5 million on sex offenders, \$7 million on maintenance programming, approximately \$60 million on social programs, and \$14 million on integrated correctional program models. In addition to that, we spend approximately \$25 million on education, and then about \$42 million on CORCAN employment skills, employability activities.

The Chair: Thank you very much, Commissioner Head. We're well over time on this one.

Thank you, Madam Doré Lefebvre.

We'll now go to Mr. Norlock, for five minutes.

Mr. Rick Norlock: Once again, thank you to the witnesses for appearing.

My friend Mr. Payne asked you whether it is world-class. Perhaps I can help him out.

Having been on this committee since 2006 I can say that when we were a minority government and we were travelling around Canada and to Great Britain and Norway, the opposition required us to go to Norway because it was considered to be the country with the best programming. I can recall that in response to one of the last questions I asked, one of the officials who might be in the same capacity as you are, Mr. Head, said that 60% of their programming came from Canada. So indeed it's world-class.

I notice, Mr. Cenaiko—and you can confirm this, if you don't mind—you said that because of the programming that CSC is providing and some of the requirements that the Parole Board has made on the parolees, somewhere in the vicinity of 98% are completing their parole successfully.

Am I pretty close to being correct there?

Mr. Harvey Cenaiko: It's 97%.

Mr. Rick Norlock: It's 97%. Wow. So we have to worry and flagellate ourselves over 3%. That's what you'll hear from the opposition, that the government never spends enough; there's not enough of this; there's not enough of that. I agree with them, by the way. When you have 3% of people who are recidivist, we need to do something about the 3%. But we can't discard the 97%. So I want to thank Mr. Head, Mr. Cenaiko, and Ms. Thompson for their work. But it's not done, and that's what we as legislators are trying to do.

You've just responded, Mr. Cenaiko, to whether this piece of legislation is going to force the Parole Board to mandatorily do something, and you said no, that you still have discretionary powers, and that all this legislation does is put into a regulatory regime that which is already being done. I really don't see a problem there, and I don't think the average Canadian does.

Mr. Head, would you agree with me that the average Canadian, the moms and dads and young folks out there, have a hard time getting their heads around the fact that someone who's placed in a prison, with all the things we do to make sure that society is kept safe, that the men and women who work there are kept safe, and that there's programming...they just say, how in the heck do people get drugs into prison? Thank you for explaining to the folks out there.

One thing we have in our society—and I'm very glad we live in a free, democratic society—is that even if you are in prison, you have certain rights. Having spoken of some of the men and women who work in our prisons, saying how drugs are getting in, you left out one that really bothered me for a while. Then you get your head around it, and you think: it's in the diapers of babies sometimes.

Have you heard of that, Mr. Head, as a way of getting drugs in?
• (1040)

Mr. Don Head: Yes, not only have I heard of it, but when I worked the front line a number of years ago I actually made a seizure with the drugs in diapers, as well as drugs in body cavities of children. When these kinds of situations occur, they're desperate acts by desperate people for whatever reasons. Unfortunately, not only are they ruining their lives, they're ruining their children's lives and the lives of everybody in their families.

One of the things we do now is that when a new visitor is coming to the institution, they have to watch a video about being approached to bring drugs into the institutions, and the consequences that occur when they're caught.

It is disheartening. It's a challenge. It's illegal. We need to continue to do everything we can to prevent it.

If I don't prevent it, I don't have a safe environment in my institutions. If I don't have a safe environment in my institutions, my staff won't do their jobs. If my staff don't do their jobs, the offenders will not participate in the programs that they need in order to get back out into the community as law-abiding citizens.

For me, this is a continuum. I need to have strong interdictions so that I can provide the right kinds of opportunities, the right kinds of programs, the right kinds of interventions so that ultimately, they return as law-abiding citizens and Canadians are safe.

The Chair: Thank you very much, Mr. Norlock. Time is up.

Mr. Garrison, you'll have the opportunity to bat cleanup today for another two or three minutes.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

We've had a very interesting discussion. When we strip away the rhetoric that came with the title of this bill, the drug-free prisons act, and get down to what's actually in it, I'm very happy to hear Mr. Cenaiko confirm what I believed to be the case, which is that this bill is actually putting into legislation things that are already happening. We're left with the rather extravagant claims by the minister, which,

on examination, seem to break down somewhat differently from the way they were initially presented.

Mr. Rick Norlock: We're almost there, Randall.

Mr. Randall Garrison: Over the break I actually missed Mr. Norlock saying, "Would you not agree that...?" It's my favourite phrasing of questions in the committee, which we will certainly miss when he retires from this Parliament, although someone else is sure to pick it up.

Some hon. members: Oh, oh!

The Chair: Let's get back to the subject, Mr. Garrison.

Mr. Randall Garrison: Thank you. I am on the subject.

My temptation is to ask Mr. Cenaiko if he would not agree that those who are released on parole do much better than those who are released at the end of their sentence, in terms of warrant expiry, and that we have much higher success rates, between Corrections Canada and the Parole Board, and a very successful system when it's focused on rehabilitation.

Mr. Harvey Cenaiko: I would agree. We've seen from our interviews of offenders who are remorseful for the actions they committed against victims that they are now trying to remain off drugs and alcohol, that they are following the correctional plan they worked on with their supervisor in the CSC's institution, and that they're taking responsibility for the criminal actions for which they were convicted. They're back in the community as law-abiding citizens. They're still under supervision, but going on beyond the warrant expiry, they are becoming productive members of society.

Mr. Randall Garrison: That's great.

I think I could say on behalf of everyone on the committee that we certainly appreciate the work that all the corrections staff and the Parole Board do in trying to make Canada a safer place, so thanks again for appearing.

The Chair: Thank you very much, Mr. Garrison.

On behalf of the committee, I'd like to thank Mr. Cenaiko, Ms. Thompson and Mr. Head. Thank you for your testimony before the committee.

I certainly thank my colleagues for their contributions to making Canada a little bit safer a place.

Thank you very much. We'll deliberate further.

The meeting is adjourned.

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