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Chair

Mr. Robert Oliphant

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•(1100)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): Good morning.

I call to order our 19th meeting of the Standing Committee on Public Safety and National Security.

The agenda today is to hear from the Office of the Correctional Investigator. We are very pleased that the investigator has come, as well as the director of investigations.

The meeting is going to be you. We're going to give you the opportunity to speak to us for 10 minutes, and if you need a couple of minutes more, I'm okay with that this morning. We want to hear from you, and then we'll have lots of time for questions.

We are invited to hear the report on the Governor in Council appointment, and congratulations on your reappointment, Mr. Sapers.

The purpose of the meeting is for our committee, which has many new members, to hear about your last annual report and your visions and thoughts on corrections and to help the committee get a better understanding of what is going on in corrections from your perspective.

I'll turn the meeting over to you.

Mr. Howard Sapers (Correctional Investigator of Canada, Office of the Correctional Investigator): Thank you very much, Mr. Chairman.

Thank you for the opportunity to meet with you. It feels luxurious having two hours before your committee this morning. I am quite looking forward to it, which maybe tells you something about my own mental health or something, but I'm really pleased that you've arranged for this time.

As you mentioned, Marie-France Kingsley, director of investigations from my office, is here with me, and you'll be hearing from Marie-France as well. She will provide a background briefing on the role and mandate and priorities of the office just to make sure there is a good common understanding of the Office of the Correctional Investigator.

I'll highlight some gaps and challenges, some ongoing and some mentioned in our last annual report, as well as point to some directions for reform.

I'll ask Marie-France to make a few introductory comments now.

[Translation]

Ms. Marie-France Kingsley (Director of Investigations, Office of the Correctional Investigator): Thank you.

The Office of the Correctional Investigator was established in 1973 on the recommendation of a commission of inquiry into a bloody, five-day riot at Kingston Penitentiary in April 1971. A main finding of the inquiry centred on the lack of an effective and impartial outlet to redress inmate complaints.

In 1992, the office's mandate was entrenched in the Corrections and Conditional Release Act. Under part III of the act, the office is mandated to conduct investigations into the problems of federal offenders related to decisions, recommendations, acts or omissions of the Correctional Service of Canada.

The office serves as an oversight, not an advocacy body; staff members do not take sides when resolving complaints against the Correctional Service of Canada. The office independently investigates complaints and ensures that federal offenders are treated fairly and in compliance with legal and policy frameworks. We view corrections through a human rights lens and make recommendations to the CSC to ensure safe, lawful and humane correctional practice.

The office's staff has complete and unfettered access to all federal facilities, CSC documents, staff and offenders. Offender access to the office, including ensuring staff presence and visibility in federal institutions, is a compelling requirement of fulfilling the office's mandate. Investigative staff regularly visit federal institutions to meet with both offenders and staff. A regular presence in penitentiaries helps ensure follow-up and timely access to the office's services.

In terms of workload, last fiscal year the office handled one of the highest caseloads in recent years, responding to 6,500 offender complaints. Investigators conducted 2,195 interviews with offenders and staff and spent a cumulative total of 370.5 days visiting federal penitentiaries across the country. The intake staff responded to more than 25,600 phone contacts. In addition, the office conducted 1,833 uses of force compliance reviews as well as 178 mandated reviews involving serious bodily injuries, assaults, deaths in custody, attempted suicides and self-harm incidents.

•(1105)

[English]

Mr. Howard Sapers: Thank you.

As a review body, of course my office falls under the public safety portfolio. However, we operate completely independently of the Correctional Service of Canada, the department, and the Minister of Public Safety. The minister is not involved in the day-to-day operations, decisions, or management of my office.

Under the legislation I have very broad powers and authorities to determine how and when an investigation is commenced, conducted, or terminated. I may conduct public hearings and may make inquiries and/or summon or examine under oath individuals who have information relevant to an investigation that is being conducted. In practice, the office typically uses much less formal methods in resolving complaints. We pride ourselves on trying to intervene at the earliest and lowest possible level to achieve our mandate.

It's important to know that all communications between offenders and my office are considered and treated as confidential. Written correspondence to and from the Office of the Correctional Investigator must by law be delivered unopened. Offenders cannot be disciplined or punished for contacting the office. Telephone calls between inmates and the Office of the Correctional Investigator are not monitored.

In the few minutes left in our opening comments, let me briefly highlight four areas of federal correctional practice that I believe require change and reform.

Number one is legal limits on the use of segregation. Number two is implementing outstanding recommendations from the Ashley Smith inquest. The third area involves improved outcomes for indigenous offenders, and the fourth is to restore focus on safe and timely reintegration and return to the community.

In my most recent annual report, recently tabled in Parliament, I reported that segregation had become so overused in federal penitentiaries that during the reporting period, nearly half—it was 48%—of the currently incarcerated population had a history of at least one segregation placement. In 2014-15, 27% of the inmate population experienced a placement in administrative segregation. Indigenous and black inmates are overrepresented in segregation placements. Indigenous inmates also have the longest stays in segregation. Incredibly, segregation is still used to manage mentally ill, self-injurious, and suicidal inmates.

As my office's recent review of prison suicides documented, segregation was found to be an independent factor that elevated the risk of inmate suicide. In fact, 14 of 30 prison suicides between 2011 and 2014 took place in a segregation cell. Nearly all of these inmates had known mental health issues. Five of the 14 inmates who took their life in segregation had been held in that form of restricted custody for more than 120 days.

I am encouraged that the use of segregation has decreased significantly so far this year, as did the number of inmates in long-term segregation or those placed over 60 days. These sharp reductions can be attributed to targeted policy reforms, corporate priority, and more robust alignment of operational practice with administrative segregation law.

The use of segregation in corrections continues to attract significant public debate. It's also the subject of ongoing litigation. To ensure progress is sustained over time, other reforms of how

segregation is used are called for. These measures include, number one, imposing a legal limit or ceiling on segregation stays; two, using alternatives to segregation to manage mentally ill, suicidal, and self-injurious inmates; and three, employing robust external review of continued or multiple segregation placements.

Of course, we're also waiting for the commitments promised after the recommendations made by the inquests looking into the death of Ashley Smith. We're looking for action on the commitments to promulgate new regulations to the Corrections and Conditional Release Act that would also limit and restructure the use of segregation.

•(1110)

Federal prisons now house some of the largest concentrations of people with mental health conditions in the country. Recent Correctional Service of Canada research confirms that federal offenders are prescribed psychotropic medications at a rate that is at least four times higher than the Canadian population—30.4%, versus about 8% in the community. Considerably more federally sentenced women than men had an active psychotropic medication prescription—just under 46% for federally sentenced women, versus 30% for men.

Previous sampling of incoming male offenders indicate the following prevalence rates: mood disorders, about 17%; alcohol or substance use disorders, about 50%; anxiety disorders, 30%; borderline personality, about 16%; and antisocial personality disorder, about 44%.

In a correctional setting, such high prevalence rates come with other challenges, such as self-harming and suicidal behaviours, use of force, segregation, physical restraints, and involuntary treatment and certifications under mental health legislation. Some significantly mentally ill offenders simply do not belong, nor can they be safely or humanely managed, in a federal correctional facility. Last year mental health issues or concerns were identified in over 37% of all use-of-force interventions inside Canadian penitentiaries.

In light of these trends, CSC's response to the 104 recommendations of the Ashley Smith inquest was widely anticipated. Released in December 2014, the service's response was disappointing and inadequate. Rather than committing to a reform-minded correctional agenda, the response did not address or support core oversight and accountability measures issued by the jury.

Key outstanding recommendations include the following: prohibit long-term segregation of mentally disordered offenders; commit to moving toward a restraint-free environment in federal corrections; appoint independent patient advocates at each of the regional treatment centres operated by the correctional service; provide 24-hour-a-day, seven-days-per-week on-site nursing services at all maximum-, medium-, and multi-level penitentiaries; and develop alternative service delivery and treatment options other than incarceration for significantly mentally ill federal offenders.

Full implementation of these measures would demonstrate that the lessons from the tragic and preventable death of Ashley Smith and others have indeed been learned and acted upon.

In January 2016 the office reported that the federal correctional system had reached a very sad milestone: indigenous people now make up 25% of the inmate population in federal penitentiaries. That percentage rises to more than 35% for federally incarcerated women. To put these numbers in perspective, between 2005 and 2015 the federal inmate population grew by just under 10%. Over this period, the aboriginal inmate population increased by more than 50%, while the number of aboriginal women inmates almost doubled.

A history of disadvantage follows indigenous peoples of Canada into prison and often defines their outcomes and experiences. Indigenous inmates are more likely to be classified as maximum security, spend more time in segregation, are disproportionately involved in use-of-force interventions and prison self-injury, and serve more of their sentence behind bars compared to non-aboriginal inmates. Indigenous offenders are far more likely to be detained to warrant expiry or returned to prison for a technical violation of their release conditions.

These problems demand focused and sustained attention and a real commitment to change and reform. This is why I continue to call for the appointment of a deputy commissioner for aboriginal offenders to ensure indigenous perspective and presence in correctional decision-making. Movement on this issue, which goes to corporate focus and political direction for federal corrections, is simply long overdue.

• (1115)

I am encouraged that the Government of Canada has committed itself to implementing the recommendations of the Truth and Reconciliation Commission. With respect to corrections, specific TRC calls to action include eliminating the overrepresentation of indigenous people and youth in custody over the next decade, implementing community sanctions that will provide realistic alternatives to imprisonment for aboriginal offenders and respond to the underlying causes of reoffending, eliminating barriers to the creation of additional aboriginal healing lodges within the federal correctional system, enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by fetal alcohol spectrum disorder, and reducing the rate of criminal victimization of aboriginal people.

A senior executive responsible for indigenous corrections could help the service fully respond to the work of the Truth and Reconciliation Commission and help the Government of Canada meet its commitments in this regard.

Safe, timely, and successful reintegration relies on correctional programming provided at the right time and the upgrading of education and vocational skills, as well as access to the community through gradual and structured release.

I would point out that approximately 75% of offenders admitted into federal custody for their first sentence do not have a high school diploma. In fact, about half have the equivalent of grade eight. Anywhere between 60% and 75% of offenders in custody are assessed as needing to improve their employability skills.

As the Auditor General concluded last spring and as my office can confirm, the slowing rate of offenders returned to the community is leading to higher and avoidable custody costs without a measurable contribution to reducing crime or a reduction in reoffending.

Despite earlier and timelier access to correctional programs, most offenders still do not complete the programs before they are eligible for their first release. Those who complete the correctional programs by their parole eligibility dates are still not recommended for release any earlier than they would have been in the past. The number of offenders granted escorted temporary absences and work releases declined again last year.

Too many offenders continue to waive or withdraw their parole hearings because they have not completed their required correctional programs or because cases are not prepared or brought forward by the Correctional Service in a timely manner to be presented to the Parole Board. Today the majority of offenders are first released from federal custody at their statutory release date. In 2014-2015, nearly 71% of all releases from federal institutions were statutory releases. The number rises to 84% for indigenous offenders. This is compared, by the way, to 66% for non-aboriginal offenders.

While day and full parole grant rates are starting to increase, they remain at historically low levels.

Given the erosion in conditional release over the past decade and particularly since Bill C-10 in 2012 and the consequent increase in avoidable custody costs, I believe more consideration needs to be given to returning corrections to its reintegrative and rehabilitative purpose. Public safety is best served by structured, graduated, and timely release and reintegration. As well, prison industries and vocational skills training should be retooled to meet 21st century job market realities. Also, there should be improved access to the community through increased use of temporary absences and work releases.

To conclude, Chairman, there is much for your committee to explore and comment upon. I am encouraged that the federal government has committed to conducting a review of the criminal justice system. This review will no doubt provide an important opportunity to make some significant change. Your work will help return some coherence and restraint to correctional practice.

Thank you again for this invitation and the generous provision of your time.

I look forward to your questions.

● (1120)

The Chair: Thank you very much to both of you for your remarks. They're very helpful. I was just thinking it takes a lot to keep going in your jobs through the years, so thank you.

In a word, better is always possible. We believe that.

We begin our questioning with Mr. Spengemann, for seven minutes.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Thank you, Mr. Chair.

Thank you very much, Mr. Sapers, Madam Kingsley, for your important work, and for being here and giving us your expertise and testimony.

I'd like to spend my time on the issue of aboriginal corrections and follow up in detail on some of the comments that you've made in your opening remarks. In particular, I want to emphasize that this government has committed to resuming or opening a nation-to-nation relationship with our first nations, and our Prime Minister has said that this relationship is one of his top priorities. This committee also has expressed a very specific interest in following through on the issue of aboriginal corrections and the overrepresentation, so I can offer this to you as an opportunity to help us structure our thinking and to come up with the right questions to ask and the areas of inquiry that we should direct our attention to.

You've made some remarks already on the state of affairs, and I don't want to repeat much of what you've said except to say that on the regional distribution side we're looking at some even more disturbing numbers. Aboriginal inmates account for 47.21%—according to your report—of all inmates in the prairie region, and then a gender-based analysis would suggest that there's a very specific problem with respect to women of our first nations, Inuit, and Métis communities. The Edmonton Institution for Women has a 60% rate of first nations inmates.

I'd like to ask you to comment on what you think is still missing in terms of data or of our understanding of the structural problems, including also your perspectives on first nations culture and its integration into the corrections process.

Mr. Howard Sapers: Sure. Thank you very much.

It's a tremendously complicated area of inquiry. There is no one first nations perspective. There are a number of first nations, so one of the very first things to understand is that one size will not fit all. The Correctional Service of Canada is challenged to provide appropriate cultural programming for indigenous Canadians from the north, from the two coasts, from the prairies, to properly engage with communities, and most importantly to fully implement sections of the Corrections and Conditional Release Act that were put into place to try to address what was then seen as a crisis of overrepresentation back in 1992.

When my office did an investigation into whether or not the will of Parliament was properly reflected in the operations of the Correctional Service of Canada in relation to the aboriginal-specific sections of their governing legislation, specifically sections 81 and 84, we concluded in a nutshell that no, the will of Parliament was not reflected.

I said back in 2013 that there were no new significant program investments in the community for federal aboriginal corrections, that there was no deputy commissioner for indigenous programming—as I've mentioned already today—and that there was no progress in closing the well-documented gaps in outcomes between indigenous and non-indigenous offenders. Those statements are just as true today.

There have been only four section 81 agreements to open up community-run healing lodges in the last 20 years. One of those agreements was renegotiated to include, finally, some beds for women, but we still have capacity in those healing lodges for less than 2% of the eligible aboriginal population.

● (1125)

Mr. Sven Spengemann: To interrupt very briefly, among those four, are there any success stories that we could latch onto that we could try to replicate, expand, or raise the understanding of?

Mr. Howard Sapers: Certainly the experience in Edmonton, Alberta, in the healing lodges run by the Native Counselling Services of Alberta, both Buffalo Sage for women and Stan Daniels for men are models.

I won't put words in the mouths of the operators of those programs, but I think they would tell you that there are ongoing challenges. In fact, when we did our investigation, not just Native Counselling Services but other aboriginal groups across the country expressed a couple of significant concerns that in spite of good work and in spite of good intentions, and often in spite of very good relations between those program sites and the local and regional representatives at Correctional Service of Canada, there were structural issues. They commented that they felt that they were subsidizing the federal crown by taking on these contracts and that they weren't compensated properly for the training, for the operational costs, etc. Elders felt disrespected in the contract process and in some of the operational decisions that were being made.

So there are some good examples. There are some good success stories, but, sadly, they're idiosyncratic. We haven't been able to bake those things into the system.

Mr. Sven Spengemann: Okay.

I would maybe take the last two minutes of my time—and time is precious—to have you expand a bit more on the position of the deputy commissioner for aboriginal corrections. What would she or he be doing? How would one person be able to affect a significant culture change inside our federal corrections system?

Mr. Howard Sapers: Culture change requires leadership. The Correctional Service of Canada is a large, distributed organization, with 18,000-plus staff across the country, 53 custody sites, and I can't remember how many community corrections sites. It's a big, dynamic organization, and it operates from coast to coast to coast.

Right now, for example, there is a deputy commissioner responsible for women and there's a deputy commissioner responsible for health care. Those are big parts of the Correctional Service portfolio. However, there is no one person whose sole job it is to keep an eye on aboriginal corrections. Right now, it's part of a portfolio for the senior deputy commissioner.

Mr. Sven Spengemann: If we were to create that position, how would we empower that person to actually do a very significant job?

Mr. Howard Sapers: That person would sit at the executive committee of the Correctional Service of Canada, which is the committee that makes all of the governance decisions and directs the operations of the Correctional Service of Canada. That person would become accountable for the strategic plan for aboriginal corrections. As a parliamentarian, you'd have a place to go to ask serious questions about commitments being met or not met, and Canadians would have, I believe, some added assurance that this was a corporate priority that was being taken seriously.

Mr. Sven Spengemann: Mr. Sapers, very briefly, because my time is almost up, how would we connect individual cases that may or may not apply the Gladue principles properly with the role of this person at the very top of the organization?

Mr. Howard Sapers: Right now, Gladue training takes place, but again, the implementation of Gladue is a little haphazard.

The Correctional Service of Canada itself, in response to one of our recommendations, actually did a study, some research, into how Gladue principles were being used in decision-making. What they found is that Gladue factors were being documented, but they weren't having the desired or expected impact on decision-making.

Again, this is an area that requires focused, dedicated leadership to make sure that we move away from just saying the right things to doing the right things.

Mr. Sven Spengemann: Thank you very much.

The Chair: Mr. Miller.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Thank you, Mr. Chairman.

Ms. Kingsley and Mr. Sapers, thanks very much for being here.

You've mentioned four different areas. I have questions on each one of them.

I did want to say that it's unfortunate that what happened to Ashley Smith happened, and I'm glad to see that some things are being put in place to try to make sure that those kinds of things don't happen again.

On segregation, I hear you on this, but what's the alternative? With Paul Bernardo, you keep him in segregation, and I think maybe the general public would say that they'd just as soon he was in the general population. It's kind of like having your cake and eating it too. How do you deal with that?

• (1130)

Mr. Howard Sapers: Segregation or solitary confinement has been a feature of modern corrections as long as we've had penitentiaries. The essential questions around segregation are who goes in, the length of time they stay there, and the circumstances under which they get out.

Segregation is being used by the Correctional Service of Canada sometimes to provide respite for staff and sometimes to provide time out for decision-making because people don't know what else to do, but the fact is that the Correctional Service does not have as part of its mandate adding to the punishment that was imposed by the court. Segregation continues to be the most austere form of custody in Canada, and the law requires that choices made by the Correctional Service of Canada need to reflect the principles of the least restrictive measures necessary.

Now, there have been some changes in the wording of the CCRA, and we can talk about that as well, but the bottom line remains that the Correctional Service of Canada has a legal obligation to ensure that they're not being more restrictive than they need to be in the management of the sentence.

The alternative to segregation is always general population. For some offenders, that may mean other forms of security or it may mean other forms of monitoring. For some significantly mentally ill offenders, it may mean transferring out to purpose-built psychiatric or forensic facilities. We're saying that there need to be hard caps on the use of segregation and there needs to be better external review of hard-cap segregation.

Mr. Larry Miller: Okay. Would hard caps on segregation include prisoners like Paul Bernardo?

Mr. Howard Sapers: If segregation placements are going to be continued for administrative or disciplinary reasons, then we believe that they need to only be continued based on external independent adjudication of those decisions to make sure that all other alternatives have been exhausted and that there is no other way to provide for safe custody.

Mr. Larry Miller: Okay. I want to move on because of time, but you're going around that question. You're not really answering it.

One thing in prisons that has always frustrated me, sir, is drugs. If the prison system wants to stop drugs from getting into prisons, it should be very easy to do. Briefly, because again I have a couple of other subjects, why doesn't the prison system stop the flow of drugs into prisons? We know they're there, and it appears that nothing gets done about it.

Mr. Howard Sapers: There are really three major issues there. Number one, there has never been a prison that I am aware of anywhere in the world that has been able to be contraband-free, including illicit drugs. Canada does not stand alone in that challenge.

Two, we don't have a good baseline of information. In all of the interventions we do in terms of interdiction, treatment, prevention, harm reduction, etc., we know about certain prevalence or usage rates of drugs based on things like urine analysis, but there is no real baseline. We don't know, really, how much drug use there is.

The third issue is that there are two kinds of drugs. There are the contraband drugs that we think about—the throw-overs, narcotics being smuggled in, etc.—but there is also the diversion of substances that are otherwise legal in the institution. You might remember the comments made about the high use of psychotropic medication. There are lots of drugs already in prisons, so you have the diversion of otherwise legal drugs as well.

That combination of factors makes it pretty much impossible to make a prison drug-free.

Mr. Larry Miller: In terms of smuggling, I presume that when you take a new prisoner in, they're totally searched and what have you. For the most part, I think we can say the chance of smuggling there is zero. What are the other ways? Looking at it as an outsider, and you tell me if I'm wrong, it has to be prison staff taking it in and out. Is that true or false?

• (1135)

Mr. Howard Sapers: There are—

Mr. Larry Miller: That's all I need: is it true or false?

Mr. Howard Sapers: —certainly examples of employees of the Correctional Service of Canada, of people under contract to the Correctional Service of Canada, and of visitors and others who have legal reasons to be in the institution. There have been examples over the years of all members of those categories of individuals bringing contraband into prisons.

Mr. Larry Miller: Are they dealt with harshly?

Mr. Howard Sapers: Typically they are.

Mr. Larry Miller: Okay.

Next, with regard to aboriginals in prisons, you talk about overrepresentation. We have the Gladue option, and I guess, with the rates this high, the obvious statement would be that it's not working, but what do you do? If someone commits a crime, whether they're aboriginal or not, do you overlook it because they're aboriginal?

I realize the numbers are there, but it's like the missing aboriginal women: it's a terrible thing that happens in Canada, but we also know that more than 70% of those crimes are committed by family members or someone they know. How do you deal with this and correct the problem at the same time?

Mr. Howard Sapers: The Correctional Service of Canada of course doesn't have any control over who the courts send to them. The decisions about who to police, who to charge, who to prosecute, and who to sentence are all made outside of corrections, and certainly they're all outside of the mandate of a correctional investigator.

There has been significant commentary on all of that, most recently by the Truth and Reconciliation Commission and by the Royal Commission on Aboriginal Peoples. Study after study has come to pretty much the same conclusion, which is that there is disadvantage rooted in the social and cultural history of Canada's indigenous peoples. My focus is on that disadvantage when it follows them inside a penitentiary and what the Correctional Service of Canada can do to mitigate that disadvantage and prepare people for safe and timely release.

There is lots of room for improvement there. Certainly the ten recommendations we made in 2013, in the "Spirit Matters" report, still stand. That was only the second special report my office ever tabled in Parliament. Those recommendations were not fully responded to. We made very specific recommendations around the use of elders, about better engagement with the aboriginal community, about better cultural training, and a host of things the Correctional Service of Canada can do, and I think needs to do, in a more focused and effective way.

[Translation]

The Chair: Thank you.

I will now give the floor to Mr. Dubé.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

Mr. Sapers, Ms. Kingsley, thank you for being here with us today.

I would like to quickly quote a passage from the mandate letter of the Minister of Justice. I may be reading it somewhat out of context but I hope this will not change the meaning. It has to do with the implementation of recommendations from the inquest into the death of Ashley Smith.

You talked about five main recommendations that have not yet been implemented. Do you feel that the new government is willing to go ahead and implement those five main recommendations, especially since they seem to be part of the mandate of the Minister of Justice?

[English]

Mr. Howard Sapers: Thank you for your question about that.

I did note that the Ashley Smith coroner's inquest recommendations were noted specifically in the mandate letter, and I was encouraged by that. Ashley Smith died in her segregation cell at Grand Valley Institution in October of 2007. The coroner's inquest was completed late in the fall of 2013.

In December 2014, the response from the Government of Canada was provided, and there were a series of commitments made. Some of those commitments have yet to be realized. The areas that I addressed are the most outstanding in terms of dealing with the mental health needs of federally sentenced offenders and how those offenders are managed.

I think we can look forward to some work from Correctional Service of Canada when it comes to a different strategy for the use of segregation, but I think we've waited too long for some of the other issues to be addressed, such as some of the issues around contracting for more forensic bed space. The only movement has been two beds in a hospital in Ontario. It's been since 2007. We made the recommendation that that process accelerate back in 2008, so I think we've waited long enough.

• (1140)

[Translation]

Mr. Matthew Dubé: Thank you.

Furthermore, your report mentions the ceiling of no more than 30 continuous days when using solitary confinement or administrative segregation. The UN Special Rapporteur of the Human Rights Council talked about torture and other cruel treatment and punishment. He said that solitary confinement should not exceed 15 days.

Could you tell us how you came to the conclusion that 30 days is an acceptable limit compared to 15 days, the limit proposed by the United Nations?

[English]

Mr. Howard Sapers: Thank you.

I think the important element is what those recommendations share, which is that there needs to be a hard cap. Long-term or indefinite segregation has to become a thing of the past. Operationally, 15 days, 30 days, 25 days.... There are different and varying opinions. There are also varying and different experiences of what segregation or solitary confinement is.

The UN special rapporteur, to some extent, was reflecting on his own experiences of being kept in truly dungeon-like, sensory-deprived, windowless, lightless, airless environments. Segregation in Canada does not reflect those conditions, but the conditions are austere enough. Space is as small as five metres square. There's a policy that requires one hour of fresh-air exercise, but sometimes that's not always achieved. The lack of human contact and deprivation of stimulus, etc., are all very detrimental to health and functioning.

Of course, we've looked at the UN report and the 15 days. Operationally we've specified 30 days, but the important thing is that there be a cap and that any continued segregation placements be subject to external review or adjudication.

[Translation]

Mr. Matthew Dubé: I'm sorry to interrupt you, but my time is limited.

In closing, I wanted to ask you one last question about our current study.

We are in the process of finalizing a study on the post-traumatic stress of first responders, public safety officers in particular. In relation to your mandate, we are talking about correctional officers. We are talking about the risks facing those officers because of the violence that may be caused by solitary confinement or double bunking, which is sometimes an issue, as you mentioned before.

Could you tell us about the impact this may have on correctional officers? We're often told that the intent is to protect offenders and so on, but there's more to it than that. People working in prisons are also at risk because of those practices. Perhaps you could tell us more about it as we wrap up.

[English]

Mr. Howard Sapers: Yes, of course, crowded and chaotic correctional institutions are not just bad environments for inmates and their chances for rehabilitation; they are also bad environments to work in. We know that a safe environment for prisoners is a safe environment for correctional staff.

If you take a look over the years, particularly at the correctional officers—the CXs, the security officers—you see that they have a very high usage of sick leave, of long-term disability claims, and of bringing occupational health and safety concerns to management. It is a very stressful job. It is very important that their conditions be respected, but their preparation for the job and the training and support they receive are also important. This starts with the executive committee and goes down through the regions to the local site administration, wardens, etc., providing the right guidance, support, and leadership to ensure that the principles and values that the Correctional Service of Canada publishes as the things that guide its work are reflected in the day-to-day operations of the institutions.

• (1145)

The Chair: Thank you. Actually, you have two seconds left.

Mr. Erskine-Smith, go ahead.

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Thank you very much, Mr. Sapers.

You mentioned the importance of mental health, and my friend Mr. Miller mentioned drugs. I would like to draw the connection between the two. Your report suggests that 52.5% of inmates have an addiction history. On page 34 of your report, you write,

A better and more cost-effective way to prevent future crime and reduce substance misuse is to put more of our limited resources into treatment, prevention and harm reduction measures....

In January 2016, there was a report called “On Point: Recommendations for Prison-Based Needle and Syringe Programs in Canada”. The author concludes:

International evidence and experience have consistently demonstrated that such programs are effective at reducing the negative health consequences associated with injection drug use, do not increase violence inside prisons, and can be implemented in a variety of forms within different prison settings so as to best support different prisoner populations.... Our research supports these findings....

I wonder, Mr. Sapers, if you could speak to the prison-based needle exchange in your experience, in your research, and how we might move in that direction.

Mr. Howard Sapers: Harm reduction is a critically important part of the approach to drug use and misuse in society and in prisons. The law requires that the Correctional Service of Canada provide health care to professional standards to reflect what is available in the community. A variety of harm reduction measures are available outside prison walls, and some of them are already available inside penitentiaries.

In the 1990s—I think it was 1999—the health advisory committee for the Correctional Service of Canada looked at the issue of prison-based needle exchange and reflected that this would be something worth pursuing in the Canadian context. My office issued a recommendation to support exploration of prison-based needle exchange back in 2003-04, in our annual report that year. The Public Health Agency of Canada was engaged by a study in 2005 or 2006 to look at prison-based needle exchange around the world and looked at some that were in operation.

The biggest concerns voiced have been around staff safety—that if syringes were more available inside an institution, perhaps they could be used as weapons, or staff might be subject to more needle-stick injuries. The worldwide experience is the opposite. Well-managed prison-based needle exchanges tend to reduce the chances of being accidentally injured by a needle during a cell search, etc. There has been a lot of exploration around prison-based needle exchange, and certainly it has been demonstrated to be an effective harm reduction measure.

Mr. Nathaniel Erskine-Smith: Are there other harm reduction measures that you have seen implemented internationally that you think would be a good idea to implement domestically?

Mr. Howard Sapers: We have had some of our own experience with piloting harm reduction measures. A few years ago, there was a safer tattooing initiative piloted by the Correctional Service of Canada whereby inmates were trained how to properly use hygienic tattoo equipment. Then the inmates would pay for the use of that equipment and would pay the costs of being tattooed. The idea behind this was not to promote body art but to promote public health.

In those days, inside a federal penitentiary you could expect 30% of the population to be hepatitis C-positive. HIV rates are much higher inside prisons than they are outside prisons. The early evaluation of the safer tattooing initiative was that it was very positive. It was nonetheless cancelled.

Mr. Nathaniel Erskine-Smith: Mr. Sapers, you've noted in your report that over the last 10 years, day parole has decreased by 15% and full parole has decreased by 40%. In your remarks today, you noted that the slowing rate of offenders returned to the community is leading to higher and avoidable custody costs without a measurable contribution to reducing crime or reoffending rates. You've mentioned in your report the U.S. experience with medical parole provisions.

I wonder if you could speak to how we might increase parole and save costs, and if we can measure the costs that we're currently spending for what appears to be no reason at all.

• (1150)

Mr. Howard Sapers: We all know that supervising offenders in the community costs a fraction of what it costs to house them in a

federal penitentiary. Moving people down through the system and out into the community under structured, supervised release is not only safe: it is also cheap.

We know that there were some significant changes to the principles and purposes of the CCRA back a few years, in Bill C-10. We know that this bill also changed eligibility criteria and the policy around things like unescorted temporary absences, escorted temporary absences, day parole, and full parole. I really think it's time to take a look at those changes to see whether or not they've had desired or undesired effects. If they've had undesired effects on release rates and grant rates, then address them.

Mr. Nathaniel Erskine-Smith: With respect to education, you've noted over 60% of the prison population has a formal education of grade 8 or less. When we talk about reintegration, that seems to me to be a serious concern.

What resources are required to bring to bear on this problem that haven't been brought to bear? Is there a way forward that other jurisdictions are pursuing that we have ignored?

Mr. Howard Sapers: Correctional Service of Canada is to be credited. It does a very good job of assessing need and screening for a variety of things, including educational attainment and intellectual capacity. Matching program interventions to that need is now really the trick, but it's more than just providing educational opportunity and it's more than simply raising numeracy and literacy levels from perhaps grade 8 to grade 10 or grade 12. We're also in an increasingly digital age. Other jurisdictions are well ahead of Canada in terms of embracing digital technology in corrections and education, in contact with the outside world, etc.

We've made these observations in the past and we've made recommendations to the Correctional Service of Canada. It's all part of a larger strategic approach that's needed that includes not only access to digital technology but also to basic library materials and ensuring that the money that CSC does spend on basic education gives the best return on investment. That's achieved through how and when offenders who need that kind of support can access that kind of support. It has to do with the timing of assessments and access to programs, etc.

Mr. Nathaniel Erskine-Smith: Thank you very much, Mr. Sapers.

The Chair: Mr. Blaney is next.

[Translation]

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): Thank you very much, Mr. Chair.

Welcome, Mr. Sapers and Ms. Kingsley. Congratulations on renewing your mandate. I am sure that you will continue to do a good job, as you have done in the past, specifically in terms of mental health, the area in which we had more opportunities to work together.

Before I ask my question, I would like to tell you that I very much appreciated that you talked about indigenous communities and prison overcrowding. Some people have criminal convictions and they have to serve their sentences. You said that employability, job creation, economic development and education are important for those communities since indigenous inmates have a low level of education. I think you have identified some useful solutions.

Mr. Sapers, I would like to hear your thoughts on the follow-up of a mental health pilot project. We don't think that people with mental health issues should be in prison, and I'm sure that you agree. However, in practice, those with mental health problems are in our penitentiaries.

Could you elaborate on the pilot project? Space in hospitals has been used, including in the Royal Ottawa Mental Health Centre. We have also looked at other institutions in Ontario and Atlantic Canada. How could we specifically follow up on this pilot project, in which those with the most serious mental health issues had been placed in hospitals?

More generally speaking, how should we follow up on the correctional service report prepared in response to the recommendations from the Ontario government investigation?

• (1155)

[English]

Mr. Howard Sapers: The previous government made significant commitments to correctional mental health, and Correctional Service of Canada was challenged sometimes to keep pace with some of the political commitments that were being made.

One of those challenges has been in concluding agreements with provincial and territorial health providers. In spite of all of the goodwill, we've only seen one new agreement concluded, and that's for two beds at the St. Lawrence treatment centre operated by the Royal Ottawa Hospital group in Brockville. There has been a renewal of the long-standing agreement with the Pinel Institute in Montreal, but there's still inadequate space right across the country.

For Atlantic Canada—I was just in the Atlantic region—the need there exists, and it's not being met. Patient advocates in provincial forensic systems across the country are raising concerns that they are losing jurisdiction when patients or their clients achieve a federal sentence and they no longer have access to the kind of advocacy they were being provided. There is no agreement in place in British Columbia or in Alberta.

For women it's particularly a problem. The regional psychiatric centre in Saskatoon, operated by Correctional Service of Canada, continues to be the only site available, federally or nationally, for significantly mentally ill women who are serving a federal sentence.

Remember, it's not just people who were mentally ill at the time of sentence. That's one problem, but the significant problem is the mental health of individuals who are serving a sentence, because

they may become ill or their illness may become more acute while they're in custody. This is something that is well known and well documented. There are lots of good recommendations and lots of good how-to discussions, but it hasn't been done.

Hon. Steven Blaney: We spoke of those inmates with the most severe mental health issues who would be put in a more hospital-like environment, but what about the bulk of those inmates with mental health issues?

Can you also comment on the training aspect that is provided to Correctional Service officers? Emphasis was made to adapt the approach to the profile of those inmates, so can you comment on the evolution of the approach? What's been achieved, and what are the next steps in that regard?

Mr. Howard Sapers: Correctional Service of Canada has improved its training and has committed to training staff up and down the organization in terms of mental health awareness and intervention. They've done a good job of doing that.

I have some quibbles about the model of the training and the frequency of the training, but at a high level I think they're to be commended for putting the time, energy, and resources into increased training. The problem is that the training hasn't necessarily resulted in some of the gains we were hoping for. We still see an overrepresentation of people with known mental health issues being held inside segregation cells, not getting access to programs, being held at higher rather than lower security levels, and often receiving more disciplinary infractions.

For some of these people it's not that they are suffering from an acute psychiatric illness, but they may be dealing with afflictions caused by traumatic brain injury or FASD or other mental health issues that make it difficult for them to survive inside a penitentiary and to follow rules. They may become vulnerable to other offenders and they may get into conflict with other offenders. That gets into the cycle of disciplinary infractions, segregation use, etc.

The training is good, but we need to see practice as well.

The Chair: Thank you.

[Translation]

Hon. Steven Blaney: Thank you.

[English]

The Chair: Mr. Di Iorio is next.

[Translation]

Mr. Nicola Di Iorio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

Mr. Sapers and Ms. Kingsley, thank you for your presentation and the work that you do. I would appreciate it if you extended my thanks to your teams.

Page 42 of the report—you don't need to refer to it because I will read out the quote and you will see what I am talking about—states: “Offenders are being released from federal facilities only to find they are inadequately prepared for life on the outside.”

Mr. Sapers, in one of your answers, you referred to observations made by the international community and experiences from other countries. What can we learn from other countries on how to prepare inmates for reintegration into society?

• (1200)

[English]

Mr. Howard Sapers: Sure. Thank you for your question and for your earlier comment.

I think what the research has demonstrated is really two things, if I can speak at a very high level.

One is that the best success for programs occurs when those programs are delivered in the community, so preparing people for the earliest possible access to the community to access those programs tends to be very much more effective. It's easier to integrate into employment, back into the family dynamic, etc., when those programs are delivered in a supported way in the community.

The other thing is making sure that the programs that are delivered in institutions are delivered at the right time by the right people for the right reasons. When a correctional plan is put into place, that plan is a type of prescription for programs that are supposed to be based on the need of that individual offender. Getting that person into the program, first of all, is very important; getting that person to complete the program is very important, and making sure that the program is delivered by somebody who is competent to deliver it is very important.

It's in those three areas that we've challenged the Correctional Service to do a better job. Last year, for example, there were about 10,700 program enrolments for the more than 22,000 offenders who churned through the system. Overall, about 85% of those program assignments were completed, a high of about 90% when it came to family violence programs but a low of under 80% for those who were involved in violence prevention programs.

We know that the number of parole hearings that continue to be waived or postponed continues to grow, and the primary reason is that people aren't getting a positive recommendation from their team to appear before the Parole Board. The biggest reason that they are not getting a recommendation is that they haven't made progress on their correctional plan, and they haven't made progress on their correctional plan because they haven't been able to get into those programs. Therefore, as I said, getting people into programs, getting them to complete the programs, and making sure the programs are based on evidence and delivered by the right people are all critical to their success.

[Translation]

Mr. Nicola Di Iorio: On page 43 of the report, I read the following: "Incapacitation should be reserved for the most dangerous".

I understand that the most dangerous offenders are particularly challenging, but are the ability of the less dangerous or non-dangerous offenders to reintegrate into society and their success rate assessed?

[English]

Mr. Howard Sapers: The Correctional Service of Canada, as part of its—

[Translation]

Mr. Nicola Di Iorio: I will let you listen to the simultaneous interpretation before I finish my comment.

[English]

Mr. Howard Sapers: Okay. My apologies.

[Translation]

Mr. Nicola Di Iorio: My concern is that the two categories may be mixed together and that not enough emphasis is placed on the possibilities of obtaining the highest rate of success.

[English]

Mr. Howard Sapers: We know that most offenders are classified as medium security. That's also where most of the institution-based programming is. Five or six out of ten inmates in a federal penitentiary are in a medium-security penitentiary in a medium-security cell. About one-fifth are classified as minimum security, and those you would think are the ones most apt to be released into the community the quickest. About 14% are considered maximum security.

Programming is available at all institutional levels, but the bulk of the programming is focused on medium security, and it's timed so that offenders are getting into programs to get the program's benefits before they're eligible for their first release. Correctional Service of Canada has made some changes to target those who will get the most benefit and to get them into programs more quickly.

The jury is still very much out, in my opinion, on whether those changes have resulted in the positive benefits hoped for. We do know that more inmates are getting into their first program more quickly and we know that more inmates are completing their programs. We don't know if they're getting the same benefit out of the programs as they once received.

The Correctional Service of Canada has used some good science to determine who maybe shouldn't even be programmed for. There are some very low-risk offenders for whom the focus is really on vocational preparation and community release planning, as opposed to correctional intervention, because they are at a very low risk to reoffend. The Correctional Service does a fairly good job of doing that assessment.

• (1205)

The Chair: Thank you.

[Translation]

Mr. Nicola Di Iorio: Thank you.

[English]

The Chair: Mr. Rayes is next.

[Translation]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

Thank you for helping us examine your report. The report states clearly that the objective is to significantly limit the use of administrative segregation, especially for young offenders under 21 years of age and those who are mentally ill.

To follow up on Mr. Miller's question, could you tell me what solutions are being proposed? Are you looking for solutions or do you already have solutions that could be implemented to limit administrative segregation?

I would like to hear what you both have to say about that.

[English]

Mr. Howard Sapers: One thing we could do about segregation is follow the law as it's currently written. Segregation is already supposed to be used minimally, as a last resort. The focus is always supposed to be on returning people to the general population as quickly as possible and eliminating any alternatives before segregation placement is maintained.

The framework around administrative segregation already calls for reviews at five days, 15 days, 30 days, 60 days, etc., and we've already seen just this year that if you pay attention to those provisions in law and policy, you can reduce segregation placement. Therefore, the first thing we can do is use segregation more closely to the way it was imagined to be used when Parliament passed the Corrections and Conditional Release Act and its regulations back in 1992.

That's a starting point. Enhancing that policy framework by including things like hard caps on continued segregation, ensuring robust review—

[Translation]

Mr. Alain Rayes: I will have to interrupt you. We can talk about it later.

I have a question that has not been answered and it has to do with alternatives.

I understand that a piece of legislation is in place and that we can amend it, but I would like to have a clear picture of the current options to replace administrative segregation in prisons.

Ms. Marie-France Kingsley: I can give you a concrete example.

There is a sub-population of women in prisons who self-harm. All too often, if they display self-harming or inappropriate behaviour, they will be placed in confinement.

There are other solutions, such as psychological support. They can be transferred to more therapeutic environments called secure living environments. They can also undergo more dialectical behaviour therapy, which is designed to specifically treat those types of mental illnesses. Those are some solutions that can be implemented.

Mr. Alain Rayes: If the act is amended, could you then apply those measures?

What is currently preventing you from providing alternatives to segregating the inmates?

Ms. Marie-France Kingsley: That is what the office has recommended to the Correctional Service of Canada for a number of years. The idea is to look at those kinds of solutions. The instinct

of immediately confining an inmate with a mental illness must not come automatically. Other interventions are possible.

All too often, the decision is made with a safety objective in mind rather than one of psychological support.

• (1210)

Mr. Alain Rayes: Why are the decision-makers not considering those other options?

The act has been around since 1992, but people are not choosing other options. Is it because of the organizational culture, lack of training, lack of resources or financial reasons?

You seem to have some solutions.

Ms. Marie-France Kingsley: That's a very good question. We could discuss it at length, but I will limit my comments on the matter.

There is certainly a question of culture. Canada has seen a deinstitutionalization of people with mental health issues in the last 30 or 40 years. Unfortunately, this has led to a trend toward over-incarceration. Some people with mental health issues are ending up in the criminal justice system more often.

So the Correctional Service of Canada inherited this problem. As Mr. Sapers explained, the CSC acknowledges it. Some cases have made headlines. More and more, correctional officers are being offered training to recognize the signs and symptoms of an inmate with mental health issues so that they better adapt their approach. However, this isn't something that happens overnight.

First of all, prison is part of a correctional system. People can't expect prisons to play the role of psychiatric hospitals. There is always tension between these two realities.

Mr. Alain Rayes: Am I to understand...

I'm sorry, but my time is already up.

[English]

The Chair: Mr. Mendicino is next.

Mr. Marco Mendicino (Eglinton—Lawrence, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Sapers and Madam Kingsley, for your testimony today, as well as for the job that you do in providing an independent and objective voice and providing a safe and humane correctional environment.

I have been listening very carefully to your testimony today and I have read your report. I want to underline that I absolutely share your conclusion that there has been an erosion in the state of that environment.

Just to highlight some of the statistics that really jump off the page, at least for me, there is the increase in the overall inmate population of 10% over the last 10 years. One wonders whether or not that has something to do with the overreliance on mandatory minimum sentences, some of which have since been struck down by the Supreme Court of Canada. We see the overrepresentation of indigenous communities, with a growth of 50% in their population, and an overuse of segregation, with nearly half of all inmates having been submitted to some form or other of segregation. There are insufficient resources for those who suffer from mental illness and there have been cuts to programming over the last decade or so, which is the area I want to spend a few moments focusing on.

I agree with you as well that in order to succeed in reintegrating inmates into the community, we have to find ways to restore CSC's fundamental role in rehabilitating inmates through programming. Some of my colleagues have highlighted as well how the inmate population is already disadvantaged because they don't have the same degree of education, skills, and training that those who are not in the inmate population do.

In your view, why is it that inmates are not completing programming? If I'm correct, that number sits at about 65%. Does it have something to do with a lack of incentives in the approach to engaging inmates in completing programming?

Mr. Howard Sapers: Thank you for the question about programming. Again, there is not one answer but several answers. I'm sorry for my lengthy answers, but it's complicated stuff sometimes.

Part of it is the demographic of the inmate population. We're dealing with an inmate population, as I mentioned before, with a very high prevalence of mental health issues, both acute psychiatric illness and a variety of other impediments, including intellectual impediments.

Another part is the educational preparation of inmates. When the average numeracy or literacy level is grade 8, sometimes there is a mismatch in getting the maximum benefit from a suite of correctional programs.

There are problems with the delivery of the programs themselves. You may be enrolled in a program, and then, for one reason or another, things interfere with the program timetable and scheduling: the institution may be locked down, the program delivery people may no longer be available, there may be another change in institutional operation, or whatever. You may get offenders who are so late in their sentence by the time they get into the program that their statutory release date is coming up, and then the program is no longer relevant to them.

• (1215)

Mr. Marco Mendicino: Is there any correlation between completing programs and being more likely to get early release?

Mr. Howard Sapers: Well, there used to be.

Mr. Marco Mendicino: But there isn't any more?

Mr. Howard Sapers: Sadly, one of the things that we've noticed is that, with some exception, overall we have not seen earlier program engagement and more program completion translate into

more positive recommendations before the board and more positive decisions by the board.

Mr. Marco Mendicino: Why do you think that is?

Mr. Howard Sapers: I think that there are lots of issues around other policy changes.

Mr. Marco Mendicino: What's the number one issue? If you had to put your finger on it, why is it that those decision-makers are not recognizing that those who complete programs should be better situated for reintegration into the community through early release?

Mr. Howard Sapers: There is a very high concordance right now between the assessment for decision and the recommendations by the Correctional Service of Canada and the decisions that are ultimately made by the Parole Board, so you have two problems that combine. Number one is the decrease in the number of people getting before a parole board for a decision—

Mr. Marco Mendicino: That's because some are just simply waiving their right.

Mr. Howard Sapers: They're waiving it. They're too close to SR—statutory release—and they haven't completed the programs, etc., so there's a decrease in getting before the board.

Second, you have negative assessments coming forward to the decision process—

Mr. Marco Mendicino: That's discouraging as well.

Mr. Howard Sapers: —because of lack of completion of the correctional plan, and the Parole Board continues to be very risk averse when presented with that kind of assessment and increasingly makes negative decisions about release.

Mr. Marco Mendicino: What's my time?

The Chair: You're over.

Mr. Marco Mendicino: I'm going to have to pick this up in the second round.

The Chair: You'll get another round.

[*Translation*]

Mr. Dubé, you have three minutes.

Mr. Matthew Dubé: Thank you, Mr. Chair.

Mr. Sapers, earlier you alluded to double bunking. The committee has discussed this point previously. Where are we with the problems I mentioned earlier, such as the violence this may cause and the danger it may present for officers? Has any progress been made on this?

[*English*]

Mr. Howard Sapers: Double-bunking is down. It was at an all-time high during the construction period that the Correctional Service of Canada went through. There was a lot of dislocation and relocation and involuntary transfers.

As you may recall, over the last eight years the Correctional Service of Canada has closed three institutions, decommissioned about 1,000 cells, built about 2,700 new ones, and had a net increase of about 1,700 cells. Part of that was to accommodate the 10% growth in population that we talked about and part of it was to alleviate other population pressures, primarily double-bunking. That is the placement of two inmates in a cell designed for one.

Double-bunking was so high on the prairies a few years back that they were double-bunking in segregation. We've seen that ameliorated.

Of course, this has come at tremendous expense. It cost \$750 million to \$800 million in capital expense to build those 2,700 cells, and then there's the ongoing expense of operating them.

There's still some mismatch between the available bed capacity and the population distribution by security level, by region, and by gender.

Mr. Matthew Dubé: Really quickly before my time runs out, how has your recommendation for a deputy commissioner for aboriginal inmates been received by the government, as far as you know?

Mr. Howard Sapers: The response has traditionally been that adding an executive to the committee specifically focused on aboriginal corrections would simply be too bureaucratic and too expensive.

Having the Correctional Service of Canada complained about as being too bureaucratic is— There's an irony there. This would neither be bureaucratic nor expensive, but that's been the major roadblock that's been presented. There's never really been a good analysis by the Correctional Service of Canada to demonstrate how they can achieve the leadership that's required with the status quo, and clearly the status quo is failing them.

• (1220)

Mr. Matthew Dubé: In the 30 seconds I have left, can you perhaps quickly expand? I know that in response to Mr. Spengemann you talked a bit about how you saw that role, but could you elaborate on what it brings to the table, countering those arguments of it being just bloated bureaucracy that's too expensive?

Mr. Howard Sapers: Let me try to give you a real, practical example. The most senior person responsible for aboriginal programming right now is a director general. The director general reports eventually to a senior deputy commissioner, but that director general doesn't get to sit at the decision-making table.

We can think about any organization and all the competing interests that any senior executive has. In terms of getting the right airtime, the right emphasis, the right knowledge base, it's expecting a little too much of a director general to be able to tell senior executives what they should be doing and the decisions they should be taking. You need to put somebody at that table who is a peer, a colleague, someone who has rank and is able to lead change, drive change, and be accountable for change.

The Chair: Ms. Damoff is next.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): I want to thank you both for being with us here today. I only have seven minutes with you, so if I cut you off, it's not that I'm trying to be rude.

One of the things that I think often gets lost with the public is that we've increased our prison population, we've cut funding to correctional services, and we're not putting a focus on rehabilitation and reintegrating people. Not having the resources, releasing people who then become unlawfully at large, or a number of other things create a public safety risk. Eventually the majority of people get out of prison.

We talked a little about programming. I was recently in Winnipeg and was given a tour of the various facilities there. One of the things that came up was the community corrections liaison officers. Are you familiar with them?

They were actually police officers who served alongside parole officers. That was one of the cuts that was made. It seems it was a very small amount of money for a program that was working really well in the community and had parole working hand in hand with police.

There was nothing in your report about those types of programs. Is that within your mandate?

Mr. Howard Sapers: Thank you for the question.

We haven't talked a lot about community corrections. Community corrections is sort of the poor cousin of institutional corrections.

We did do a major investigation into the operation of community residential facilities or CCCs, community correction centres, operated by Correctional Service of Canada. What we found is that there's lots of innovation across the country and lots of people doing really good intervention at the community level, but they're sort of doing it on their own. Community corrections has not seen the level of investment that institutional corrections has. They've not seen the kind of innovations that we would have expected and have often had to share their proportion of the cuts. When things like deficit reduction action plans come along, they've had to share in their proportion of the cuts. Some of the victims of those cuts have been some of the liaison programs you're speaking of.

Ms. Pam Damoff: To be honest, that was what bothered me the most in what is happening, because those people are in the communities. These are not people who are behind bars with corrections officers guarding the facility.

I did want to talk a little bit about segregation, because something that also came up at the facility I visited was that there are nine gangs there. One of the things the staff indicated to me is that sometimes they have difficulty and have to use.... I completely understand how administrative segregation is wrongly used for mental health issues, but in terms of having gangs and trying to keep people apart for very obvious reasons, when you have two competing gangs within a facility.... I didn't see a lot in your report about how those issues are being dealt with in our corrections facilities.

Mr. Howard Sapers: Gang management has been a long-standing issue for Correctional Service of Canada, as it is for other correctional services around the world. Keeping incompatibles apart, sometimes having to have units that are specifically designed for people who are involved in gang activity, having different management strategies in terms of when those people get yard access, get access to vocational training, get involved in programming, etc., are all part of the day-to-day work and operations of corrections.

• (1225)

Ms. Pam Damoff: It seems that it's getting more challenging as—

Mr. Howard Sapers: There are some areas in the country where we're having more gang involvement and more gang issues than ever before. A lot of this, though, has to do with having the right mix of cell types, capacities, and security levels, etc., and good staff training, but segregation in and of itself is not the answer to any of that. Segregation in some ways makes that even more problematic, perhaps, with people relying on segregation as a way to avoid making other more difficult decisions about how you conduct that part of your business and your operations.

Ms. Pam Damoff: The other thing they touched on was people who were remanded, and that's a real issue for them. The parole officer I spoke to had been actively working with the legal system to try to get people out of segregation, but their biggest issue was that people were remanded and they had to be there. Then it was a problem integrating those offenders into the general population.

Mr. Howard Sapers: Of course, Correctional Service of Canada deals with offenders sentenced to more than two years. I know that some offenders who are returned to penitentiary based on a new criminal charge may have remand status, and things get very complicated in terms of where they're housed and who houses them, but primarily, remand custody is the business of provincial and territorial corrections systems. That is tied into another very complex discussion about bail reform, how remand is used, and who it's used for.

I'm very lucky that's all outside of my mandate.

Ms. Pam Damoff: I want to touch on the programming, because I've had the issue come up that there's a disconnect between the programming that's offered for offenders in prison and what the Parole Board is looking for. Even if people want to qualify, they're not able to get the programming they require in order to get released. Could you speak to that a little bit?

Mr. Howard Sapers: Again, I know we're pressed for time, so I'll give you one little sliver of an answer.

When somebody appears before a sentencing judge and that judge says, "I'm going to send you to the penitentiary so you can get a program", the judge is making an assumption that such a program exists and that if it exists it will be delivered, and if it exists and is being delivered, it will be delivered in the institution at the time that the inmate is there. Those are all assumptions that all too often don't come true, so—

Ms. Pam Damoff: I'm going to cut you off for a second because I need to ask you one thing before my time is up.

Do you think that we need to be investing more in our Correctional Service to be able to deliver the type of programming that needs to be delivered there?

Mr. Howard Sapers: We need to ensure that the Correctional Service of Canada is spending the right amount of its budget on correctional interventions. We've observed in the past that there is a huge disconnect between the small proportion of the budget that's actually spent on programs versus the proportion of the budget that's spent on all kinds of other things.

There's just simply not enough capacity to meet the need. It may not require new funding, but it certainly will require reallocation of the existing budget.

The Chair: Go ahead, Mr. Miller.

Mr. Larry Miller: Thank you very much.

I want to continue, Mr. Sapers, on some questioning from Mr. Rayes. You mentioned a number of times that the law is in place, but it sounded as if—and I don't want to put words in your mouth—the law wasn't being adhered to in prisons.

Seeing as you kind of represent the prison side of it, my question logically is, why the hell aren't the rules being enforced?

Mr. Howard Sapers: Thank you. This is a role reversal you've just done on me, because that's the question I ask Correctional Service of Canada. I assume that we're still talking about segregation —

Mr. Larry Miller: Well, it's everything.

Mr. Howard Sapers: In 2008 when we did our first report on Ashley Smith's death, we made specific recommendations about segregation, and a lot of it had to do with training and adhering to the framework. Things went really wrong with Ashley Smith. For example, the segregation review she was entitled to didn't take place simply because the Correctional Service misinterpreted its own policy about the segregation clock and how it was reset every time she was transferred.

In response to those recommendations, Correctional Service of Canada said they were going to make some changes, and they made a couple. Then there was the coroner's inquest, and they made 104 recommendations, many of them around segregation. In response to those recommendations, Correctional Service of Canada said they were going to make some changes, and they made a couple, but they talked about a commitment to look at a series of regulatory issues, administrative issues, training issues, and policy issues. That was in 2015. They promised a new segregation renewal strategy, and in their own words they said, because they had to bring practice closer to policy, that they were going to fine-tune things. They were going to look for some changes so that they could do that better.

Recently, Correctional Service of Canada updated its response on those recommendations in answer to a question from the Senate. They told the Senate that in 2015 they promised they were going to make some changes and they still promised to make those changes, so now we have, in 2016, an update, really, of what was first promised and discussed back in 2008.

I can't answer your question any more directly than that. The problems are well identified. Some of the solutions have been well identified. We haven't seen the action.

• (1230)

Mr. Larry Miller: It's obvious somebody is dropping the ball, and I guess we've got to find out the reason.

I want to switch gears back to what Mr. Erskine-Smith talked about: injection sites. I've got a problem with this, and I'll tell you why. Injection sites are put in place to deal with a problem created by the real problem, and it goes back to drugs. I need you to make me understand in some way how illegal drugs are getting in there.

You talked about delivery people. Okay, I get that, but is there not a security system in place so that they're thoroughly inspected when they come in? Sure, I understand there are people out there who lie awake at night thinking of ways to screw the system, and the odd one may get through, but wouldn't you agree that if the proper security is in place, it should be a rarity rather than a regular occurrence?

I'll tell you what a lot of people think out there in the public: it's that the people in the prison system just turn a blind eye to it. I hope that isn't the case, but that's the appearance.

You will never convince me, I don't think, that the people who are employed in there—not all of the people, but some of the people employed in the prison system—are not part of the problem. They're allowing it to get through. Can you comment on that?

Mr. Howard Sapers: I think it is a very hard truth that, unfortunately, criminal conduct and corruption exist. Thank goodness it's not a huge part of the puzzle, but it's part of it.

As I said earlier, I'm not familiar with a drug-free prison anywhere. I'm not sure we'd want to operate such a thing—

Mr. Larry Miller: I agree with you. I don't think there's a drug-free prison anywhere either, but let's not use that as an excuse or a crutch.

Mr. Howard Sapers: Oh no, and I agree, but I don't think we were discussing safe or supervised injection sites. I think we were talking about a prison-based needle exchange, which are really two very different things.

The reality is that you want to deal with people's addictions as health issues, and harm reduction is one of those strategies. This in no way is to facilitate or encourage contraband or illegal drug use; it is recognizing the health status of those individuals and trying to minimize harm.

Certainly we've seen a lot of increase in the efforts made by the Correctional Service of Canada in terms of detection and interdiction. Enforcement plays a role, but we're pretty much at the point of diminishing returns, again because it's very hard to know for every

new million dollars we spend on interdiction and enforcement what that return will be in terms of finding more contraband drugs.

Mr. Larry Miller: Okay. Switching from contraband to prescribed drugs in the prison for whatever disease, mental or physical, I take it that there's a lock-up system in there. In some of your earlier comments, it sounded as if, for some of those drugs, more than were prescribed were getting out to patients. Is that a problem? To what degree is it a problem?

• (1235)

Mr. Howard Sapers: Yes, the diversion of prescribed medication is an issue.

Again, it's an issue that the Correctional Service of Canada is well aware of, and they have increased efforts in terms of surveillance, monitoring, and substituting one form of drug for another. That includes, for example, substituting a liquid form of a medication for a pill form of a medication and watching somebody actually consume a liquid with it so that the pill can't be cheeked and then diverted.

I don't want to get into too many of the details of how people divert drugs. Some of them are unpleasant to discuss, and I don't want to give anybody any ideas either, but there are ways to divert those drugs.

Mr. Larry Miller: Okay. If I could just—

The Chair: I'm going to have to cut you off.

Mr. Larry Miller: Am I out of time?

The Chair: You carried it a little over.

Go ahead, Monsieur Dubé.

[*Translation*]

Mr. Matthew Dubé: Thank you, Mr. Chair.

I would like to come back to segregation.

You mentioned a clear objective that could be achieved through legislation, which is establishing a maximum number of consecutive days when this measure is used.

Some of the recommendations made, particularly from the inquiry into Ashley Smith's death, do not necessarily provide a legal solution. We're talking about a lack of resources and the fact that some mental health treatment can't be given in prison, despite the best intentions.

If legislation was created to set a maximum number of consecutive days in segregation, in your experience, should anything else be included in a bill like that to properly frame the use of segregation so that we don't come back to it every time there is a tragedy like the Ashley Smith case?

[English]

Mr. Howard Sapers: In terms of the nuts and bolts, let me share with you some of the things the Correctional Service of Canada has already identified, including adding mental health professionals as permanent members of institutional segregation review boards and having offenders with mental health disorders who have been designated as high-, acute-, or intermediate-care cases engage with an advocate to assist them in the hearing process during their segregation reviews.

Also identified is an obligation for an added executive regional review of all cases of inmates with mental health disorders who have been designated as acute or high need but who are still placed in segregation. The focus there would be to search for practical alternatives to continued segregation placement. As well, another one that was identified is adding a new step in the segregation review process to provide for an external review of all cases of offenders with mental health disorders before they are placed or subsequently placed in segregation a second time.

The Correctional Service of Canada has already identified a number of these things. What's curious to me, as I was saying in my previous answer, is that even going back to 2008, it wasn't the first time that many of these issues were raised. They've been raised and raised again, and the responses have always been, "Yes, we're getting to it."

Mr. Matthew Dubé: And then nothing happens after that.

Mr. Howard Sapers: As I say, it's a very slow, incremental, frustrating pace of change.

[Translation]

Mr. Matthew Dubé: So there is an urgency to act, especially because this matter has been dragging on for so long.

[English]

Mr. Howard Sapers: There's a certain urgency. When we looked at those 30 prison suicides over three years, we found that 14 people had died in segregation cells in those three years, so yes, there's a certain urgency.

[Translation]

Mr. Matthew Dubé: Thank you.

On that same subject, I can predict that one of the arguments by some people would certainly be that these resources are costly. I think tackling the challenge of mental health has no cost. I think it is vital to do so. But on the flip side, I imagine that people could say that the perhaps abusive use of segregation also has a cost, if it can be put that way.

Have you done any studies to determine the costs associated with this almost abusive use of segregation? I don't just mean the short-term cost, but the cost on the system overall as well.

•(1240)

[English]

Mr. Howard Sapers: I can't give you a specific cost dollar. I can tell you that the average cost of incarcerating a man in a federal penitentiary is about \$108,000 or \$110,000 a year. It's about twice that for a typical woman.

I can tell you that for Ashley Smith's year in custody, it cost about four times what it would cost for an average woman spending a year in a federal penitentiary. I can tell you that segregation cells, particularly segregation cells in maximum security institutions, are about the most expensive cell you can operate. The requirement for frequent rounds and checks in those segregation cells, the extent to which security staff have to pay attention, the routines in terms of requiring visits from health care staff or the warden, feeding in the cells, and so on all add expense to an otherwise already expensive system.

Minimum security custody costs less than medium. Medium security custody costs less than maximum, and segregation custody costs more than maximum, so you're looking at a huge potential for cost savings, let alone the benefits to the individuals who would no longer be housed in those forms of restricted custody.

[Translation]

Mr. Matthew Dubé: Thank you.

I have one last question about this.

My colleague Murray Rankin and I are trying to get the committee to study this issue. You acknowledged that there is a certain urgency. We are seeing the consequences. You have long been making recommendations about this and no action has been taken. Is there still any interest in doing this study, or do you think that it's time to simply take action?

[English]

Mr. Howard Sapers: Whenever you answer a question starting with the words "With all due respect", you run the risk of the answer not being taken in the spirit in which it's being offered, so I'll avoid saying that.

However, I think there's tremendous value in parliamentarians becoming intimately aware of this issue. We're talking about the ultimate deprivation of liberty, the state controlling somebody as much as they can be controlled. I think that it's incumbent upon parliamentarians to understand that in the best way possible.

However, I'll also say that there have been lots of studies. There's lots of expert opinion out there. There are lots of examples around the world. You don't have to go far. You can go to many U.S. jurisdictions and look at segregation reform. You can go to many European jurisdictions and look at segregation reform. You can look at what the UN does. You can look at what the European Union has done. You can look at the work the Correctional Service of Canada itself has done. Many of the answers, many of the solutions, already exist, so if there were to be another study, I'd say it would be about gathering up the best of the best and acting on it.

The Chair: Thank you, Mr. Sapers.

Go ahead, Mr. Mendicino.

Mr. Marco Mendicino: Thank you, Mr. Chair.

I'd like to pick up on my last question, regarding the potential reasons some inmates may have been waiving their right to parole hearings. I was about to ask you whether or not that had something to do with their lack of desire or inability to complete programs, because the ability to complete programs could vary.... One would think logically or intuitively that if you completed a program, that would increase your chances of early release or statutory release. Could you just elaborate on that for a moment?

Mr. Howard Sapers: Madam Kingsley will give you a good answer to that question. I'll just say something first.

Some inmates will choose not to engage in the correctional plan for a variety of reasons. They are rare, so we should never be misled by the suggestion that it's recalcitrant inmate offenders who just don't want to do it.

Mr. Marco Mendicino: No. It's quite the opposite.

Mr. Howard Sapers: Right, and I know that's not what you were saying. I acknowledge that, but we do hear it, the idea that the inmates don't want the programs. That happens occasionally, but it's rare.

For the more thoughtful and appropriate answer, I'll ask Marie-France.

Ms. Marie-France Kingsley: Thank you for the confidence you place in me.

Mr. Sapers mentioned some of the reasons that an inmate may not be able to complete some of his or her programs. Other reasons may be, as we've heard, really long wait-lists. In another case, if an inmate who has started a program gets transferred to another institution, they may be unable to complete the program because that same program is not being offered in the new institution. Not every institution offers the same programs.

Also, in penitentiaries that are geographically far away, it may be hard to recruit people who offer programs. You may be able to recruit people who offer programs, but not in both official languages, and as we know, you can be in any penitentiary. You can be minority language in Quebec or outside Quebec, so those are obstacles as well.

•(1245)

Mr. Marco Mendicino: Can I just pick up on the last part of your answer?

Ms. Marie-France Kingsley: Yes.

Mr. Marco Mendicino: It may be that some of these programs are not speaking to the inmates, if I could put it that way, either because of language or perhaps because of a cultural barrier. Do you feel there is room to revisit some of the ethnocultural programming within the Correctional Service environment?

Ms. Marie-France Kingsley: We did carry out a systemic investigation of black offenders in Canadian penitentiaries and what came out of that was that yes, there is a need for more culturally adapted ethnocultural programs.

Mr. Marco Mendicino: Okay, so we know you have concluded there is a need. Can you give me a few specific examples, maybe just two, that could be integrated into this type of program to speak to certain segments within the inmate population?

Mr. Howard Sapers: Sure—

Ms. Marie-France Kingsley: Off the top of my head?

Mr. Marco Mendicino: Well, you're probably better positioned than anybody in this room to comment on it.

Mr. Howard Sapers: We're seeing a big increase in the population that speaks neither English nor French as the first language. There is a need for more programming around people with language difficulties. We need ESL, for example.

We're also seeing very distinct sub-populations inside federal penitentiaries. There are some big blocks. Examples are a block of 25% aged over 50, 25% aboriginal. The number of black inmates in Canadian penitentiaries has gone up by about 90% in 10 years. We've seen a big increase in Asian and Hispanic offenders as well. That cohort has to change.

The whole approach to ethnocultural programming needs to be refined and enhanced. The approach to older offenders and the kinds of programs they need are very different. So are the kinds of supports they need, not just for safe custody, but also to prepare them for release into a world where often they are not going to be living independently and they're not going to be looking for a job.

So it's ethnocultural programming, but it's also responding to the demographic shifts inside our penitentiaries.

Mr. Marco Mendicino: Language and age tailoring would be two areas based on the demographics.

I need either a yes or a no and I have a minute and 30 seconds or so to ask you about one other area of programming.

Mr. Howard Sapers: Yes.

Mr. Marco Mendicino: Okay. I know that counter-radicalization programming is obviously an area that requires a lot more than 70 seconds of my remaining time, but could I have some highlights from your point of view?

Mr. Howard Sapers: It's too little, too late. I think we're behind when it comes to radicalization and counter-radicalization programming.

Again, this is not just a Correctional Service of Canada issue. There are many aspects to it. It's having people housed properly, having them programmed properly, and having them supervised properly.

Mr. Marco Mendicino: I'm sorry to interrupt you, but I didn't want to leave you on a defeatist note. Within the context of the Correctional Service's environment, tell me what we can do. What should we be doing that we're not doing right now?

Mr. Howard Sapers: Largely, it's around release planning. It's integration and engagement with the community support that exists for these men and women within their own cultural communities.

Mr. Marco Mendicino: Okay. Thank you, Mr. Chair.

The Chair: I'd like to use your few remaining seconds to push a little bit on the ethnocultural programming and the interfaith and ecumenical chaplaincy programs and cuts that have happened in recent years.

Have those cuts made a difference, in your mind, with respect to potential better outcomes for release, or do we know enough to know whether they have been affected?

• (1250)

Mr. Howard Sapers: There were some significant changes to the provision of chaplaincy support across the country, and I think they're fairly well documented. We're still seeing the effect of these. It varies across different regions of the country. It's operating a little differently even within some institutions within regions.

It's not as dire as it was when the contracts for the part-time chaplains were first not renewed. Then there was a call for proposals to go to a more centralized process.

I think the best thing I can tell you, Chair, is that the jury is still out.

We have a parallel issue with the role of elders in terms of providing spiritual support to indigenous men and women. Elders are increasingly feeling either—and these are the words they've used to me—marginalized or co-opted, in terms of their role, but their role, by the way, is guaranteed in law, much as is the case with other chaplaincy or spiritual supports.

The simple answer to your question is that we're still learning more about the impact of those changes and cuts.

The Chair: Thank you.

Mr. O'Toole, you have five minutes.

Hon. Erin O'Toole (Durham, CPC): Thank you, Mr. Chair, and thank you for joining us. My apologies for my tardiness; I was speaking on cybersecurity.

Mr. Sapers, how many years have you been in the role? I missed that at the outset.

Mr. Howard Sapers: Since April Fool's Day of 2004.

Hon. Erin O'Toole: You seem to remember that date.

I'd like to talk to you for a moment about section 718 of the Criminal Code, which outlines the principles of sentencing. It is essentially, I would suggest, within your mandate to look at those principles.

Which do you feel are the most important? Are they of equal importance? Do you feel that your mandate encompasses all of them, or do you focus on one or two?

Mr. Howard Sapers: My focus is on the mandate that's established in the Corrections and Conditional Release Act, part III.

When I reflect upon the Criminal Code of Canada and think of the sentencing provisions, section 718 and others, I note that the language in the Criminal Code of Canada continues to call for the least restrictive measure that's necessary to achieve the purpose of the courts. That language was stripped out of the Corrections and Conditional Release Act, so what we have is a slight mismatch right now between those principles that the court considers and those principles that our Correctional Service is supposed to consider in the administration of the sentence imposed by the court.

I tend not to rank those principles in an order. You asked me whether I would put a priority on one or another. I think safe and

appropriate custody and providing supports for safe and timely reintegration are really the guiding values. They're well articulated in the Correctional Service's mission statement. They're reflected in the Corrections and Conditional Release Act. I think it's really at that level that my office operates.

Hon. Erin O'Toole: I have found since I was in law school that you could not divide people, whether Liberals or Conservatives, into easy stereotypes of "hard on crime" or that sort of thing. Rather, it's that each grasped different principles within those guidelines more tightly.

The first three—denounce and deter, separate offenders, protect society—are the ones that I think the Conservatives feel were softened too much during the Chrétien government and before. Then the other three principles—of rehabilitation, reparations to victims, and a sense of responsibility for misconduct—are the other side, which my friends on this side would suggest were wanting in the previous nine years.

I think all are important. My concern is that when talking about offending the rights of others or about violent crime, from a simple assault through to murder, the emphasis of society has to be, I think, on the first three principles. Would you agree or disagree with that when it comes to violent offenders?

• (1255)

Mr. Howard Sapers: As I said, I tend not rank these things in order. I think that doing justice is a pretty complex thing to do. It has many facets and many dimensions. My own experience in working in this field for 30 years is that I've never seen two cases that are exactly the same, with the same set of circumstances. I've heard from victims who have a variety of needs and wants, and often those needs and wants are not for tough, harsh responses but for compassionate responses, responses that are going to be helpful and preventative.

There are a variety of things. I think it's necessary to try to hold them all in your hand at the same time and then think things through.

Frankly, I've spent the last 12 years of my professional life trying to be absolutely apolitical about these things and not see them in terms of Liberal or Conservative or New Democrat or anything else. It's interesting to me that the CCRA, which I value so much as a piece of legislation, was actually put into place by a Conservative federal government. Those principles about the least restrictive measure and the role of corrections in a just society were brought into law by the Mulroney government. I don't think of these things as right-left issues.

Hon. Erin O'Toole: The Mulroney government held a referendum on the death penalty. As we recall, it was rejected, including by the then-prime minister himself.

My sense is that your office or other agencies and groups tend to focus on the rehabilitative aspects, which I think are very important. My concern has been that in the case of violent offenders or repeat offenders, society has, I feel, an expectation that the protection element of our penal system and our corrections institutions takes priority, for the simple reason that there is a risk to the public.

The Chair: I'm afraid I have to end you there.

One last five-minute round goes to Mr. Di Iorio.

[*Translation*]

Mr. Nicola Di Iorio: Thank you, Mr. Chair.

Mr. Sapers, could you share with us your observations about the prison farms when they were in operation? What do you think about their closure?

[*English*]

Mr. Howard Sapers: Prison farms or agri-businesses, as they were called, were operated by CORCAN, which is an operating entity of the Correctional Service of Canada. I was surprised that they were closed and at how quickly they were closed and by the skimpy reasons that were offered publicly for their closure. I hope there will be some reconsideration.

CSC needs to rethink its approach to vocational preparation across the board, and how CORCAN operates, and the kinds of industrial activities and opportunities that it provides to inmates. The participation rate is far too low, and the incentive pay was taken away. That came after the closure of the prison farms. The promised new activities haven't really materialized in a meaningful way.

An individual working in one of the agri-businesses on one of the prison farms learned a lot more than how to deal with crops or herds. They learned a lot about personal responsibility, timeliness, hygiene, occupational health and safety, and all kinds of transferable skills.

I think it was short-sighted. I hope that some reconsideration is given. I hope the reconsideration will be in the context of a larger rethink about vocational preparation offered by the Correctional Service of Canada.

[*Translation*]

Mr. Nicola Di Iorio: Could you also shed some light on the nature of your relationship with the Correctional Service of Canada management? Do you interact with its officials on a daily basis? Do you have meetings with them? How do your exchanges go? How do you obtain information? What adjustments could be made?

[*English*]

Mr. Howard Sapers: Let me say that the relationship between the Correctional Service of Canada and the Office of the Correctional Investigator is a very good, professional, productive relationship. I have investigative staff in an institution somewhere in this country

every day. Cumulatively, my investigators spent over 400 days in institutions across the country last year. They are well received. They are well supported. We have very little difficulty in terms of getting access to the people, the places, the things, the documents that we need. In part that's because that's all guaranteed in law, but in part it's also because of the professionalism of both my staff and the men and women who work for the Correctional Service of Canada.

It's hardly ever adversarial—hardly ever. Sometimes it is. It's most adversarial, actually, when the commissioner and I sit down, and even then it's not very adversarial. By the time a problem isn't resolved at the institution, it's not resolved at the region, it's not resolved between the good work of my management team and the CSC management team, and it's something the commissioner and I have to meet and talk about, then positions are a little entrenched and it can be a bit positional, but we work through that. If there wasn't tension, then probably my job wouldn't be necessary.

• (1300)

[*Translation*]

Mr. Nicola Di Iorio: Have your investigators worked in the correctional system in the past?

Ms. Marie-France Kingsley: Yes. Some have been parole officers or even correctional officers. Some are also from other government departments.

Mr. Nicola Di Iorio: Thank you.

Mr. Chair, I see that it is 1:00 p.m. Thank you for the time I have been allocated.

[*English*]

The Chair: I would have given you another minute.

Thank you. It feels luxurious to have had you for this long. Thank you for bringing your dozen years of work here as well, and we look forward to the next year with you.

I have a reminder that the meeting on Thursday will deal with the supplementary estimates (A). The minister will be here. He's only able to come in the second hour, so I'm going to suggest that we meet at noon on Thursday. You'll have an extra hour because the officials don't want to go before the minister.

Thank you.

The meeting is adjourned.

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