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Chair

Mr. Robert Oliphant

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•(1105)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): Good morning. I call the meeting to order.

This is the fourth meeting of the Standing Committee on Public Safety and National Security. *Je vous souhaite tous la bienvenue.*

Thank you very much to our witnesses for joining us.

As committee members will know, we've received a notice of motion from Mr. O'Toole. I have checked with him and I want to let the committee know that we'll be meeting within this meeting for the last 15 minutes to deal with his motion. He has agreed to that arrangement, which means that each of these rounds will be 50 minutes rather than 60 minutes.

We're going to welcome our guests, Mr. Paulson and Mr. Coulombe. Mr. Paulson will go first, for 10 minutes.

Welcome and thank you.

We'll have both our witnesses give their presentations at the first. Then the questioning will open, and you can direct your questions to either of our officials.

Thank you.

Commissioner Bob Paulson (Commissioner, Royal Canadian Mounted Police): Thank you very much, Mr. Chair, and good morning, members of the committee.

Thank you for the invitation and the opportunity to come to introduce the RCMP to you.

I don't have any prepared remarks. What I do have is a presentation that is in for translation. It is available in one language and will be distributed subsequently, along with the French version. I might just go off this presentation if that's all right with the committee. Thank you.

The idea is that I'll give you a high-level overview of the organization, the RCMP: what it does, where its authority comes from, and some of the challenges we're facing in our present operating environment.

The Royal Canadian Mounted Police Act outlines the mandate for the RCMP, and it is essentially threefold: it provides for the apprehension of offenders, criminals; it provides for prevention; and it provides for the protection of specific individuals, so there's a threefold mandate in the RCMP Act.

We operate as one force, but we have very many contexts, very many business lines. For example, federal policing is our core mandate; however, contract policing, in which we provide front-line police services to provinces, municipalities, and territories, is the largest part of our business. We also are engaged in specialized police services that support police activities across the country.

I've included in the presentation that you'll get the list of my senior executive committee and their functions.

The RCMP is about a \$4.5 billion operation. Often when the estimates are provided, they refer to the federal appropriations and don't take into account the revenue that we receive from the contracting jurisdictions, which make it a \$4.5 billion operation.

In February of this year we had over 30,000 employees; it was 30,101 as of February 1. They occupy a variety of positions, including police officers, or what we refer to as regular members; civilian members, who are civilians hired to discharge our responsibilities under the act; public servants; and, in many cases, municipal employees.

We have three operational business lines. I mentioned federal policing, and that includes organized crime; terrorism; counter-terrorism; investigations in partnership with my colleague, the director of the Canadian Security Intelligence Service; and enforcement of many other statutes in the federal context.

The specialized police services provide critical front-line police services such as laboratory services, DNA services, and information management services along the lines of CPIC. You may have heard of the Canadian Police Information Centre, which manages the existence of warrants, criminal records, fingerprints, and so on. Also, child sexual offenders and cybercrime are in our specialized police services.

Contract and aboriginal policing services are what we refer to as our contract policing function. In all of the provinces except for Ontario and Quebec, we are the provincial police force. We are the territorial police force in the three territories. We police more than 600 aboriginal communities and 150 municipalities, and it is a big source of day-to-day complexity in terms of delivering police services to Canadians.

In the last several years, we have undertaken efforts at our transformation. You will have heard much discussion around the cultural transformation of the RCMP. Efforts have been ongoing for years and certainly have increased in the last four years, while I have been commissioner. We have worked toward restoring the traditional ethos of the RCMP. We have worked along the lines of developing a gender and respect action plan, which came on the heels of a gender-based assessment of our policies and practices stemming from the very public presentation of internal harassment issues and sexual harassment allegations within the organization.

• (1110)

We've also succeeded in securing a new RCMP act called the Enhancing Royal Canadian Mounted Police Accountability Act, which has been very instrumental in bringing to bear a more repairing approach to discipline and human resource management.

We have developed a mental health strategy and deployed a mental health action plan, which is in place. We've changed the mission profile of the organization to one that is called "results and respect" while at the same time trying to develop and maintain and promote a respectful workplace. Also, keep in mind that we are in the business of providing policing services to Canadians.

Challenges remain, of course, some of which have become public just recently. There continue to be efforts to transform the culture of the organization into one that is more tolerant and inclusive of all dimensions of our communities. We also have challenges in the area of labour relations as we move into a new world where RCMP members will have the opportunity to seek certification as a bargaining agent once the government completes its work on the new enabling legislation.

We have struggled with some RCMP funding shortfalls and challenges with respect to balancing our various responsibilities. We are engaging now in a complete program review, which will seek to put data around the demands that are being made on the organization. There is a continuing need for the ongoing maintenance of legal and investigative support tools as society evolves and threats evolve and present themselves.

Our strategic priorities continue to be along the lines of serious organized crime, national security, youth, aboriginal communities, and economic integrity. In the last few years we focused on some additional priorities, which include national security investigations, cybercrime, child sexual exploitation, and the workplace health of the RCMP.

The organization is very broad; it has 16 divisions. All the commanding officers of those divisions report to me, along with the senior executive. The divisions are, for the most part, aligned with the provinces and territories. You get to 16 by adding Depot, our national headquarters, and an area called our National Division.

Lots of work is going on in lots of dimensions. It is a tremendous organization comprising devoted and committed men and women who love the work they do. I'm very pleased to come here and help you understand the organization.

Thank you, Mr. Chair.

The Chair: Thank you very much, Commissioner.

Mr. Coulombe is next.

Mr. Michel Coulombe (Director, Canadian Security Intelligence Service): Good morning. I do have opening remarks.

[*Translation*]

Good morning, Mr. Chair and members of the committee.

I am pleased to be here today to provide an overview of the Canadian Security Intelligence Service, CSIS, and to speak briefly to the key features and trends affecting Canada's national security and what they mean to the service and to Canada.

My goal today is to leave you with a good sense of what we do, how we do it, and our current priorities.

Everything we do at CSIS is grounded in the Canadian Security Intelligence Service Act, which clearly articulates our mandate and authorities. There have been changes to the act, but many of the fundamentals have not changed.

• (1115)

[*English*]

There are three main pillars to our mandate. First and foremost, we collect and analyze intelligence in response to activities suspected of constituting a threat to the security of Canada. Our act clearly defines the threats that we are authorized to investigate and in this regard has remained unchanged since 1984. We investigate espionage, sabotage, foreign interference, and, of course, terrorism and extremism.

Of note, the CSIS Act explicitly excludes the investigation of advocacy, protest, and dissent unless it is carried out in conjunction with the previously mentioned threat-related activities. It is important to note that the power to arrest, detain, and enforce the law remains the purview of our law enforcement partners. CSIS is not a police service.

We provide advice to government in a number of ways, including through the production of intelligence assessments and reports that are disseminated to clients across the Government of Canada.

CSIS may also take measures to reduce threats to the security of Canada. These authorities are similar to those exercised by many of our foreign partners.

To fulfill the second pillar of our mandate, security screening, we provide advice and assessments to government partners. We share advice with our immigration partners to help them make decisions about an applicant's admissibility to Canada. We also provide security assessments to government partners to support the screening of employees and contractors who require access to sensitive government assets, sites, or information.

Lastly, section 16 of the act authorizes the service to collect foreign intelligence in relation to the defence of Canada or the conduct of international affairs, but we may only do so at the written request of the Minister of National Defence or the Minister of Foreign Affairs. It is also important to note that this collection of foreign intelligence may only be undertaken within Canada and may not target Canadian citizens or permanent residents. There have been no changes to this mandate.

In order to fulfill our mandate, CSIS maintains strong co-operative relationships with many federal partners and with provincial and territorial authorities. These partnerships facilitate both lawful sharing of information and provision of advice as well as operational deconfliction. These relationships are essential to active CSIS investigations.

[*Translation*]

The relationship between CSIS and the RCMP is critical to addressing the terrorist threat. Both agencies have a clear understanding of their roles and work together effectively to support public safety. The number of successful terrorist prosecutions since 2002 is a testament to our level of engagement and the priority placed on countering this threat.

Mr. Chair, having outlined our mandate, I would like to add that review and accountability were key considerations when the service was created in 1984 and they continue to play a significant role in how the service operates today.

Accountability is exercised in a number of ways, beginning with the minister, who may issue written direction on any matter relating to CSIS, including its investigative and analytical priorities, the conduct of operations, and when and how the service informs the minister of its activities. CSIS also seeks ministerial approval for our arrangements to cooperate with foreign and domestic partners and for warrant applications to the Federal Court.

The CSIS Act establishes clear reporting requirements, another key element of accountability. Each year, the service produces a classified report on its operational activities for the minister. A copy of this report is also provided to our review body, the Security Intelligence Review Committee or SIRC, for certification, allowing the review body to verify that CSIS is operating effectively and appropriately within the rule of law.

CSIS also produces a public report tabled in Parliament by the minister that provides a high-level overview of the service's operational priorities and highlights. This is an important effort intended to raise public awareness and to inform public debate.

• (1120)

[*English*]

Of course, independent review is a significant element of the service's accountability regime. SIRC investigates and reviews CSIS activities and complaints. It has access to all CSIS documents, excluding cabinet confidences, and it produces an annual report that summarizes its review and complaint findings.

While the report is tabled annually, the dialogue between CSIS and SIRC is ongoing throughout the year as reviews and investigations into complaints evolve. SIRC's recommendations are

given serious consideration and routinely inform service policies and practices. This fosters within CSIS a culture of continued learning and improvement.

Further, in terms of accountability, we appear regularly before Senate and parliamentary committees such as SECD and SECU, and we are subject to review by the privacy and information commissioners as well as the Auditor General. These frequent interactions between the service and external review bodies help CSIS to become a more effective and professional organization, and this accountability is essential for the public confidence and support required for the service to be effective.

Mr. Chair, CSIS is a diverse and dynamic institution. It currently employs approximately 3,400 employees in six regional offices, overseas, and in our national headquarters here in Ottawa. Sixty-eight per cent of our employees are bilingual and around 20% have a good or excellent knowledge of a language other than French or English. Collectively, our employees speak over 100 languages. The diversity of our employees ensures an engaged workforce and innovative thinking, and ultimately helps us achieve our objectives.

CSIS is recognized as an employer of choice, and I am happy to report again this year, for the eighth year in a row, that CSIS has been named one of Canada's Top 100 Employers.

[*Translation*]

I would now like to provide the committee with a brief update on the threat environment.

As members will be aware, terrorism, including the radicalization of Canadians, remains the most prominent, serious and immediate threat to Canadians and Canadian interests both at home and abroad.

It is my job to give the best assessment of the nature and the scope of the threat environment. I will not overstate the terrorist threat, but I feel strongly that we must resist complacency in the face of this complex and evolving environment and that minimizing this threat would be to gamble with the security of Canadians.

[*English*]

The Chair: Excuse me; I'll let you know you have about one minute.

Mr. Michel Coulombe: It is important to understand that some people look at what happened in Ottawa in 2014 and say that as tragic as the events were, in fact it was only two events. To me, that is wrong logic that forgets important factors.

[Translation]

We must not forget the number of people who are currently in prison for terrorist activities, the economic impact that terrorist activities would have on our country, the Canadian victims of terrorist attacks abroad and the Canadians who have taken part in terrorist activities in other countries, including Algeria in 2013. It is important to look at the terrorist threat in a global context and not limit it to the incidents that have occurred in recent years.

Thank you. I welcome any questions you may have.

[English]

The Chair: Thank you very much to both of you.

We begin our questions with Mr. Erskine-Smith. You have seven minutes.

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

Thanks to you both for the presentations.

I'd like to begin with the allegations against the two former RCMP instructors and the long and documented history of workplace harassment in the RCMP.

Mr. Paulson, can you update this committee with the status of the investigation? When can we expect to receive a report?

• (1125)

Commr Bob Paulson: Thank you for that question.

I think it would be helpful to throw a little context around the allegations.

In April 2014, a complainant at the Canadian Police College in the explosives training unit came forward to make allegations relating to conduct of two individuals in 2012-2013. The director general of the Police College ordered what we call a code of conduct investigation, and that went forward as it would have in the old system, ultimately resulting in four and five days' pay docked against the individuals whose behaviour was impugned.

In November 2014, at about the time we switched to the new act, the Enhancing Royal Canadian Mounted Police Accountability Act, another employee came forward and made another allegation against one of those two individuals. Let me just say that those two individuals had been suspended while the investigation took place in the first instance, and they went back to the Police College, but not directly to the work site. Managers there were somewhat challenged, as the accused officers started to complain about entitlement to their old employment.

In any case, a new allegation came forward and was handled pursuant to the new act, ultimately resulting in 15 days of discipline against that individual.

I want to point out that the new act features an ability of the organization to review and appeal instances of discipline when the view is that the discipline was not commensurate with the behaviour, which wasn't a feature in the old system. That process was under way up until the point where I got an email on February 9 from an individual who broadened the allegations once again. That led to the almost immediate transfer of those individuals. At first I wasn't

acquainted with any of the facts, but I got acquainted with them and moved those individuals out of the workplace. A couple of days later, a new code of conduct investigation was ordered, and they were suspended.

By way of an update, we have an experienced team of investigators going in to investigate these new broader allegations, which hadn't until then been known. We formed a multidisciplinary team of individuals to do a couple of things while this investigation was under way. These things included making sure that the victims and the complainants were properly attended to and supported. Looking at the decision-making all along that spectrum of time I just described—

Mr. Nathaniel Erskine-Smith: Mr. Paulson, I don't want to cut you off, but I have only seven minutes, and I do have other questions. Is there a timeline for when we can expect a report?

Commr Bob Paulson: Well, the code of conduct investigation is under way. The review of all those things is under way, and they are proceeding with all deliberate speed. It would be a disservice to the men and women who are doing that work to guess at a date, but I would say it will be completed very quickly.

Mr. Nathaniel Erskine-Smith: In February 2012, the RCMP public complaints commission found rampant bullying in the police force. I note that in 2013 there was an action plan on gender and respect issued from your office that proposed 37 steps. How many of those 37 steps have been implemented by the force?

Commr Bob Paulson: All 37.

Mr. Nathaniel Erskine-Smith: Great.

When individuals do complain, is there an opportunity for them to complain to an external party, or is it all done internally?

Commr Bob Paulson: There's an opportunity. People are free to complain to anyone they want. The process includes internal paths, but we have created a number of different points of access for lodging complaints.

Mr. Nathaniel Erskine-Smith: So at the moment there's no independent individual a complainant could go to, to avoid the perception of perhaps bias—

Commr Bob Paulson: Sure there is. There are any number of individuals. They could go to you.

Mr. Nathaniel Erskine-Smith: I see. However, there's no individual designated by the RCMP.

Commr Bob Paulson: No.

Mr. Nathaniel Erskine-Smith: Thanks very much.

Moving to Mr. Coulombe, have preventative detention powers been used since Bill C-51 was adopted?

Mr. Michel Coulombe: That would be a Criminal Code enforcement. It wouldn't pertain to the service. It would be police forces that would do that.

Mr. Nathaniel Erskine-Smith: Let's move to something that is directly under CSIS, then.

Have the new disruption powers been used since Bill C-51 was adopted?

•(1130)

Mr. Michel Coulombe: Yes, they have.

Mr. Nathaniel Erskine-Smith: With respect to information sharing, has information sharing increased since Bill C-51 was adopted?

Mr. Michel Coulombe: We'd have to go back and check. We have daily information sharing, and I wouldn't be able to say if it has actually increased since the Security of Canada Information Sharing Act came into force, but I can get back to the committee with that information.

Mr. Nathaniel Erskine-Smith: Thanks very much.

Now assume for the sake of argument that Bill C-51 had not been adopted. Other jurisdictions explicitly state the powers of intelligence agencies. If we were to do the same, what specific powers would CSIS require that were unavailable before Bill C-51 was passed?

Mr. Michel Coulombe: We've talked about—and it's certainly timely with the debate in the U.S.—the issue of what is labelled as “going dark”, or the inability to intercept or obtain information, despite the fact that we have Federal Court warrants. There are a number of reasons, including strong encryption or the fact that the data is outside Canada, etc. That area would certainly be a top priority for the service.

Mr. Nathaniel Erskine-Smith: I'm running out of time, but there was one concern with respect to seeking judicial authorization of charter violations. Has that occurred since the adoption of Bill C-51?

Mr. Michel Coulombe: No.

Mr. Nathaniel Erskine-Smith: Thanks very much.

As a final note, if you could report back to the committee with respect to information sharing, it would be most appreciated.

Mr. Michel Coulombe: Yes, I will.

Mr. Nathaniel Erskine-Smith: Thanks to you both.

The Chair: Thank you very much.

Mr. O'Toole is next.

Hon. Erin O'Toole (Durham, CPC): Thank you very much, Mr. Chair.

I'd like to thank you both very much, and through you to your organizations, I'd like to thank the men and women who are at the forefront of public safety and security for Canada. Their work is appreciated.

Certainly on this committee we also have to make sure that organizations conform with the law and with expectations, so please pass along that thanks and understand that's also what we try to get at through the committee.

My first question would be for you, Commissioner Paulson. You mentioned Bill C-42 in your presentation. In particular, the enhancing of the RCMP Accountability Act, which was passed by the past government, had a section on investigation of serious incidents of harassment and some of the very disturbing things we've heard. Has that act helped you internally to get at the root issues and advance the culture change you spoke about in your remarks?

Commr Bob Paulson: Yes, it has.

Hon. Erin O'Toole: The one thing from the incident at the explosives training unit that really concerned me was the allegation that in at least one of the cases, the investigator of the complaint had previously been the subject of a harassment complaint. Can you give confidence to this committee that investigations will be undertaken by people who are basically blemish-free so that we can ensure that people making allegations don't fear that the investigator is someone who has had an issue?

Commr Bob Paulson: Certainly the people who will be investigating harassment and associated kinds of behaviours would be free of allegations of harassment and that nature of allegation.

Who among us is blemish-free? We are trying to get the organization to be inwardly accountable and outwardly accountable, and in doing so we hold our members and employees to very high standards of behaviour. What we would refer to as infractions against the code of conduct would not generally attract criminal liability or any other sort of liability, so—

Hon. Erin O'Toole: Commissioner, if I may, I think it would be quite easy to find a vast majority of RCMP members who are blemish-free when it comes to sexual harassment. As you said in your own—

Commr Bob Paulson: Well, you didn't frame that in your question. If they're free from—

Hon. Erin O'Toole: You described it as “bad apples”, I think, in one of your speeches. How can we be sure that the people you draw to investigate these complaints are not bad apples, that they have not had a previous sexual harassment claim against them?

Commr Bob Paulson: Well, because we screen them.

Hon. Erin O'Toole: Okay.

You said that the first incident in the ETU came pre-Bill C-42 and that the second came post-C-42. You've said Bill C-42 is helpful at getting at the root of these problems. Has the Accountability Act in that bill been widely communicated within the force, and are the expectations well known throughout the human resources organization?

Commr Bob Paulson: Yes.

Hon. Erin O'Toole: Thank you.

Mr. Coulombe, thank you very much for your presentation.

I'm following up on Mr. Erskine-Smith's line of questioning. He has expressed concern about Bill C-51 before, although I notice his private member's bill is on shark fin soup, not on Bill C-51 or issues related to that.

Some of his questions talked about disruption. Specifically he asked about how many people had been detained, so it doesn't appear that he understands that CSIS has no arrest powers. The disruption powers don't extend to CSIS as a police force, and you mentioned that in your remarks. Could you break out the difference between investigations and disruption and describe how you engage law enforcement to arrest?

•(1135)

Mr. Michel Coulombe: As I mentioned, our first mandate is to investigate threats to the security of Canada, analyze that information, and then advise government. One form of providing advice to government is through informing our colleagues, the RCMP. If the information meets their thresholds, then they can launch a criminal investigation. As I mentioned, the service doesn't have arrest power. We don't detain people and we're not in the business of collecting evidence to bring people to court. We collect intelligence to advise the government on that threat.

The same applies to the threat reduction. The threat reduction doesn't change that first pillar of our mandate. All it does it gives us the authority to use that intelligence to reduce the threat, not to detain people or charge them criminally. We are not an enforcement agency.

It's the same with our screening program. We don't have the final word in terms of whether somebody is admissible. We provide advice to CBSA and the immigration department, and it's their decision.

Hon. Erin O'Toole: This committee has tried to look at radicalization and counter-radicalization, but so far we've been blocked from a study on that subject. We'll be talking about that again at the end of today's meeting.

My next question is about working with Five Eyes allies. With regard to this radicalization phenomenon, through social media we saw 12 Canadian women travel to start families. We were all concerned about that last week. Do you coordinate with other security agencies on the disruption aspect to make sure that if someone returns to Canada with plans to cause harm, those plans are stopped?

Mr. Michel Coulombe: Yes. We coordinate, collaborate, and exchange information daily with foreign partners and also with domestic partners. This collaboration includes the threat reduction mandate. Before we do a threat reduction measure, we coordinate and consult with the RCMP or other domestic partners.

Hon. Erin O'Toole: How much time do I have, Mr. Chair?

The Chair: A minute.

Hon. Erin O'Toole: I have one final question for you, Commissioner Paulson. You talked about CPIC. One part of CPIC is the identification data bank that municipal police forces, the RCMP, and CBSA draw from to check criminal backgrounds and that sort of thing.

The Minister of Public Safety has talked a lot about biometric screening and other things for the Syrian refugees. How many unknown persons in Syria would ever appear on the CPIC database when their fingerprints were run against it? Do you have an idea? The database is essentially criminal activity in Canada by Canadians or landed immigrants.

Commr Bob Paulson: I don't know. I don't know how many.

Hon. Erin O'Toole: CPIC is a great tool for law enforcement here, but because it's a Canadian database coordinated with the U.S., it has little impact on a fingerprint check run on someone from Syria or Lebanon.

Commr Bob Paulson: I get the thrust of your question, sir.

The Chair: Very briefly.

Commr Bob Paulson: It keeps track of criminal records in Canada, but it also is an option for diffusing information to front-line police officers on things that happen abroad.

The Chair: Thank you. Monsieur Dubé.

[Translation]

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

Gentlemen, thank you for being here with us today.

In the case of highly emotional debates such as the one on Bill C-51, it is very important to say that despite our political differences, we certainly support the men and women who work in your agencies. I want to echo what Mr. O'Toole said in that regard.

Mr. Paulson, you spoke about the impact of the budget cuts. The reports tabled by the President of the Treasury Board show that the previous government cut \$687.9 million a year from the Department of Public Safety, including \$195 million from the RCMP and \$24.4 million from Mr. Coulombe's agency. I have two questions for you about that.

First, can you talk briefly about the impact of those cuts and expand on the comments you made? Second, what should the current government do in its upcoming budget to meet your agencies' needs?

•(1140)

Commr Bob Paulson: Clearly, without money, we cannot do our jobs. It takes money to do police work, conduct investigations and do everything we do to serve Canadians.

However, we will never have enough money, because there will always be a threat somewhere and we have to be able to detect it. It is therefore very hard to say how much money we need.

We are looking at our activities and determining what is needed for federal policing, contract policing and specialized services. I am certain that if we can show the government what is needed, we can ask for money accordingly.

Mr. Matthew Dubé: Thank you.

Mr. Coulombe, have you felt the impact of those cuts? If so, what can be done to improve the situation?

Mr. Michel Coulombe: The \$24 million in cuts were imposed as part of the deficit reduction plan, which dates back to 2012, I believe. The service set two objectives: the first was that the cuts would have no impact on its operational activities and the second was that its resources would be kept. CSIS did not want to lay off any employees. It achieved those two objectives. It had to maximize efficiency by reducing travel, for example, through secure teleconferences.

The main estimates were tabled this morning. They include a 6% increase in CSIS's budget. The 2012 cuts did not really have any impact on us.

Mr. Matthew Dubé: Thank you.

[English]

On another topic, the fight against radicalization here at home was something that we felt wasn't included in Bill C-51, and it should have been. It's something we haven't talked about enough as far as we're concerned, and that applies to the current government as well.

Are you being asked to be involved with some of the work that's being done? Department officials who were here last Thursday were saying that a plan was being worked on. What can you tell us about that, and are you being asked to work with faith communities and local authorities such as Montreal, for example, that have been doing a lot of the heavy lifting on this file?

[Translation]

Mr. Michel Coulombe: I can answer your question.

[English]

At the service we are actively engaged with Public Safety on that program within our mandate. We have a lot of experience. We've done a lot of analysis on factors that lead to radicalization, so we share that information. We exchange with foreign partners to get more knowledge. We are actively working within our mandate with Public Safety on the program.

Commr Bob Paulson: In respect of, say, the foreign traveller phenomenon, we work with the service and other government agencies to coordinate an operations centre, where we look for opportunities to bring to bear counter-radicalizing resources from communities where these individuals are coming from, including families, including mental health, including addictions, including counselling. We do that now as a matter of practical necessity.

Public Safety Canada is, as I think you've heard, engaged in trying to broaden and deepen the resources and the coordination of that activity, and we're supporting that activity along with our partners.

Mr. Matthew Dubé: Great. Fantastic.

[Translation]

At the meeting last Thursday, we talked again about Bill C-51. We understood from what the department officials said that changes were imminent.

Have you been asked to get involved in the review and the changes that the government promised to make to the law? If so, what can you tell us about that?

Mr. Michel Coulombe: Certainly, the service will be involved in the consultation process. You will understand that I will keep my opinions and advice for the minister. The service will be involved in the process, will implement it and will use the tools that come out of the review.

Commr Bob Paulson: That's well put.

Mr. Michel Coulombe: Thank you, Mr. Paulson.

Mr. Matthew Dubé: Mr. Paulson, I would like to conclude by talking about the murdered and missing indigenous women and girls.

Ms. Bennett made some comments about the RCMP that were very harsh in some respects. That was last week, if I am not mistaken. I do not wish to criticize the work you do, but have you

been asked to take part in this whole process and the work that will be done as part of the public inquiry?

• (1145)

Commr Bob Paulson: Yes.

Mr. Matthew Dubé: Can you tell us about the role you see the RCMP playing and the work that remains to be done, in your view?

Commr Bob Paulson: We're always ready to improve our practices. We're always ready to take criticism from anyone.

Why are there so many indigenous women in the cohort of women who are murdered or have gone missing? I don't think the answer to that question lies in our investigations.

[English]

Mr. Matthew Dubé: Sure, go ahead.

Commr Bob Paulson: My point is that we're always ready to improve our practices and our investigative responses and our processes. I can speak to that at length when you want to hear about it, but our study and our work have been designed to bring some data to the issue.

Why are indigenous women overrepresented in the cohort of women and girls who are killed or have gone missing in suspicious circumstances? Frankly, the answer to that question doesn't lie in how we respond to the investigations of those people in those circumstances. I think it's a golden opportunity to understand what can be done to help our indigenous people, and to the extent that we can take criticism on how we can do it better, we're happy to do it.

The Chair: Thank you, Commissioner.

Ms. Damoff, you'll be a bit shy of seven minutes, just to warn you.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Okay, that's fine.

Thank you both for being here.

My question is similar to questions that were asked earlier.

Many people say the best way to change the culture around sexual harassment in an organization is to have women in leadership positions. In fact, I would probably say it's the best way to change the culture.

I'm wondering if you could let us know what you're doing to promote women to join the RCMP and also to put women into positions of leadership that are not just communications roles. Often in policing you'll see women who are in leadership, but they tend to be in communications positions as opposed to other ones. I'm wondering if you can let us know how many women are in leadership and what you're doing to accomplish that within the RCMP.

Commr Bob Paulson: I'll briefly add how we're recruiting.

A couple of years ago I set some very ambitious targets, against some advice that it probably was not a good idea. We're targeting for a 30% representation of females in the organization by 2020, I believe. It's very ambitious because of the numbers and the amount of intake. Nevertheless, we have targeted recruiting, bringing women into the organization, and those numbers are improving.

With respect to leadership roles, I agree with you. Right now we have a number of senior women in leadership roles. For example, we have a deputy commissioner in Alberta, we have an assistant commissioner who is the commanding officer in Saskatchewan, and I have a deputy commissioner here at headquarters who looks after contract and aboriginal policing.

While keeping that representation at that level is a challenge because of the difficulty in continuing to have people advance in rank, what we are doing there is employing a mentoring type of philosophy to look into the—forgive the term—feeder group of individuals. Women don't want to get promoted because they're women; they want to get promoted because they're good. We're looking at the women who are good, and we're bringing them along and attaching them to senior leaders, both men and women, in the organization to feed them.

We have succeeded in increasing our numbers in the executive ranks substantially in the last little while. I agree with you, and we're doing it.

Ms. Pam Damoff: Are you changing anything in terms of the work environment itself, so that women are joining the RCMP? Certainly it's a challenge when—

Commr Bob Paulson: Certainly what we need to do is avoid the kind of public display of behaviours we've seen in this last week or two. To the extent that we have done a number of things, which I'm happy to enumerate, I thought we were advancing in that area. That's why I tried to put some context around your colleague's question earlier on, to isolate that behaviour at the Canadian Police College.

We have some very robust, respectful workplace initiatives across this country, with consultative groups that are formed by the people on the front line to advise on that, and our stats are going down.

Let me just add one other stat, because the CPC was referenced some time ago. In 2012 we had 219 harassment complaints, of which five were sexual harassment; in 2013, we had 189, of which five were sexual harassment. The CPC noted this, as well, in its review. It said, yes, it had a bullying problem—there's no question about that—and it's working on it. Recent events notwithstanding, I'm here to tell you that we're doing better.

However, it can't be understood as a sexual harassment problem. Sexual harassment has no place in the organization—don't get me wrong—but it's the culture of bullying, intimidation, and general harassment that I think needs everybody's focus and attention.

• (1150)

Ms. Pam Damoff: Changing the subject a little bit, at our last meeting we were told that child sexual exploitation over the Internet is going up exponentially, as well as organized crime and its work on the Internet. I'm just wondering, with the additional demands that you were talking about and the fact that you never have enough money—

Commr Bob Paulson: Yes.

Ms. Pam Damoff:—how you are dealing with the increase in those two crimes in particular.

Commr Bob Paulson: Well, they are going up exponentially. They are being facilitated and accelerated by technology.

What we are doing is partnering with non-governmental agencies that are very interested in seeing some results there. We have developed a centre here in Ottawa that is coordinating on child sexual exploitation.

We find it very difficult to sustain the workforce there, because it is soul-destroying work. However, it's also very rewarding work. We are building that capacity in partnership with other police agencies to try to bring to bear some technological support to counter what's going on.

I have a presentation that nobody wants to see. If you want to see it, I'll bring it here, but you will start crying in the middle of it and you'll get up and leave. I say that because it's the same phenomenon that happens in juries, when they hear about terrible murders. Nobody wants to see that.

I think we need to. Along with the centre for child exploitation in Winnipeg, I've embarked on a sort of socializing project to bring exactly what's going on out there into Canadian consciousness. It's a very difficult topic to share with the average Canadian—

The Chair: Thank you, Commissioner.

I suspect that we'll be back to you. I'm sorry for cutting you off, but we have a motion to deal with and we have to end your time with us.

I know you look forward to coming back.

Voices: Oh, oh!

The Chair: We will, I am sure, have several reasons to call upon you. Thank you very much for today.

We'll suspend for a few minutes while we change witnesses and then get back to work.

• (1150)

(Pause)

• (1155)

The Chair: We'll now reconvene.

Mr. Head and Mr. Cenaiko, thank you for joining us. I know that you especially look forward to coming to public safety and national security committee meetings. We'll hear from each of you for 10 minutes. Then the members will be able to question you at their will. We have 50 minutes for this round.

We'll begin with Mr. Head. He is still my model of a warden, having been the head of the Whitehorse Correctional Centre when I used to do chaplaincy services there. I know how jails are run; he's still doing it, and I'm not.

I'm glad you're here.

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

Every time I see you now, I'm not sure whether I should be giving testimony or giving a prayer.

The Chair: I pray more now, in politics.

Voices: Oh, oh!

Mr. Don Head: Mr. Chair and honourable members of the committee, good day, and thank you for allowing me to be here today. It really is a pleasure.

I am pleased to appear before the committee to provide an overview of the Correctional Service of Canada, or CSC, as we refer to it.

First I'd like to take a brief moment to formally introduce myself to this committee.

In my 38-year career, I've had the privilege to work with tens of thousands of dedicated and committed correctional service employees. I began my federal public service career as a correctional officer in 1978. I've held various operational, managerial, and executive positions while working in four federal penitentiaries, two regional headquarters, and national headquarters. Between 1995 and 2002, I accepted various positions within the territorial and provincial correctional systems in both Yukon and Saskatchewan. In 2002, I rejoined the Correctional Service of Canada as senior deputy commissioner and was appointed commissioner in 2008.

As the commissioner of the Correctional Service of Canada, I've appeared many times before this and other parliamentary and Senate committees over the past eight years. It's been such a privilege to be given the opportunity to provide members of this House and the Senate with information on a broad range of matters concerning CSC as pieces of legislation make their way through Parliament or as committees undertake specific studies.

Most importantly, as the head of one of the Canada's public safety agencies, I believe that appearing in this type of public forum provides an opportunity for me to highlight the achievements and great work that my staff does every single day in the institutions and in the community.

CSC is a federal agency within the Government of Canada's public safety portfolio. Its responsibilities are derived from the Corrections and Conditional Release Act, as well as the Corrections and Conditional Release Regulations. In addition to the Charter of Rights and Freedoms, approximately 70 other acts and regulations impact CSC.

The Corrections and Conditional Release Act—the CCRA—and the regulations direct CSC to contribute to public safety by administering court-imposed sentences of two years or more. This work involves managing institutions of various security levels, preparing inmates for safe and timely release, and supervising offenders under conditional release and long-term supervision orders in the community.

The CCRA also requires CSC to develop, implement, and monitor correctional policies, programs, and practices that respect gender, ethnic, cultural, and linguistic differences and are responsive to the specific needs of women, men, and indigenous offenders. As well, the guiding legislation requires that CSC provide essential health care services and reasonable access to non-essential mental health care that will contribute to offenders' rehabilitation and successful reintegration into the community. The act also mandates CSC to provide services to victims of crime, such as information sharing and awareness building, to support victims.

As commissioner, I'm supported by an executive committee composed of national and regional officials. I oversee the operation of 43 federal penitentiaries, 91 parole offices and parole sub-offices, and 15 community correctional centres. The CSC also manages four healing lodges and works in partnership with indigenous communities to support the reintegration of indigenous offenders back into the community. On a typical day, CSC is responsible for approximately 23,000 offenders, of which roughly 15,000 are incarcerated.

Since assuming the role of commissioner in 2008, I've witnessed significant changes in the offender population that have put pressures on CSC and its operations.

For instance, the number of women in federal custody has increased substantially over the last 10 years. As well, offenders now have more extensive histories of violence and are more likely to have mental health needs. Offenders continue to exhibit a high prevalence of substance abuse problems and infectious diseases. Furthermore, as offender populations age, the prevalence of physical health problems increases. Also, the admission of indigenous offenders to the deferral correctional system continues to impact their level of overrepresentation in the system.

These changes have required CSC to change how it operates to better respond to the offenders by enhancing intelligence and information systems, implementing population management and mental health strategies, and regularly reviewing and modernizing the delivery of penitentiary operations and rehabilitation programs.

• (1200)

Mr. Chair, as indicated in the 2015-16 supplementary estimates tabled in the House of Commons last December, CSC's budgetary authorities are approximately \$2.4 billion. As with other government departments, CSC has faced significant funding reduction and pressures over the past several years. Budget 2012's economic action plan resulted in the reduction of \$295 million. Further, the operating budget freeze announced as part of budget 2014 has generated an estimated \$27 million financial pressure for 2015-16 that is expected to grow to \$31 million for the next fiscal year and ongoing.

This is in addition to the budget 2010 operating budget freeze, which resulted in \$55 million of ongoing financial pressure. Overall, since 2008-09 the total ongoing impact of funding reductions and pressures amounted to \$400 million. To meet these budgetary reduction levels, CSC implemented a series of initiatives intended to achieve efficiencies and streamline operations. At this time, when you consider the cumulative impacts of government-wide and legislative initiatives that have had an impact on CSC, we're no longer in a position to absorb any other incremental costs without potential impacts on public safety.

The Correctional Service of Canada employs approximately 18,000 staff, 85% of whom work in institutions or in the parole offices in the community and 15% at our national or regional headquarters. CSC's workforce reflects the wide variety of skills needed to operate institutions and community offices. Our workforce includes correctional officers, parole officers, program delivery officers, health professionals, plumbers, electricians, food service staff, and the list goes on. These are staff who provide essential services both in the community and in the institutions. As well, staff provide corporate administrative functions at local, regional, and national levels.

Like many other federal organizations, CSC must manage the challenges associated with recruiting and retaining staff because of the government-wide aging workforce. That said, CSC is committed to creating and retaining a diverse workforce that is representative of Canadian society. A strong focus on fostering diversity has resulted in significant increases in the representation of women and visible minorities at CSC in the last three years. Given the high proportion of indigenous offenders, CSC has made targeted efforts to recruit and retain indigenous employees and as a result is the largest employer of indigenous peoples in the core public administration. Of note, 47% of CSC's staff are women, 9% are from visible minority groups, 5% are persons with disabilities, and just over 9% are indigenous in 2014-2015.

Mr. Chair, every day across the country CSC employees ensure the safety of our communities in one of the most challenging environments of the federal public service. CSC's contributions to public safety would not be possible without the passion and dedication of our staff.

Thank you once again for the opportunity to appear today. I'd be more than happy to respond to any questions that you have shortly.

• (1205)

The Chair: Thank you, Commissioner.

We have representatives from the before and the after. Mr. Cenaiko, welcome.

Mr. Harvey Cenaiko (Chairperson, Parole Board of Canada): Thank you very much, Mr. Chair, and members of the committee for inviting the Parole Board of Canada to appear before you today.

I welcome this opportunity to talk to you about the board's important public safety mandate and the work that we do.

The Parole Board of Canada is an independent administrative tribunal within the Public Safety portfolio. The chairperson of the board is its chief executive officer and reports to Parliament through the Minister of Public Safety and Emergency Preparedness. The board carries out its work through its national office located in the national capital and through offices in five regions, which include the Atlantic, Quebec, Ontario, prairie, and Pacific regions.

Conditional release decision-making takes place in the board's regional offices, while appeal decisions and record suspension decision processes and clemency recommendations are made at the national office. The board has a complement of 89 full-time and part-time board members that is set in legislation. They are supported by a public service staff of 437 full-time employees. The board's budget for the current fiscal year is \$45.9 million.

As a key component of the criminal justice system, the board makes independent, quality conditional release and record suspension decisions and clemency recommendations. The board contributes to the protection of society by facilitating, as appropriate, the timely reintegration of offenders as law-abiding citizens. The board has three key program areas: conditional release decisions, conditional release openness and accountability, and record suspension decisions and clemency recommendations. These are supported by a fourth program area, internal services.

The board's conditional release program accounts for fully 77% of our budget, while its record suspension program is funded under a cost-recovery model through a \$631 applicant user fee. The board's conditional release mandate is prescribed by the Corrections and Conditional Release Act, or CCRA. The CCRA provides the legal framework for the board's composition, policies, training, and operations. The board's mandate in relation to record suspensions is prescribed under the Criminal Records Act, or CRA. The board's authority in relation to clemency and the royal prerogative of mercy is prescribed under the CCRA as well as the Criminal Code of Canada and the letters patent.

Board members are appointed by the Governor in Council—that is, by the Governor General—on the advice of the federal cabinet. Board members come from all walks of life, and their diverse backgrounds help to ensure that the board represents Canada's broad range of community values and views.

On appointment, all board members are provided with extensive training in risk assessment and interviewing techniques, as well as the legislation that governs the board's activities. Board members also receive ongoing training in their regions as well as annual training at the national level.

As I mentioned, the board's main program area is conditional release. Under the CCRA, the board has exclusive authority to determine whether and under what conditions federal offenders serving a sentence of two years or more may be released on parole. The board also makes decisions on parole for provincial offenders serving sentences of less than two years in all provinces except Ontario and Quebec, which have their own parole boards. Last year the board conducted 17,800 parole reviews.

The CCRA includes two key principles that guide the board in its conditional release decision-making: one, that the protection of society be the paramount consideration in the determination of any case; two, that the conditions we impose be necessary and proportionate to the purpose of the conditional release and consistent with the protection of society. Putting these principles into practice, the board looks at whether the offender will not, by reoffending, present an undue risk to society before the expiration of the sentence, and whether the release of the offender will contribute to the protection of society by facilitating their reintegration as a law-abiding citizen. The paramount consideration, in every board decision, is the protection of society.

In order to maintain the highest-quality decision-making possible, the board has developed a risk assessment framework that grounds all of its decisions in a sound analysis of risk-relevant information. When conducting reviews, board members assess risk by taking into account actuarial measures and by considering and weighing relevant components of the risk assessment framework. These components include the offenders' criminal and parole history, institutional behaviours, the offenders' change, and their release plan, as well as any factors specific to the situation.

● (1210)

Board members also consider information provided by the victim, including formal victim statements. Board members consider mitigating, neutral, and aggravating factors for all components and will take into account the information from the hearing or review in order to render a final decision. This includes factors specific to indigenous offenders—for example, the Supreme Court of Canada's decision on the Gladue principles in relation to attendance at residential schools, societal upbringing, and their own victimization.

The board is acutely aware that indigenous people are over-represented in the male and female offender population. To address the needs of this group, the board provides alternative models of parole hearings, specifically elder-assisted and community-assisted hearings, which are responsive to the cultural values and traditions of indigenous peoples. In addition to this, the board has policies and specialized training that recognize the unique societal and cultural factors related to indigenous offenders, victims, and communities. The board also has an advisory committee known as the indigenous circle, which provides strategic advice to the board on ways it can improve its efficiency and effectiveness in meeting the needs of this community. The board also uses elders to assist in interviewing candidates for board member positions.

The board also believes that victims have an important role in the conditional release process and works hard to balance the rights of victims with those of offenders. Victims can receive information related to an offender's parole, they can attend and present victim statements at hearings, and they can receive written decisions. There are more than 8,000 victims registered with the board, receiving information on over 4,200 offenders.

Last year there were 231 victim statements presented at 128 hearings, and 27,191 contacts with victims. In terms of the board's parole outcomes, over the past two years we have seen these improve to their highest levels in more than a decade and a half. Last fiscal year, nearly 99% of federal day parole and 96% of federal full

parole supervision periods for offenders serving determinate sentences were completed without reoffending, with a grant rate of 71% for day parole and 30% for full parole.

As well, last year all parole periods, both day and full, were successfully completed without a violent offence conviction. This reflects the board's work over the past few years in developing a more robust risk assessment framework.

Given its important public safety mandate, it is critical that the board be seen as open and accountable to the public it serves. The CCRA requires that the board's decisions be made available to the public upon request. Over the last five years, the board has released more than 31,700 decisions through its decision registry. In addition, members of the public may also request to observe a board hearing. Last fiscal year, there were 4,171 observers at board hearings across the country.

As I mentioned at the outset, the board is also responsible for making record suspension decisions under the Criminal Records Act, or CRA. A record suspension removes the stigma of a criminal record for people who, having been convicted of an offence, have satisfied all of their sentences and remained crime free for a specific period of time.

As per the CRA, the board needs to consider specific factors in deciding whether or not to order a record suspension, including whether it will provide a measurable benefit to the applicant, how it will help sustain his or her reintegration into society as a law-abiding citizen, and whether ordering a record suspension would bring the administration of justice into disrepute.

Since 1970, more than 490,000 individuals have received pardons and record suspensions. Of these, 95% remain in force, indicating that the vast majority of pardon and record suspension recipients remain crime free in the community. The board has also taken significant steps to address its backlog of pardon applications under the former Criminal Records Act. The board has reduced its backlog from more than 22,400 applications down to approximately 4,480.

Under the CCRA, the board is also authorized to make recommendations for the exercise of clemency through the royal prerogative of mercy. Clemency is granted in exceptional circumstances in deserving cases involving federal offences when no other remedy exists in law to reduce severe negative effects of criminal sanctions. The board reviews clemency applications, conducts investigations at the direction of the Minister of Public Safety and Emergency Preparedness, and makes recommendations to the minister regarding whether to grant the clemency request.

I would like to thank you for the time. I would be more than happy to answer any questions you have.

Thank you.

•(1215)

The Chair: Thank you.

Mr. Spengemann will begin.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Chairperson Cenaiko, thanks very much to you and your colleagues, first of all for your service to the nation and second for appearing in front of us to discuss some very important matters.

I'm glad that you both raised the plight of our first nations in your comments. This is an area that I would like to follow through on this afternoon.

Last week, on February 18, *Maclean's* magazine published an article entitled "Canada's prisons are the 'new residential schools' ". The article is subtitled "A months-long investigation reveals that at every step, Canada's justice system is set against Indigenous people".

I want to bring one particular paragraph early on in the article to your attention to give colleagues some awareness of the numbers that we're talking about. The article reads:

While admissions of white adults to Canadian prisons declined through the last decade

—and this article specifically looks at the last decade—

indigenous incarceration rates were surging: Up 112 per cent for women. Already, 36 per cent of the women and 25 per cent of men sentenced to provincial and territorial custody in Canada are Indigenous—a group that makes up just four per cent of the national population. Add in federal prisons, and Indigenous inmates account for 22.8 per cent of the total incarcerated population.

That's almost a quarter, almost one in four people in our system.

I think we all agree that as a society, as Canadians, we are all measured and judged each and every day by how well we take care of our most vulnerable members, and I think this article disturbs and saddens many of us. The question around the table really is, how do we fix this? What's the systemic problem that's plaguing us, and what are the resources that we need to put in place to correct it?

I wanted to get your reactions to this article in particular, and to ask you the extent to which both of you were aware of this problem in your organizational context prior to the article's release.

Mr. Don Head: We're very aware of those numbers. We see them play out in our facilities and community parole offices on a day-to-day basis.

There is no question in my mind that just trying to deal with the overrepresentation of indigenous people in correctional facilities is an inadequate solution. If you really want to tackle this issue, we have to go back to some of the systemic societal issues. We need to look at issues in relation to education, employment, and housing. We need to talk about the engagement of my colleague Bob Paulson and his colleagues across the country. We need to talk about how the courts look at this situation differently before sentencing. Then we can talk about corrections.

We are unfortunately at the back end of this system, and we're expected to resolve all the problems that relate to indigenous people. In our legislation, we have a section that requires us to provide the spiritual and cultural programs and activities to support aboriginal people who want to pursue those paths, and we offer everything

from elder services to sweat lodge ceremonies to aboriginally designed programs. We have, for example, aboriginal substance abuse programs and aboriginal violence prevention programs. We offer all these activities.

One of the challenges for us is how the gains that those offenders make while they're in our care get supported when they're released into the community. When individuals go back to the aboriginal communities, they often find that their communities don't have the support services or networks needed to carry on the good work that offenders commit to do. We need to look at how we bolster aboriginal communities to provide the support that returning individuals need.

•(1220)

Mr. Sven Spengemann: Can you give the committee a thumbnail sketch of what the substance abuse and anti-violence programs look like inside your organization? What kind of steps do you take?

Mr. Don Head: These are programs that target what are called the criminogenic needs of offenders. This is based on evidence and research that's been done over decades. These programs run anywhere from eight to 16 weeks and target issues such as substance abuse or violence prevention. We have other programs as well. There is a spiritual and cultural component built into that, so an elder is part of the program delivery and ceremony is part of the program delivery.

One of the things that we hear from aboriginal offenders in the system is that they sometimes have to go to jail to get back in touch with their culture. This isn't right, and this is something that—

Mr. Sven Spengemann: I'm sorry to cut you off. Time is limited.

Has either of your organizations conducted or commissioned any studies on this problem? If so, would you be able to share that work with the committee?

Mr. Don Head: We have some research reports that talk about the kinds of things that work effectively with aboriginal offenders when they are incarcerated.

In terms of the broader systemic issues, criminal justice system issues, we haven't commissioned any reports like that.

Mr. Harvey Cenaiko: In relation to the Parole Board, when we came to the board in 2009, the biggest issue we had was education.

I'm from western Canada. I grew up close to a first nations community, so my background and my knowledge is there, but many Canadians have never been involved with or lived close to those communities, and many of our board members who have been appointed or are appointed don't have that, so education of our board members is critical.

We have indigenous cultural awareness training twice a year, one in English and one in French. The French training is going on next week in Montreal.

Mr. Sven Spengemann: I have a final question directed at the Parole Board.

One of the issues of deep concern for us is missing and murdered aboriginal women. It's not just looking back and making sure we have a national inquiry, but also that we stop what's going on so that there are no future cases.

Specifically on the Parole Board side, are there any programs aimed at first nations with respect to the propensity to reoffend, the release process, and in particular the protection of women and children through that process?

Mr. Harvey Cenaiko: Again, protection against domestic violence is an extremely important consideration as we look at individual programs. The programs are not provided by the Parole Board. They are provided through CSC. However, programs are available.

When they are brought to the board's attention at the hearing or through the parole officer, we want to ensure those conditions are in place and that the offenders will have those opportunities to learn and get the training they need in the community—not just in the institution, but hopefully in the community where they reintegrate themselves.

The Chair: Thank you, Mr. Cenaiko.

Go ahead, Monsieur Rayes.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair. I will be sharing my time with Mr. Miller.

I want to thank the witnesses for being with us today.

I have two quick questions, but first, I'd like to thank you for the answer you gave my colleague opposite. I have been asked a lot about indigenous people in prison and their incarceration rate as compared to the general population. I feel that people too often take a narrow view. As you said so well, action needs to be taken at the grassroots level.

Before I was a politician and mayor, I was a teacher and school principal. Action needs to be taken at the grassroots level in communities to prevent these people from winding up in the situation they are in now. There are not two classes of citizens. When someone does something, there is a consequence, and I believe it has to apply. I applaud you for your answer.

I want to come back to my initial question, which has to do with public confidence in our prison system.

People have a lot of questions about inmates who get parole. Right now, what percentage of inmates reach the end of their sentence without parole? Can you answer that question?

• (1225)

[*English*]

Mr. Don Head: Thank you very much.

The percentage is very small. Those are individuals that we refer to under the legislation as individuals who are detained.

It's less than 5% of the population that is detained. Under the process that is required to do that, we have to present information to the Parole Board. The Parole Board—I'll let Mr. Cenaiko describe it in a little more detail—will have to make a determination as to

whether the individual meets some very specific criteria that are set out in the Corrections and Conditional Release Act in terms of being likely to commit a serious violent offence, commit a serious drug offence, or commit a very serious offence against children.

If they meet one of those criteria, the Parole Board can detain them. They could be detained right up to what we call warrant expiry, the end of their sentence, but the number of individuals who fall into that category is less than 5%.

[*Translation*]

Mr. Alain Rayes: Thank you.

[*English*]

Mr. Harvey Cenaiko: In relation to the indigenous file or indigenous offenders, we have found that the elder-assisted hearings we have, or the community-assisted hearings that are done as well on occasion, appear to be very successful for both the offender and for the offender going back into the community.

As I mentioned in my remarks, our statistics are such that 97% that are released do not commit another offence or are not convicted of another offence during the rest of that period of time they are on parole, meaning that from the day they are on parole right through to their warrant expiry date, they haven't committed another offence.

These are tremendous results we're seeing. They show that the programs that are being provided for in the institution are being carried through and that the conditions are being met as we move forward in safe reintegration of offenders back into the community.

[*Translation*]

Mr. Alain Rayes: Thank you.

I will give the floor to my colleague, Larry Miller.

[*English*]

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Thank you to both witnesses for being here.

Mr. Cenaiko, I just want to continue with where you were going. I think most people would agree that some people in the prison system are curable, if I could use that term. Some simply aren't, and there are some who should never see the light of day. Those are not just my words; I think most in the public would say that. I'll use an example: Paul Bernardo.

It seems whether it's every five years—you can tell me the number—the name of someone like Paul Bernardo will come up, and of course my office phones ring off the wall about it with people saying, “What the heck is wrong with our system, and why should this guy even be considered?”

Is there anything you could do to reduce or eliminate that kind of reaction in society? Heinous crimes are committed by certain people, and Bernardo is certainly one of them. That guy should never see the light of day. What could we do to appease the public on that issue?

Please answer as briefly as possible before I pass it over to my colleague here.

Mr. Harvey Cenaiko: Again, I think it's partly education and the fact that all lifers—and I won't speak about one particular individual—have their first opportunity for a parole hearing at 22 years, three years prior to their 25 years. They will always be on parole. Lifers will never be released back into the community without being on parole.

With regard to serious offenders, that's a good question. The legislation says that all offenders are eligible for parole, based on the time period that a judge sentences them to. It's part of the justice system in Canada that all offenders are eligible for parole, and we follow the legislation.

• (1230)

Hon. Erin O'Toole: Thank you both for your work and the work done by your teams.

My question, Mr. Cenaiko, relates to one of your comments. You said the overarching issue is public safety. In fact, your words were "it's paramount" in all decisions about parole or early release.

Public Safety Canada has about 14 characteristics that are considered when the rehabilitation of an offender is considered in connection with early release parole. Those would include things like understanding the impact of their crime, denunciation of past conduct, and remorse for the victims. Can you talk about how those elements of rehabilitation are considered, particularly in the cases of violent offenders?

Mr. Harvey Cenaiko: As board members assess the risk of an offender, they first look at the charges that the offender was convicted of. They look at any prior criminal history that he may have, as well as any relevant societal issues, such as being a victim himself in his own childhood, victimization of a victim, and those types of issues. They will also look at the institutional behaviour, the programming that the institution provides, and whether it is successful and whether the offender is engaged in the programming in the institution.

Hon. Erin O'Toole: If there is no remorse shown, or a lack of comprehension of the impact of their conduct, does that prevent release or parole?

Mr. Harvey Cenaiko: That would be one area that a board member would take into account. However, they're going to look at all of the factors. It's not just one factor that will decide whether this individual is going to be released on parole or not. There are a number of factors that are looked into.

The Chair: Thank you, Mr. Cenaiko.

We're a little over time.

Mr. Dubé is next.

[Translation]

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

[English]

Thank you both for being here.

Mr. Head, I just want to talk a bit about the last Parliament. There were a few tragic incidents related to solitary confinement, and there was a bit of debate on semantics, both when you appeared at the Senate committee and also in the questions that were asked of the

minister. I'm asking these questions because now, with the new government, in the Justice Minister's mandate letter—and it's an issue that overlaps our committee and the justice committee—the minister has been asked to see that our practices come more into line with those of the United Nations Commission on Human Rights.

What are your thoughts on that, given the debate and notably the tragedy around Mr. Snowshoe?

Mr. Don Head: I think there are a couple of things to note here.

First, this is an area we've been looking at very closely for the last several years in terms of how "administrative segregation"—the term that's used in the legislation—is used. People call it "solitary confinement" or use other terms. We use the term that's defined in the law for separating offenders from the general population.

That said, we've looked at our practices. We've examined the oversight processes in place. We're continuing finding ways to try to ensure that we live up to the spirit of the law and live up to the letter of the law as it relates to anybody who is placed in segregation.

In terms of some of the work we've done just in the last year, we were running on average, for decades, between 700 and 800 individuals in segregation on any given day across the country. That's out of an incarcerated population of about 15,000. We now are running between 410 and 440, and the length of stay for people in segregation is much reduced.

We've put in place a couple of things. We have more engagement with mental health professionals for individuals who are in segregation, and more direct oversight by the wardens of those institutions. The wardens are required now to go down there daily and to see every offender in every cell in segregation.

We also have a more significant national oversight body that looks at finding alternatives. If an individual cannot be released back into the general population in the institution they're currently residing in, can they be moved to a general population in another institution in one of our regions, or can they be moved to another general population across the country?

• (1235)

Mr. Matthew Dubé: Fair enough. I appreciate all of that.

You did touch on the mental health issue. The John Howard Society, for example, argues that it sometimes seems that solitary confinement—we can argue over the term—tends to target people with mental health issues or aboriginal people. Is that an assessment you agree with? Do you see that problem? Is that something you're seeking to rectify?

Mr. Don Head: Yes, on both fronts. This is a challenge for us, and this is something we're working to rectify.

The problem we encounter at times with some individuals with mental health problems is that when they act up as a result of a mental health problem, their behaviour is such that we have to move them somewhere for their protection or for the protection of others, so that they're not assaulting people or getting assaulted by other offenders.

In cases where offenders are willing to agree to be placed in one of our psychiatric facilities—i.e., they have the ability to give consent to receive psychiatric treatment—we would move them to one of the psychiatric facilities. However, if an offender has the ability to deny treatment, we're left with very few options in the interim until we can find some other viable solution.

The staff work very hard at trying to find solutions whereby the individuals can be placed back into general population.

Mr. Matthew Dubé: Okay. Thank you.

I guess, hearing all this, that this area is definitely something worthy of further study, especially given the changes that would be coming under the justice minister's mandate. Is that fair to say?

Mr. Don Head: Yes. I think you'll see as we go forward that we've made a lot of changes and also have a lot of things under consideration right now, and there are things feeding into the review by the justice minister.

Mr. Matthew Dubé: All right. I appreciate that. Thanks.

[Translation]

Now I'd like to talk about something that is going to take up a lot of our time in the coming months, and that is budgets.

There have been a lot of budget cuts. Some prisons have been closed in the past four years. The question is whether you have enough resources. We know there are problems, such as double-bunking. Contrary to what the previous government said, the NDP does not take a hug-a-thug attitude toward criminals. This is a problem that the correctional officers' union has raised. It is important because it affects correctional officers' safety, among other things.

Do you feel that you have adequate resources, or should this be reviewed in light of the cuts that were made over the past four years?

[English]

Mr. Don Head: I'll never turn down an offer of money in my organization.

Voices: Oh, oh!

Mr. Matthew Dubé: I've heard that more than once today.

Mr. Don Head: There is no question.... As I mentioned in my opening comments, at the present level, any further cuts in our organization will have impacts on the public safety results that we're supposed to provide.

On funding for additional mental health capacity, I still would argue that I do not want to be the default mental health system in the country for individuals. That needs to be dealt with in the provinces, in homes, in schools. There are other places to deal with that issue. It should not be in a penitentiary setting. However, until that is resolved, we require funding for mental health and funding for dealing with the disproportionate number of aboriginal offenders that we have in the system right now.

One of the areas where we continue to need funding is in services for women. Although the overall population for federally sentenced women is small, it is the fastest-growing subpopulation that we have. The women offenders who come into our system have greater needs

than the men. Getting funding to ensure that we have the right supports is key.

I would also argue, and I just have to squeeze this in, that we need to find a way, as a Canadian society, to put in place the funding in the community to support the offenders when they leave the system. I can do a lot of work with the money that I have, and if you give me more money, I can do more work and provide better results, but the offenders need support when they get released. They need support in terms of family and in terms of jobs; they need support in terms of housing and health care.

Find the funding for that, and you don't have to give me any more money. We'll do the best job we can and feed into a system that will help these people on a path of being law-abiding citizens.

● (1240)

[Translation]

Mr. Matthew Dubé: Thank you.

[English]

The Chair: Thank you, Mr. Head.

Mr. Mendicino is next.

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

I first of all want to include myself in the thanks that have been provided by both the chair and members of the opposition.

My intent is to share some of my time with Ms. Damoff.

I have two questions. The first one focuses on openness and transparency, which is one of the central themes on which we ran and were elected, specifically as they relate to the accessibility of decisions rendered by the Parole Board.

In your presentation, you say that the CCRA requires the board's decisions to be made available to the public on request. To put a finer point on it, it's just not a matter of requesting: there is a legal threshold that has to be reached in order to get access. Is that correct?

Mr. Harvey Cenaiko: It has to be a written request.

Mr. Marco Mendicino: But there needs to be something more than just an open request. Don't you have to demonstrate an interest in the case?

Mr. Harvey Cenaiko: Yes, but that—

Mr. Marco Mendicino: You're saying that requirement is easily met.

Mr. Harvey Cenaiko: Yes.

Mr. Marco Mendicino: That would explain why 31,700 decisions have been released.

I noticed on the website that there isn't anything resembling a docket listing when cases come up to be heard. Is that true?

Mr. Harvey Cenaiko: That's true.

Mr. Marco Mendicino: Is there something within the statute that prohibits the Parole Board from creating something of a docket so that there is transparency about these cases as they come up?

Mr. Harvey Cenaiko: That's a good question.

Mr. Marco Mendicino: That's why I'm here. Perhaps that's something that you can take away.

Mr. Harvey Cenaiko: A legislative change would be required to open up the decision registry.

Mr. Marco Mendicino: I was not talking about that in my last question. I'm talking about whether there's something within the act that prohibits there being a docket, so that if the public wishes to see cases as they come up, they can. There's a separate question there about the contents of the decision and so on and so forth.

The hearings themselves are not presumptively open. There also needs to be a request in order to attend. Is that correct?

Mr. Harvey Cenaiko: There has to be a request, because there is a security clearance check that has to be done for individuals entering into an institution.

Mr. Marco Mendicino: Thank you very much.

Mr. Head, my question for you is about radicalization.

As part of our campaign platform, we are going to be creating something called the office of the community outreach and counter-radicalization coordinator. That is a mouthful that we are working on, I understand.

Is that right, Mr. Chair?

The Chair: We don't know.

Mr. Marco Mendicino: There you are.

In any event, it's a very polysyllabic word, and it would be helpful to reduce it.

My question is this: have you encountered within your inmate population this phenomenon of individuals who have been convicted of terrorist activity and those who have not, but for whom there is evidence that they are embarking on this path? Very briefly, what are some of the beginnings of the strategy that you have used within your institutions?

Thank you.

Mr. Don Head: Yes, this is something we've been examining in detail. We have a few research reports and some research that we have been leading. We currently have 13 individuals who fall under the definition of individuals who have been convicted of terrorist acts. Our population base at this moment is small. We do not have immediate issues with those individuals. We're more concerned about those that are susceptible to being radicalized by some of those types of individuals.

Mr. Marco Mendicino: Briefly—because I do want to share some of my time with Ms. Damoff—could you tell us two or three points? I'm happy to have you report back at some point in the future, but what have you started to do to try to counteract those individuals?

Mr. Don Head: It probably would be better to have me come back in order to go into it, because once I get going, I probably won't

be able to stop. We are in the early stages of formulating a strategy, and I would love to share the information we've gathered.

Mr. Marco Mendicino: Thank you.

Ms. Pam Damoff: Mr. Head, I know you've done a lot of work on mental health in the workplace. I'm wondering if you could comment a bit on occupational stress injury in your facility, and also whether you think we would benefit from a national strategy. We have a bit of a piecemeal effort going on in Ontario and different provinces, and there's always a focus on the recovery of the individual, but not so much on prevention, intervention, and education. I'm wondering if you can comment on whether you think that would be helpful for you in corrections and in the broader sense as well.

● (1245)

Mr. Don Head: I cannot stress enough how important that is. My staff, on any given day, face unbelievable situations that have tremendous impacts on their mental resilience. The way we talk about it now is on how we build and sustain the mental resilience of our staff who have, as I would argue, one of the toughest jobs in the federal public service.

We've started to work with the Mental Health Commission of Canada on delivering what is called the Road to Mental Readiness training to all our staff across the country. This is a first step in building up that capacity. It is more than just the usual employment assistance program kind of thing; it is specific to the issue of mental resilience.

If this committee were to take on anything along those lines, I would be glad to be... I don't like offering to come back to committee, but this is one area I would love to come and talk to you about. I could share with you personal experiences of my staff and experiences of my own and describe what needs to be done to support individuals who deal with some very traumatic incidents.

Ms. Pam Damoff: Okay.

I have one quick question from when you were talking about budget freezes.

I understand there are clients who require programs while they're in correctional services, but you won't or can't provide them because of cutbacks. In order to get parole, they have to have completed these programs, and they're a bit stuck between the organizations. I was told the John Howard Society would provide them if they had the funding to do it.

Is either of you aware of this kind of issue with getting people out of correctional services and back into the community and rehabilitated?

Mr. Don Head: There are a couple of issues there. The research is clear that delivering programs for low-risk offenders will not do anything. The research shows clearly that we run the risk of pushing them in the wrong direction. We have stopped providing those kinds of programs to low-risk offenders.

One of the discussions the chair and I have is how to position the work those offenders do while they're incarcerated in front of the board so they can make a decision for release, knowing the program isn't needed or required. That's one of the issues or challenges that—

Ms. Pam Damoff: It sounds as though they are caught in limbo between the two, because they haven't done these programs and they therefore don't qualify for release. Is that...?

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

I think I'm hearing a standing invitation to both of you, because we have lots to talk about.

I want to thank you on behalf of the committee, both for your expertise and for your ongoing public service.

Committee, we'll just say goodbye to the witnesses, and then very quickly we have to get into a discussion on the motion.

Let's get going, because I understand Mr. Miller has a commitment right away.

Mr. O'Toole, I give you the floor.

Hon. Erin O'Toole: Thank you, Mr. Chair.

The notice of motion is in front of you in both languages. Because of the urgency of time, you can read it yourself. Do I have to read it for the record?

The Chair: Yes.

Hon. Erin O'Toole: The motion is:

That the Committee undertake a study of no fewer than 6 meetings on the phenomenon of the radicalization of refugees, permanent residents and Canadians within Canada; that the committee call witnesses that are community organization leaders, academics and official experts to speak on the threat of radicalization and counter-radicalization strategies; that the committee travel to visit 1 anti-radicalization centre; that the committee make recommendations; and that the committee report its findings to the House.

As my colleagues know, this is something that we have wanted to look at from the first instance. Each week there seems to be more urgent need, and this is continuing to come into focus, whether it's the story of the 12 women who travelled overseas or the announcement of the polysyllabic organization that Mr. Mendicino spoke about or Ban Ki-moon touring through one of these centres. I think that as the public safety committee we should do the same thing so that we can learn, see, and make recommendations to Parliament for addressing this issue and countering it.

I'm hoping we can get this on the agenda quite quickly.

● (1250)

The Chair: I open this motion up for discussion.

Just signal to me if you want to speak. We have Mr. Dubé and then Mr. Mendicino, and then we'll continue.

Go ahead, Mr. Dubé.

[*Translation*]

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

There is a first time for everything, because I agree with my Conservative colleagues. I don't particularly like the wording of the motion, which puts the radicalization of refugees first, because the cases we have heard about mainly involved people who were already living in Canada. Aside from that argument about the wording, the NDP has been clear from the start. We believe that there is a serious lack of measures to counter radicalization here in Canada.

I appreciate that the motion provides that the committee will visit a counter-radicalization centre. I assume that the centre in Montreal would be a good option. That is the kind of work we should be doing. It is a good way to combat ISIL here at home. I therefore support the motion by my colleague, Mr. O'Toole.

[*English*]

The Chair: Mr. Mendicino is next.

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

First, to a certain extent I agree that this issue has come up. We've heard about counter-radicalization from some of the witnesses.

Mr. O'Toole said that he wanted to have the matter discussed very quickly. I suggest we adjourn debate on this matter until the next meeting, at which time we can consider this motion along with some of the other priorities that have emerged within the context of the witnesses and the briefings that we've received from senior officials.

The Chair: Is that a motion you're making to adjourn?

Mr. Marco Mendicino: Yes, it is.

The Chair: I believe that's not debatable. Am I correct on that?

We have a motion on the floor that does not adjourn the meeting; it adjourns the debate on the motion, and it puts it into the next meeting, which we would call for Thursday to do committee business and discuss all options for work.

Mr. Marco Mendicino: That's correct. Thank you, Mr. Chair.

The Chair: It's not debatable, so I will immediately call the question.

Do we have agreement to adjourn the debate on the motion until the next meeting?

(Motion agreed to: yeas 5, nays 4)

The Chair: We will revisit this motion on Thursday.

Mr. Mendicino, just before you leave, I want to check something.

Normally a subcommittee on agenda and procedure is meant to speed up the work of the committee. We would normally meet as a subcommittee during a study, for instance, to continue committee work to get things done. My thought is—and I want to check it with the committee, as I could call either one—that we would meet as a whole committee on Thursday to do committee business, because if we have a subcommittee meeting it could actually slow down this work. That is because the subcommittee would have to take time for the clerk to write a report, and then we would have to consider the report. I'm worried that we would actually debate the same issues in the full committee as we do at the subcommittee.

I would like a nodding of agreement or a “no” that we have a full committee meeting on Thursday. Mr. O’Toole’s motion will be considered first at that meeting. Because we will be in a meeting of committee business, we don’t need the 48 hours’ notice, so if members have studies or concerns or things that they think the committee should be doing in the next couple of weeks or months, they should be prepared to offer their motions.

I think we’ll design a process whereby we look at several motions and then choose one to begin with, and maybe set out two or three

pieces of work to help the analysts begin their work plan for where we’ll be going between now and June.

Is it agreed—I’m getting a kind of nodding—that we’ll have a business meeting, then, on Thursday?

Some hon. members: Agreed.

The Chair: Okay.

The meeting is adjourned.

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