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• (1550)

[English]

The Chair (Hon. Marc Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs, Lib.)): Welcome, everyone.

I call this meeting to order.

This is meeting number 10 of the House of Commons Standing Committee on Justice and Human Rights.

This meeting, like the previous ones, is being held in a hybrid format. Ms. Khalid, among others, is joining us online.

I know that members are familiar with the instructions. For the benefit of the witnesses though, please maintain a finger distance from the microphone, just to protect the hearing of the interpreters, as we do simultaneous interpretation into English or French, depending on the language of your preference.

For those on Zoom, I will assume but repeat that you're familiar with the “raise hand” function. Members here who want to ask the witnesses questions, raise your hand, and I will recognize you.

I'm not asking that questions go formally through the chair again. For purposes of a more dynamic conversation, it's okay to talk to the witnesses. Just be respectful of the dynamic. If I have to rein it in, obviously I will.

I have a bit of housekeeping, because we started with a 10- to 15-minute delay. I don't know if members prefer to go over or whether we will cut it at 6:30. We do have three hours today. We have plenty of time for the witnesses today in this round and in the next round. We'll just adjust on the fly, and I'll let you guys know what the cut-off time is to allow changeover so we get a full set of questions in to the witnesses.

For our first panel, we have with us Mr. and Mrs. Best, Ronald and Meechelle. From the Brantford Police Association, we have Jeremy Morton, president, and from the London Abused Women's Centre, we have Jennifer Dunn, executive director, via video conference. From the Police Association of Ontario, we have Mark Baxter, president.

[Translation]

I would like to remind the witnesses that they have five minutes to make their presentation.

Mr. and Mrs. Best, you have five minutes together.

Mr. Morton, Ms. Dunn and Mr. Baxter, you have five minutes each.

Afterwards, there will be a round of questions from committee members.

[English]

Mr. and Mrs. Best, I will let you start, and then I'll proceed with Mr. Morton, Ms. Dunn, and Mr. Baxter for five minutes each.

Thank you, and welcome.

Meechelle Best (As an Individual): Good afternoon, and thank you for allowing us to share our story of our beautiful daughter Kellie. My name is Meechelle. My husband Ron is beside me. We are here today as grieving parents.

At 28 years old, Kellie had built a full and beautiful life. She was a daughter, a sister, an aunt, a granddaughter, a fiancée, and a friend to many. She and her fiancé Travis were planning their dream wedding for this June. We were supposed to watch her walk down the aisle.

On January 15, our world stopped. Kellie was killed that day. We were on our way to meet her to prepare for her grandfather's funeral, who had passed just 48 hours earlier. Her fiancé Travis and I got the call from the RCMP, asking us to meet them. As we drove there, I called my husband and our son Michael. When we arrived, the RCMP told us the completely unthinkable—that our daughter was gone.

Over the next few days, we learned that the man who killed her had an active warrant for his arrest issued at the time of the incident. He had breached bail conditions for previous crimes involving drugs and theft. That morning, he had stolen a truck, driven it towards Portage la Prairie and caused a crash that killed my daughter. After the collision, he kicked out the truck's window and fled on foot. When he was caught, he had a large amount of methamphetamine in his system. He was taken into custody, appeared before a judge and, unbelievably, was later granted bail again. Despite his having killed our daughter while out on a warrant, the system decided to give him yet another chance.

We attended the bail hearing, along with our MLA, the mayor of Portage la Prairie, and family members. The judge ruled that he could be released to a behavioural health unit in Winnipeg, Manitoba, once a bed became available. He was ordered not to drive, not to use drugs and to follow the law. When the spot became available, he was transferred to that facility. We believe that, within hours, he had escaped again. To this day, we do not know how long he was in that facility.

When we found this out, my stomach sank with the same sick feeling I had the day Kellie was killed. My greatest fear was that he would hurt someone else or flee. Why wouldn't he? That behaviour was entirely predictable.

The judge had assured us that if he breached bail again, a warrant would be issued immediately, but there was already a warrant out for his arrest when he killed my daughter. What good are these reassurances? They mean nothing. This man was granted bail three times in two weeks before Christmas 2024. On New Year's Eve, he breached his conditions again, and a warrant was issued. In the 14 days before he killed my daughter, he stood before a judge three times. Three times he was given bail. Three times he walked away. Why does someone who shows no respect for the law, police, judges or society keep getting another chance?

We hear a lot these days about rights—constitutional rights, individual rights and the rights of the accused—but what about our rights? What we do know is that what we're doing right now is not working, and we need change. The definition of insanity is to continue to do the same things, in the same manner, repeatedly, and expect a different outcome. In my view, this is where we are in the criminal justice system. What about Kellie's right to safety? What about our right to live in a country where the laws protect the innocent people who contribute to our society? Who's defending those rights when repeat offenders are released again and again, only to reoffend, sometimes within hours?

Our communities are in crisis. Our justice system is broken and, somewhere along the way, we've started to accept this as normal. It's not normal, and it's not acceptable.

If you hear anything from me today, hear this: The cost of these failures is measured in lives, grief, trauma and the fear of repeat criminals on our streets. As a mother, as a Canadian, I expect better from my government. I expect that you will fix the system that keeps putting dangerous people back on our streets.

• (1555)

We need all of you to do the hard work. Fix our broken system. It's your job, and it's what we expect.

Thank you for having us here.

The Chair: Thank you, Ms. Best.

Mr. Best, we have a minute or so, or perhaps a little more, if you want to say a few words.

Ronald Best (As an Individual): No. I think we can cover it in the questions we take. That's fine.

Thanks, Marc.

The Chair: Thank you.

Mr. Morton, it's over to you.

Jeremy Morton (President, Brantford Police Association): Mr. Chair and members of the committee, good afternoon and thank you for the opportunity to appear before you today.

My name is Jeremy Morton. I serve as president of the Brantford Police Association and represent 330 frontline police officers and civilian personnel who work proudly to serve the citizens of Brantford, Ontario.

I also want to acknowledge that I appear here as part of the broader Canadian Police Association, which represents more than 60,000 frontline police personnel across the country.

From large urban centres to small and mid-sized communities like mine, police associations are united in supporting meaningful, practical bail reform that addresses the ongoing challenges posed by serious violent repeat offenders.

The introduction of Bill C-14 last week by Minister of Justice Sean Fraser represents an important and welcome step in that direction. As CPA president Tom Stamatakis has said, this legislation responds to long-standing calls from police associations across Canada to strengthen public safety and ensure that individuals who repeatedly commit violent offences face appropriate consequences. We appreciate that the government has listened to these concerns and taken action.

In Brantford, as in many parts of Canada, our officers routinely arrest the same individuals multiple times in a single year. Those arrests are made professionally, reports are completed and cases are brought before the court, yet far too often these same offenders are released almost immediately, without sufficient supervision or consequences for breaching their conditions. This revolving door of arrest and release drains police resources, frustrates victims and erodes public confidence in the justice system.

That loss of confidence is not theoretical. It's something that we hear directly from residents and business owners, who are tired of seeing the same individuals reoffending in their neighbourhoods. It also affects the morale of officers, who take pride in their work and want to know that the system they serve is fair, effective and accountable.

Bill C-14 proposes targeted measures that will help address these issues, including strengthening bail provisions for repeat violent offenders and ensuring that community safety is a central consideration in release decisions. These are practical evidence-based reforms that can make a real difference in keeping our communities safe.

Of course, no piece of legislation will solve every problem on its own. Implementation will matter, and continued investments in police services, Crown attorneys and correctional personnel will be essential in making these changes effective, but Bill C-14 is a significant and positive start.

Finally, I want to emphasize that public safety should never be a partisan issue. Canadians expect their elected representatives to work together to find common-sense solutions that protect communities and respect the rights of all.

Police associations across Canada are encouraged to see this legislation introduced, and we urge Parliament to move quickly and collaboratively to ensure that these measures are passed into effect as soon as possible.

Mr. Chair, our members are doing their jobs. They're arresting dangerous offenders and bringing them before the courts. We are asking that the justice system now do its part and ensure that those efforts have a lasting impact.

Thank you for the opportunity to appear before you today. I look forward to your questions.

The Chair: Thank you.

Ms. Dunn, it's over to you for five minutes.

• (1600)

Jennifer Dunn (Executive Director, London Abused Women's Centre): Thank you, Mr. Chair.

I want to first address Mr. and Mrs. Best and say that I am so sorry for the loss of your daughter.

My name is Jennifer Dunn. I am the executive director of the London Abused Women's Centre here in London, Ontario.

The London Abused Women's Centre is a non-residential centre that provides women and girls over the age of 12 who have been subjected to abuse by an intimate partner, assault, harassment, exploitation, trafficking or non-state torture with immediate access to long-term, trauma-informed counselling, advocacy and support.

For more than 42 years in London, Ontario, our organization has supported women and girls who have been subjected to male violence. Every day we see how decisions made within Canada's justice system shape women's safety and their faith in the system itself.

Today, I speak on behalf of survivors, their families and frontline workers who stand beside them. Bail and sentencing decisions are not abstract legal matters. For some women, they are life-or-death moments.

My first point is that bail must be trauma- and violence-informed. When a violent offender is released, survivors are often

forced to relocate, leave work or lose their job, or live in hiding. These are not just disruptions; they are losses of safety, identity and stability.

Bail decisions must reflect an understanding that violence is rarely a single act. It is usually a pattern that continues even after charges are laid. A trauma- and violence-informed approach means recognizing that history and centring the victim's safety in every decision.

This does not mean denying bail in every case. It means assessing risk with depth and compassion and asking, "What will this decision mean, not only for the survivor's safety but potentially her life tonight, tomorrow and the next month?" It could be over the next couple of years, depending on how long this particular court case takes to get to trial.

My second point is to highlight Caitlin Jennings' story. In London, we remember Caitlin Jennings, a young woman whose life was taken in an act of femicide. Her case is a painful reminder of what can happen when the system fails to protect, but also of what happens when it works.

The man charged with Caitlin's death had a bail hearing in November 2023 and was denied bail. Superior Court Justice Leach denied bail after reading a two-hour decision. Colleagues and I sat in that court room supporting Caitlin's family, and we were relieved to know that he would be held in custody until his trial.

While that did not erase the tragedy of her loss, it gave her family and other survivors a measure of reassurance that the justice system could prioritize safety when the risk was clear. Caitlin's father said, "This is Step 1 in my healing and justice for Caitlin." The trial isn't until September 2027. I could honestly not imagine this man out of custody for the next two years, knowing what I know.

Caitlin's story reminds us that decisions around bail should not only be procedural, because behind every court file are a woman, a family and a community living with the consequences.

My third point is that systems must work together and be equally funded. Meaningful reform cannot happen in isolation. The justice system, police and community support must be aligned and funded equally.

At present, the imbalance is stark. The criminal justice system receives the bulk of investment, while frontline social services are left to fundraise for survival. However, it is those services, such as counselling, safety planning, housing and advocacy that help survivors stay alive long enough to see justice happen. Without stable funding for social support, bail reform will remain a theory on paper. Safety depends on collaboration, not competition, between systems.

My fourth point is accountability and the role of sureties. Accountability is essential when bail is granted. Too often, high-risk offenders are released into the care of sureties who do not understand or cannot enforce their responsibilities.

At the London Abused Women's Centre, we worked with a woman whose perpetrator was released on bail with his mother as the surety. She had no control over his actions. She knew he breached conditions, but she did not report it. There were no consequences, and the victim's fear returned immediately. She could not leave her home without a safety plan. She couldn't even access our services without a safety plan. Sureties must receive clear information, training and oversight. There must be consequences for knowingly ignoring breaches.

My fifth point is around balancing safety and fairness. The London Abused Women's Centre is not necessarily advocating for mass incarceration. Overly punitive systems harm those who are already the most vulnerable, particularly indigenous and racialized individuals. We would like to call for targeted accountability.

● (1605)

High-risk, repeat, violent offenders must face detention, but justice reform must also include investment in prevention, education, trauma support, addiction support and the list goes on, through a trauma- and violence-informed lens that stops violence before it starts.

Safety and fairness are not competing values. They must coexist for justice to have legitimacy.

In closing, every woman deserves to live free from violence. Every child deserves to sleep safely at night, and every system, from the courtroom to the counselling office, shares that responsibility.

Reforming bail and sentencing is an opportunity to build a justice system that is trauma-informed, violence-informed and survivor-centred. It is an opportunity to ensure that when we ask, "Will this decision keep victims and communities safe?", the answer is yes.

Thank you.

The Chair: Thank you, Ms. Dunn.

We will move over to you, Mr. Baxter.

Mark Baxter (President, Police Association of Ontario): Thank you, Mr. Chair and members of the committee.

Just as I begin, Mr. and Mrs. Best, I would just like to commend you for your courage and the strength that you've shown in the face of the unimaginable loss of your daughter, Kellie. My sincere condolences go to you, to your family and to all those families who have been impacted as a result of violence committed by repeat and violent offenders.

I want to thank the committee for the opportunity to appear here today on behalf of the Police Association of Ontario, representing more than 32,000 uniformed and civilian police personnel from 46 police associations right across the province, including the Brantford Police Association. Our members are the dedicated men and women who serve on the front lines, keeping our communities safe every single day.

Today I am here to address challenges that threaten public safety—our current bail system. As it stands, bail practices often allow violent and repeat offenders to be released back to the very neighbourhoods they have harmed, undermining public confidence and draining police resources. This is more than a procedural flaw. It is a cycle that emboldens offenders, increases community risk and perpetrates a dangerous pattern of apprehension, release and reoffending.

The frustration our members feel is echoed by the communities they serve. To many, the justice system has become more than a revolving door. It feels as though the door has been left wide open.

Recent data is cause for concern. Between 2019 and 2023, violent Criminal Code violations in Ontario increased by 20%. Nearly half of convicted offenders reoffend within three years, and violent repeat offences are on the rise. These numbers, combined with first-hand accounts from our members and victims, underscore the anxiety and frustration felt by Ontarians and the immense challenges facing those sworn to protect them.

The Police Association of Ontario has long advocated for practical, charter-compliant bail reform. We have called for evidence-based changes such as expanding the list of reverse onus offences to include violent auto theft, home invasions, human trafficking and more, lengthening the review period for prior convictions, and ensuring that the courts rigorously scrutinize bail plans before release. These are not abstract proposals. They are grounded in the realities that our members and community members face every day.

Both major political parties have recognized the urgency of bail reform. Public safety is not a partisan issue. Well-designed bail reform that balances charter rights with community protection is in everyone's interest.

The introduction of Bill C-14, the bail and sentencing reform act introduced last Thursday, October 23, marks a significant and long-awaited step forward. The bill addresses urgent shortcomings in our bail system. Its provisions—including new reverse onus rules for violent organized crime, stronger bail conditions and tougher sentencing for repeat violent offenders—respond directly to concerns raised by our members for years. This is an encouraging sign that the voices of frontline officers and the communities we serve are finally being heard at the highest level. These proposed reforms reflect the lived realities of our members, the experiences of victims and the expectations of the public, and they send a clear message that repeat and violent offending will not be tolerated in Ontario or across Canada.

Let me be clear. Without meaningful change, the safety of our communities and the lives of police officers and the public remain at an unacceptable level of risk. Each release of a violent offender increases the risk of tragedy in our communities. Ontario cannot wait for more lives to be put in jeopardy. Decisive action is needed now. We urge all parties to pass Bill C-14 immediately. Every day that this vital legislation is used as a political bargaining chip or a sound bite during question period leaves real lives on the line. Mothers, daughters, fathers, sons, sisters, brothers, friends and families across Ontario deserve action, not politics.

On behalf of the 46 police associations that we very proudly represent, I thank the Government of Canada for taking concrete steps to strengthen public safety and support those who work every day to protect it. Ontario's police personnel will continue to do our part in our communities, in the courts and on the front lines to keep people safe. We look forward to working together to ensure that these reforms are implemented effectively and deliver the results that Ontarians and Canadians expect and deserve. Together, we can and we must build safer communities and ensure that these reforms deliver a justice system that protects victims, not offenders.

• (1610)

Thank you.

The Chair: Thank you.

We'll get a chance to go through probably two complete rounds, starting off with Mr. Brock for six minutes and then Ms. Lattanzio for six.

[*Translation*]

Next, Mr. Fortin will have the floor for six minutes.

In the second round of questions, the speaking order will be as follows: Mr. Lawton for five minutes, Mr. Chang for five minutes, Mr. Fortin for two and a half minutes, Mr. Leslie for five minutes and Mr. Chang for five minutes.

Mr. Brock, you have the floor for six minutes.

[*English*]

Larry Brock (Brantford—Brant South—Six Nations, CPC): Thank you, Chair.

Welcome to all of our witnesses. Thank you for participating.

To Mr. and Mrs. Best, I am heartbroken. I am angry and disgusted that I was once a member of a justice system that has failed you so miserably.

To really emphasize that point, every time that offender who took your daughter's life appeared in front of a judge and was granted bail, he promised to follow those conditions; and if he was released with a surety, that surety also promised that he would abide by those conditions.

These are false promises that are given every single day in this country, and the justice system accepts them at face value. They will often sometimes give warnings—"Should you breach these conditions, you ought not to expect to be released a second time or a third time or a fourth time"—and history and example after example show us that these are promises that are not fulfilled; consequences are not given to offenders.

If you could tell the government what the most important thing is to you as survivors of a loss such as you've suffered, what would you tell this committee when we write our report to the House?

Ronald Best: It would be nice to have the criminals become accountable, no different from the way we're accountable as members of society. We sat in on a bail hearing. The accused sat in a small cubicle in the detention facility, and it was like, "Jeez, are we done yet?" He was not engaged. He was not listening. He did not care.

The bail hearing had to be extended with an apology of the justice, because the defence lawyer, for 40 minutes—I'm not sure if he took three breaths—would not stop talking. As a result, we had to go back three days later, and then he was provided bail. Again, there was no emotion. There was nothing. There was no feeling.

It's a slap in the face to the government that passed these features that we're living with today. It's a slap in the face to the police force, who have to deal with these people. It's—

Larry Brock: I'm going to stop you right there. He showed no emotion.

Ronald Best: None.

Larry Brock: He showed no care, because he knew he was getting out. That's what this Liberal government's failed justice policies for the last 10 years have instilled within the criminal element in this country. It has emboldened criminals to do exactly what they are doing, terrorizing communities.

Thank you for that.

To the officers, both of you spoke about first steps. This was a good first step, the government introducing Bill C-14, but you both acknowledged that while it talks about making it tougher for individuals to obtain bail...the same language that they used with the disastrous rollout of Bill C-48, by expanding the list of reverse onus charges.... When you had members of the government, including the prime minister of the day and the former justice minister, proudly stating, "We delivered bail reform. These repeat violent criminals are going to be detained," we know that was a false promise, a false declaration, because we found ourselves right where we are right now, with catch-and-release.

Will you both agree with me that there is not a pathway in Bill C-14 for automatic detention—yes or no?

• (1615)

Jeremy Morton: I would agree with you, yes.

Larry Brock: It still vests discretion for bail matters in judges, particularly when you're dealing with violent repeat offenders to still be granted bail. The bill clearly states that when a justice makes a decision to release, it has to be on the least onerous conditions. I want to talk about that, because it's one thing that we're not talking about in this committee—the sufficiency and the degree by which conditions need to be established.

I have heard horror stories across this country of judges refusing to list conditions because it's an invitation to breach, or they're not addressing conditions reflective of the crime and the impact to the community or the victims, or they're making a joke of the promise to pay by requiring offenders to pay 5¢.

This is what's happening in downtown Toronto as we speak.

Do you think that type of activism by our judges is appropriate to deal with community and victim safety?

Mark Baxter: I think there's lots of work that we can still do around sureties.

In the Antic decision, it said that a pledge for a deposit performs the same function as actually giving a deposit.

Quite frankly, that's nonsense.

Larry Brock: Do you agree with that?

Mark Baxter: No, it's nonsense.

We need to do more work around sureties. We need to ensure that some sort of deposit is received by the court. We need to ensure that we're doing proper checks on sureties, that we don't have these career sureties showing up time and time again, vouching for someone who's been accused of an offence, saying they're going to ensure that they abide by their conditions while knowing that they've put a pledge for a deposit and they're never going to have to pay that. It's never going to be collected.

The Chair: Thank you, Mr. Baxter.

Ms. Lattanzio, you have six minutes.

Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

My first comments are for Mr. and Mrs. Best.

Let me start by saying how deeply sorry I am for your loss. Your family's story is quite devastating, to say the least. It shows how devastating it can be when someone who has a long record of breaking bail is released.

You heard us speak about Bill C-14, which was introduced last week by the Minister of Justice and which strengthens and makes bail and sentencing tougher. It was also made with the scope of preventing the incidents that happened in your family from happening again. It would require the courts to consider the offender's history and past breaches of violence before granting release.

From your perspective, how critical is the change to ensure that no other family goes through what you've gone through?

Ronald Best: It's an important step. This is a beginning, to establish a framework. Once it's passed, then that framework—as we carry forward any deficiencies as a result of the experiences—can be tailored to protect society.

Patricia Lattanzio: Would you like to...?

Meechelle Best: I think the other thing is that it's still giving the judge the opportunity to make a decision. Our judges need stricter criteria when they're making those decisions.

For example, she could still have let Mr. Hilton out, the three times or whatever, but what we saw from those three times was that there was actual escalation of the charges from the first one to the third one. However, it was still okay for that judge to make that decision.

If there were some clearer guidelines put in place each time—if there's an escalation, if there are drugs, whatever... Our judges need more support besides just their discretion. That's not good enough.

• (1620)

Patricia Lattanzio: My next question is for you, Mr. Morton.

From your frontline experience, how would Bill C-14's bail reforms change what officers face from day to day in keeping communities safe?

Jeremy Morton: In Brantford, as I stated in my opening comments, we are often arresting the same individuals repeatedly, and they have an outsized impact on both the police service and the criminal justice system.

If you look at the crime severity index that was posted for 2024 and the comments made by our chief, Chief Saunders, a decrease in the crime severity index can often be caused by one or two individuals being detained in custody, which causes those charges or offences to stop happening while those individuals are in custody. Keeping those repeat violent offenders in custody helps protect the rights of the victims and the community.

Patricia Lattanzio: How would you say Bill C-14 delivers on the concerns raised by police officers?

Jeremy Morton: I would say that Bill C-14 addresses quite a few concerns that the Police Association of Ontario has been raising over the last several years in regard to expanding reverse onus bail hearings. That's along with the fact that it's making more stringent conditions for judges or justices of the peace to retain individuals in custody.

Patricia Lattanzio: In your opinion, would consecutive sentencing also help?

Jeremy Morton: I would say that consecutive sentencing, if used appropriately, would help indeed.

Patricia Lattanzio: Okay.

We've heard time and time again that there's a coordination between provinces and the federal government. In your opinion, what would that coordination mean? Do you believe it is needed to ensure that these reforms work on the ground?

Jeremy Morton: I believe that a standardized training program....

I was shocked to learn that justices of the peace don't have standardized training across Canada. I believe that such a program would be instrumental in making sure that the Criminal Code, along with the charter, is properly applied when dealing with repeat violent offenders.

Patricia Lattanzio: Can you give us a little more detail on what the training would entail? What would you want to see in terms of the training, specifically?

Jeremy Morton: Currently, as I stated, I don't believe there's any standardized training for justices of the peace across Canada. It would be nice to see training specifically around maybe the ladder principle, along with the opportunity to ensure that sureties are staying in compliance and to address the concerns of not having the individuals just out.

As President Baxter said, the professional sureties who come in have not had any interaction with these individuals for quite some time, and then they're vouching that they're going to keep an eye on them, with no real consequences if those individuals end up breaching those conditions.

The Chair: Thank you.

[*Translation*]

Mr. Fortin, you have the floor for six minutes.

Rhéal Éloi Fortin (Rivière-du-Nord, BQ): Thank you, Mr. Chair.

Thank you to all the witnesses for being with us today. I also offer my deepest condolences to Ms. and Mr. Best on the passing of their daughter.

Currently, in order to release an accused pending their next court appearance, the judge must assess three criteria. First, do we think there is a risk that the accused will not show up at his next court appearance? Second, is the accused a threat to public safety? Third, would his release undermine public confidence in the administration of justice? Those are the three criteria that are in place.

Currently, to deny bail, the Crown must prove there is a risk that the accused will not appear in court, that they are a threat to the public or that their release could bring the administration of justice into disrepute. However, we are talking about reversing the burden of proof, that is to say asking the accused to prove that he will be present at his trial, that he is not a threat to the public, and so on.

Mr. Baxter, in your opinion, will the reverse onus change anything? If so, could you elaborate?

• (1625)

[*English*]

Mark Baxter: Sure. Thank you.

On reverse onus offences, first of all, what we're talking about here are limited scenarios in which the starting point for violent repeat offenders is detention and then the onus is on them to show why they should be released from custody.

Along with clarification of how justices should be applying the ladder principle—the principle of least restraint—it seems to me that once this bill becomes law, it's going to have a real impact on this group of people that we're talking about, who are continuing to victimize our communities.

[*Translation*]

Rhéal Éloi Fortin: If I understand correctly, in your opinion, we could keep more people behind bars before their trial if we implemented this proposal to reverse the burden of proof. Is that what you are telling me?

[*English*]

Mark Baxter: Yes, that is the intent. We would detain people who have met the criteria of dangerous, violent and repeat offenders. We would hold them in custody ahead of their trial, so they can't be out revictimizing communities.

[*Translation*]

Rhéal Éloi Fortin: The Canadian Bar Association claims that the proposed reverse onus is unnecessary. Do you have an opinion on that? Have you discussed this with the Canadian Bar Association?

[*English*]

Mark Baxter: I have not spoken with anyone from the Canadian Bar Association about this.

[Translation]

Rhéal Éloi Fortin: Currently, statistics show that 72% of inmates are detained pending trial, not as a result of a conviction. Only 28% of the prison population has been convicted of a crime, which shows that our prisons are mainly used to detain people who have not been convicted of a crime. Does this statistic concern you?

[English]

Mark Baxter: We have to ensure that we have safe communities, and the way that we have safe communities in the face of repeat and violent offenders, those accused of the most serious offences and violent crimes, is that they remain in custody until their trial. That is how we can keep our communities safe. We see far too often that people who are accused of the very serious violent offences of terrorizing and victimizing communities are released, and they continue to commit these same or similar violent offences.

[Translation]

Rhéal Éloi Fortin: I appreciate that.

Mr. Baxter, what we are talking about is the seriousness of the charges. However, if the Crown prosecutor decides to charge someone with homicide, for example, that does not necessarily mean that the individual is guilty. Do you not think it would be wiser to apply the reverse onus provision only to repeat offenders? Instead of asking an individual who does not have a criminal record, but who, rightly or wrongly, is accused of a serious crime to prove that he meets the criteria for bail, should this requirement not be reserved for repeat offenders, in other words, for the accused who have previously been convicted of similar crimes? Would our justice system be more balanced that way?

[English]

Mark Baxter: I think, first of all, that the Crown does not decide who it wants to charge or who it wants to accuse. The police have gathered evidence. They've conducted a criminal investigation, and through that investigation they've determined that they have reasonable probable grounds to believe that someone has committed an offence—

[Translation]

Rhéal Éloi Fortin: I am sorry to interrupt. I do not mean to be rude, but time is running out. I think I have barely a minute left.

I understand what you are saying, and I have no doubt that the police do a good job. I am just saying that we are trying to strike a balance between public safety and respect for individual freedoms. Consequently, should the reoffending, rather than the seriousness of the charges, be the criterion for reversing the burden of proof?

• (1630)

[English]

Mark Baxter: Yes, I think we can use both. I think we should be looking at the seriousness as well as at the repeat offenders.

[Translation]

The Chair: Thank you.

The second round of questions now begins in the following order: Mr. Lawton, Mr. Chang, Mr. Fortin, Mr. Leslie and Mr. Chang.

[English]

Andrew, it's up to you.

Andrew Lawton (Elgin—St. Thomas—London South, CPC): Thank you to all the witnesses for being here.

To the Bests, I cannot convey enough how deeply sorry I am for your loss and that the system failed your family and your daughter so much.

Ms. Dunn, I'd like to start with you. By way of disclosure, my wife sits on the board of your organization, so I'm very familiar with the work. We've been supporters since long before then, so thank you for your advocacy on this.

We heard Marc Roskamp, the St. Thomas police chief, before this committee in another session. He said that 58% of those charged in St. Thomas with offences related to intimate partner violence are repeat offenders, and many of those are on bail.

You deal with the victims of this. Does a stat like that surprise you, or does that conform with what you understand about the perpetrators of intimate partner violence?

Jennifer Dunn: That goes right in line with what we see here on the ground. What is maybe even more important to mention is that this doesn't necessarily include all of the women who choose not to report to police.

The numbers are not shocking, and StatsCan put out a report—a report just came out today—showing that, between 2018 and 2024, IPV charges were up by 17%. That statistic is not shocking either, because we are busier than ever. In the past year, we've had over 10,000 service interactions at our tiny little organization here in London, Ontario.

Andrew Lawton: There is a Conservative bill before the House of Commons that would treat the murder of a current or former intimate partner as first-degree murder, regardless of whether it was planned or deliberate. It would also create new specific Criminal Code offences for assault of an intimate partner and criminal harassment of an intimate partner. Would these measures be ones you would encourage the House to pass?

Jennifer Dunn: Absolutely, I would. I think we need to look at those types of crimes individually. When we're looking at intimate partner violence, it is very much a gendered issue, and violence against women is not on a decline. I think it's very important to look at any type of law or legislation that can support ending violence against women.

Andrew Lawton: In your initial testimony, Ms. Dunn, you mentioned the trauma and pain that offenders' being released on bail causes to women, and you said the victims oftentimes have to move. What is the process of these bail hearings like? In your experience, does it respect the women who are dealing with trauma and dealing with these offences?

Jennifer Dunn: Absolutely not. We have had women who refused to call the justice system the justice system anymore. They call it the legal system, because they feel as though they are not seeing enough justice being done. It is very much a problem when bail is granted and women are not informed or it is difficult for them to find out what's happening next. That's an ongoing issue. Organizations like ours are so thankful to have such amazing community partners here in London, Ontario. We can work together to support women who have been subjected to this type of violence and who are involved in the criminal justice system through no fault of their own to navigate that and figure out what is happening next, because sometimes, as I said, it's very difficult to get information.

Andrew Lawton: Thank you.

Moving to you, Mr. Morton, we have heard in previous testimony a concern that there is this wide gap between legal theory and experiences on the ground—the realities that your members and your colleagues have to contend with. I note that some of the Liberal witnesses come from academic backgrounds and have never even spoken to victims as part of their research; they are solely focused on the rights of the accused.

What is the danger of that way of approaching criminal law?

• (1635)

Jeremy Morton: Again, the danger with regard to that is that we are putting the offender's rights above those of the families and victims of these serious and violent crimes that are happening, and we are not taking a fulsome approach to reviewing what needs to be changed or what should be considered to be changed moving forward.

The Chair: Thank you.

Wade, you have five minutes.

Wade Chang (Burnaby Central, Lib.): Thank you, Chair.

Mr. and Mrs. Best, we are very sorry for your loss. I offer my sincere condolences to you and your family.

My first question is for Ms. Dunn.

In your work with survivors, how often do you see cases where violent partners end up reoffending while on bail?

Jennifer Dunn: We see it all the time. In the one example I gave where we were working with a woman whose mother was the surety for the perpetrator, that was not a good situation for the woman who was accessing service here. As I said in my speaking notes, the woman could not even access our service without a safety plan. It was difficult for her to come to a service like the kind our organization provides.

We see this time and time again. For example, when I told the staff that I was going to be appearing before all of you, numerous staff members wanted to share stories with me to bring forward, so this is not an unusual circumstance for us.

Wade Chang: Thank you.

In your experience, what is the best way for the justice system to protect victims while still being fair to the accused?

Jennifer Dunn: We think it's very important for the system to work. As much as they can right now, in the way the system is structured with a trauma- and violence-informed lens and with a trauma- and violence-informed approach, I think it's really important to look at what targeted accountability could look like.

You all have a very big job to do. We need to see high-risk, repeat violent offenders face detention, but we have to remember that this is not "one size fits all". We really have to recognize that without the proper implementation in place, it's simply not going to work. Everybody has to work together in order for it to work properly.

What I mean is this. If there is a woman on the other side of what an accused is going through with the criminal justice system, she needs to be informed every single step of the way. There needs to be accountability from the criminal justice system in that regard as well, not just for the accused. Victims have rights as well, and it's really important for those to be considered every step of the way.

Wade Chang: Thank you.

From your perspective, how would making it harder to get bail help keep women and families safe?

Jennifer Dunn: When a violent offender has been released on bail, women are constantly fearing for either their lives or their safety. They cannot leave their homes without fear. They are constantly looking over their shoulders to see what's going to happen next. It's very difficult to live like that. Nobody should have to live like that. Just to be clear, it's very important that those types of experiences are considered when looking at changing any legislation or law.

The reality is that organizations like ours are working every single day to work ourselves out of a job. We don't want, in 2025, to have to provide service over 10,000 times in a year. We really need to make sure that every single system is working together to provide every opportunity for real justice.

• (1640)

Wade Chang: Thank you.

Beyond changing the law, what kind of support do we need to make sure that reforms actually keep women and families safe?

Jennifer Dunn: It's very important for all of the systems to work together.

As I said in my speaking notes, from the courtroom to the counselling office, we all share the responsibility to support the survivors, the victims and the families, and also the perpetrators of the violence. That comes with education, prevention and proper funding, all across the board.

Wade Chang: Thank you.

[Translation]

The Chair: Mr. Fortin, you have the floor for two and a half minutes.

Rhéal Éloi Fortin: Thank you, Mr. Chair.

I am going to go back to Mr. Baxter, and I apologize to the other witnesses. It is not because they are not interesting.

Mr. Baxter, Mrs. Best told us earlier that we should perhaps add a condition concerning drug addiction or consider the drug problem when deciding whether to grant bail to an individual. I would like to know if you think that criterion should be added.

In either case, I would like to know your opinion on the bail criteria. Let me repeat them. The idea is to ensure that the person appears at their next court appearance, that they will not be a threat to public safety and that their release will not bring the administration of justice into disrepute, in other words, that the release will not undermine public confidence in the justice system.

What do you think? What conditions should be added?

[English]

Mark Baxter: If we are continuing to talk about repeat and violent offenders, and their drug addictions as part of that, then that becomes part of the conversation and part of the context that takes place at a bail hearing.

We have to remember that with the reforms we're talking about here, we're not talking about everyday petty theft. We're talking about the worst types of repeat offenders, who are defying rehabilitation, flagrantly running afoul of the law, and continuing to victimize our communities. That's who we're talking about. If we're looking at reverse onus criteria as to whether they should be released within those three criteria you have laid out, if they have alcohol or drug addiction issues, that's going to form part of the context that will take place in the bail hearing part of considering the factors.

[Translation]

Rhéal Éloi Fortin: If I understand correctly what you are telling me, the three criteria to be considered before granting bail would be whether or not there was a similar previous offence, whether the crime is a violent one and whether there are drug addiction issues. Is that correct?

[English]

Mark Baxter: Can you repeat that?

[Translation]

Rhéal Éloi Fortin: If I understand correctly, the three criteria to be considered would be a drug addiction issue, a previous offence and a violent crime. Is that correct?

[English]

Mark Baxter: In terms of the drug addiction and whether it's considered, that's always going to be considered by a justice during a bail hearing anyway. That context is there now, whether we're talking about a reverse onus offence or not a reverse onus offence. The person's alcohol or drug addiction or dependency is going to form part of the conversation that will take place on bail.

Mental health also plays into that. We have seen times where folks are released and provided with opportunities to seek treatment and counselling.

[Translation]

The Chair: Thank you, Mr. Fortin.

[English]

Branden, you have five minutes.

Branden Leslie (Portage—Lisgar, CPC): Thank you, Mr. and Mrs. Best—Meechelle and Ron.

I want to thank you for your courage in coming here today and sharing your story with such incredible composure given the circumstances, and for your relentless advocacy and efforts to try to change Canada's bail system in the aftermath of the terrible tragedy your family faced.

In honour of Kellie, but with the focus on ensuring that other families don't face the same devastation that yours had to.... I know a bit about Kellie, and she was a wonderful human being with an incredibly bright future ahead of her. She did not deserve to have her life taken by a man who should have been behind bars. I am so sorry for the loss that your entire family has faced—for the loss of Travis, her fiancé, and for all of those who knew and loved her. Frankly, our entire community—my own town of Portage—was badly shaken when the news came out, and that turned into pure disgust with the circumstances of how this tragedy came about. Kellie faced the consequences of political decisions that put the rights of criminals above the rights of everyone else. Her death should not have happened.

The individual who killed your daughter was given bail three times within two weeks prior to this tragedy. How does it make you feel to realize that the system as it is currently set up seems far more concerned with his rights than with the safety of your daughter?

• (1645)

Ronald Best: You just feel defeated, because there are so many things that go through your head when you're asked a question like that. Just the fact that the suspect simply doesn't care about society.... He was released on bail nine months after spending time in prison, on September 5. On September 6, he absconded. On September 7, he posted on his social media, "fresh out of Peezy" with no regard for the family—nothing.

On Monday we discovered from victim services that he had been released on Friday and left within six or seven hours. Four days later we discovered that. On Tuesday, we were at a press conference, and at three o'clock that afternoon—four to five days after he was released and absconded—a warrant for his arrest was issued. He was picked up, I think, within 20 minutes.

Whether or not that answers your question, when those types of questions come up, those are the things.... How it can happen just leaves you bewildered.

Branden Leslie: That goes to show that our police are doing their level best. Thanks to them for the work they do.

You've lived through the worst imaginable outcome of a failed system. If you could speak directly to the lawmakers who have defended the status quo of this system for years, what would you say to them?

Ronald Best: To speak to what you hear about rehabilitation—the importance of rehabilitation and that they need help—in this case and in most cases, if it's a justice or a judge that's giving this person bail, not only are they not doing the family any favours, but they're not doing the individuals any favours. If you let that individual out, they just don't understand it and they're going to go and do exactly what they were arrested for previously.

Meechelle Best: I think my comment would be that we need change. We're continuing to do the same thing over and over again, expecting a different result from people who are not able to make different decisions. By just releasing them back into our communities, we're giving them the go-ahead to continue their behaviour.

This is not something that we talk about for initial offences. This is for repeat offences, and I think that “repeat” is a key word. If I could speak directly to them, I would say, “Please make these changes.”

Branden Leslie: Thank you.

Just quickly.... What message does it send to victims' families when someone who repeatedly breaches these conditions is given yet another chance by a judge?

Meechelle Best: It gives the message that [*Technical difficulty—Editor*]

• (1650)

The Chair: There's a button right in front of you, Meechelle. You'll see a red light go on.

Meechelle Best: Okay.

We felt at a loss. We felt discouraged. We felt that his immediate needs were being put over the situation that our family has been put in.

She's a huge loss, not only to our community, as Branden mentioned, but also to our family. She was a pillar in our family, and it didn't matter. No one asked us the question, and no one considered his previous behaviours either. When you talk about the fact that previous drug use should be mentioned in bail.... There was no mention of his previous history. His defence lawyer made us think that he had previously been one of Santa's helpers.

It's important that the accused has a chance to speak and that the judge has a chance to make some better assumptions based on history.

The Chair: Thank you, both.

MP Chang, you have five minutes.

Wade Chang: Yes. I have one more question for Ms. Dunn.

You have mentioned the dangers women face when violent offenders are released after multiple breaches of no-contact conditions. Bill C-14 now requires judges to consider that pattern of violence and expand reverse onus provisions for repeat offenders.

From your perspective, how important are those changes in keeping survivors safe?

Jennifer Dunn: I think those changes are very important. I think those changes should come with, perhaps, increased education and training for the judges making those decisions on the nuances of in-

timidate-partner violence, sexual assault, human trafficking and anything that falls on the spectrum of violence against women. It can't be assumed that all judges have all of the information that they need to move forward with a decision, so I think that would be really important.

Those changes in this new bill in front of all of you, I think, are good steps forward.

Wade Chang: Thank you.

My last question is for Mr. Morton.

Would you urge all parties to support Bill C-14, and why?

Jeremy Morton: Yes, I would encourage all parties to support Bill C-14. As I stated earlier, the Police Association of Ontario has been advocating for a lot of these changes. Over recent years, with the full support of all associations across Ontario at least.... I can't speak nationally, but in Ontario all police associations are in agreement that things need to change.

Wade Chang: Thank you.

I have no other questions, Mr. Chair.

The Chair: Thank you.

I'm presuming to speak on behalf of the committee, but I do want to thank you again, Meechelle and Ron, for your courage today in coming here. This testimony has not fallen on deaf ears. Again, it took great courage for you to come here. On behalf of the committee—and personally as well—I do want to extend our deepest condolences on the loss of Kellie to all those who loved her and knew her.

Thank you.

Obviously, Mr. Best, I will leave you some words. We do have a couple of minutes before we have to switch over, but I want to thank the rest of the witnesses as well for their important testimony.

Ronald Best: Thanks, Marc.

It's important for everybody to imagine when you arrive at the crash scene and see the vehicle absolutely obliterated and say, “Boy, my girl was in there.” You're very thankful that members of law enforcement are on that scene. They don't let uncles in and they don't let aunts in. They let in her fiancé, my wife and me. We have to be very thankful to have those law enforcement people present at those scenes, because they are absolutely terrifying.

That is one of the chain links, if you will, that's occurring as a result of this policy of just how these criminals essentially are just waiting, looking at their watch, if they have one on, and looking at their lawyer and saying: “Did I get out, yes or no? I have to get back to my cell.”

I just wanted to say that in closing, because it's really important. Law enforcement were really helpful to Kellie's fiancé, to my wife and to me. You really appreciate it, because it's a very haunting thing to go into.

The Chair: Thank you.

We will suspend for a few minutes to switch over to the next round, and we'll resume in about five minutes.

- (1650) _____ (Pause) _____
- (1700)

[*Translation*]

The Chair: I call the meeting back to order.

I want to welcome everyone back for the next hour and a half for our second panel.

I am not going to repeat all the instructions. I know that several of the witnesses have been here before. I will just remind you to be gentle with the microphone and not to speak too close to it. That is to protect the interpreters. If there are any questions, there are instructions on the table. Those online are no doubt used to Zoom, but I will remind you that there is a “raise hand” feature to ask to be given the floor.

Each group represented by witnesses will have five minutes, which means that Mr. Gélinas and Mr. Wall, from the Service de la police de la Ville de Montréal or SPVM, will have to share a total of five minutes. Then we will go to the BC Crown Counsel Association, the Canadian Association of Chiefs of Police and the Centre for Trauma Informed Practices for five minutes each.

[*English*]

I'll briefly present the witnesses.

I'm sorry for firing through this, but we had a slight delay with voting, so we want to get going and have time for the members to pose appropriate questions.

[*Translation*]

We have two former members of the SPVM, André Gélinas, retired detective sergeant, and Stéphane Wall, retired supervisor.

[*English*]

From the BC Crown Counsel Association, we have Adam Dalrymple, who is online.

[*Translation*]

From the Canadian Association of Chiefs of Police, we have Commissioner Thomas Carrique.

- (1705)

[*English*]

From the Center for Trauma Informed Practices, we are joined by Pat Rivard, director of Canadian operations, by video conference.

It's over to you, Mr. Gélinas and Mr. Wall, for five minutes.

[*Translation*]

Stéphane Wall (Supervisor (Retired), Service de police de la Ville de Montréal (SPVM), As an Individual): First of all, I want to pay my respects to the members of the committee.

I am a retired supervisor at the SPVM, where I specialized in the appropriate use of force.

Since 2021, André Gélinas and I have been trying to make elected officials and the public aware of the importance of prioritizing the rights and freedoms of victims of violent crime over those of violent criminals who have been overprotected in Canada for 10 years. In particular, we asked that the principles of the act that flowed from former bill C-75 be replaced with a principle of greater protection of the public for violent crimes.

Does the name Gabie Renaud from Saint-Jérôme ring a bell with committee members? She was the 14th victim of domestic violence in Quebec in 2025. We must not minimize these cases, as some previous witnesses have done. Her killer, Jonathan Blanchette, had accumulated about 30 charges for violent crimes, often committed in a domestic context. He violated his court-ordered conditions 16 times. If Gabie Renaud had been your daughter or your sister, you could have legitimately lost confidence in elected officials and the justice system, which gives too many opportunities for violent criminals to make more victims of domestic, sexual or gun violence. We are all in favour of the principle of rehabilitation, but we are asking for a balance between rehabilitation and the protection of the public. Far too many women are victims.

Parliament must understand that crimes against property and crimes against the person should not be put on an equal footing. We propose a clear gradation of penalties and more mandatory minimum sentences to put an end to lax justice and restore public confidence. The system should offer more chances of rehabilitation to a repeat offender who has committed the crime of breaking and entering than to a violent criminal.

A criminal convicted three times of violent crimes against a woman—assault, uttering threats, sexual assault, procuring, harassment or breaching conditions—should be severely punished. The first offence could attract a mandatory minimum sentence of two years, the second of five years and the third of ten years.

“Netflix” sentences should not be allowed under the law. The legislator should take firm action against prolific offenders, who are overrepresented in certain communities, who have been convicted four times of crimes against the person, or who have ignored the rehabilitation opportunities offered by the system. There are two possible options: release after a fourth conviction, but with a long-term offender label, or prioritizing the protection of the public, which means imprisonment for a very long time. A violent criminal who has committed crimes against the person and has breached their release conditions three times needs to be kept behind bars to ensure the protection of the public.

Legislators must no longer be satisfied with just managing the risk on the backs of communities. They must prioritize the rights of victims like Gabie Renaud.

André Gélinas (Detective Sergeant (Retired), Intelligence Division, Service de police de la Ville de Montréal (SPVM), As an Individual): Mr. Chair, members of the committee, thank you for inviting me.

My name is André Gélinas, and I am a retired detective sergeant with the Service de police de la Ville de Montréal.

During my career, I worked as a patrol officer, trainer, supervisor, investigator, and intelligence officer on street gangs, Italian organized crime and terrorism. I spent four years on secondment at Correctional Service Canada to help parole officers supervise criminals in the community. I also served my country on a nine-month mission in Afghanistan during the war. For the past five years, I have been a police news commentator for various media.

As a general principle, it must be understood that the current system, theoretically and on paper, offers good protection for society, based on the good faith of criminals who must agree to comply with conditions imposed pending trial, following their sentence or during parole.

However, the current system is far too naive when it assumes that criminals will comply with the various conditions of their release. Unfortunately, we see that a lot of them do not comply. We realize it when a tragedy occurs, particularly when it comes to domestic violence. It is imperative to take action upstream by increasing the severity of release conditions or significantly improving supervision. In so doing, the conditions imposed by courts or by the Parole Board of Canada will be met.

There are a number of crimes or types of criminals for which we must act to protect the public and victims, such as organized crime, domestic violence, procuring, sexual assault, home invasions, illegal arms trafficking, vehicle theft, the production, distribution and sale of drugs, not to mention fraud, both against seniors and anyone else.

In addition, any random and unprovoked violence must be severely repressed, because there is nothing more alarming for the public than to witness random violent attacks on peaceful citizens. The criminal use of firearms must also be punished more severely, whether it involves organized crime or isolated criminals.

I would also be remiss if I did not mention the individuals who work for organizations, criminal or not and who recruit minors to do their dirty work and commit the most heinous crimes.

• (1710)

The Chair: Mr. Gélinas, I am sorry, but I have to interrupt you. The committee members are going to ask you questions anyway. Thank you.

[English]

Mr. Dalrymple.

Adam Dalrymple (President, BC Crown Counsel Association): Thank you.

My name is Adam Dalrymple. I am the president of the British Columbia Crown Counsel Association and the vice-president of the Canadian Association of Crown Counsel. I'm employed as Crown

counsel here in Vancouver, British Columbia, and I've been on the front lines of this prosecution service for just over 17 years.

I'm honoured to be invited to this committee as a witness, and I hope I'm helpful to the committee. However, I should preface my comments by saying that I am not permitted to speak about specific cases and active prosecutions. I'm also not able to speak on behalf of the B.C. prosecution service or the Government of British Columbia.

As president of the BC Crown Counsel Association, I represent approximately 550 frontline criminal prosecutors who work in British Columbia criminal courts. We represent them in all aspects of their professional employment, and our association was established approximately 33 years ago.

The law of bail and sentencing, particularly in respect to repeat prolific offenders, is at the forefront of Canadians' minds. I've travelled the province of British Columbia and listened to mayors, council members, business owners and our frontline prosecutors. This outreach, coupled with my years of experience in the criminal courts, informs our views on this important topic.

Our association would urge legislatures and policy-makers to look at the issue of bail and sentencing in Canada from a holistic perspective. No one level of government in our Canadian system of government holds all of the answers. Given the division of powers, as you know, the federal government is charged with deciding what is criminal in our justice system. The provinces are largely responsible for the administration of justice. This means that most of our criminal courts and prosecution services are funded and staffed by the provinces. Many of the social services that are provided are provided by provincial and municipal governments.

Passing tougher laws is not the only way to address offending in our communities. Laws must be supported with sufficient frontline resources and services to investigate and prosecute offences. There must also be sufficient local services in place to support and monitor those who are on bail in our communities while they await their trials.

The organizations I represent are calling for the hiring of more frontline prosecutors, and when I say "frontline", I mean courtroom prosecutors. While we appreciate that the hiring of most criminal prosecutors is within the provincial domain, we stress the importance of a coordinated, multi-faceted approach. By limiting the ratio of frontline Crown to accused, building a national bail information system that transcends provinces, and funding local police and Crown projects and social services in communities, we believe the federal government will have the desired impact on crime and repeat offenders in Canadian communities.

The ReVOII, which is an acronym for the repeat violent offending intervention initiative developed by the Government of British Columbia, is just one example of how a Crown program can reduce offending, uphold the rule of law, enhance public confidence in the justice system and keep our communities safe.

Thank you.

The Chair: Commissioner, it's over to you.

Thomas Carrique (Commissioner, Canadian Association of Chiefs of Police) : Good afternoon.

Thank you, honourable Chair. I really appreciate the opportunity to address the Standing Committee on Justice and Human Rights.

The Canadian Association of Chiefs of Police has continually advocated for legislative improvements to advance public safety. It is encouraging that the government is proposing amendments to the Criminal Code to create safer communities, enhance officer safety, and improve trust and confidence in the justice system. There have been many egregious examples of repeat and violent offenders out on bail who commit additional offences, including homicide, such as in the December 2022 murder of Ontario Provincial Police constable Greg Pierzchala.

I addressed this committee just two years ago on the issue of bail reform. While some amendments were brought about by the introduction of Bill C-48, it's evident that our work to ensure the safety and security of our communities is not done. The recent legislative proposals regarding bail and sentencing are welcomed by the CACP, which has repeatedly advocated specific changes.

In particular, we called for the broadening of reverse onus provisions for bail-related offences that are violent or serious in nature. It's encouraging that the proposed legislation before the House recognizes the importance of this amendment, particularly with respect to offenders who commit violent offences or weapons offences or those connected to organized crime. Direction regarding the principle of restraint and clarity that the latter principle does not apply to reverse onus are necessary protections to address public safety. Jurists must be given direction on how to properly apply the reverse onus provisions and the strength of evidence an accused must present to meet it. It is the CACP's position that the burden of proof in certain reverse onus bail hearings should require clear and convincing evidence before the accused person may be released. The standard falls between a balance of probabilities and proof beyond a reasonable doubt.

The CACP also advocates for new tertiary ground considerations when an accused faces multiple charges for failing to comply with release conditions. Bill C-14 will require the courts to consider the number or seriousness of any outstanding charges when determining whether to release an offender. This consideration, while recognizing that accused persons have a presumption of innocence, sensibly addresses the need to weigh the rights of the accused against the protection of society and the safety of Canadians.

Additionally, the CACP recommends including strengthening the estreatment process to require specific information from a proposed surety, and a limiting of judicial discretion as to the forfeiture of the entire amount pledged. A more rigid forfeiture process compels accused persons to comply with their conditions and spares their

sureties financial hardship. A surety is only as effective as the consequences of a breach are meaningful.

The CACP has further recommended an appeal mechanism by the Court of Appeal for section 525 detention reviews, since there is currently no ability for the Crown to seek a review of that decision apart from appealing directly to the Supreme Court.

We are pleased with the intentions to address sentencing in Bill C-14, in particular sentences associated with serious sexual offences. The consecutive sentencing provisions are a positive step towards addressing repeat and violent offenders in our judicial system.

Also important is the primary sentencing objective of denunciation and deterrence for second and subsequent convictions relating to organized crime, auto theft or break-and-enter offences.

The CACP continues to call for tougher penalties for intimate partner violence, along with firearm offences, including the smuggling and trafficking of firearms.

While the Supreme Court has previously ruled on the constitutional periods for parole ineligibility, the courts could be provided with direction to lengthen parole ineligibility periods or assign dangerous offender designations for multiple murder convictions.

We believe that still more can be done to address the issue of repeat and violent offenders and to combat organized crime. The CACP strongly supports the intention of the proposed legislative reform to ensure bail and sentencing deters crime, protects law-abiding Canadians and strengthens victims' rights.

• (1715)

In the interests of public safety, I urge the members of this committee and all members of Parliament to work together, without delay, to enact the meaningful legislative change regarding bail and sentencing found in Bill C-14. The CACP is calling on Parliament to come together and collectively prioritize public safety in consultation with those who understand it through lived experience and operational expertise.

Thank you. *Meegwetch*. I look forward to any questions you may have for me, honourable Chair.

• (1720)

The Chair: Thank you, Commissioner.

[*Translation*]

Mr. Rivard, you have the floor for five minutes.

[*English*]

Patrick Rivard (Director, Canadian Operations, Center for Trauma Informed Practices): Thank you, honourable Chair.

[*Translation*]

Thank you all for your work, which is really important.

I will speak English, but I wanted to start by greeting you with "bonjour".

[*English*]

I really come to you not only as an expert in threat assessment and trauma response but also as a citizen and a community member in Canada. I really thank you for your work and this important conversation.

The Center for Trauma Informed Practices is a Canadian organization that works with multidisciplinary professionals, starting with our police officers, our probation officers and a lot of mental health workers. We train many folks across Canada—it's 70,000, to give an estimate right about now—in really understanding the importance of having a collaborative approach to determining the issue of risk and risk assessment.

The words "risk assessment" come with really a lot of interpretation, and we're asking the committee to consider having a little more of a collaborative approach around our definition of risk assessment and the data the courts are using to make informed decisions around repeat offenders, etc.

Our models are very much situated to fit into this conversation, to provide professionals with data-based decision-making, and to use multisectoral data assessments to make decisions around what we would refer to as the IOC—the individual of concern.

Inside this conversation, what I would also just observe in our work.... Our research is based on about 45,000 cases of what we would determine as moderate- to high-risk cases where there is a risk of violence or a risk to public safety, spanning from youth—school-aged children—to adults in some communities as well.

One of the limitations in the work and in doing collaborative work and really determining risk is the ability for professionals to share information among themselves. Again, it's an invitation to

look at some of the legislation around what we can say among professionals to determine risk. There are some challenges inside of that, and I want to be clear when I present that I'm talking about when there is a clear, direct and plausible threat to public safety. The legislation does allow people to share information, but too often it doesn't occur.

I'm speaking to my police colleagues a lot of times. I'm in Toronto right now, doing some work with them. The other limitation I hear in practice from my colleagues is when searchability becomes an issue. We may have a lot of ideas around risk and dangerousness, where a weapon might be held in a room or somewhere, and our police are struggling to be able to even execute exigent circumstances in the Criminal Code.

Therefore, I'm asking—on their behalf in a lot of ways, and based on 45,000 cases—that you maybe have a look at those kinds of restrictions that are placed around determining risk and dangerousness.

Inside the work we do, we differentiate between risk assessment and determining if someone is dangerous. What often happens—and what we've been observing—is that sometimes the decisions made around bail are based on criminal history and not history of violence. Somebody can have a history of criminality and actually be at moderate risk in terms of being dangerous.

However, there sometimes can be situations where somebody has basically never had a history of criminality but is extremely dangerous. The litmus paper test for maybe a bail restraint or a condition around bail is generally focused on a history of criminality, so the information we would provide the courts goes beyond a history of criminality. We looked at a concept. I don't have time to train everyone, of course, with five minutes, but it's the concept of a baseline.

• (1725)

On the concept of somebody's baseline, somebody who's engaging in pathways to violence, is there a typical pathway to violence? The rule in our work is that, if they've shifted in their pathway, if they've switched their target selection, then there are higher levels of dangerousness and risk based on what they're doing.

I know I'm running out of time, but I do want to share with you—and I heard it before from some of my colleagues—that the need for collaborative work in communities is something that we see and that we do well at CTIP. We have over 500 protocols in this country where multidisciplinary professionals work together—

The Chair: Mr. Rivard, I'm sorry, but I have to cut you off.

It went way over, but perhaps a member can follow up on that and ask you a question so that you can continue your thoughts. Thank you.

Thank you, indeed, to all of the witnesses.

We'll start off the first round with six minutes each, starting with you, Roman, and then James for six minutes.

[Translation]

Mr. Fortin will then have the floor for six minutes.

In the second round, Mr. Lawton, Ms. Lattanzio, Mr. Fortin, Mr. Brock and Mr. Chang will have the floor for five minutes each. It will even be possible to have a third round before 6:30 p.m.

Mr. Baber, the floor is yours.

[English]

Roman Baber (York Centre, CPC): Thank you.

Commissioner Carrique, welcome.

You are here leading a force of almost 6,000 uniformed officers. I thank you for your service, and I salute your work.

You may know that I used to serve in Ontario's provincial legislature, and I followed the OPP very closely. It's important that your officers possess high morale on the job. Is it fair to say that Canada's bail and sentencing laws dampen the morale of your officers?

Thomas Carrique: Yes, sir, that is very fair to say.

Roman Baber: Tell us a bit about that.

Thomas Carrique: You can imagine that.... Officers are risking their personal safety day in and day out, they're risking the sanctity of their families, their psychological and emotional well-being, when dealing with repeat and violent offenders. When these perpetrators are brought before the courts, and when they are released and the officers can clearly see an elevated risk—they're released into communities, and they further victimize innocent, law-abiding Canadians, including police officers in the lawful execution of their duties—it is very demoralizing for our officers.

Roman Baber: Commissioner, too often we hear of one of our OPP heroes choosing to take their own life. Can you please tell us why you think that is happening?

Thomas Carrique: That is a very complex thing to try to even put into context. I don't know that it belongs before this discussion here this evening, sir.

Roman Baber: I appreciate that, sir.

Can you please tell me what this committee can do and what Parliament can do to strengthen morale in the OPP?

Thomas Carrique: Bring about these bail and sentencing changes as quickly as possible. We are so encouraged right now. We saw the Conservatives bring forward Bill C-242. We saw the Liberals bring forward Bill C-14. There's a joint interest in improving public safety across party lines. That has motivated and inspired law enforcement professionals.

If we can actually get the job done and make the meaningful changes that are being highlighted, incorporating the suggestions that your law enforcement witnesses are bringing forward, you will bring a dramatic improvement to police morale, and more importantly, you will improve public safety.

Roman Baber: Commissioner, I gather you welcome the expansion of the list of the reverse onus offences, but Bill C-48 had already done that with respect to a number of offences, and even with respect to those offences we've still witnessed catch-and-release policies.

What, if anything, gives you the confidence that Bill C-14 will not have the same results as Bill C-48?

Thomas Carrique: I am encouraged by the direction and the clarity that appear to be present in Bill C-14. It clearly gives direction around the parameters of reverse onus and highlights the things that need to be considered, like tertiary grounds.

I believe that we're going to need to monitor it. I don't know how effectively, as a society, we have monitored the impacts of Bill C-48 and been committed to making quick changes, as opposed to the five-year commitment that's embedded in the legislation to review the effectiveness of it.

This is public safety, and it can't wait five years. We need to be constantly monitoring how these implications are affecting Canadians, and we need to be making the necessary changes.

● (1730)

Roman Baber: Commissioner, the challenge I see with Bill C-14 is that it does not clarify the burden of proof in the reverse onus offences, nor does it completely remove the ladder principle, which requires judges to propose the least restrictive terms of release. What do you say to that?

Thomas Carrique: As I indicated in my opening statement, we believe there is room to further clarify that burden of proof to be clear and convincing evidence that an accused will not violate a bail plan. We absolutely endorse further clarity around the ladder principle and ensuring that it is not applied in reverse onus circumstances.

Roman Baber: I know that in advance of this legislation, various police forces from across the country urged the Liberal government to modify the cash requirement for bail to ensure that bail is complied with or else real money is forfeited. Are you disappointed that Bill C-14 is silent on cash bail?

Thomas Carrique: I was very optimistic that proposed legislation would include addressing the frailties in the surety process. That does not appear to be contained in the 80-odd changes to the Criminal Code. We would welcome further discussion as to how we could see those amendments implemented.

Roman Baber: Commissioner, we had a defence lawyer at committee last week, a professional who as a citizen was perplexed that violent offenders are able to be granted parole after serving one-third of their sentence again and again. Regrettably, we don't see any action on parole from this Liberal government in Bill C-14.

Would you urge the government to reconsider that? What do you see as the challenge with parole, and how do you propose that we address that?

The Chair: You have time for a very brief answer, Commissioner.

Thomas Carrique: Very briefly, I would encourage much further discussion on that. We at the CACP would be happy to assist.

The Chair: Go ahead, Mr. Maloney.

James Maloney (Etobicoke—Lakeshore, Lib.): Thanks, Chair.

Thank you to all the witnesses for coming today to talk about this issue that we all agree is very important.

Commissioner Carrique, I want to say thank you, first of all, for your enthusiastic support for Bill C-14.

I want to talk to you about two things you mentioned right off the top. One of them is the principle of restraint, and the other is the success of Bill C-48 and the monitoring component. The witness we had last week, to whom Mr. Baber just referred, is a criminal lawyer from Ontario. His evidence was that the principle of restraint is not anything new. The codification was simply a reflection of the Supreme Court of Canada's ruling, and it's been around for generations. That was his evidence. He said that it hasn't affected his practice one iota. He approaches it the same now as he always has.

Officer Wall, you referred to repealing Bill C-75. I assume you were referring to the principle of restraint. You weren't referring to the provisions dealing with gender-based violence.

First of all, Commissioner, I want to ask you this: Do you agree with that lawyer's assessment of the principle of restraint?

Thomas Carrique: Not having heard the lawyer's testimony, I will just say that I feel that the principle of restraint needs to be clarified. There needs to be direction to police and the judiciary that it does not mean mandatory release.

James Maloney: Okay. Thank you.

I'm glad you went there, because I've had many discussions with frontline officers in Toronto about Bill C-75, trying to understand what it is they have trouble with. The trouble, they tell me, time and time again, is that they were not trained or given any education on what it actually means. As a result, they've interpreted it as somehow meaning that people should just get out easily. That's not what the bill says. That's not what the legislation says. In fact, it's quite the opposite.

Having said that, you've reviewed Bill C-14. The bill addresses some of that component of the principle of restraint in giving frontline officers and people involved in the criminal justice system that type of information and that type of education, which will prevent the type of approach you're concerned about. Would you agree with that?

• (1735)

Thomas Carrique: In the time I've had to review it, I agree that it does attempt to address the issue of the principle of restraint.

James Maloney: All right. Thank you.

Now I want to talk about the laws versus the enforcement. I want to talk to Mr. Dalrymple.

Sir, you talked about how it's not one level of government that bears all the responsibility. We've heard this time and time again. It's the laws versus enforcement. The laws can be there, but if you don't have the resources available with Crowns and prisons and courtrooms, the laws are still going to face challenges when it comes to enforcement. Would you agree with that?

Adam Dalrymple: Yes, Mr. Maloney.

James Maloney: Thank you.

Again, I'll use my own example. In the province of Ontario, I have yet to meet a Crown attorney who tells me he's suffering from an excess of resources. I assume that it's the same case in British Columbia.

Adam Dalrymple: Yes, that's correct.

James Maloney: We've heard evidence, earlier in this study about bail hearings, that in some cases you'll come to court and a Crown attorney will have 25 bail applications but time to get through only about 10. That means the other 15 get either disposed of by way of agreement or postponed. Is that a common occurrence in British Columbia as well?

Adam Dalrymple: In my experience in travelling the province, yes, there is what we believe to be triage taking place, where prosecutors are trying to get through court lists, focusing on the more serious matters. Some of the less serious matters are not then given the attention and detail that are required.

James Maloney: Right, or in some cases, that results in people being released on agreement, without actually going through the hearing process, to try to triage the cases they have on their docket. Is that right?

Adam Dalrymple: In my experience, we still do a hearing before a justice, but it might be by consent: The Crown will agree to someone's release on limited conditions, obviously, in compliance with the law. However, there may not have been an opportunity to vet what the defence lawyer said the accused's circumstances are, or, for example, if there's a release plan, that release plan may not have been vetted by the prosecutor: They may not have had the time or resources to reach out to see if they're going into a recovery house, the reputation of that recovery house and those sorts of things. Depending on the day and how busy it is, they may not have those opportunities to dig deep on these files. That's why—

James Maloney: Right, so in your experience, the Crown attorneys are at a bit of a disadvantage because they don't have the luxury of time to do their preparation before these bail hearings, to have the necessary background information when they enter into these agreements. Is that fair?

Adam Dalrymple: In most cases, that's our belief. I was just at our Canadian international meeting in Halifax last week, and I understand that this is across the country, particularly in large centres like Toronto, Vancouver and other places like that.

James Maloney: Do you have any concern, in the absence of the provinces' increasing their capacity when it comes to Crowns, courtrooms and detention centres, that this new set of laws will only create a greater burden on the system, and the system might actually suffer worse than it is now?

Adam Dalrymple: Yes, that is our concern. Unless you have a commensurate increase in the number of resources to deal with these matters on the front lines, in the courtrooms of this country, we will not be able to handle, for—

James Maloney: Thank you.

As one last, very quick, point—and this is something Commissioner Carrique said—there's been no monitoring of the effectiveness of Bill C-48, because that is exclusively in the control of the provinces. They have that data, control the system and are the ones in the position to make that assessment, so how do you think the federal government can encourage the provinces to actually do that?

The Chair: We'll be able to follow up on that, Commissioner, perhaps with another round, either with Liberals or others.

[*Translation*]

Mr. Fortin, you have the floor for six minutes.

Rhéal Éloi Fortin: Thank you, Mr. Chair.

Thank you to all the witnesses for being here today.

I am going to turn to you, Mr. Gélinas and Mr. Wall. Either one of you can answer.

You are aware of the three current conditions for releasing someone. The Crown prosecutor must show that, if the person is not incarcerated, there is a risk that he or she will not appear at subsequent stages of the trial. It must also be proven that releasing the person is not a threat to public safety and does not bring the administration of justice into disrepute.

The proposal is to reverse the burden of proof in certain circumstances. Does that sound good? If so, should other conditions be added to the current three?

• (1740)

André Gélinas: There is no doubt that such a proposal is already a major step in the right direction. Reversing the burden of proof is useful, but we also need the means to make sure that if bail is granted, the accused complies with the conditions. Commitments are often used in the judicial process. Even if the accused has committed to something, it does not mean they are going to keep that commitment.

As I mentioned in my presentation, we often realize that the conditions were not met only after a tragedy occurs, unfortunately. We need an effective way to operate such a system, to verify and to ensure that the conditions are really followed.

Rhéal Éloi Fortin: You are talking to me about better monitoring of compliance with release conditions. I agree with you, but my

question was more about the conditions a judge can set to release someone.

However, I am going to follow up on your answer. The courts already impose conditions when they release someone. Are those conditions stringent enough? Also, as you say, is the problem not caused more by the fact that people who are released on bail are not being properly monitored?

André Gélinas: Yes. I think you are touching on the important point. When a person promises in writing to keep the peace, to stay away from a specific area and to obey the law, we are theoretically shielded from risk.

However, we have a problem. Obviously, not all offenders pose the same risk. However, once the risk has been assessed, no one is tasked with checking the file of John Doe or Jane Doe to ensure that their release conditions are being met. In Quebec, no unit is responsible for doing this kind of work. Such monitoring would strengthen the credibility of the system. Other criminals would then know that their commitments would not be based solely on their honour, but that they would actually be monitored.

Rhéal Éloi Fortin: I will take a few seconds to tell you about something I read this morning, although it happened another day. An individual violated his bail conditions 93 times over a 66-day period. He was considered to have done so to harass his victim, his ex-spouse. If I were to ask you to summarize your thoughts in about 20 seconds, what would you tell me about that?

André Gélinas: The system lacks credibility. Once again, we see a person disregarding bail conditions. If we put ourselves in the shoes of the public, the victim and even the police, we see that it is discouraging for everyone. In fact, earlier, we heard the commissioner talk about officers being demoralized.

Rhéal Éloi Fortin: Among other things, witnesses told us that people awaiting trial currently make up 72% of the prison population. That means 28% of inmates are serving a sentence. I was surprised to learn that, and it seems absurd to me. Prisons are being built to prevent crime by sending people there to wait for their trial.

What do you think? Is that healthy? Is there a problem with the administration of the justice system? As a police officer, do you find it normal that 72% of the inmate population are inmates awaiting trial?

Stéphane Wall: It would be important to break that down. Have the majority of the 72% of the prison population who are inmates awaiting trial committed serious crimes against the person? Is it more property crimes? Are they repeat offenders?

Rhéal Éloi Fortin: I understand what you are saying in terms of security. However, my question is more about the justice system: if we are required to detain so many individuals before their trial, does the justice system work? Is that right?

There may be some things I do not understand.

Stéphane Wall: The justice system will never be able to prevent all recidivism and ensure that everyone released will not reoffend. If the percentage of those detained awaiting trial is high, it means that the crimes they allegedly committed require their detention. You would not want to build—

Rhéal Éloi Fortin: So these people are charged with serious crimes.

Stéphane Wall: Yes. They are a risk to society. That is why the decision was made to keep them behind bars while awaiting trial.

Rhéal Éloi Fortin: I would just like to address another aspect with you. We also heard the following about conditional sentences, commonly referred to as “Netflix sentences”: Convicted individuals find house arrest sentences often more difficult to bear than prison sentences. What do you think?

• (1745)

The Chair: Please give us a very short answer, Mr. Wall.

Stéphane Wall: Certainly, “Netflix” sentences are not comparable to sentences served in a penitentiary or a prison. It is not the same when you can enjoy the comfort of your home and all the facilities there, you can watch all the TV series at will and you do not have to take a rehabilitation program. You are not deprived of freedom at all. So it is foolish to believe that such sentences serve as a deterrent for criminals.

Yesterday, a woman was sentenced to “Netflix” for sexually assaulting another woman. Even violent crimes against the person lead to lax sentences.

The Chair: Thank you, Mr. Fortin.

[*English*]

MP Lawton, you have five minutes.

Andrew Lawton: Thank you.

To all the witnesses, thank you very much for your service.

Law enforcement is very near and dear to my heart. I have a family member who is in the Ontario Provincial Police right now, Commissioner. Thank you for your time here as well.

By way of pointing out the cruel irony of our work on this committee, one week ago, we actually had this meeting interrupted by an Amber alert for a horrific situation in Brampton in which a young girl had been abducted. We learned afterwards that the abductor, the father, had killed the girl's mother. Sadly, but unsurprisingly, he was out on bail at the time.

You mentioned, Commissioner, in your testimony, the murder of Greg Pierzchala, an OPP officer, which I know sent a chill throughout policing across Ontario and the country. Again, the perpetrators were repeat offenders, out on bail.

We have these situations. I heard from a lot of police officers about the sense that if the killing of Constable Pierzchala did not trigger immediate bail reform, nothing would. That was the fear that I heard from a lot of officers, where they—to Mr. Baber's questions earlier—had really just allowed the morale to take a huge hit.

You did testify to that earlier, but what is your sense and feeling about why it has taken so long to have a piece of legislation that

purports to address these concerns that you and your colleagues have been raising?

Thomas Carrique: As stated earlier, I believe that the time is now to make additional changes. I appreciate the attempts that were made in Bill C-48. We know the data does show that there are more people out on bail today, in many jurisdictions, than there were pre-Bill C-48.

We also need to get to the qualitative pieces of it, not just the quantitative, to determine, “Are we making the right decisions around bail? Are we truly protecting Canadians?” The time to act is now, and I think we've never been in a better position to achieve real results that prioritize public safety.

Andrew Lawton: You mention the high number of people out on bail and the issues around revolving-door bail that we've been seeing perennially, not just in this committee's work but in the news for many years. What is the effect this has on the resourcing of police departments?

Thomas Carrique: It has a dramatic effect on the resourcing of police departments.

We have, in the province of Ontario, what we call a bail compliance dashboard, which is composed of repeat violent offenders who are out on firearm-related offences. We have over 2,000 offenders registered on that database, which we have checked more than 14,000 times.

It is very resource-intensive, but there's not a lot that's more important than ensuring that repeat violent offenders are abiding by their conditions.

Andrew Lawton: Is it a better use of police resources to monitor those conditions and people who are illegally using firearms...? Is it a better use of resources to do that than to be involved in collecting firearms from licensed, law-abiding firearms owners?

Thomas Carrique: We would absolutely prioritize the enforcement of repeat violent offenders.

Andrew Lawton: I know you're here in your capacity with the Canadian Association of Chiefs of Police, but you're also the commissioner of the Ontario Provincial Police, which has declined to participate in the Liberal government's firearms confiscation scheme.

There are a number of police chiefs of Ontario municipal forces who have also spoken up and said that they do not believe this is a legitimate use of their resources, given these issues with bail that are taxing and stretching them.

How pervasive is that sense among the police chiefs you represent?

• (1750)

Thomas Carrique: Many police services, almost every police service across this country, are tasked with the demands that are put before them—unprecedented amounts of civil unrest in our major urban centres, increasing crime in rural areas, repeat violent offenders who need to be monitored, and crime guns that are coming in from the U.S. in unprecedented numbers. We will exceed 2,000 crime guns this year again, with 91% of them coming in from the United States.

These are the dangers. These are the strains and drains on our resources, and this is where we need to be spending our time and attention.

Andrew Lawton: Just to confirm, you're saying that it is not the guns that are lawfully owned and purchased through legal means in Canada that are causing the gun crime problems that you and your officers are forced to deal with.

Thomas Carrique: It is very rare that a lawfully possessed firearm in our country gets categorized as a crime gun and is used in a violent act.

Our concern, as Canadians, should be the crime guns that are primarily coming from the United States. They are illegal from the day they arrive, and we need to focus our attentions on the border to lock that down.

The Chair: Thank you.

Ms. Lattanzio, go ahead.

Patricia Lattanzio: Thank you, Mr. Chair.

Thank you to all the witnesses for being present here today.

Before I start my question, I'm going to turn it over to you, Commissioner Carrique, and give you the opportunity to respond to my colleague James Maloney's questions about the provinces' responsibility to share data to evaluate or measure the effectiveness of our laws, such as Bill C-48. We'd like to hear from you on that.

Thomas Carrique: Thank you very much for the opportunity to respond.

As has already been articulated, it's the federal government's responsibility to establish Criminal Code legislation, and it is the province's responsibility to administer justice in the province. There is a shared responsibility across this country to ensure that data related to bail is going into one central repository.

Therefore, one, we can evaluate the effectiveness of the legislation; two, we can evaluate the performance of the administration of justice; and three, we can incorporate lessons learned to make the necessary changes as we move forward.

I can tell you that, from the province of Ontario's perspective, we have more people out on bail today than we did pre-Bill C-48. That is an indication that we need to pay close attention, but we also need to drill down to the qualitative pieces of those to determine what did not work in the bail process that resulted in those offenders being out on bail and committing other serious and violent offences.

Patricia Lattanzio: How do we institute procedures or ensure that we get the qualitative evidence and the qualitative data sharing?

Thomas Carrique: To me, it doesn't seem like an overly complex problem. This is an opportunity for all levels of government to work together to make it a priority to focus on centralized records management systems for policing right across this country, to implement key performance indicators for the judicial system, and to ensure that the data gets shared and evidence-based decisions are made moving forward.

[*Translation*]

Patricia Lattanzio: Okay. Thank you, Mr. Carrique.

Mr. Gélinas and Mr. Wall, thank you for being with us.

Mr. Wall, based on your years of experience at the Service de police de la Ville de Montréal, how big is the problem of repeat violent offenders going through the justice system, in your opinion?

Stéphane Wall: I think it is important to talk about former Bill C-75 as it relates to bail for repeat offenders. That bill received royal assent in 2019. At the time, I was a neighbourhood supervisor, so I was the official in charge. In cases of domestic violence, I had to make a decision based on public interest criteria: release a person on the spot, or detain them until their court appearance.

When the bill was passed, we provided training about that principle to substitute supervisors. We were told that absolutely everything had to be done to release the person, with conditions and their promise to appear in court. Preventive detention until a court appearance became an exception. Such a practice shocked police officers, because we were running the risk of releasing criminals on the spot even if we knew that they posed a risk to their victims. We sometimes had to advise a victim of assault or violence to move elsewhere to protect themselves.

In my opening remarks, I said that, in the case of violent crimes and repeat offenders, the law must be strengthened. In the case of crimes against the person, we have to make sure that a person who is constantly released or who never complies with the conditions of release cannot victimize others.

• (1755)

Patricia Lattanzio: As you know, Bill C-14, which was tabled in the House last week by the Minister of Justice, addresses some of the shortcomings in former Bill C-75. I would like to take this opportunity to tell you that the release process is always at the discretion of a judge.

Would you agree with me that Bill C-14 will address exactly the concerns we had with former Bill C-75?

Stéphane Wall: I have read the bill. It is definitely an improvement. We must therefore acknowledge this work.

However, I do not think the bill goes far enough, because the number of repeat offences is not codified. I believe that, after a certain number of repeat offences, for example in the case of crimes against women, children or the elderly, or after a certain number of times the person did not comply with the conditions imposed by the court, that person should no longer be released.

If we want to release a person who has committed 12 break and enters, I have fewer problems with that. The police are of the same opinion, because these criminals will eventually be arrested. However, I do not know if Bill C-14 will put a stop to the practice of constantly releasing offenders who have harmed vulnerable people, such as women, on 10, 12, 15 or 16 occasions.

Patricia Lattanzio: Okay. My time is up.

The Chair: Mr. Fortin, you have the floor for two and a half minutes.

Rhéal Éloi Fortin: Thank you, Mr. Chair.

Mr. Carrique, I would like to hear your comments on the issue of rehabilitation. In your opinion, are we currently able to rehabilitate offenders in our penitentiaries and prisons, or is rehabilitation an illusion?

[*English*]

Thomas Carrique: First off, I think rehabilitation is possible, and I think it should be a key component of an effective justice system.

I am not a subject matter expert on the rehabilitation programs that are being offered in correctional facilities. It's a question better answered by those who are administering those programs. Suffice it to say that they are important and they can work.

[*Translation*]

Rhéal Éloi Fortin: I have about a minute left.

Going back to the bail conditions, I understand that people accused of violent crimes should be detained rather than released. Should other criteria besides the type of charge be taken into consideration?

Also, what do you think about the fact that 72% of our prisons are currently occupied by people who have not yet been convicted and are awaiting trial? It seems odd to me.

[*English*]

Thomas Carrique: Bail should include both repeat and violent offenders.

We have trends happening across this country with increases in property crimes, whether they be organized retail theft rings or otherwise, fraud or crimes that are victimizing Canadians. It should apply to repeat and violent offenders.

The number of people incarcerated and awaiting trial is not necessarily indicative of the bail process. It can also be indicative of a lack of deterrence in sentencing. You need to look at the two in concert. We need to deter the crime in the first place and, when they are convicted, have strong enough sentences that we do not have repeats.

[*Translation*]

Rhéal Éloi Fortin: Are people currently being properly supervised when they are released?

[*English*]

Thomas Carrique: It depends on the circumstances and the situation.

[*Translation*]

Rhéal Éloi Fortin: Thank you.

The Chair: Mr. Brock, you have the floor for five minutes.

[*English*]

Larry Brock: Thank you, Chair.

Thank you, witnesses.

Commissioner, for four-plus years we have heard from premiers of every province, police chiefs, presidents of police associations, mayors and victim advocacy groups, all asking the government to do their job: keep Canadians safe and introduce appropriate bail legislation that is actually going to make a difference.

I know that you must be deeply disappointed that Bill C-48 has not had the desired impact. The former justice minister claimed that they had delivered bail reform. The proof is in the pudding: Every day we wake up to one heartbreaking story after another of someone on bail committing carnage on our streets across Canada.

We were all hopeful that the government finally got the message with the introduction of Bill C-14. The title of Bill C-14 is the "bail and sentencing reform act". To your point, sir, earlier you said there have been 80 changes to the Criminal Code. This bill is some 35 pages long, and there's hardly a mention of any sentencing reform, apart from talking about "consecutive" sentences for "violent...motor vehicle theft", the commission of a break and enter offence, "extortion" and "arson".

Apart from that, apart from making certain offences an aggravating feature on sentencing, we have one sentencing reform. I don't know if you caught it. It's embedded in this act and—wait for it—it's one of the most serious violent offences in this country, called "contempt of court". I say that facetiously, because the government wasted a precious opportunity.

I'll eventually be talking to the president of the Crown association in B.C., whose province is suffering an extreme rise in extortion.

Here was an opportunity. What do you say to the government about these missed opportunities when important stakeholders have been giving advice to the government repeatedly for the last four years?

• (1800)

Thomas Carrique: Our commitment is to continue to work towards seeing further improvements in sentencing. These are not the changes we were hoping for in totality, as related to sentencing, and, as in my previous comments, you have to look at it as a holistic system. If you don't fix sentencing, fixing bail is not going to be the complete solution. There needs to be deterrence, and that comes through appropriate sentencing. There's more work to be done, and we're willing to assist with that work.

Larry Brock: Thank you for that.

To turn matters over to Mr. Dalrymple, thank you so much for agreeing to testify today, sir. This has been a missing piece of the puzzle so far, as part of our bail and sentencing study. We've heard from defence counsel, academics, law schools, etc., but we have yet to receive any input from Crown associations in this province, so I do thank you for your attendance.

I would agree with you, sir, that this is not a one-size-fits-all issue. We have to work together—all three levels of government—to improve our criminal justice system. From one Crown to another, I feel like I'm isolated in the House of Commons when I repeatedly describe the reality of being in the trenches, day in and day out, and hearing from politicians who think it's manna from heaven when the government introduces more reverse onus provisions to criminal charges. Can you provide some realistic thought on what really happens at a bail hearing when presented with a reverse onus or a Crown onus situation, and the impact of the releases that we see in light of Bill C-75?

Adam Dalrymple: First, thank you, Mr. Brock, for your comments. As someone who has done bail, I can tell you that every case, as you know, is very different. There are so many different factors dependent on the strength of the case and the personality of the individuals in the court. Of course, the judge ultimately gets to make the final decision.

Here's the thing: When the federal government passes new laws or makes new offences, they are creating more work for frontline people. If you're not prepared to make the investments on the front lines, to drill down, to figure out how is this going to impact the prosecutors in the courtroom.... Are they able to take on more cases? Do the police officers have the resources to investigate more offences? Then, for prosecutors to carry those through to court and prosecute them, if we don't have that investment, there's very little that may change. We can't urge you more than.... We need the federal government to step up and support frontline positions, whether that means sending money to the provinces or ensuring that the provinces have the people to carry out and enforce these laws. When there are changes to the law that are going to spark a lot of litigation, as you're probably aware, we should expect that defence counsel may constitutionally challenge some of these changes. Ask yourself—

• (1805)

The Chair: Thank you, Mr. Dalrymple. It's gone over. You'll probably have an opportunity later. We have time for another round if we keep things tight.

Mr. Chang, you have five minutes.

Wade Chang: Thank you, Chair.

Commissioner, from your perspective, would you say that Bill C-14 demonstrates that the federal government has listened to law enforcement and acted decisively to protect Canadians?

Thomas Carrique: I would say that, yes, Bill C-14 indicates that the federal government has listened to law enforcement and intends to act decisively. The proof will be in how quickly this legislation is enacted.

Wade Chang: Thank you. You also mentioned that you are seeing more bail releases. Is it fair to say that's exactly the gap Bill C-14 is designed to close, by expanding reverse onus provisions and tightening bail for repeat violent offenders, so that police will see fewer of those high-risk individuals released?

Thomas Carrique: Yes, I do believe that the intention is to reduce the number of high-risk offenders who are released and able to perpetrate further harm to communities. That should be the intention of any effective bail process.

Wade Chang: Thank you. Would you urge all parties to support Bill C-14, and why?

Thomas Carrique: I would urge all parties to work together to enact the necessary legislation to address the deficiencies in bail and sentencing. Bill C-14 is a really good start, but there needs to be more if we're going to be truly effective.

Wade Chang: Thank you.

My next question goes to Mr. Rivard.

Your organization focuses on trauma-informed practices. How can these principles complement stronger bail and sentencing measures, such as those in Bill C-14?

Patrick Rivard: I was listening intently to the entry point of how decisions are made through the court systems. Our organization can help in terms of what data is collected to determine risk. Provide that to Crowns so that they have a more broad view of somebody on a pathway to violence and understand the multiple pathways to violence that somebody is engaged in.

Again, it's understanding that, yes, a history of violence is an important indicator to determine dangerousness, for example, but at the same time, in our work post the Columbine and Taber, Alberta, school shootings, for example, we do understand that some people who are dangerous have no history of violence. Our information and our trainings are all about helping Crowns and judges make better-informed decisions and actually trauma-informed decisions, if need be.

The safety of the community has to be first, 100%.

Wade Chang: Thank you.

How can the federal and provincial governments work together to make sure that more people in the justice system have access to trauma-informed supports?

Patrick Rivard: I think that comes down to your continued support through Public Safety Canada, ensuring that multiple partners continue to provide some really fundamental training and assisting people in collectively—again, I keep saying “collectively”—determining risk and assessing risk for individuals on pathways to violence.

Wade Chang: How would you see trauma-informed practices helping to reduce repeat offending and improve community safety over the long term?

Patrick Rivard: One thing that occurs with offenders is that at times they become traumatized by their own acts of violence. Of course, they need to be accountable to that, no matter what, but there needs to be some understanding of that. There was some conversation by the panel around rehabilitation and understanding rehab. A lot of insights can be provided if we understand that. They may not be in jail forever. That's where community can play a big part in assisting our police officers.

• (1810)

Wade Chang: Thank you.

The Chair: Thank you.

We've come to the end of the second round. For the third round, we will get everyone in. I just cut everyone by 20%. Everyone who had five minutes will have four minutes.

[*Translation*]

Mr. Fortin, you will have two minutes instead of two and a half, given the circumstances. That will bring us close to 6:30.

[*English*]

I'll just be a little more rigorous in cutting people off so that everyone gets the opportunity to ask questions. It will be Mr. Gill for four minutes; James Maloney, Rhéal Fortin and Roman again for four minutes; and then it will be Jamie again.

Thank you.

Amarjeet Gill (Brampton West, CPC): Thank you, Chair.

Thank you to everyone for coming today.

My questions are for Mr. Dalrymple.

Communities like Brampton and across Canada are seeing repeat violent offenders released. Prosecutors can't even finish the paperwork. Doesn't that show that the system is failing at every level?

Adam Dalrymple: The system is not properly funded to support the objectives of the legislatures. We need more resources. We need to ensure that we keep the ratio of accused to prosecutors low. There needs to be some guidance on that issue from the federal government. It is critical that we not simply pass new laws without ensuring that there are the resources to carry out the laws so that prosecutors can make quality submissions to a court to persuade a judge to see it from their perspective and from the public interest perspective. It is not simply enough to change a law. You need to make sure that the downstream resources are present to have the desired impact.

Amarjeet Gill: Do you believe that the Liberal government has done enough to ensure that Crown offices have the tools and staff they need to enforce meaningful bail reforms?

Adam Dalrymple: It is the responsibility, of course, of the provincial governments to ensure that their provincial prosecution services are properly supported—that they are properly staffed by prosecutors and support staff and have adequate technology to carry out prosecutions in the public interest.

If there needs to be funding, it needs to come from a level of government. Of course, it appears that it should come from the provincial level of government. However, as you know, the federal government tends to have significantly more resources to deal with these matters.

Amarjeet Gill: The Liberals seem content to blame provinces and courts for bail breakdowns. From where you sit, is this a leadership problem in Ottawa—a refusal to give prosecutors the tools and the resources that they need to keep people safe?

Adam Dalrymple: We question how helpful it is for different levels of government to blame other levels of government.

The objective is clear: We want to uphold the rule of law and to protect law-abiding Canadians. To do that, the governments need to work together. They need to think through the whole process holistically, as we've said, to ensure that it is properly resourced from beginning to end.

If a level of government is going to take the lead on reform, it certainly needs to coordinate with the provincial—and, to an extent, municipal—levels of government to ensure that the desired impact will be achieved. You need to make sure you have the resources to do it.

Amarjeet Gill: My next question is for the commissioner.

Commissioner, you have testified that violent offenders committing crimes while out on bail are not rare, yet after years of Liberal promises, nothing has changed. How many more tragedies do we need before this government acts?

Thomas Carrique: I don't know that I can answer that question, sir. I am hoping that the time to act is now, as I have previously stated.

Amarjeet Gill: In Brampton, violent crime involving offenders already on bail is becoming an almost weekly headline. When you see this blatantly repeated across the country, does it confirm what policing leaders have warned, that Liberal bail policies have made Canada less safe?

• (1815)

Thomas Carrique: I can't say that bail policies exclusively have made Canadians less safe. They certainly have contributed to the current state of concern over public safety, and there are a number of other factors, including how we're dealing with drugs in our communities, organized crime and lawful access. There is a whole list of things that we need to turn our attention to.

The Chair: Thank you, both.

Mr. Maloney, you have four minutes.

James Maloney: Thanks, Chair.

Mr. Dalrymple, I'm going to pick up with you again.

The Conservatives constantly accuse us of trying to blame the provinces. I'm not going to provide a civics lesson here; I'm just going to highlight what you've already said. Each level of government is constitutionally bound by the responsibilities that are set out. We're responsible for passing the laws. We do not administer the justice system in British Columbia, Alberta or any other province, so it's not a case of blame. We can pass these laws, and it goes back to what you and I talked about before, about overburdening a system that's under-resourced.

I do want to pick up on something that you just said. You said that the feds seem to have more resources. That frightens me, frankly. People like to blame the federal government on the one hand, but provinces get very upset when we try to enter into their jurisdiction. They're happy to take our money, though.

How does it become a federal responsibility, in your opinion, if the system is under-resourced at the provincial level?

Adam Dalrymple: Ultimately, this is a collaborative effort. I will leave it to the politicians to decide how they're going to make it work to achieve the outcome that we desire.

One example I would like to put forward is what we've been calling for: a national bail information repository or system. As you probably know, across the country there is a patchwork of different bail information systems that our prosecutors are using. As someone who has practised on the front lines, I can attest to how difficult it can be to get information on warrants, outstanding orders and conditions of court when someone is moving across the country, as many offenders do. Having the federal government take the lead on something like that may be of great utility.

James Maloney: That's helpful, and I agree with you completely.

In terms of provincial responsibility—again, I'll use the Ontario example—we've been asking the province for datasets for some time now, and we're having trouble getting them. Be that as it may,

I'm going to switch over to the morale issue that we talked about before.

One of the problems with this entire discussion is that there's a lot of rhetoric being thrown around at all levels, and nobody is immune to blame for that.

Earlier today, we had testimony from a witness from the Police Association of Ontario who said we should pass this bill immediately, with no politics and no political stunts.

We've seen time and time again politicians amp up the rhetoric using slogans such as “jail, not bail”. I've seen politicians go on television after a crime has been committed and talk about the failure of the bail system before the person has even been apprehended or before they even know who committed the crime.

Maybe I'll ask this of you, Commissioner Carrique, because I have serious concerns. Look, I'm worried about the morale issue as much as you are, but does it concern you that politicians take this type of approach when they're talking about an issue that's so important?

Thomas Carrique: What concerns me is that we're not leveraging the opportunity to work collaboratively as much as we should be. I highly doubt there's anyone in this room who is more concerned about the morale of my police officers than I am. This is an opportunity for us to address that through responsible decision-making that prioritizes public safety over partisan policy. This is a rare opportunity, and I'm hoping we will see it leveraged.

James Maloney: I will end by simply saying that I couldn't agree with you more. I hope that your appeal lands with everybody listening today and beyond, and we can get this bill passed quickly and move this issue forward.

Thank you.

The Chair: Thank you.

[*Translation*]

Mr. Fortin, you have the floor for two minutes.

Rhéal Éloi Fortin: Thank you, Mr. Chair.

Mr. Gélinas, I'll start with you. Right now, we know that our prisons are pretty much full. We often hear that they are overflowing, and that people given short sentences are simply sent home and come back to jail later. It seems to me that this problem needs to be resolved. We all agree, at least most of us, that bail conditions need to be tightened to prevent just anyone from being released under any circumstances.

At this point, should we invest more in rehabilitation, education and prevention in our community organizations, schools and so on, or should we invest in building more prisons or expanding existing prisons to hold more prisoners? Where do you think we should invest our energy, money and time?

• (1820)

André Gélinas: I think everywhere, actually. Once again, we obviously can't set aside the prevention aspect. We have to make sure that people don't drift into crime. That said, once people make that fatal decision, it also takes resources to keep them behind bars. In cases where, as you say, offenders with very short sentences are released quickly, what worries me is that there is no chance for rehabilitation. We often hear in provincial sentencing cases that inmates aren't there for very long, that it's a revolving door and that offenders aren't following rehabilitation programs.

Rhéal Éloi Fortin: You say there are no rehabilitation programs.

André Gélinas: There are almost none at the provincial level.

Rhéal Éloi Fortin: Thank you for being here, everyone. I would like to talk about this for much longer because we all have a lot to say, but time is limited.

[*English*]

The Chair: Mr. Baber is next, followed by Mr. Maloney. You each have four minutes.

Roman Baber: Thank you.

Commissioner, we heard from you earlier on the fact that, regrettably, the Liberal legislation does not address parole. A violent or repeat offender would be eligible for parole after a third of their sentence. What do you think about that?

Thomas Carrique: I think that's another area of legislation and process that absolutely needs to be revisited.

We run a very successful repeat offender parole enforcement program. I am seeing the number of arrests go up year after year, and these are some of the most dangerous offenders in our communities.

We would welcome the opportunity to participate in any review of the parole process.

Roman Baber: Commissioner, we've been holding these hearings for a number of weeks now, and almost every panel includes a witness who expresses considerable concern with respect to the prevalence of young offenders in recent years, in particular those involved in gangs and violent crime.

As my colleague Mr. Brock mentioned, the bill does not deal with sentencing nearly as much as it should, but I was astonished to see that it does nothing to address sentencing for young offenders. Is that something that disappoints you in your capacity as the commissioner of the association of police chiefs around the country?

Thomas Carrique: I believe it does address one component for the sentencing of young offenders, which is where there has been violence used in the commission of an offence, but we're still reviewing the legislation.

I believe that there needs to be greater attention on young offenders. I have heard previous testimony that the motivation to engage young offenders is the lack of sentencing. That is part of it: There is very little deterrence for a young offender.

What is at the heart of this is the amount of money that young offenders are offered by criminal networks and criminal organizations. It's \$5,000 upwards to \$100,000, depending on the serious-

ness of the crime. This is all done electronically, using secure apps. We need the lawful access legislation to get in to refute that and to combat that. That's where we're going to make some real progress in this particular area. It's in taking the profit out of the crime and stopping criminal organizations from victimizing young people.

Roman Baber: I appreciate that, Commissioner.

Finally, one of the big fails of the Liberal Bill C-75 is that it created a diversionary framework for offences involving the failure to comply with court orders. Offences such as failure to appear, breach of an undertaking and even breach of bail may go unpunished. That is because basically Bill C-75 allows the Crown to divert some of these cases, and they often do because they're busy or for other reasons.

Are you disappointed that this diversionary framework has not been addressed by Bill C-14?

Thomas Carrique: There is an opportunity and an obligation to look at that diversionary framework.

Let's go back to the three primary principles of bail. One of them is maintaining confidence in the judicial system. If we continue to treat the failure to comply or failure to appear charges as administrative charges, we are negatively impacting the reputation of our justice system.

Roman Baber: By not prosecuting or by diverting such offences—offences of failure to comply with a court order—in my view, respectfully, we're undermining the rule of law.

• (1825)

Thomas Carrique: We are when we do not take these offences seriously.

Roman Baber: Perhaps the Crown prosecutor can take that question in British Columbia.

What do you think about the diversionary powers for the failure to comply with court orders?

Adam Dalrymple: Of course, those are policies set by the governments. The provinces, I understand, have set that. We follow whatever the policies are of the provincial government and the laws of the land. We will enforce whatever our legislators decide is appropriate.

The Chair: Thank you.

We'll have Ms. Lattanzio instead of Mr. Maloney this time, for four minutes.

Patricia Lattanzio: Thank you, Mr. Chair.

[*Translation*]

Mr. Gélinas, do you believe that the measures proposed in Bill C-14, such as expanding the reverse onus and tightening the conditions imposed on violent repeat offenders, will help address operational challenges on the ground?

André Gélinas: As I told you earlier, it's a step in the right direction. However, we have to understand that in order for our fellow citizens to continue respecting the justice system, we have to make sure that people who are charged with violent crimes, using firearms, against vulnerable people or on behalf of criminal organizations do not end up on the streets. We must also at least ensure that they comply with their conditions if they are released and that, if they do not, it is considered contempt of our justice system. They bring our system into disrepute, and they should not be released.

Patricia Lattanzio: The role of the federal government and its legislation, such as Bill C-14, is therefore only part of the solution. What measures do you think would be important for Quebec and the other provinces to adopt to align their operational practices with the reforms?

André Gélinas: As was mentioned, the provinces are responsible for administering justice. Basically, if the federal legislator doesn't pass laws, we can't do much. However, as we mentioned, Crown attorneys absolutely need to be given the time and resources they need to properly study cases and make the necessary representations to judges. Prosecutors should not be overwhelmed by the number of cases they need to deal with where each individual is represented by one or more lawyers, especially when it comes to organized crime.

Patricia Lattanzio: In your experience, what lessons underscore the need to strengthen bail and sentencing provisions and, as proposed in Bill C-14, to make them tougher to keep communities safe?

André Gélinas: Again, as I told you, cases involving organized crime, vulnerable persons, acts of violence and firearms are cases where clemency should be the exception. These people need to be detained. Criminals often tell the police who arrest them that their lawyer will get them released. They often boast about it. That was the case with Bill C-5 and the abolition of mandatory minimum sentences. These people tell us at the outset that there is no way they will get a mandatory minimum sentence and that they'll cite such and such a reason.

Patricia Lattanzio: What is the role of prevention?

André Gélinas: Prevention is key. You know, it's like a registered retirement savings plan: If you put money into prevention, you obviously won't reap the benefits in the short term, but you'll see long-term effects. Before that, however, mechanisms must be established to gauge the effectiveness of the measures.

Community-based prevention measures, particularly with organizations, have long-term effects, yes. However, prevention also means giving our police officers the means to intervene and do their job, which is to stop and intercept people. Prevention is not just about hosting corn roasts or handing out teddy toys. It also means giving police officers a chance to do their job and meet with people who engage in abnormal behaviours.

Patricia Lattanzio: What do you think of the collaborative work being done on the ground between police officers and community services?

André Gélinas: I think it's a good thing. We have to put our faith in it, because the solution doesn't lie with the courts, the police or community services: It's a team effort. We, the police, have to succeed where all the other processes have failed, whether it's the justice system, the health care system or the school system. We have an obligation to succeed, but certainly the overall outcome depends on teamwork.

• (1830)

Patricia Lattanzio: Thank you.

The Chair: Thank you, Ms. Lattanzio. Your time is up, and it is now 6:30 p.m.

Thank you to the witnesses for their testimony, which was very useful and will help us in our deliberations.

[*English*]

I don't have any administrative things for the committee, so with that, we'll see you on Thursday. The meeting is adjourned.

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