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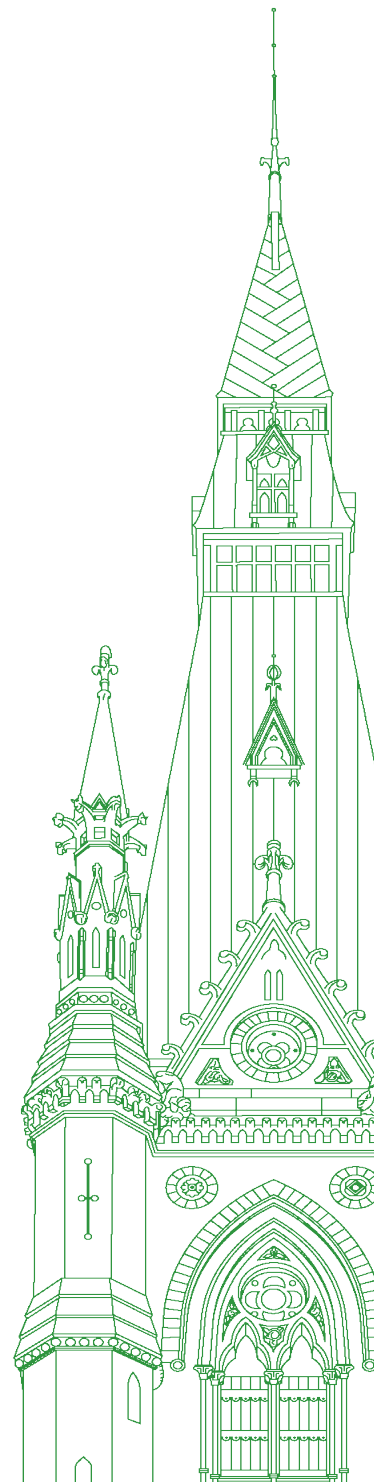
Standing Committee on Public Safety and National Security

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Chair: Jean-Yves Duclos



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• (1635)

[Translation]

The Chair (Hon. Jean-Yves Duclos (Québec Centre, Lib.)):
Good morning, everyone, and more particularly, good morning to our guests.

I call this meeting to order. Welcome to meeting number 48 of the House of Commons Standing Committee on Public Safety and National Security.

Pursuant to the February 27 agenda, we are meeting to study Bill C-221, an act to amend the Corrections and Conditional Release Act (disclosure of information to victims).

I would like to acknowledge and welcome the witnesses.

I would like to welcome Mel Arnold, MP for Kamloops—Shuswap—Central Rockies, the sponsor of the bill. I would also like to welcome our former colleague, Colin Carrie, former MP for Oshawa and sponsor of an equivalent bill in the 44th Parliament. We are delighted and happy to see him back in as good shape as he was in when he left. We also welcome Ms. Lisa Freeman, appearing as an individual.

I'd like to thank the witnesses for being here. We will begin with Colin Carrie for opening remarks, followed by Ms. Freeman and MP Mel Arnold.

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

[English]

Dr. Colin Carrie (As an Individual): Thank you, Mr. Chair.

Colleagues, thank you for allowing me to testify in support of Bill C-221.

Imagine a violent offender out on parole. He enters a rooming house, looking to kill his girlfriend. Now imagine a brave family man, a sole breadwinner, working a second job to provide a few extra comforts for his family. He steps forward to stop this killer. As a result of his courage, that husband—that father—is brutally murdered with an axe. He made the ultimate sacrifice to save a woman he barely knew.

The police arrest the killer. He's taken off the street and given a life sentence. Justice is served, is it not?

Now imagine you are the victim's family. Imagine getting a knock on your door while your father was away on his second job. Imagine you are the daughter who watched her mother scream in

agony, a horrible sound she had never heard before, while her sister cried, asking what was wrong.

Imagine finding out that your father—a wonderful man who read you stories, held your hand and wiped your tears—was taken from you in the most brutal way imaginable.

Imagine identifying the body. Imagine attending the trial. The killer is put away for life. Does that bring justice? Nothing takes the pain away, but at least he's behind bars.

What about your depression, your anger, as you watch those you love cry and ask why? Imagine what your life could have been, instead of facing the harsh reality of what it becomes when your father is murdered. Can you afford to stay in your home? Can you afford the bare necessities, a Christmas holiday or birthday gifts? Who pays for your graduation, your wedding?

Meanwhile, the killer who is behind bars is guaranteed certain rights and privileges—three square meals a day, with salmon, fresh vegetables, a salad bar. Could your family afford those meals?

He gets a gym membership, university tuition, psychological counselling, medical care, conjugal visits, the Internet and video games. Could your grieving family afford these things?

At least he's behind bars for life, is he not?

Not necessarily. Not necessarily, here in Canada.

Imagine that the parole board, without giving an explanation of how the dates had been determined, allows this man to be transferred to a facility within 10 kilometres of where your sister lives. Knowing he's up for release, imagine doing your grocery shopping, picking up your produce and turning around to see the face of the man who slaughtered your father standing right behind you in line. What would you do? What would you feel?

Colleagues, for this meeting I was asked to give a brief history of this bill. When Lisa Freeman walked into my office and we talked about it 14 years ago, I had no idea how cruel the Canadian justice system could be to victims. I didn't know how it retraumatized families or how a murderer's rights regularly trumped a victim's rights. I promised Lisa I would do my best to help her explain her own life sentence to lawmakers and help them understand what survivors go through. That's why I'm still sitting here years later, pushing the fourth iteration of this bill.

It was introduced into Parliament four times. We were almost through the process last time. The original concept I had with Lisa was much larger. The vision was to completely fix the system; this bill before you today will not do that, but it is a critical step in the right direction.

By changing just 10 words, this bill achieves what I could get unanimous consent for repeatedly from my House colleagues. It's a small change that awards a degree of transparency and proactive disclosure. It forces the parole board to provide the rationale behind decisions that often seem entirely irrational to the public.

This is the fourth time this bill has come before Parliament. It should be an example of Parliament working together. Why has it taken so many years to add 10 small words that give grieving families the information they need to understand a system that regularly fails them?

Colleagues, I'm going to let you explain that to Lisa, who's here with us today for the fourth time. I'll give you the opportunity to ask questions and explain to the thousands of grieving victims across Canada why this Parliament can't enact a 10-word change that has already been agreed upon four separate times. Let's get something positive done today, something truly good, and let's not wait another 14 years.

I thank you for your consideration and I welcome your questions.

I'd like to thank the other members who have helped throughout the years: the Honourable Lisa Raitt; the honourable Senator Pierre Boivin; MP Arnold, of course; MP Kirkland, who helped me take this to the Senate; and of course Lisa Freeman, whom you will have the honour of listening to to find out her story.

Thank you.

• (1640)

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

Madame Freeman, please go ahead.

Lisa Freeman (Victim Rights Advocate, As an Individual): Good afternoon.

I was in my early twenties when my father was murdered in Osawa, Ontario. The journey since that day has been a long one, marked by loss, grief and pain. That loss has shaped my life, and it is something I have carried with me for more than three decades.

It is already an enormous weight for any person or any family to carry, but when the parole process began to unfold for the man who murdered my father, I discovered that victims and their families can be asked to carry even more.

In 2014, I was notified, 24 hours after the fact, that my father's killer had been transferred to another institution in another province. I later learned that the institution was very close to the home of one of my younger sisters. When I asked why our family had not been informed before the transfer took place, I was told that the timing of the notification reflected the offender's rights and the rules surrounding the disclosure and that a delay of 24 hours was permitted.

For me, the experience became a part of a much larger pattern.

I have had to ask for explanations about decisions affecting my family. I have had to ask how timelines were determined, how dates were chosen and why decisions carrying such profound consequences for victims and their families were made in the way they were.

I want to be very clear: I am not the exception; I am the norm.

During COVID-19, I pleaded for victims' ability to participate meaningfully in parole hearings to be respected, yet victims across Canada were prevented from attending hearings in person. However, in my experience, the offender was permitted to have members of his support network present.

I've also had to repeatedly advocate to have an in-person hearing when full parole was being considered for the man who axed my father to death, rather than having a decision of such magnitude determined through a paper review.

These are not minor administrative matters to victims; they involve the person who took the life of someone we loved. They involve our safety, our families and our ability to participate meaningfully in a process that continues to affect our lives decades after the crime itself.

In December 2024, I came to the Senate to speak about this very legislation. By this point, it was close to December, and I was still waiting to learn whether the Parole Board would grant an in-person hearing for the full parole decision involving my father's killer. The only information I had received was that there would be a paper decision at some point in December.

There I was in the Senate, with representatives of the Parole Board in attendance, explaining that this is what I had been told. Initially, they indicated that this could not be the case. It was only when Mr. Carrie showed them the communication I had received from the Parole Board itself that they saw in writing exactly what I had been told.

Think about what this means for a victim.

The next year, I found myself sitting in a parole office in Victoria, British Columbia, for yet another full parole hearing involving my father's killer. The hearing took place on my younger sister's birthday and on the eve of the anniversary of my father's murder. One of the panel members acknowledged the significance of the date and expressed regret about the timing, but the hearing proceeded.

Once again, the weight of what we were asked to carry became heavier.

I should not have to beg to participate. I should not have to ask that the anniversary of my father's murder be treated with basic consideration and respect. Victims should not have to repeatedly fight to have their voices heard, and families who are already carrying the lifelong consequences of violent crime should not be unnecessarily retraumatized by the very process intended to administer justice.

Every year in my hometown of Oshawa, I organize and personally fund an event called Durham Region Remembers. It's a candlelight vigil honouring those whose lives have been lost to violence, but it is more than a vigil. At the event, I ask participants to write down how their experiences with the parole board have made them feel. Some have written that they feel voiceless. Others have described continually searching for accountability within a system that they believe was not designed with their needs in mind. "Retraumatized" was a reoccurring word that people wrote.

Last year, I brought those responses to an office of the Parole Board of Canada here in Ottawa and read them aloud. The reaction was one of surprise, but this is part of the problem. What victims are experiencing should not come as a surprise to the very system they are required to navigate.

Listening to us is not enough if nothing changes as a result. Our voices must matter beyond the moment they are heard. They must be reflected in the decisions that are made, in the policies that are written and in the way that victims are treated. Being heard should not be the end of the conversation; it should be the beginning of change. This is why I'm here today.

I'm currently a candidate in Oshawa's municipal election. I made the decision to step away from my campaign to be here because this issue is bigger than any one election, any one person or any one family. I'm here to use my voice alongside the voices of victims and families across the country who have been asking to be heard for far too long. I'm here because my experience is not an isolated one. I'm here because I'm not the exception; I am one of many. When I speak today, I'm not asking you to simply listen to my story; I'm asking you to listen to us. I'm asking you to hear us when we say that this system can do better.

For more than three decades, I have carried the loss of my father. Nothing can take this weight away. Nothing can change what happened to him or what happened to our family, but the system can determine how much additional weight it places upon victims and their families.

We already carry the grief. We already carry the loss. We already carry the anniversaries, the birthdays, the memories and the empty places left behind by the people who were taken from us. We should not also have to carry the burden of fighting to be heard. Victims of crime have already been given more than enough to carry.

● (1645)

Today I'm asking you to listen to us. I'm asking you to hear us. I'm asking you to act.

We cannot change what happened to us. We cannot bring back the people who were taken from us. We will carry that loss for the rest of our lives, but we should not have to carry the failures of the system too. We have carried enough. Now is the time for the system and this government to carry its responsibilities.

Thank you.

The Chair: Thank you, Madame Freeman.

Go ahead, MP Arnold.

Mel Arnold (Kamloops—Shuswap—Central Rockies, CPC): Thank you, Mr. Chair.

Thank you, Ms. Freeman and Dr. Carrie, for all of your work and support, not just today but over the years, in advocating for the rights of victims of crime.

Mr. Chair, Canadians look to us, their elected representatives in Parliament, to deliver results.

Last December, the government tabled Bill C-16, the Protecting Victims Act. It was examined by this committee over the course of nine meetings, from March 23 through May 6, before receiving royal assent on June 18, 2026.

Subclause 190(4) and clause 194 of Bill C-16 proposed to amend the same pieces of the Corrections and Conditional Release Act with the same measures that my bill, Bill C-221, proposes. In short, government Bill C-16 proposed what Bill C-221 proposes, and Bill C-16 was passed by Parliament and received royal assent, so why is my bill, Bill C-221, still necessary?

The answer is that although Parliament passed Bill C-16 and it received royal assent, the pieces of Bill C-16 that mirrored the measures of my bill, Bill C-221, did not come into force, and there is no timeline for them to come into force. Subclause 205(4) of Bill C-16 stipulated that subclause 190(4) and clause 194 of Bill C-16, the pieces of Bill C-16 that were the same measures as Bill C-221, will not come into force until an order in council is issued to set a date for them to come into force.

In the last Parliament, the measures proposed in Bill C-221 were tabled in Dr. Carrie's private member's bill, Bill C-320. The measures were examined, debated and passed with unanimous support from all parties, right through the House of Commons and Senate stages, including examination by this committee on December 11 and December 12, 2023. Unfortunately, Bill C-320 died when Parliament was dissolved on January 6, 2025.

Mr. Chair, Canadians look to us, their elected representatives in Parliament, to deliver results. The measures of my bill, Bill C-221, have been debated in the course and near passage of Bill C-320 in the 44th Parliament and were passed by this Parliament in Bill C-16. The measures of this bill are overdue to be delivered. It is high time that they be brought into force.

Ms. Freeman has once again come to Parliament and shared her story, which is the story shared by thousands of victims of crime across Canada. Each of those victims of crime has a member of Parliament who is sent to this place to undertake the debate and collaboration required to deliver results like those in Bill C-16, Dr. Carrie's bill in the last Parliament and the bill before you today. It is not enough for us to tell victims of crime that we understand changes need to be made to lighten the burden they are forced to bear; we must follow through on our work, follow through on these measures that Parliament has passed and bring these measures into force.

Today we have an opportunity to take an important step in moving these measures toward being brought into force.

Thank you. I welcome your questions.

● (1650)

The Chair: Thank you, MP Arnold.

[Translation]

We are now ready to begin our discussion with the witnesses. We'll start with the Conservative Party and Ms. Kirkland, for six minutes.

[English]

Rhonda Kirkland (Oshawa, CPC): Thank you, Mr. Chair, and thank you to both of you for bringing this down.

It is a poignant moment for me as the member of Parliament for Oshawa. I was a young teenager when Lisa's dad paid the ultimate sacrifice for protecting a young woman, losing his life for it. We should take a moment to thank your dad for what he gave up to save someone else's life. I wanted to say that at the outset.

Oshawa felt this happen in the early nineties. It's something that we felt then, but you have felt it year after year. Not only have you felt it, but you continually felt revictimized every time you went before the parole board, every time you got a letter that was supposed to be trauma-informed and wasn't.

I want to start with a couple of questions for Dr. Carrie, my predecessor as the member of Parliament for Oshawa.

The bill doesn't change an offender's sentence. It doesn't do anything to affect that, and it doesn't interfere with parole board deci-

sion-making, so is it fair to say that it simply ensures that victims understand decisions that directly affect them?

Dr. Colin Carrie: I would suggest yes, and the bill is a very short bill. It's going to give proactive disclosure and transparency. From Lisa's story, you heard how not having that information can affect the decisions that are being made by the board and her input into that.

It's a very short bill. It's been unanimously passed, and I'm really hoping today we get it to that next step so that it comes into force, as Mr. Arnold was saying.

Rhonda Kirkland: Thank you.

The previous iterations of this bill have had unanimous support in this House each time, or fairly close to it. Is that right?

Dr. Colin Carrie: Yes.

It started off as a big bill, and there's only so much you can get when there are so many parties around the House, so the bill was shortened. The bill that was first introduced by the Honourable Lisa Raitt did have unanimous support from the critics, but sometimes things don't get through the whole process. We came the closest last time around. It has had unanimous consent more than once, and I'm hopeful.

Rhonda Kirkland: It got very close last time, and I'll let you talk about that briefly.

Why is it important to put this obligation into law? I mean, rather than relying on existing practices or policies, it is allowable for the parole board to give this information to victims, so why is it important for it to become law?

Dr. Colin Carrie: Look at the history of it. One of the senators argued that we don't need this bill, that the Parole Board can do it. Well, it was passed through the Senate two years ago. Has it happened? No, it hasn't.

Sometimes when bills are passed, they're not put into force for years. There was an example of one of our colleagues, David Sweet, who had a bill that was passed 10 years ago, but I think some components of it aren't in force.

This will give a statement to the Parole Board that we mean business. It's the elected representatives who should be making the decisions, not unelected appointees on the Parole Board.

Rhonda Kirkland: Thank you for being here today.

Canadians might reasonably assume that after sentencing, a victim's family understands what happens next. Was that your experience?

Lisa Freeman: Not at all. It was a nightmare different from the one we had already been subjected to. There was a considerable gap in time between the crime and the sentencing, and then it was almost 20 years before I heard from the Parole Board when parole started to unfold, and I was completely unprepared. I had difficulty getting answers from the victim services in our community because they didn't really have the tools to help me at the time. I believe that's changed now, because I do work closely with victim services, but at the time it was, as I said, a continuing nightmare from how we left off.

• (1655)

Rhonda Kirkland: Would you say that receiving a clear explanation in the process rather than simply receiving a date in a letter would allow victims to prepare and participate differently?

Lisa Freeman: Yes, I would, absolutely.

In my family, I'm the only one who chooses to participate in this. Some people like to know things in advance instead of being caught off guard, and I'm one of those people who likes to participate. It would save time in asking questions, finding the right people to answer them for you and preparing yourself.

It's a mental preparation as well, because this is something you don't want to think about as the years go by. This is something you don't want to have to pull off the shelf in the back of your head and think about again.

However, at the same time, knowledge is power, and that's how I've looked at this through the years. Tell me what I need to know, and then I can sort through it in my mind and get myself geared up for the next steps.

Rhonda Kirkland: Thank you so much.

Dr. Carrie, you've been through this for a lot of years—14 years, I think you said. During your work on the previous bills, did you hear any compelling reason that victims should not be given an explanation of how these dates are determined?

Dr. Colin Carrie: No.

Rhonda Kirkland: Lisa, if there's one thing you want parliamentarians to understand about what victims need from the corrections and parole system, what would it be?

Lisa Freeman: The one thing I would ask is to listen to those who walk the walk.

This is not something that I would wish on anyone, but you have to take first-hand experience into account. You really do, because you can't.... Someone who doesn't understand what it's like just doesn't completely see the whole picture.

I'm here to tell you about the whole picture. I've been part of this process for decades now. All of my adult life, I have been dealing with things like this, so I know what I'm talking about when I say I'm not the minority. I'm representing many people across this country.

Rhonda Kirkland: Is your father—

The Chair: I'm sorry, Madame Kirkland. I dislike doing this, but we need to move to MP Acan for six minutes, please.

Sima Acan (Oakville West, Lib.): Thank you, Mr. Chair.

MP Arnold, Dr. Carrie, Ms. Freeman, thank you very much for joining us today and for appearing before the committee regarding Bill C-221.

It's evident that this legislation is about transparency and ensuring that victims have access to clear information to understand decisions made by Corrections Canada.

This legislation also reminds us that at the end of the day, victim advocacy and public safety are not partisan issues. Our objective as legislators and in this government is to ensure that victims of crime and their families have the right to information about those who have harmed them.

My question is for all three of you. Please feel free to put your words in.

Bill C-221 is about supporting victims and ensuring they are not caught off guard or retraumatized by decisions made by Correctional Service Canada regarding an offender's parole. Could you explain how this legislation would improve transparency and communication for victims and how it would help to reduce the stress and uncertainty associated with parole decisions?

Lisa Freeman: I'll start by saying that the system is not designed for victims of crime. We are getting the crumbs of anything that's published or established. This is par for the course. We know we are secondary to the information that is out there. We're fully aware of that, so anything that is going to help us on this path—anything that promotes transparency, that gives us more information or that will make our rights even happen—is welcome.

When I say that we are getting the crumbs, I absolutely mean we are getting the crumbs. From my experiences with the Parole Board of Canada and Correctional Service Canada, the focus is on the offender, but it should equally be on the victims of crime, especially when the Parole Board will say that we're part of the system and we shouldn't have to go outside to seek answers—yet we do. We have to go to outside sources to seek answers that should be readily available for us.

• (1700)

Sima Acan: Thank you very much.

Dr. Colin Carrie: Maybe I can add a couple of things too.

First of all, thank you for the question, because it is a non-partisan issue. All of us around the table....

For 21 years, I listened to people and came here and did my best to make that voice heard, and we've done that. What I'm really proud of is that I can sit here and look at different parties and see that this is how Parliament should work. We've come together. We can agree on it. A very simple change that we can do as elected members will make a huge difference in victims' rights and the rights of victims' families.

However, what frustrates me is the process. We were done in the Senate, and then the election was called. If what Senator Pate said was true, they could have put this in and made the changes without having the elected members say, "Do it." This is the challenge we have today: If we don't make this an issue, I don't think it's going to be done until we follow it through.

I find it so important that we can come together as a Parliament and make a small change that will make such a big difference, so I thank everyone around the table for passing it unanimously.

Mel Arnold: This is a very short bill—10 words—and it is simply asking that an explanation be provided to the victims. We can confer with Ms. Freeman, but I believe the big question for victims is often, "Why?"

The question leaves so much emptiness, and if we can help provide an explanation and fill that emptiness, this is one small part that we can do as legislators.

I'm not sure whether Ms. Freeman might confirm that this is the biggest question.

Lisa Freeman: That's absolutely correct.

When the killer of my father was sentenced way back in 1992, we were handed a certificate of conviction that said it meant life in prison for 25 years. That was it. Foolishly, my sisters, our mom and I thought that it meant 25 years before any movement in parole. That's not the case.

This is what I'm speaking to regarding transparency and truth in sentencing and letting people know. No one signed up for this, but if you participate in it, this is what you're going to be dealing with. It's very important to give people knowledge so that they can either opt out of being part of the process or they can prepare themselves better to get through it the best they can and find their supports and whatever tools they can find to help them through this very difficult journey.

Sima Acan: Thank you so much.

Currently, in the Corrections and Conditional Release Act, the commissioners use their judgment to withhold information from victims that they deem would have a negative impact on the safety of the public.

Could you describe, from your perspective, how this is applied? In your opinion, what factors would the commissioner typically consider when determining whether disclosing information could have a negative impact?

Lisa Freeman: To start with, you have to sign up to register to be a victim of crime. As I said, I have two younger sisters. Neither of them is registered as a victim of crime, because this is a route they chose not to go down. I am a registered victim of crime because that was the only way I was able to get any information about

the offender and the parole process way back in 2011 when I had to register. It was my informed decision to go down this path.

I have spoken to multiple hundreds, if not thousands, of victims of crime across this country over the last two decades, and there's not one of them who's registered who has ever said, "That's too much information. It's too much. I don't want to know it." That's because they all want to know. They're registered for that reason.

Sima Acan: Do we still have time, Mr. Chair?

The Chair: Thank you, MP Acan, for being concise.

[Translation]

Mrs. DeBellefeuille, you have the floor for six minutes.

Claude DeBellefeuille (Vallée-du-Haut-Saint-Laurent, BQ): Thank you, Mr. Chair.

Ms. Freeman, thank you very much for your testimony.

Honestly, this is stirring up memories for me, because I, too, lost a loved one, a victim of a violent murder about 20 years ago. The murderer died in custody. I can't even imagine running into him at the grocery store or in town without knowing ahead of time that he's there, because the death of my loved one was so violent and difficult for everyone in my family.

Thank you for being here. I know 14 years is a long time for you, and you're hoping for quick decisions. When you are suffering and you know what the solutions are, waiting for common sense to prevail is hard. You will see today that the Bloc Québécois is supporting this bill.

That said, I do have some questions. I wonder if it wouldn't be better for victims to automatically receive information from the system and to be able to opt out if they so choose, because I think some victims don't know their rights. They don't think about fighting for their rights and may find themselves in some pretty difficult situations. I wonder why victims wouldn't be automatically registered to automatically receive information rather than having the burden of requesting it and fighting to receive it.

The expression "at the request of a victim" often comes up in the bill. I think it should be the other way around, that the victim should receive the information and they could opt out if they don't want it. At the very least, they should be able to access the information without having to request it and without having to fight to receive it within a time frame they deem useful for them.

• (1705)

[English]

Lisa Freeman: First of all, I want to say condolences on your loss.

Thank you for your question. That's a very good question.

I said multiple times through my remarks that victims of crime already have enough to carry, and the system puts more on us. With regard to putting the onus on us to ask for notifications for everything else, you make a good point that it should be automatic, with the option to opt out. The only thing I caution is that sometimes victims of crime may not be ready at first for the information, so they may opt out, but as the years go by, they might want to opt in, so to speak. That would have to be figured out.

It is a very good point, because the onus to do anything should never be on a victim of crime. As I've said, picture in your mind somebody just handing you more stuff to carry through the years. That's what happens with the onus on us to ask, to chase, to beg and to plead for the basic things that victims of crime should have automatically.

I appreciate that question. Thank you.

[Translation]

Claude DeBellefeuille: Mr. Carrie, Mr. Arnold, as you know, to get a consensus on your bill, you had to lower your expectations so the bill would be made tougher. It is true the Parole Board doesn't have any obligations under the bill. However, the bill indicates that it is desirable for the Parole Board to inform you—it's not very regulated—to ensure that what's in the bill is implemented within a certain time frame.

Bill C-16 talks about timelines and useful information. Who decides what information is useful? Who sets the timelines and decides whether that information matters to the victims?

Mr. Carrie, with your experience, given all this bureaucracy and analysis, do you really trust that your bill will push the Parole Board to also put the victim at the heart of its decisions when analyzing conditional release applications?

[English]

Dr. Colin Carrie: It won't be perfect. When you're dealing with such sensitive issues, the Parole Board has the experience and expertise, and the commissioners do need to have some type of flexibility. This bill is just a small bill, so it's not going to fix all the issues, but it's a step in the right direction.

As it gives the Parole Board a specific direction, this is really like a surgical bill. It's not going to tell them to do everything. However, we are the elected representatives. We've passed it unanimously twice, and I trust that the group here will follow through with that. I believe the Parole Board will respond appropriately.

• (1710)

[Translation]

Claude DeBellefeuille: Thank you very much.

Mr. Arnold, you have proposed two amendments. I understand they would ensure the bill is consistent with existing laws. Is that correct?

[English]

Mel Arnold: The draft amendments have been through legislative counsel and the legislative clerk to ensure they are in order. Really, they are focused on having a timeline on when these mea-

asures—either Bill C-16 or Bill C-221—would come into force. That is what the amendments are directed at.

When we saw that the proposals in Bill C-221 were captured in Bill C-16, we thought that was good news. Then we also saw, in section 205 of Bill C-16, that they will only come into force through an order in council; there's no timeline attached. This is the thrust behind the proposed amendments we're looking at.

[Translation]

The Chair: Thank you, Mrs. DeBellefeuille.

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

[English]

Dane Lloyd (Parkland, CPC): Thank you, Mr. Chair.

Thank you to the witnesses.

It's always good to see you back in Parliament, Dr. Carrie, and to see you, Madame Freeman.

I want to say from the outset that this is the 45th Parliament of Canada and, to all my colleagues on this committee, that if we want the 45th Parliament to be remembered for anything, let's let it be remembered for what we did for victims' rights. This legislation is a small step, but it is a step in the right direction.

There are many private members' bills—including my own, Bill C-236—that are coming forward. I want this to be a Parliament that works. I want this to be a Parliament that's collaborative. If we can get legislation like Bill C-221 passed, it would be incredibly meaningful for victims across this country.

My first question is for Ms. Freeman.

Do you feel as though you're living a life sentence, and do you want to tell us about what that feels like?

Lisa Freeman: Thank you for the question.

I have often said that this is my life sentence, but whereas the offender eventually gets paroled, I don't get paroled. I don't have access to day parole from my life.

I don't have anything like that. My dad was murdered when I was 21. My whole adult life has been living this life sentence, which is what I hear over and over again from people, because it has shaped my life completely. I often wonder what my life would be without this event happening, and I can't...because, as I said, it has been my entire adult life. It has become my life sentence, for sure.

Dane Lloyd: Something alluded to by Dr. Carrie is that offenders in this country are granted certain rights and privileges. We have a system that seeks to rehabilitate people, but those offenders are also entitled to have information about when their parole hearings are being held and why they're being held. We have an Office of the Correctional Investigator that can advocate for those prisoners' rights.

What this legislation is basically saying is that you, the victim, who is also serving a life sentence, as you have said, deserve the same right as those offenders to be given an explanation.

For those who think that maybe there's some hidden agenda, I want to read a bit from the summary. It says that this legislation is seeking to ensure that the Corrections and Conditional Release Act provides "information that is disclosed to the victim of an offence regarding eligibility dates and review dates applicable to the offender".

We're not talking about information that.... It was alluded to that there might be information that is sensitive to public safety. We're literally, in this legislation, just talking about how they came to deciding when the eligibility dates would be and when the dates of those reviews would be. Is it true that there's nothing more in this legislation than this simple change?

Mel Arnold: That's all the bill is—10 words—so that an explanation is provided to the victims. As you said, the criminals get all kinds of opportunities and all kinds of information. It's not just Ms. Freeman, who's here today. Tens of thousands of victims out there are looking for an explanation for that big question of why. There are no hidden agendas in this: Just please explain why.

Thank you.

• (1715)

Dane Lloyd: Madame Freeman, do you have any reflections on that?

Lisa Freeman: I want to say that over the years I've matured enough not to think that I want all the offender's rights taken away from him. I want the same. I want it evened up as much as it can be. Before, I used to think, "Well, he shouldn't have this and he shouldn't have that." As I said, I've matured enough to say, "Just give me the same and give the victims of crime across this country the same." Even it up as best we can, because I've done nothing wrong.

Dane Lloyd: You're absolutely right, and that's completely fair.

Just in the interest of being very thorough with this bill, though, is there any downside to providing victims with this information about the reasons the parole boards and correctional officers determine eligibility dates or review dates? Can you see any possible downside to providing that information to victims?

Lisa Freeman: I can't. As I said, knowledge is power. If the provided dates and explanations prompt further questions, so be it. This is not a bad thing.

People need to be held accountable. I'm always going to stand on that side and to refuse to stand still in a system that completely re-traumatizes victims of crime over and over again.

The Chair: Thank you, MP Lloyd.

MP Powlowski, you have five minutes, please.

Marcus Powlowski (Thunder Bay—Rainy River, Lib.): Ms. Freeman, is your dad's murderer currently in custody?

Lisa Freeman: He was paroled last year on the eve of my father's murder. He's fully paroled.

Marcus Powlowski: He's out and living in the community.

Lisa Freeman: Yes.

Marcus Powlowski: Do you know where he's living?

Lisa Freeman: Yes: Victoria, British Columbia.

Marcus Powlowski: Mr. Arnold or Mr. Carrie, my understanding is that these sections you want enacted were previously included in the government bill, but in order for them to come into effect, you need an order in council.

Why did this happen? I would have thought that this would be addressed in the drafting. Was this an error? What happened?

Mel Arnold: I can't answer that. It was a government decision to include section 205 in Bill C-16. Other parts of Bill C-16 have been enacted, but for some reason, the portions of Bill C-221 were specifically set aside to be brought into force through an order in council. It's not at a specific date, or it's at a date and time after the bill receives royal assent, so there is no timeline for when those measures may be brought into force.

Marcus Powlowski: When was that specific legislation passed?

Mel Arnold: It was in June, just before this Parliament recessed for the summer.

Marcus Powlowski: It was some recent legislation.

Mel Arnold: This was Bill C-16 of this Parliament. That's correct.

Marcus Powlowski: Okay.

Ms. Freeman, this is probably a question for you. The way it currently works, if there's a parole hearing and the victim's family is there.... My understanding is that if the victim's family goes to the actual meeting, the Parole Board will give some sort of reasoning as to why the person was granted parole. Is this true?

Lisa Freeman: Yes. They will explain, at the end of the hearing, their reasoning behind it. There's no opportunity, of course, to appeal anything, but they will give what's almost like a checklist of things offenders have improved on that seem to get them granted parole.

Marcus Powlowski: Does the parole board also listen to the victim's family or the victims themselves?

Lisa Freeman: We have an opportunity to read a victim impact statement. If you don't want to attend in person, you can submit it to the file.

Marcus Powlowski: Are victims or victims' families automatically notified when there's a parole hearing, or is there some sort of process that you have to go through in order to be notified?

Lisa Freeman: They're notified.

I've been through the system for a long time, and as the offender was incarcerated past his 25-year period, there is something called an in-office paper decision. On three occasions, I've had letters sent to me saying there's going to be an in-office paper decision on full parole sometime in the month of December—using the last one—and I would say, “What do you mean? There's no hearing. I don't know the date.” I've had to plead for a hearing that I can attend in person to deliver my impact statement, but usually...for those examples, there's no date.

● (1720)

Marcus Powlowski: Were you given the hearing and the opportunity to give a victim impact assessment?

Lisa Freeman: I was, after multiple letters and getting my MP and the ombudsman for victims of crime behind me multiple times to demand, for no better word, a hearing that I could be present at, especially for something as significant as full parole.

Marcus Powlowski: Do you know if there's any written or legislative process to determine whether there's a written decision or whether there's actually a hearing?

Lisa Freeman: I know it's in the Corrections and Conditional Release Act that for any offender who has been incarcerated past their 25 years, it can be an automatic paper decision for full parole.

Marcus Powlowski: It would seem a little odd, given that anybody who has been in prison for 25 years must have done something pretty serious.

Lisa Freeman: Yes.

Just to continue on with something I was thinking about before all of this, the Parole Board of Canada says it has a trauma-based approach to victims of crime, and I disagree.

Marcus Powlowski: Thank you.

The Chair: Thank you, MP Powlowski.

Next is MP Caputo for five minutes, please.

Frank Caputo (Kamloops—Thompson—Nicola, CPC): Thank you very much, Mr. Chair.

You know, it's interesting; I asked two questions in question period about parole, based on the killing of a police officer. I'm sure MP Arnold and Dr. Carrie, our former MP, know this, but I was a parole officer. Victim notification was one of the worst parts of the job. You'd have to call people and say, “Hey, just so you know, the person who killed your loved one is unlawfully at large. They didn't check in back at their halfway house.” Or you'd say, “They had a condition to abstain from all intoxicants, and they had a suspension, based on that, of their release.”

To me, and I think MP Powlowski hit this, my first instinct was to be very partisan here, and I'm going to try to hold back on that, based on what happened in question period today. The Liberals probably know what I'm referring to. He highlighted a number of things. This should really not be a partisan issue, in my view. When

you come face to face with victims and they tell you their story, it's so difficult. I say this too as somebody who taught a sentencing class. At the time of sentencing, a sanitization happens.

Ms. Freeman, you're left to remember what happened. As I've said about victims of sexual crimes, and I really appreciate the fact that you've used the language, they are serving a psychological life sentence. They are imprisoned for life. One thing a lot of people don't know, for instance, and I think you highlighted this, is that when they refer to parole eligibility, they're referring to full parole eligibility. They're not telling you that day parole eligibility is three and a half years before full parole eligibility.

How many people here knew that? You kind of knew, and you knew, but not many did. I believe it's at eight and a half years for 10 years. You can have a victim who's not studied this caught completely unaware. We have to address this.

Dr. Carrie, I'm so happy you're bringing this forward. Thank you for your work.

MP Arnold, you and I got to work on our last private member's bill, which passed. My hope is that the amendments will be accepted and that this will be brought into force within a year.

With the remainder of my time, I want to give the three of you the time to say whatever you need to say.

Thank you.

Lisa Freeman: First of all, thank you.

I'd like to say that on my way here this morning on the train, I missed a phone call. I called back. It was from the Parole Board of Canada. I thought, “Today of all days; what could they possibly be calling me for today?” On the voicemail she said to give her a call and that it was nothing urgent. I called her back from the train and she said, “Just to let you know, there's a hearing in January. You need to have a victim impact statement in by December. We're looking at the conditions on parole, whether we're going to keep them in place or whether we're going to lift them.” There are conditions on parole. Because this crime was around the murder of a woman, the offender has to report his friendships or relationships with women. I have geographical restrictions on him—a no-go to the province of Ontario.

I reflected on the rest of my journey into Ottawa that this was not urgent to her, but it was urgent to me. It will be urgent to my family when I get back home and tell them what we have to deal with again, that now, yes, we have another opportunity to write a letter in. It's not a hearing, so there's nothing in person. It's finding the right words—words that I often can't use, because everything is redacted at times. The impact statements are very sanitized. I don't know how many I've written over the years—dozens, if not more—to find the right words to make an impact so that these very important conditions are not lifted.

Today of all days, to hear that it's not “urgent”.... She actually said that. It's very urgent to me and it's very urgent to my family.

• (1725)

Frank Caputo: Are there any minutes left?

The Chair: You have 10 seconds.

Dr. Colin Carrie: MP Caputo, it's become a bureaucratic disconnect. What you're doing today will help reconnect it.

Thank you, all.

The Chair: Thank you, MP Caputo.

Next is MP Sodhi for five minutes, please.

Amandeep Sodhi (Brampton Centre, Lib.): Thank you, Mr. Chair.

Thank you to our witnesses for being here today.

Ms. Freeman, first and foremost, I wanted to say how sorry I am for everything you've gone through. I have a dad and I have a stepdad, and I will be a daddy's girl until the day I die. I can't imagine what you and your family have gone through. I truly sympathize with you.

Maybe I will continue with Mr. Caputo's questioning by giving you guys the time to say anything you would like to say.

Mr. Carrie, you were getting into something, but you had only 10 seconds. If you'd like to continue, you're more than welcome to.

Dr. Colin Carrie: Thank you very much for that.

I was going to mention that we have these huge bureaucracies and systems that develop and evolve on their own. I think that, sometimes, when people are working hard, it's just a checkbox. In other words, they've gone to church now and they've been nice to other inmates, so we should be allowed to release these murderers and violent offenders.

There are a lot of good people in the parole system, such as parole officers. You're going to be talking to some officials in a few minutes. They're some of the best people in Canada. They're going to tell this committee how to get this done, but then it's up to us to follow through.

I was an MP for 21 years and I promised this wonderful lady here that until her voice was heard and her request was implemented, I'd keep coming back. If it goes another four years, you'll see me again, and we'll do it all over again. Today is a great opportunity, because there's still time. It'll go through the process. It's gone

through the process before. I know it will be successful. It's a matter of getting it implemented.

By listening to people in the bureaucracy who work for us, if we can follow up with it, we'll achieve something really good today.

Amandeep Sodhi: Dr. Carrie, you mentioned Bill C-16 in your opening remarks. Could you describe, from your perspective, how Bill C-221 fits alongside the changes made in Bill C-16 and how it adds to it as well?

Dr. Colin Carrie: I can't talk to the specifics of that. As I said, you'll be having officials in a few moments. I believe MP Arnold would be better to speak to that.

Mel Arnold: Thank you.

Thank you for the question.

As I mentioned in my opening remarks, the measures proposed in Bill C-221 were captured in Bill C-16, but Bill C-16 also contained a clause that these measures would be brought into force only through an order in council. This is why we've had appropriate amendments drafted for Bill C-221 that would see those measures brought into force in a reasonable time frame so that not just Ms. Freeman, but the thousands and thousands of other victims out there who aren't as brave and as strong as she is, will see the results of what we are capable of doing as legislators to cause something to come into force.

• (1730)

Dr. Colin Carrie: I'd like to add something really quickly. Do I have a second?

We look at this, and it's going to be just a proactive disclosure on dates. I think, by listening to Lisa, those dates.... It's urgent. If she wants to participate—getting to where the hearing is and taking time off work, as well as the mental retraumatization that the victims' families go through—it's urgent for her.

They already have the information. That's what's really important. They've made the decision.

I've heard an argument in the past that this is going to be more bureaucracy, while really, it's going to be a couple of sentences. It's going to make a huge difference, so we shouldn't underplay this. It is going to make a big difference.

Amandeep Sodhi: Mr. Chair, how much time do I have?

The Chair: You have 10 seconds.

Amandeep Sodhi: Oh. Thank you.

The Chair: Thank you, MP Sodhi.

It's my duty now to end this first hour of the exchange.

As you will have noticed, we were touched by your sincere and informed testimony, Dr. Carrie and MP Arnold, and certainly by yours in particular, Ms. Freeman. We very much value your willingness and your ability to share your personal experience.

We very much value the continuation of your hard work, Dr. Carrie, and we hope to welcome you back at some other point.

Dr. Colin Carrie: I hope not.

Voices: Oh, oh!

The Chair: That will be for you to decide.

MP Arnold, thank you very much for being with us today.

We will suspend for a few minutes to have the other set of witnesses come in.

• (1730) _____ (Pause) _____

• (1740)

[Translation]

The Chair: Welcome back, everyone. Thank you for your patience.

We will now resume the meeting and proceed with the clause-by-clause consideration of the bill. I will give everyone a high-level reminder of the procedure regarding the clause-by-clause consideration of a bill.

First, I'd like to acknowledge the two analysts and the two legislative clerks with us today. As you know, from working with them before, they are excellent. Unfortunately, this time, their talent won't be as highlighted since the bill is a little thinner than what they're used to. I thank them for being with us.

We will proceed by considering each clause. Each clause is subject to debate before a vote. If there are amendments to the clause in question, I will recognize the member proposing the amendment. For now, there are few amendments, but if there are several, they will be considered in the order in which they appear or the order in which committee members received them from the clerk. Each amendment has been numbered in the top right-hand corner to ensure that they are properly identified. During debate on an amendment, members are also permitted to move subamendments.

I would like to thank the members in advance for their attention, and I wish everyone a productive clause-by-clause consideration of Bill C-221.

We are fortunate to have with us three witnesses, two in person and one remotely, to ensure this process is productive. Kirstan Gagnon, assistant commissioner, public affairs, culture and engagement, Correctional Service of Canada, and Monica Irfan, acting director general, policy, planning and operations, Parole Board of Canada, are in the room with us. From the Department of Public Safety and Emergency Preparedness, by video conference, we have Suzanne Wallace-Capretta, acting director, crime prevention branch, Department of Public Safety and Emergency Preparedness.

With this brief introduction complete, we will now proceed with the clause-by-clause consideration of the bill.

We will start with clause 1. If there is no clarification to be made or needed, shall clause 1 carry?

(Clause 1 agreed to)

(Clause 2 agreed to)

(On clause 3)

Let's move on to clause 3, for which amendment CPC-1 has been moved.

I believe you are proposing this amendment, Mr. Arnold.

• (1745)

[English]

Would you like to comment on it?

Mel Arnold: Mr. Chair, could I ask for a short recess? We're trying to determine whether the amendments are actually necessary at this point.

The Chair: Okay. I'll suspend for a few moments until we're ready to resume.

Mel Arnold: With clauses 1 and 2 carried, it may affect things.

The Chair: Yes, very good. Let's do that.

• (1745)

_____ (Pause) _____

• (1750)

The Chair: Welcome back. Thank you for your patience.

I forgot to ask MP Arnold what might be an even more relevant question.

Do you want to propose that amendment?

Mel Arnold: Yes, I do, in CPC-1.

The Chair: Would you like to speak to it too?

Mel Arnold: I'll speak to it, and I'll read it out, if you'll indulge me.

The amendment is that Bill C-221, in clause 3, be amended by replacing lines 8 to 42 on page 2 with the following:

"2026, c. 19

Protecting Victims Act

3 Subsection 205(4) of the Protecting Victims Act is replaced by the following:

(4) Sections 187 and 188, subsections 190(1) to (3) and sections 191 to 193 and 195 come into force on a day to be fixed by order of the Governor in Council.

This is to ensure that we are not affecting those portions of Bill C-16 that were separated out in clauses in Bill C-16 so that we're not affecting the direction that they be brought in by an order in council.

The Chair: Is the subsequent paragraph, proposed subclause 3(5), also part of the amendment?

Mel Arnold: I'm not sure. You have a different version. Okay. Yes. I missed that.

Proposed subclause 3(5) would be:

(5) Subsection 190(4) and section 194 come into force on the first anniversary of the day on which Bill C-221, introduced in the 1st session of the 45th Parliament and entitled An Act to amend the Corrections and Conditional Release Act (disclosure of information to victims), receives royal assent or on any earlier day fixed by order of the Governor in Council."

This is to provide that the sections in Bill C-221 come into force within one year of this bill's receiving royal assent.

• (1755)

The Chair: That's well understood.

Go ahead, MP Ramsay.

Jacques Ramsay (La Prairie—Atateken, Lib.): Mr. Arnold, this basically means that subsection 190(4) and section 194 are the ones that concern Bill C-221, and that sections 187, 188, 191, 192 and 195 do not concern Bill C-221. Am I correct?

Mel Arnold: That's correct.

Jacques Ramsay: Thank you.

The Chair: Thank you for that.

Is there any further input, questions or remarks?

Go ahead, Mr. Ramsay.

Jacques Ramsay: I'd like to ask our distinguished expert here a question.

[Translation]

How much does this complicate the implementation of this change that, in practice, will speed up the implementation of the legislation? Is the department able to enact the legislation in a timely manner?

[English]

Monica Irfan (Acting Director General, Policy, Planning and Operations, Parole Board of Canada): Do you want me to speak to that? I can speak to the Parole Board of Canada.

The Parole Board of Canada and CSC work very closely together in a lot of areas, including providing services to victims. Even though there are two sections of the legislation that provide authority for both the PBC and CSC to provide information to victims, in practice, CSC would normally provide certain types of information, and the Parole Board would provide certain types of information.

For the types of information that are listed in this legislation, such as the eligibility dates, the review dates—

[Translation]

Claude DeBellefeuille: Mr. Chair, Ms. Irfan is speaking quite quickly, practically at the speed of light.

Monica Irfan: Sorry.

[English]

I can speak more slowly.

For the types of information listed in this legislation, such as eligibility dates, review dates and release dates, in practice, CSC would provide the information regarding eligibility and release dates, and the Parole Board would provide information regarding the review dates.

In terms of the implementation of these amendments, I can say that the Parole Board has already made some revisions to its communications to victims to include an explanation of the review dates, and it has already made some amendments to the tools and guidance that are provided to regional communication officers so that this information is also provided more clearly and consistently

to victims. When it comes to feasibility, there are no concerns with the coming-into-force date.

[Translation]

The Chair: Thank you, Ms. Irfan.

Ms. Gagnon, you have the floor.

Kirstan Gagnon (Assistant Commissioner, Public Affairs, Culture and Engagement, Correctional Service of Canada): For Correctional Service Canada, this isn't an issue. We can implement the bill quickly. We're already doing so. For victims who want it, we have letters that outline all the information. We also make calls regarding all these eligibility dates. We provide them with a long list of information.

The Chair: Thank you, Mr. Ramsay.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: I would just like a quick clarification. When the witnesses spoke earlier, they referred to Bill C-16. They seemed to be saying that the entire issue of the entry into force in order to ensure clear and transparent communication with the victims would be decided by order in council. Bill C-16 received royal assent in June.

Ms. Gagnon, we now have another bill that ensures tighter timelines. I imagine that there was a draft order in council on your end at Correctional Service Canada. I imagine that you were probably about to have cabinet approve the order in council referred to in Bill C-16. I'm a bit confused about this.

Can you tell me why the witnesses felt the need to move an amendment? Was it to put some pressure on you, or to ensure that the order in council is issued?

• (1800)

Kirstan Gagnon: I can tell you that we've already been providing this information to victims for quite some time now. We'll continue to do so. It's just that this would be incorporated into the legislation.

Bill C-16 included a number of factors for victims, not just this one. It will also implement about nine different items. So it will take us some time to prepare, given all these different components to implement. This includes changes to our policies and changes to our operations, so that victim services officers know exactly what to do.

Bill C-221 proposes something that we already do for victims, but that would now be incorporated into the legislation.

Claude DeBellefeuille: Do you have any objections to the amendments before us?

Kirstan Gagnon: No. The original wording worked with Bill C-16. I just want to make sure that, if the wording changes, it doesn't create any consistency issues during the implementation. We want people to understand exactly what they need to do. Things shouldn't become unclear. However, I think that it's fine, as far as the amendments that we've seen are concerned.

Claude DeBellefeuille: Okay.

[English]

Suzanne Wallace-Capretta (Acting Director, Crime Prevention Branch, Department of Public Safety and Emergency Preparedness): If I may answer, I'm here on the line.

The Chair: Yes.

Suzanne Wallace-Capretta: If I understand the question correctly, we are speaking about clause 3. Subclause 3(4) does exactly what we've heard; it separates those amendments that are related to enhancing information to victims and that are unrelated to Bill C-221.

The next section specifically relates to Bill C-221. I think what I heard was their being read into the record.

If we are talking about proposed new clause 4—and please stop me if we're not—it reads, “4 Sections 1 and 2 come into force on the day on which subsection 190(4) and section 194 of the Protecting Victims Act come into force.”

It's this provision that creates a redundancy because it will force the clauses of Bill C-221 and the sections pertaining to Bill C-221 that are contained in Bill C-16 to be in force at the same time.

Those two bills attempt to do exactly the same thing. Bill C-16 is doing what Bill C-221 is asking to be done, but in a simplified way in the legislation. Putting both of them in the legislation creates a redundancy, which could result in inconsistent application or unpredictable outcomes in the court. Having the provisions from Bill C-16 and the provisions from Bill C-221 in force at the same time will create confusion.

The Chair: Thank you.

I think you are also referring to the other amendment that might be discussed later on. You are a better expert of the content, and the clerks are better experts of the process, but when you were referring to proposed new clause 4 of the text of the amendment and then subsection 190(4), are you pointing to the other amendment that might be considered later on?

Suzanne Wallace-Capretta: I apologize. As I'm not in the room, I don't have the amendments in front of me.

The Chair: That is a useful piece of input. We just want to be as solid as we can as a group of legislators.

Let's see whether anyone can help sort out this important and possible overlap between the pieces of legislation and the amendments as well.

Does anyone...?

We will start with MP Arnold.

Mel Arnold: Thank you, Mr. Chair.

If you check Bill C-16, I believe you will find it has clauses regarding the passing of Bill C-221, clauses that deal with the potential conflict that I think was misunderstood here. There are clauses specifically in Bill C-16 that refer to whether Bill C-221 passes first or comes into force—

• (1805)

Frank Caputo: Yes, there are coordinating amendments.

Mel Arnold: There are coordinating amendments in Bill C-16 to deal with this potential. The government foresaw the potential conflict and dealt with that in the clauses in Bill C-16.

The Chair: Thank you, MP Arnold.

MP Kirkland, go ahead.

Rhonda Kirkland: Yes, just to clarify, you are correct. That was referring to CPC-2. CPC-1 is the first amendment, and then what our witness was referring to is in the second amendment, which we haven't gotten to yet.

The Chair: Is it all right, in everyone's view, if we first consider and possibly vote on this amendment and then move to the subsequent discussion on the next amendment? Would that be fine with everyone?

Some hon. members: Agreed.

The Chair: Okay, good.

[Translation]

As a result, shall amendment CPC-1 carry?

(Amendment agreed to)

(Clause 3 as amended agreed to)

The Chair: This brings us to another amendment, which would create a new clause, clause 4.

Is this amendment being moved?

[English]

MP Arnold, are you moving CPC-2?

Mel Arnold: Yes, I would like to move it.

The Chair: Would you like to speak to it, too?

Mel Arnold: Yes. I move that Bill C-221 be amended by adding after line 42 on page 2 the following new clause:

“Coming into Force

4 Sections 1 and 2 come into force on the day on which subsection 190(4) and section 194 of the Protecting Victims Act come into force.”

The Chair: Thank you for that.

[Translation]

Do you have any thoughts or comments, Mr. Ramsay?

[English]

Jacques Ramsay: This is when we ask a question of Mrs. Wallace-Capretta.

Does this solve any problems between Bill C-16 and Bill C-221 by having the adoption of clauses 1 and 2 at the same time that subsection 190(4) and section 194 come into force?

Suzanne Wallace-Capretta: Adopting amendment CPC-2, as I described earlier, would create a redundancy in the CCRA, because both of the amendments in Bill C-221 would also be in force at the same time as the amendments in Bill C-16. That would create a redundancy in the legislation, which could result in inconsistent application and unpredictable court outcomes.

The Chair: Thank you. Are there any further comments?

MP Arnold, please go ahead.

Mel Arnold: Thank you, Mr. Chair.

I have sections of Bill C-16 that deal with this potential redundancy. Subsections 204(4) and 204(6) deal with this. Subsection 204(4) states, “If section 1 of the other Act”, referring to Bill C-221, because this is from Bill C-16, “comes into force on the same day as subsection 190(4) of this Act, then that section 1 is deemed never to have come into force and is repealed.”

So that everyone understands, by having a coming-into-force date for this bill, they've already dealt with that in Bill C-16. Subsection 204(6) states, “If section 2 of the other Act comes into force on the same day as section 194 of this Act, then that section 2 is deemed never to have come into force and is repealed.”

The redundancy was foreseen when the government drafted Bill C-16. The redundancy is dealt with in those subsections.

• (1810)

The Chair: MP Housefather is next.

Anthony Housefather (Mount Royal, Lib.): Mr. Chair, just to confirm, these were, I believe, amendments that we brought at committee on Bill C-16. I sit on the justice committee and this was absolutely foreseen in section 204 of the Protecting Victims Act. I don't see any issue at all here.

I don't understand why there would be an issue even if there were redundancy, but I don't believe there is any redundancy. It's clear that one doesn't exist if the other comes into force on the same date.

The Chair: Is there any further guidance, input or questions?

Anthony Housefather: Do we want to ask whoever was saying that if she took into account the fact that section 204 of Bill C-16 does what it does?

The Chair: It's a fair question that you may want to ask.

Anthony Housefather: Sure. I mean....

The Chair: Madame Wallace-Capretta, would you like to speak to that?

Suzanne Wallace-Capretta: We did.

My testimony today is based on advice received from our legal counsel, and we were aware of the coordinating amendments in Bill C-16.

The Chair: Okay.

Anthony Housefather: [Technical difficulty—Editor] I understand. If your legal counsel provided you the advice that there's uncertainty—and I don't understand how, because the coordinating events in Bill C-16 basically say that one section doesn't exist and the other one lives—on what basis did they say that? What is the

basis for this claim from your legal counsel if there is no contradictory wording, because one section comes into force and one section doesn't?

The Chair: Madame Wallace-Capretta, are you able to speak to that?

Suzanne Wallace-Capretta: I believe it is how proposed new clause 4 in CPC-2 is drafted: “Sections 1 and 2 come into force on the day on which subsection 190(4) and section 194 come into force.” It has both sections in both pieces of legislation coming into force at the same time. I believe that was the basis for which counsel identified the redundancy. It's in this particular clause.

The Chair: Thank you.

Are MPs willing or able to proceed, or would you like to suspend?

Okay. We'll suspend for a few minutes just so we have time.

Dane Lloyd: I don't think we need to.

[Translation]

Anthony Housefather: I don't think that there are any issues. Personally, I support it.

[English]

The Chair: Is anyone not feeling comfortable?

[Translation]

Would the members like to suspend the meeting for a few minutes?

Claude DeBellefeuille: I'm ready to vote.

The Chair: Good.

So, based on the information that we've received, we'll proceed to the vote.

Shall amendment CPC-2 carry?

(Amendment agreed to)

• (1815)

The Chair: This creates a new clause, clause 4. We don't need to vote on it.

Shall the title of the bill carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall the committee order the chair to report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at the report stage?

Some hon. members: Agreed.

The Chair: This is great teamwork. I would like to congratulate everyone. We've completed this challenging task.

I would like to thank everyone for their participation, especially the witnesses who appeared in person and remotely, as well as the legislative clerks whom we were fortunate to have with us today.

I would like to give a reminder regarding the upcoming schedule. Next week is a constituency week. The following Monday, we'll

meet with the minister for the first meeting of the study on Canada's security screening process. Two days later, on Wednesday, October 7, we'll hold a second meeting on the same study. The good news is that we'll be meeting with some witnesses. We may also meet with other witnesses. Please feel free to provide their names to the clerk.

On that note, I hope that you have a wonderful rest of the day.

The meeting is adjourned.

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