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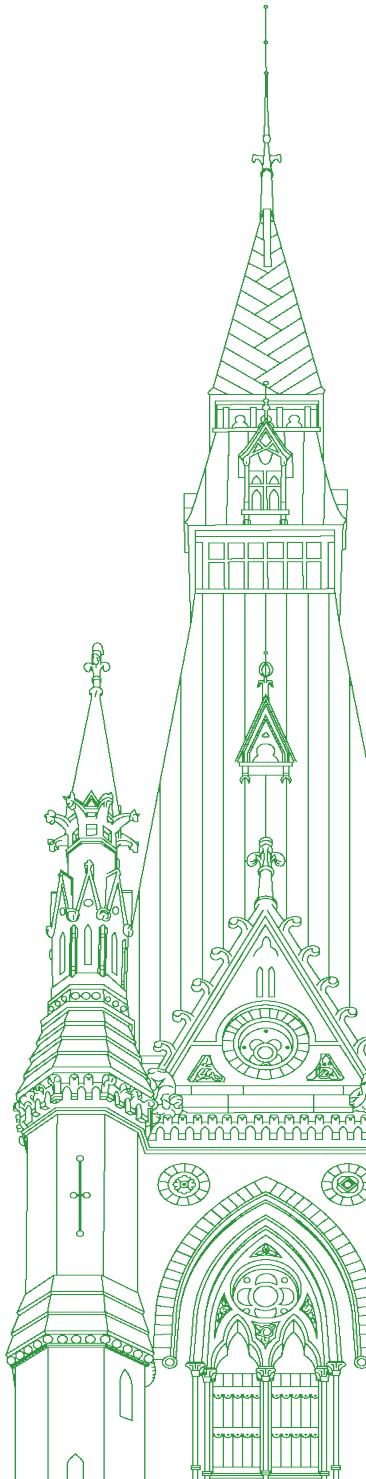
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Chair: Jean-Yves Duclos

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● (1105)

[*Translation*]

The Chair (Hon. Jean-Yves Duclos (Québec Centre, Lib.)): I call the meeting to order.

Good morning, everyone. Thank you for joining us on this beautiful and sunny Monday morning. Welcome to meeting number 54 of the House of Commons Standing Committee on Public Safety and National Security.

Pursuant to Standing Order 108(2), we're meeting today to review conditional releases and the responsible federal organizations.

First, I would like to welcome our two witnesses, both of whom are participating remotely by video conference. We're joined by Lisa Freeman, a victim rights advocate who is appearing as an individual. We're also joined by Karine Mac Donald, the executive director of Plaidoyer Victimes.

Good morning and welcome, Ms. Freeman and Ms. Mac Donald. You both have five minutes for your remarks.

Ms. Freeman, you have the floor.

[*English*]

Lisa Freeman (Victim Rights Advocate, As an Individual): Good morning, and thank you.

As the daughter of a man who was murdered, my life has been brutally divided into two distinct parts, before my dad was killed and after. My father's murder didn't just take his life, it took pieces of mine, too. It stole my sense of security and safety, and I can say the very same thing about the day the parole process began to unfold. Once again, my life was divided into a before and after. My father was murdered once, but I have been forced to live the devastation of his murder over and over again.

Since the parole process began unfolding for the man who murdered my dad, I have learned three painful truths that have forever changed the way I see the justice system in this country.

First, I have learned that the words, "sentenced to life in prison" does not mean what a victim's family or the Canadian public believes they mean. They are words handed down by a judge in a courtroom and echoed in newspaper headlines and media reports. These are words that grieving families here hold on to and believe, words that offer the public a sense of safety and reassurance, reinforcing the belief that those who have committed the most heinous crimes are securely behind prison walls, no longer able to threaten the communities they have already devastated.

Second, I have learned that the security of the institution does not necessarily reflect the severity of the crime. I have learned that someone convicted of taking another person's life can be transferred to an institution with progressively lower levels of security, that restrictions can be reduced, freedoms can increase and conditions can change, even though the seriousness of their crime has never changed. My father is still gone. The circumstances of his murder have not changed, yet the circumstances of the person responsible for his death can continue to improve.

Last, I have learned why I and so many other people whose lives have been devastated by crime feel such overwhelming frustration, anger, helplessness and exhaustion while navigating the Parole Board of Canada and Correctional Service Canada. It is because the system was not designed for us; it was designed for the offender, yet we are expected to navigate an incredibly complex system, learn its rules, and understand its language.

Speaking of language, if there is anyone in this room who can help me challenge and ultimately change the misleading words used within our justice system, in particular the words, "sentenced to life in prison and no parole for 25 years", I sincerely ask that you connect with me. Words matter. Victims, families and the public alike deserve honesty, clarity and transparency from the beginning, not painful discoveries, years later, when the police are forced to issue public safety warnings urging citizens to remain vigilant because yet another dangerous offender has been released into their community.

Think about the disturbing contradiction in that. We have a system that tells grieving families and their loved ones that their killer has been sentenced to life in prison, yet years later we have the police warning the public to protect themselves because a dangerous offender is amongst them. How can we expect the public to have confidence in a system when the language used to describe a life sentence creates one expectation of life imprisonment, while the reality is something entirely different? If the public needs to be warned about the potential danger posed by someone being released into their community, then surely the public deserves to understand from the very beginning what that person's sentence actually means.

That brings me to one final question, one that every Canadian deserves to have answered. How have we reached the point in this country that someone who deliberately takes another person's life can be permitted to leave prison without an escort and spend up to 72 hours in the very communities we are supposed to be protecting?

At what point did providing opportunities for offenders begin to take precedence over the peace of mind for victims' families and the safety of the Canadian public? When Correctional Service Canada makes a decision to let convicted murderers and child killers enter the community without an escort, that decision does not exist in isolation. Its consequences extend beyond the offender, beyond the institution and beyond the correctional system itself. They reach into our neighbourhoods and our communities and, if something goes wrong, it's not simply the correctional system that bears the consequences; it's the innocent Canadians who pay the price, just as my father did all those years ago when his killer was approved for parole and their paths crossed.

Thank you.

● (1110)

[*Translation*]

The Chair: Thank you, Ms. Freeman.

Ms. Mac Donald, you have the floor for five minutes.

Karine Mac Donald (Executive Director, Plaidoyer Victimes): Mr. Chair and committee members, my name is Karine Mac Donald. I'm the director of Plaidoyer Victimes. Our organization advocates collectively for and promotes the rights and interests of victims of criminal offences and their family members across Quebec. Thank you for giving us the opportunity to contribute to this study.

The decision to release an individual must take into account a number of factors, including public safety and the individual's reintegration into society. However, it must also fully take into account the rights of victims.

Today, we would like to draw your attention to four issues surrounding the effectiveness of the rights set out in the Canadian Victims Bill of Rights, or CVBR. These rights include the right to information, the right to participate in hearings, to right to protection for victims and the right to make complaints.

First, I'll talk about the right to information. Since the adoption of Bill S-12, the court must determine whether a victim wishes to receive information—

The Chair: Ms. Mac Donald, sorry to cut in. You may be speaking a bit too quickly for the interpreters. You have a great deal to say.

Karine Mac Donald: Okay. I'll slow down a little bit. However, I want to read my text in five minutes, so I'm hurrying.

Since the adoption of Bill S-12, the court must check whether a victim wishes to receive information on the enforcement of the sentence. However, this contact information can't be passed on to the Correctional Service of Canada, or CSC, until January 7, 2027—three years later—so that the CSC can take the initiative to contact the victim. We welcome this progress, but a number of questions remain. For example, how soon will victims be contacted? How can we ensure that they will actually be reached and supported throughout the process? Do the CSC and Parole Board of Canada, or PBC, have the necessary resources to handle the anticipated increase in the number of registered individuals? On a broader level, how can we ensure that this reform will actually improve the access to information? What happens when the victim can't be reached before the release of the offender? What steps are taken and what measures are in place to ensure the victim’s safety? Access to information isn't just about receiving a notice, either. The information must also be clear and understandable. Do victims know that they can ask for the reasons behind a release application? Can they obtain explanations regarding the conditions imposed to ensure their safety?

Second, I'll talk about the right to participate in hearings. Simply allowing victims to make a statement isn't enough. They must also be given the means to truly participate in the hearings. Some victims report significant restrictions on their ability to speak. They don't always understand how their comments are used. The access to hearings also poses a challenge, particularly for people who live in remote communities—including certain indigenous communities—or who want to attend the hearings in person. Let's look at a concrete example. The Office of the Federal Ombudsperson for Victims of Crime reports that some victims were informed of a hearing only 9 to 16 days in advance. That isn't much time to make arrangements. This time frame is too short to obtain a financial advance in order to pay for a plane ticket, for example, since the request must be submitted at least 30 days before the hearing. On top of that, there are last-minute postponements and cancellations. Victims must then reschedule their travel plans and adjust their work and family commitments, all while sometimes preparing to relive emotionally challenging experiences. We would like to invite the committee to consider ways to improve the predictability of hearings, the support provided to victims and the access to financial assistance. This issue is all the more important because, even though Bill C-235 seeks to extend certain parole ineligibility periods, it fails to address the matter of repeated hearings. Once a person becomes eligible, parole applications may be reviewed every two to five years, sometimes for many years. For victims and their families, this means having to regularly relive the uncertainty surrounding a potential release, prepare for new hearings and sometimes speak again about the consequences of the offence.

Third, I'll talk about the right to protection. The decision to grant release must genuinely take into account the safety concerns of victims. This specifically includes geographic restrictions and no-contact orders. Victims should also be able to understand the reasons for imposing or denying the conditions that they requested, and how compliance with those conditions will be ensured. Confidentiality is another important issue. To advocate for their protection needs, some victims must disclose highly personal information. We support the ombudsperson's recommendation to allow, under certain circumstances, a partial summary transcript of their statements.

Fourth, I'll talk about the complaint mechanism. Recognizing rights in the legislation is one thing. However, victims must also have concrete ways to ensure respect for those rights. In 2024-25, the CSC received only 17 complaints from victims under the CVBR. This number raises questions. For example, are victims aware of the complaint mechanisms? Are these mechanisms accessible enough? Do victims trust these mechanisms and their ability to resolve a situation? We also believe that the independence and powers of these recourse mechanisms should be reinforced.

Lastly, I would say that this isn't about pitting the rights of victims against the rights of offenders. It's about ensuring that victims' rights can actually be upheld at every stage of the correctional and release process. It's also about ensuring respect for the rights of offenders upon their release. We would like to ask the committee to recommend concrete measures to ensure that the rights of victims are effectively upheld. This plays a key role in strengthening their trust in the justice system.

Thank you.

● (1115)

The Chair: Thank you, Ms. Mac Donald.

We'll now move on to questions from the members.

Ms. Kirkland, you have the floor for six minutes.

[*English*]

Rhonda Kirkland (Oshawa, CPC): Thank you, Chair.

Lisa, thank you for being in our committee again. I appreciate the time that you are giving to this. Your continued advocacy on behalf of victims of violent crime is an inspiration. You didn't ask for this, and yet you've continued to advocate for other victims, as well as yourself. I know personally you've had many instances where you've helped other victims with their impact statements and other things, so I just want to thank you for that.

I know it's an issue deeply personal to our community, and you're from Oshawa, so your experience is a powerful reminder that these decisions affect real families right here at home.

Lisa, the other witness today mentioned a couple of things that brought to mind instances in your story, so I just wanted to ask you about them. You said at the end of your statement that the killer was approved for parole before he crossed paths with your father. I just wanted to clarify that.

Lisa Freeman: Yes, you're correct. My dad's killer was on parole for several years before he crossed paths with my dad. I don't know what crime he was on parole for. I don't know what crime he had committed because that was never disclosed to me. It was actually quite late during the parole process that I was even told that he was on parole previously, because it did not come up in the trial. That was a surprise to me and my family.

Rhonda Kirkland: Thank you, Lisa.

Ms. Mac Donald also mentioned roadblocks to attending hearings, and I believe you also encountered some of those.

Lisa Freeman: Yes, for sure, there was short notice for the hearing times and dates. As Ms. Mac Donald said, you do need to give 30 days' notice, and sometimes people cannot get the funds together to pay for accommodation and travel, so that essentially cuts them out of it. There are so many roadblocks.

As you know, I've spoken before about decisions being made without hearings even happening, so that's a massive roadblock that I've faced many times. Then there's the pressure I feel within myself to practically beg for a hearing so I can attend and represent not only myself, but my family as well.

Rhonda Kirkland: Was there an instance where you thought you might not be able to attend a hearing in person?

Lisa Freeman: I've always made an effort to attend as often as I could, and I haven't missed one. However lately, certainly in the last few years as parole unfolded, the most difficulty I've had was actually securing a hearing itself, instead of paper and in-office decisions happening, which gave everything to the offender. Of course, he's going to be there with his support team, and there's nothing for me and my family to attend.

To answer that question, what was the biggest challenge, there were three different incidents of me having to ask and beg for a hearing. When I say beg, I truly mean I had to beg for a hearing, instead of these monumental decisions of day parole and full parole being decided in the office without me being able to contribute in person my victim impact statement.

Rhonda Kirkland: Thank you for sharing that, Ms. Freeman.

You did mention in your statement other offenders receiving unescorted temporary absences. I would be remiss if I didn't mention what we've been seeing in Oshawa. What message do you believe it sends to families in Oshawa, particularly for those who have experienced tragedies like yours, when offenders like Darren Scott Ray, for instance, a convicted murderer, was granted unescorted temporary absences in a community where some of the classmates of the boy he murdered live? Recently, there was the case of Keith Constantin, a convicted a high-risk offender, whose release prompted public safety warnings from the police.

What message does it send to families in Oshawa, do you think?

● (1120)

Lisa Freeman: I think the message is very clear, that somehow, at some point in time, the opportunities for the offenders supersede the safety of the families. That's maybe not physical safety, because you don't know if you're going to cross paths with this person, but just that security that the family would feel that this person is put away for life in prison, wouldn't be out, and certainly wouldn't be out on an unescorted pass, a day pass or a 72-hour pass. It just is inconceivable that that would happen, yet we know it does happen. I think it happens more than the public and the families know. I know it happens more often than the public is aware of.

Rhonda Kirkland: Thank you.

You said in your statement that the system was not designed for victims; it was designed for offenders. We have seen that continuously to be true. You've spoken with me previously about the list of things offenders get. You're not suggesting that offenders be stripped of any rights, are you? You're simply saying that victims need to be considered. Is that right?

Lisa Freeman: I would never say that offenders should be stripped of their rights. I think it should be that victims of crime should have even rights. They should have even access to programs that offenders have. For people who have done nothing wrong, it's so uneven it's almost laughable.

As I said in my statement, somewhere along the line, the rights and opportunities for offenders have superseded the rights of the victims of crime. That is wrong. I don't know why it's been allowed to go this far in regard to victims having no rights.

The Chair: Thank you, Madam Freeman.

Madam Sodhi, you have six minutes, please.

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

Thank you to our witnesses for being here today.

Ms. Freeman, it is nice to see you again. We spoke at the end of committee last time, but I would like to reiterate how sorry I am for everything you have been through and for the loss of your dad.

In your previous testimony before this committee, you spoke about the burden that has been placed on victims and their families to repeatedly register, request information and follow up with federal institutions to understand decisions that affect the offender who harmed them. You also emphasized that timely information can provide victims with a greater sense of both security and control.

In your opinion, what practical changes could the federal government make to ensure that victims can easily receive timely and consistent information about important developments?

Lisa Freeman: Thank you for your comments and your question.

I do know that regional communication officers try their best to get the information out to people. Where I work, in my role, it's the same kind of thing, but I always follow up with people to make sure they have the information, or if they have any questions I can help with, or if they have any suggestions that could make things easier. That's how I would do something like this.

I'm sure it's a very daunting job to reach out to whatever you have in your file for people that you have to reach out to, but I would make it a priority. I think that's what's lost here. Victims of crime don't feel that they are a priority. When I say that this is why it's such a frustrating process, it's because we are fully aware of that. It occurred to me during COVID—that's why it was such a frustrating time—that it's the offenders the system was designed for, not victims of crime. That really needs to be addressed. It really needs to be re-addressed, looked at and changed.

Amandeep Sodhi: You've also spoken about the importance of victims having a meaningful opportunity to participate in parole hearings. You just mentioned that often victims don't feel like a priority as well. From your perspective, what would a more meaningful and accessible participation process look like? What changes do you believe would make the greatest difference for victims and their families?

Lisa Freeman: I think the change that would make the greatest impact would be meaningful participation. I've had it said to me multiple times, “If you can't attend, or if we don't have a hearing for you, we'll have your statement in the file.” Well, that means nothing to me. A statement is just words on paper until I'm there to present it. Multiple people I've spoken to feel the same way. I think a greater effort into getting people to hearings should happen.

I think the timeline should work better for people. As Ms. Mac Donald said, people who might live remotely need more time than the 30 days' notice. That's something that people aren't just saying; that's exactly what they're experiencing. It should be taken into consideration, even if it's on a case-by-case basis.

If you know I live in a remote area and you know I have challenges getting to where I need to be because of other obligations, etc., then that should be on the victim's file. That should be considered first and foremost. Getting people to hearings—that's where their power is and that's where their control is—should be first and foremost in the mind of whoever puts all these calendars together.

● (1125)

Amandeep Sodhi: I'm going to move on to Ms. Mac Donald.

Your organization has spent more than four decades advocating for the collective rights and interests of victims of criminal offences. Looking at the federal conditional release system, where do you see the most significant gaps in the implementation of victims' rights, and what practical changes would you recommend to the committee to address them?

[*Translation*]

Karine Mac Donald: A great many potential changes could be made. We spoke earlier about access to information. Bill S-12 will indeed allow for a proactive approach. We're really happy to see this. However, it's a shame that it took three years to implement. Again, this applies only if the victim was informed of the victim impact statement and was able to check the box stating that they wished to receive the information.

The participation of victims in hearings, through the victim impact statement, is important. People feel that victims are limited in what they can say given the information redacted from victim impact statements. A victim's participation is limited solely to this statement. The victim may not speak at any other point during the hearing, even if false statements are made, for example. There may also be information that could affect the victim's safety in the future. There are certain issues of this nature regarding the rights of victims that remain unaddressed. I could list a wide range of rights.

We also have the right to protection when we talk about the conditions provided to victims. I don't know whether you saw the media coverage in Quebec about the case of a defendant who had been unlawfully at large for two months after escaping from a halfway house. The Correctional Service of Canada didn't inform the victim that the defendant was unlawfully at large. It was a serious case of domestic violence. The defendant had been sentenced to 54 months in prison. The Correctional Service told the media that it was the police's job to inform the victim. However, when we look at the legislation, the Correctional Service is actually responsible for informing the victim. It's concerning to hear that a victim might have crossed paths with their abuser on the street without having been aware of that person's release. The goal is to ensure that victims are aware of the conditions, the means of enforcing them and the conditions that haven't been met as well.

The Chair: Thank you, Ms. Sodhi.

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

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

I would like to thank the two witnesses for taking the time this morning for our study. Their presence is extremely important.

Ms. Mac Donald, I briefly reviewed the ombudsperson's report on the 10th anniversary of the Canadian Victims Bill of Rights. I also learned, through the work of our analysts, about the amendments made to the bill of rights under Bill C-16. This bill has come into force and it amends the Canadian Victims Bill of Rights.

Based on everything that we read, it seems that statements are made, but that none of them grant victims any power. The ombudsman calls these “enforceable rights”. This means that we have rights, victims have rights, and this is recognized. However, when it comes to putting this into practice, much work remains to be done.

You gave some examples of this in your testimony. If you wanted to turn them into priority recommendations, meaning if you were a minister and you thought that two or three things should be changed immediately for the victims, what would you recommend? The ombudsperson gave us a series of recommendations. Some changes have been made. However, you also have recommendations because you work with the victims. Your role is to advocate for them and to keep them well informed. If you were the minister of justice and you had to change something, what would you recommend?

● (1130)

Karine Mac Donald: I would have a number of recommendations.

However, I can say that the major shortcoming of the bill of rights indeed lies in the fact that the rights aren't enforced. If a right isn't respected, a person can't assert that right. They can file a complaint with the ombudsperson, but the ombudsperson can't intervene individually or directly in that situation. The ombudsperson will simply take the information and may try to change things at a later date. If we could make these rights enforceable, that would be the key for me.

Claude DeBellefeuille: Is that what the ombudsperson means by saying that the rights become enforceable, meaning the rights have legal force and that victims can take action to advocate for themselves if their rights haven't been respected?

Is that what you meant as well?

Karine Mac Donald: Exactly. It's like the Canadian Charter of Rights and Freedoms. According to this charter, a person whose rights aren't respected can use real remedies to assert them.

The Canadian Victims Bill of Rights has no legal standing with regard to the judicial process and correctional services. A person can't say that their right to protection wasn't upheld or their right to participation wasn't upheld. They're told that, unfortunately, they didn't know the hearing date in advance and that this is regrettable. They have no recourse other than to simply state that their right under the bill of rights wasn't respected.

Claude DeBellefeuille: The Canadian Victims Bill of Rights celebrated its 10th anniversary not too long ago. The ombudsperson analyzed it, assessed it and, apparently, came to the same conclusions as you did. It's time to act and to make victims' rights enforceable. You're also an activist. That would be your first decision if you were minister of justice. You would say that you have experienced the bill of rights and seen its strengths and weaknesses, and that it should be transformed into enforceable rights.

Do you agree?

Karine Mac Donald: Yes.

Claude DeBellefeuille: There have been changes following the adoption of Bill C-16. It amended the Canadian Victims Bill of Rights, which was updated last July. This is fairly recent. There have been changes. Are you familiar with the changes that Bill C-16 made to the Canadian Victims Bill of Rights?

Karine Mac Donald: Yes. I'm not an expert on Bill C-16, but I've read it.

Claude DeBellefeuille: What do you think of the changes made?

In any case, I personally think that they provide clarification. However, I would say that they still aren't specific enough to give victims more power.

Do you have any comments on what has been added?

Do we still see wording such as “at victim's request”? Is the concept that the victim must take steps to assert their rights still there?

Karine Mac Donald: We actually submitted a brief on Bill C-16 in which we pointed out that there were still far too many instances when the victim had to make the request.

I repeat, we were thrilled with the proactive approach taken in Bill S-12, but the victim still has to indicate that they wish to be contacted. Whenever a federal sentence is imposed, we would like the victim's contact information to go to those administering the system, meaning correctional services. We think contact with the victim should be proactive; in other words, they should be informed of all their rights and the information available to them. As far as I'm concerned, that's basic. Contact shouldn't wait until the victim ticks a box, which sometimes gets—

Claude DeBellefeuille: More of the onus is on the victim than on the system, which is supposed to put them at the centre of the process.

Thank you for your answers, Ms. Mac Donald. I think you'd make a good justice minister.

● (1135)

Karine Mac Donald: Thank you.

The Chair: She's probably too busy to take that on as well, Mrs. DeBellefeuille, but obviously it's a lovely invitation.

Mr. Lloyd, you may go ahead for five minutes.

[*English*]

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

Thank you to the witnesses for being here today.

Since we're studying parole, I will bring up that I've put forward a private member's bill, Bill C-236, McCann's law. If you're not aware of the case surrounding that, it's this: An elderly couple from my riding was murdered and their killer concealed their bodies. A court found, beyond a reasonable doubt, that he knows where their remains are. He's up for parole. In the last committee meeting we had on this, we heard from the Parole Board that, sometimes, they implicitly include whether the offender has provided that information or refused to provide that information.

My question for you, as victims advocates, is this: Do you think it's important that the Parole Board of Canada explicitly consider whether offenders have told families where the remains of victims are?

Lisa Freeman: I do. Anything that can give comfort and bring some sort of peace to a victim's family should definitely be considered.

Dane Lloyd: Madam Mac Donald, go ahead.

[*Translation*]

Karine Mac Donald: I agree, except that it's a bit late, in my view, to disclose the information in order to subsequently influence the parole decision. It would be helpful at the time of sentencing, when the judge could be a bit more lenient, but I think it's a bit too late when the person is up for parole.

[*English*]

Dane Lloyd: This is whether the Parole Board is deciding whether to release somebody on parole. I would hope that if they refuse to provide that information, it would be considered as a factor in deciding to not release that person.

Ms. Freeman, I had some really good feedback from the victims' ombudsman. He suggested that we add something to the Criminal Code to make it so that when the Parole Board does explicitly consider the refusal to reveal the location of remains, it states that in writing to the victims' families, and it also explains how that may have influenced or not influenced the decision.

Do you think it's important that victims are provided with that information by the Parole Board? This could go on a number of different cases, not just this one. Do you think that making it so they have to explicitly provide that reasoning would be helpful for victims and their families?

Lisa Freeman: I do think that for some families it would be beneficial. We have to weigh that some information might be upsetting to victims and their families. Personally, I would like to know something like that. Again, it depends on how much information a family would want. Like I said, for me, I would take any information.

From the victims of crimes I have worked with, I've not had one person ever say, “That's too much information for me.” Everybody is on the page of wondering what's happening, wanting more information, not having heard from anybody and things like this. Generally I would say, yes, that would be a good step forward.

Dane Lloyd: I certainly think the information would probably not be graphic, but it would just be about how the Parole Board makes its considerations. I certainly understand how that could impact victims' families.

Lisa Freeman: Yes.

Dane Lloyd: The bill also talks about unescorted temporary absences. My colleague, Ms. Kirkland, brought that up.

Should Correctional Service Canada have to consider whether an offender has refused to provide the location of his victim's remains in decisions related to granting unescorted temporary absences?

Lisa Freeman: Yes, 100%. It shouldn't be a check mark, where offenders get everything they ask for without giving basic consideration to families and what their needs are. It's the same with corrections. This should be part of it. Again, it's about basic consideration of what families are asking for. In doing so, families would feel that they would have a greater role in decision-making. If they're saying that they would like this information but it's not being provided, then there should be somebody stepping in to say that the unescorted temporary absences are not approved.

This is maybe where you can see that things are levelling up between the rights of victims of crime and offenders.

● (1140)

[*Translation*]

The Chair: Thank you.

Mr. Ramsay, it's your turn. You have five minutes.

Jacques Ramsay (La Prairie—Atateken, Lib.): Ms. Mac Donald, I quite appreciated something you said at the end of your opening statement: This isn't about victims' rights versus offenders' rights. At the end of the day, that should be the premise of our work here.

That said—and the minister has recognized this in the House—the Corrections and Conditional Release Act, which is courtesy of our Conservative friends, needs fixing. Improvements are needed. Nevertheless, it's always important to keep in mind Canada's principle of criminal rehabilitation. It needs to be said that parole supports the safe reintegration of offenders into the community. I would remind committee members that the recidivism rate for those granted day parole or conditional release is just 1% to 3%. Perhaps you'll agree with me, then, that the Parole Board of Canada is doing a good job at the end of the day.

Ms. Freeman talked about meaningful participation, and Mrs. DeBellefeuille, who tends to ask the same questions I have, brought up Bill C-16. I'd like to hear what you think. When it comes to meaningful participation, which should always be fostered, is it the law that needs changing, or does the way the Parole Board of Canada administers the process need to change? I would remind you that, further to Bill C-16, the following information is now available: parole eligibility and review dates, release notices, transfer notices, the reasons for and conditions attached to the Parole Board's determination, and audio recordings of hearings on request.

Is it solely about taking a proactive approach—because some victims may not want the information, so their wishes need to be respected—or should the Parole Board of Canada be more, for lack of a better word, straightforward in its approach?

Thank you.

Karine Mac Donald: Who is the question for?

Jacques Ramsay: It's for you.

Karine Mac Donald: All right.

You brought up a number of things, but I'll start with the proactive piece. We focus a lot on victim empowerment. We believe in the importance of putting power back in the hands of victims, so they can take back control of their own circumstances. I'm a criminologist and I've spent a long time working with victims, and the preferred approach is to at least share a basic level of information so that the person has the option and can make an informed decision. In my view, a victim does want to know what their rights are. Being proactive doesn't mean making it mandatory to share all the information with the victim. It means making sure that the person at least knows that they have access to the information. That's precisely what Correctional Service Canada's questionnaire does. It ascertains whether the person wants to be informed in relation to every request, every hearing and so forth, so the person really gets to decide what they want to know and what they don't.

I'm not sure whether that answers your question.

Jacques Ramsay: Bill C-16 received royal assent in June. What additional things or complementary measures do you think it needs?

Karine Mac Donald: A lot of things could be added to Bill C-16. I don't remember who, but someone asked me earlier about putting power back in victims' hands. I think that has to include the whole proactive piece. New sections 8.1 and 8.2 of the Canadian Victims Bill of Rights, which were added through Bill C-16, stipulate that the Correctional Service of Canada and the Parole Board of Canada are federal entities that have an obligation to provide information to victims regarding their rights. Those sections lay out that requirement.

● (1145)

[*English*]

Jacques Ramsay: Mrs. Freeman, you mentioned “meaningful participation” as the greatest obstacle that you feel is in front of the commission right now. Do you feel that this meaningful participation is limited by the way the commission functions or is it a matter for more legislation?

Lisa Freeman: Can you repeat the question for me, please?

Jacques Ramsay: You mentioned meaningful participation as the greatest obstacle for victims, right now, when they go in front of the commission. Do you feel that this is really a matter of how the commission functions, an administrative way that the commission functions, or do you feel that it's really for a lack of specific legislation?

Lisa Freeman: I would say it's both. As Ms. Mac Donald and others have said, on the Victims Bill of Rights, it was identified years ago that...our terminology is that it has no teeth to it. They are words on paper. There's no consequence when things are not adhered to as they're set out on paper. I really do think that needs to have a consequence to it, more than merely words on paper.

Regarding administration, yes, I do believe that there could be a better job done, informing victims of crime what they're entitled to. There are so many things through the years that I had no idea about, and I just kind of—

The Chair: Madame Freeman, I'm very sorry to do this because I dislike interrupting you, but we need to turn to Madame DeBellefeuille.

[*Translation*]

It's now over to Mrs. DeBellefeuille for two and a half minutes.

Claude DeBellefeuille: Thank you, Mr. Chair.

Ms. Mac Donald, in some cases, the offender serves their full sentence, 25 or 30 years. If, upon being released, they commit another crime and are incarcerated in a provincial correctional facility, the victim won't be notified that the offender was released and is now serving time in a provincial facility. The victim is cut out of the loop.

I actually have a witness coming who can explain the situation clearly. A sexual offender who serves their full federal sentence without parole may, after getting out, commit a criminal offence that carries a sentence of less than two years, such as indecent assault. That individual would be sent to a provincial correctional facility.

What victims tell me is that the communication with victims breaks down at that point. Apparently, the federal government doesn't have the authority to keep the victim informed and communicate, for instance, which correctional facility in Quebec her attacker is in, even though he has been incarcerated again after serving his federal sentence. That could easily happen in the case of a sexual predator whose behaviours are ingrained.

Do you think the communication process needs to be improved to ensure that victims receive information regarding their attacker, even when that individual has served their sentence and is subsequently incarcerated in a provincial facility?

Karine Mac Donald: You raise a good point, Mrs. DeBellefeuille.

Yes, I do think that may be a gap in the process, because both provincial and federal jurisdiction come into play. The two systems don't communicate, from what we see on the ground. Could the responsibility for informing victims be given to regional police, since they have access to the information? That would, of course, depend on whether it was the same province as where the offender committed the crime for which they were convicted at the federal level.

It's important for the victim to know, for their own safety. Conversely, if the offender receives another federal sentence, the victim in the first case can again register as a victim with the federal system, in order to be kept informed. That, in itself, is a good thing, but she still has to find out. Unfortunately, victims tend to find out through the media. That's when they learn that their attacker did something, so they register again. That doesn't exist at the provincial level right now. I don't know what it should look like, but certainly, it is something that's needed.

● (1150)

[*English*]

The Chair: Thank you.

MP Lloyd, go ahead for five minutes, please.

Dane Lloyd: No.

The Chair: Okay. Go ahead, Mr. Caputo.

Frank Caputo (Kamloops—Thompson—Nicola, CPC): I'll go, then. Thank you, Mr. Chair, for the time.

I'd like to thank the witnesses for attending. I know you've both been through so much and have walked with others who have been through a great deal. I want to acknowledge that.

My colleague MP Kirkland brought up the situation with Darren Ray in Oshawa. I visited the jail where he's held. It's a minimum-security jail. For those who aren't aware, in order to get to minimum security, you need to be rated low on three factors: public safety risk, as in whether you hurt somebody—and if you did, how badly; institutional adjustment, as in whether or not you are behaving in jail; and likelihood of escape, or escape risk.

Let's say a court has said that an offender is so dangerous that it believes they should be incarcerated for the rest of their life. However, the Correctional Service of Canada can still designate that person as a low public safety risk. I don't get how that's possible. I don't get why somebody like Darren Ray is in townhouse-style living. I don't get why he is able to fish in the Rideau River in the summertime. That is a complete slap in the face for every victim in the country.

I open that up for comments. Thank you.

[*Translation*]

The Chair: Thank you, Mr. Caputo.

[*English*]

Do you have any reaction, Madame Freeman or Madame Mac Donald?

Otherwise, we'll turn it back to you, MP Caputo.

Frank Caputo: I didn't mean to give you a soliloquy. I apologize that it turned out that way.

One of the issues recently brought to my attention about parole is this: When victims go to a parole hearing, they don't necessarily know whether the Correctional Service of Canada is supporting an offender's application. In other words, when they walk into the room, they don't know whether or not the parole officer is supportive of, let's say, that person's application to get out on escorted temporary absences.

Is this something you're aware of, and do you believe it should be changed?

That's for either of you.

Lisa Freeman: In the parole hearings I've attended, there has not been one parole officer who was not supportive of the next steps.

Frank Caputo: Were you aware of that in advance, or did you have to learn that on the spot?

Lisa Freeman: I learned it on the spot.

Frank Caputo: I imagine that it's not very much fun to walk into a room and hear, "By the way, you're here for a parole hearing, which is stressful enough, but we didn't have the courtesy to call you 15 days in advance to tell you that we are supportive of this person, who victimized you and your family in the most extreme way, getting out."

I believe parole recommendations need to be made 30 days in advance. The offender has the right to know what the parole officer is going to say at the parole hearing. Why does the victim not have a right to know? That's disgraceful.

● (1155)

Lisa Freeman: I agree 100%. You're walking into these parole hearings blind.

I found out only by attending parole hearings through the years that my dad's murderer was on parole for another crime when he killed my father. I had no idea until I was at a parole hearing. It was the fourth or fifth one in. That only came about through the decision registry I requested and received.

Frank Caputo: Was he in minimum security when he was released?

Lisa Freeman: Yes.

Frank Caputo: For those who don't know, minimum security in Canada has no fences. It's usually townhouse-style living. Frankly, a lot of the time, it looks like a university residence. If anybody wants to challenge that.... The government allows reporters into minimum-security institutions, so we can see that.

Somebody who killed someone while on parole is deemed to be a low public safety risk—low enough that they don't require any fences. Again, somebody please explain this to me, because it doesn't make sense.

Lisa Freeman: One of the biggest shocks I had was when I did an impact statement at William Head Institution in Victoria, British Columbia. It is like a country club.

My mind will never be able to understand how somebody who axed a man to death ended up living better than most Canadians live in this day and age.

Frank Caputo: It has beautiful views of the Victoria harbour.

The Chair: I'm sorry to interrupt again.

We will move to MP Powlowski for five minutes, please.

Marcus Powlowski (Thunder Bay—Rainy River, Lib.): I want to follow up on Mr. Caputo's line of questioning to you, Ms. Freeman.

The person who killed your dad was out on parole when it happened. He has since gotten some sort of parole. Has the law already changed or is it coming into effect that requires the Parole Board to give reasons to the family when making a decision? Is that now the case or is that going to be the case?

Lisa Freeman: My father's killer was paroled last year. It was six months between day parole and full parole. We weren't given anything, but we could gather that it was a checklist, and he had three things to fulfill. Apparently he did, and that's why he was fully paroled.

Marcus Powlowski: We've been dealing with this. Maybe you don't know the answer, perhaps Ms. Mac Donald knows the answer, but I thought that there was going to be a change and the family was going to have to be given reasons at some point, or am I wrong about that?

[*Translation*]

Karine Mac Donald: Yes, the family does receive, or can receive, the reasons, but they have to make a request. They aren't systematically provided to the family. It's only if the hearing is for parole. For example, if the hearing is for a temporary absence, escorted or not, the reasons are not available to the family.

[*English*]

Marcus Powlowski: Ms. Freeman, were you never told? Did nobody in this process mention why the fact that he'd killed someone previously on parole wasn't taken into account?

Lisa Freeman: I am the only person from my family who has ever attended parole hearings. I was not told. I found out from the decision registry that I received after a hearing. I had no idea.

Marcus Powlowski: Ms. Freeman, you said that, when you attended the parole hearings, not one parole officer was not supportive of the next steps.

By that, do you mean that all the people at the parole hearing seemed to be in favour of his getting parole?

Lisa Freeman: For each parole hearing, he had a parole officer who would speak on his behalf and add why they thought it was a good idea that he take the next steps. For the multiple parole hearings I've been at, every single one of them supported the next steps.

Marcus Powlowski: How many hearings were there?

Lisa Freeman: Since 2014, I've probably been at maybe nine or 10.

Marcus Powlowski: Ms. Mac Donald, you talked about the difficulty of people from remote communities getting to Parole Board hearings. I was curious about this. I looked for Fort Severn. I'm in Thunder Bay. A lot of people from those communities fly in and out of Thunder Bay.

To fly from Fort Severn to Thunder Bay costs $3,500. To fly from Thunder Bay to Ottawa costs $750. The grand total is $4,250, whereas to fly from Ottawa to Paris and back is $900 and to Hong Kong and back is $2,300.

If you want to go to a Parole Board hearing because somebody from your community stands to go back to Fort Severn, who pays for that?

● (1200)

[*Translation*]

Karine Mac Donald: Correctional Service Canada has a fund to reimburse victims for costs associated with attending the hearing. The issue I raised is that, in many cases, victims are informed, on average, just nine to 16 days ahead of the hearing, but in order to receive payment for costs in advance, they have to apply at least 30 days before the hearing. By the time victims find out, the deadline has already passed. The person has to pay the nearly $4,000 plane ticket out of pocket and apply to Correctional Service Canada for reimbursement afterwards. As you can appreciate, that's a ridiculous process. To receive the money in advance, the person has to apply at least 30 days before the hearing that they're notified of just nine to 16 days ahead of time. It makes no sense.

[*English*]

Marcus Powlowski: Is that specific to Quebec or is it in all provinces that you have to get your ticket 30 days beforehand? Otherwise, you pay yourself.

[*Translation*]

Karine Mac Donald: That's for all the provinces.

[*English*]

Marcus Powlowski: Thank you.

The Chair: Unfortunately, we are out of time.

[*Translation*]

Thank you, Mr. Powlowski.

I want to sincerely thank Ms. Mac Donald and Ms. Freeman.

[*English*]

Thank you very much for having freed up your time and having prepared so well for this meeting.

We wish you a happy day. Thank you again for your significant and much appreciated involvement and your contribution to the committee.

For members of the committee, we'll pause while we welcome other witnesses.

● (1200)

_____(Pause)_____

● (1205)

[*Translation*]

The Chair: We are resuming the meeting.

I will now introduce the witnesses we are fortunate to have with us for the second hour.

From the Office of the Federal Ombudsperson for Victims of Crime, we have the Federal Ombudsperson for Victims of Crime himself, Benjamin Roebuck, and from the Union of Safety and Justice Employees, we have Annie Blanchette, regional vice-president for Quebec; and Patrick Ménard, also regional vice-president for Quebec. They do have slightly different roles.

We will start with the witnesses' opening remarks. Each group will have five minutes.

Mr. Roebuck, you may go ahead.

[*English*]

Benjamin Roebuck (Federal Ombudsperson for Victims of Crime, Office of the Federal Ombudsperson for Victims of Crime): Thank you, honourable Chair and members of the committee.

Thank you to the previous witnesses—and to Lisa Freeman in particular—for sharing your experience with the committee.

We're on the traditional, unceded, unsurrendered territory of the Algonquin Anishinabe nation. I acknowledge first nations, Inuit and Métis peoples and recognize the continuing impacts of colonialism, racism and violence. Indigenous families have too often had to fight for justice institutions to recognize, protect and remember their loved ones.

[*Translation*]

Thank you for examining victims' experiences with conditional release. Decisions affect victims' safety, dignity, and participation and trust in the justice system.

[*English*]

Addressing victims' concerns about federal corrections and conditional release is central to our mandate.

Our office does not review individual release decisions. We address complaints about information, participation, protection and respect for victims' rights. We work to resolve those complaints, identify systemic barriers and recommend improvements.

We engage regularly with the Parole Board of Canada, and they respond constructively to our recommendations. The board shows commitment to continued improvement and recently invited me to train members across Canada on victims' rights and needs in the parole process.

At the same time, victims need a process that supports their safety, voice and dignity.

Victims and families describe the emotional labour of preparing statements and the disruption when hearings are postponed, cancelled or waived. They arrange travel, time off work, child care, and cultural or emotional support, often with little time to plan. Reimbursement for attending an in-person hearing can take months.

Victims also raised concerns about late or unclear notifications, about paper reviews conducted without a hearing, about whether hearings are held in person or virtually, and about release conditions intended to support their safety, including geographic restrictions. At the same time, careful consideration is needed to support effective reintegration. Geographic restrictions and safety conditions should protect victims when needed, while avoiding unnecessary barriers to the support networks people rely on when leaving prison.

At a hearing, victims may hear information they believe is incorrect, incomplete or misleading. They need a clear way to raise those concerns and communicate new safety concerns before a decision is made. When requested safety conditions are not imposed, victims need clear reasons explaining how their concerns were considered.

These are essential elements of procedural fairness: fair process, fair decisions and fair treatment.

Participation is more than being present. Victims need timely notice, a meaningful opportunity to be heard, clear reasons for decisions, and a process that respects their safety and dignity.

Parole and other release hearings can be traumatic, particularly when victims face repeated exposure to distressing information or must be close to the person responsible for the harm in a small hearing room. Yet, at the federal level, there is no clear pathway that is consistently available for connecting victims with counselling, mental health support or peer support before and after a hearing—which, I will say, is particularly important.

We recently notified responsible ministers, the board's chairperson and the CSC commissioner that the Office of the Federal Ombudsperson for Victims of Crime is launching a systemic investigation into victims' interactions with the Parole Board of Canada.

Building on our last investigation, "Rethinking Justice for Survivors of Sexual Violence", we will use trauma-informed and culturally sensitive methods, gathering evidence through surveys, interviews, written submissions and advisory circles, supported by an analysis of research, complaints, policies, practices and other available data.

I encourage this committee to consider improvements in three areas.

One, victims need earlier, clearer and more reliable information. This includes timely notice and explanations when hearings or reviews change, and clear information about decisions and conditions affecting their safety.

Two, victims need meaningful, accessible and culturally safe ways to participate, including accommodations, clear hearing-format options, and emotional, cultural and mental health supports.

Three, victims need stronger safety processes and meaningful recourse when their rights are not respected. They need a clear way to raise inaccurate or incomplete information relevant to their safety.

Victims should not have to choose between protecting their well-being and exercising their rights.

Thank you.

● (1210)

[*Translation*]

The Chair: Thank you, Mr. Roebuck.

We will now hear from Ms. Blanchette and Mr. Ménard. The floor is yours.

Annie Blanchette (Regional Vice-President, Quebec, RCMP–Justice–PPSC–CSC Community–PBC, Union of Safety and Justice Employees): Good afternoon, members of the committee.

My name is Annie Blanchette, and I am the regional vice-president for the Union of Safety and Justice Employees, representing members within the RCMP, the Department of Justice, the Public Prosecution Service of Canada, the Parole Board of Canada and the Correctional Service of Canada, on the community side, for the Quebec region. I am a parole officer at the Ville-Marie community parole office in Montreal, a position I continue to hold today.

I have been involved in the labour movement since 2017, working to represent the interests of my colleagues while contributing to the improvement of working conditions, ultimately to better serve the public. In the course of our duties, parole officers assess risk, develop recommendations and propose release conditions, in addition to supervising offenders who are on parole. However, the final decision to grant, deny or revoke parole rests with the Parole Board of Canada, which acts as an independent decision-maker. Our role is to provide the professional assessments and recommendations that inform these decisions.

Patrick Ménard (Regional Vice-President, Quebec, Correctional Service of Canada, Union of Safety and Justice Employees): Good afternoon, members of the committee.

My name is Patrick Ménard, and I have been working with the federal correctional population since 1998. I joined the Correctional Service of Canada as a parole officer on March 1, 1999. I have worked at the Regional Reception Centre, Cowansville Institution and Archambault Institution, engaging with incarcerated individuals across all security levels.

For my first four years, I worked primarily with inmates affiliated with criminal gangs and organized crime.

From 2004 to 2021—a period of 17 years—I worked at the Regional Mental Health Centre, a psychiatric penitentiary. In that role, I developed correctional and intervention plans, and provided recommendations regarding transfers, security levels and releases.

Throughout my career, I have participated in hundreds of decision-making processes at various stages of the correctional journey, from the initial admission of incarcerated individuals to their reintegration into the community.

Regarding my union involvement, I have served as the regional vice-president for the Quebec region of the Union of Safety and Justice Employees since November 2021.

● (1215)

[*English*]

The Union of Safety and Justice Employees is a federal public service component representing just under 20,000 federal public service employees working in public safety, law enforcement, federal corrections and related fields. Thousands of USJE members work for Correctional Service Canada and the Royal Canadian Mounted Police, with many others employed by the Parole Board of Canada, Public Safety, and other departments and agencies under the jurisdictions of the Public Safety and Justice ministries.

USJE's membership includes thousands of frontline, non-uniformed public safety personnel, who play a pivotal role in the administrative program delivery, case management, supervision and oversight functions within Correctional Service Canada.

[*Translation*]

Annie Blanchette: We are here today to talk about the working conditions of case management staff.

Workloads are constantly increasing, and administrative demands from management keep growing—all without any corresponding adjustments to workload or staffing levels. This situation has a direct impact on the mental health of parole officers, who are overburdened and struggling to perform their duties as required. This excessive workload compromises the quality of case supervision and jeopardizes the safety of both staff and the public. The more cases a parole officer is assigned, the less able they are to examine each situation in depth, increasing the risk that critical details will be overlooked.

The established ratios between parole officers and offenders are far from being met. In community correctional centres, the ratio is one officer to 13 offenders—a reality that has become unmanageable.

Furthermore, these centres house a significant number of dangerous offenders, which places even greater pressure on staff. These positions are often held by younger employees who quickly become burnt out early in their careers, all while budget cuts continue.

We bring many years of experience to the table and have witnessed a steady decline in resources over time. Referring individuals to mental health services has become extremely difficult, even as the need for such services continues to grow. Staff must contend with excessive workloads, a lack of new hires, and limited access to therapeutic and medical resources. These challenges pose significant obstacles to our ability to ensure the safety of the public, and of staff working within the correctional system. The reality of the correctional environment demands a clear understanding of these issues. Without adequate resources, sufficient staffing and appropriate support, it becomes increasingly difficult to effectively carry out our mandate of social reintegration while upholding the safety of the public and our staff.

Thank you.

The Chair: Thank you, Ms. Blanchette and Mr. Ménard.

Will now begin the question and answer portion, starting with Mr. Caputo for six minutes.

Frank Caputo: Thank you, Mr. Chair.

Thank you to the witnesses for being here.

Welcome to the committee.

[*English*]

I want to first point out to Monsieur Ménard and Madame Blanchette that I am a former USJE employee. I still remember my start date, November 5, 2001. I started just after you, Monsieur Ménard. You stuck with it. Congratulations. I left after three years, in part because of the pressures that Madame Blanchette just mentioned. I think, at one point, I had 25 to 30 offenders on my caseload, and that was a rural caseload. I was on the road about two days a week, so I certainly remember that.

Dr. Roebuck, I want to turn to you. Can I ask you, if you recall, how long was your position vacant?

● (1220)

Benjamin Roebuck: It was just over one year.

Frank Caputo: Just over one year, so let's be direct: When they want to fill a position, the government can fill it as quickly as they want. To me, it speaks to the government's lack of desire to put victims first that your position was open for approximately a year.

I could tell you that a Conservative government would not have allowed that. My friends in the Liberal Party may chuckle, but as my colleague just said, it's not really funny. We are here talking about this, and victims do come second.

I'm going to give you an example. I was recently at the parole hearing for Clinton Gayle. Clinton Gayle shot and killed Constable Baylis of the Toronto Police Service, in 1992, if memory serves, and attempted to kill his partner. He's serving a life sentence, also in minimum security.

Something was brought up during the parole hearing and it was incorrect. Lawyer Tim Danson, the lawyer for the family, attempted to let the Parole Board know this. To be colloquial, he was shut down. He was told, nope, we do not hear from you in the midst of the hearing.

They could hear an update from the offender and could hear an update from the parole officer, but could not hear an update from the victims. Based on what you said in your recommendations, is that just?

Benjamin Roebuck: I think there are times where an offender may misrepresent something—misrepresent where they'll be living or what kind of support they have—and victims don't have an avenue to provide feedback. That doesn't respect procedural fairness, from my viewpoint.

Frank Caputo: I would certainly agree with that.

The USJE employees can also weigh in on this. I believe it's 30 days in which an offender needs to have the decision—we used to call it an "assessment for decision" and I don't know if it's still called that—as in, they need to know as soon as possible in advance when a parole officer makes a recommendation.

As Dr. Roebuck mentioned, procedural fairness guarantees that they get a copy of that report. Is that still accurate?

Annie Blanchette: Yes, they do get a copy of the report.

Frank Caputo: Is it usually 30 days in advance of a parole hearing or something like that, or at least 30 days?

Annie Blanchette: There are different delays, but yes, it's stated by law how many days they should get. I'm not sure of all of the delays.

Frank Caputo: Okay. Is there any law that says when a victim should be notified of CSC's recommendation?

Annie Blanchette: The recommendation, I'm not sure of. There are short delays in which we have to notify the victims department for other instances regarding people on parole.

Frank Caputo: Exactly. If there's a suspension, for instance, on parole—it's a suspension when somebody's picked up on a warrant or they breach—somebody in the institution, if they're recommending parole, for instance, does not have to call up the victim and say, "I am recommending parole for this person." Or a letter doesn't have to be sent saying that the CSC's recommendation is day parole. Nothing like that happens, in which case the offender has the right to know the CSC's recommendation, but the victim doesn't have the right to know the CSC's recommendation.

Does that question make sense?

Patrick Ménard: I would say that this makes sense.

[*Translation*]

The parole officer stays in contact with the victim liaison officer, who informs the victim of the hearing date, the location where the individual is incarcerated and the probable release dates. The offender has to be informed within a very specific time frame because that is their right, but as far as I know, there's no such time frame for informing the victim.

[*English*]

Frank Caputo: I think you're bang on there, sir.

The point I'm trying to make is the asymmetry here.

What I mean by “asymmetry” is that the offender has one set of rights: to have what I would call “perfect knowledge”. They have a right to basically know everything. They get every report that's ever written about them, and they know everything going into the parole hearing.

What does the victim know? The victim knows the date of the hearing and the place of the hearing. If it's a paper hearing—Dr. Roebuck, you may know this—can a victim demand a hearing or is that completely up to the Parole Board and the offender?

● (1225)

Benjamin Roebuck: That would be outside of standard procedure.

Frank Caputo: In other words, the offender can demand a hearing, but the victim can't demand a hearing. Is that correct?

Benjamin Roebuck: They can raise concerns, but there's not a formal process.

Frank Caputo: Yet again, we have another asymmetry.

The Chair: I'm sorry, MP Caputo—

Frank Caputo: I was just getting going, Mr. Chair.

The Chair: Well done.

Let me pass the floor to MP Housefather for six minutes.

[*Translation*]

Anthony Housefather (Mount Royal, Lib.): Thank you, Mr. Chair.

Thank you to all the witnesses for being with us today.

I'd like to try to shed light on the administrative and funding changes that could be made, so we can figure out where legislative changes are needed. I think they're all different, and some changes are easier to make than others.

I'll start with Mr. Roebuck.

[*English*]

Dr. Roebuck, the Protecting Victims Act, which we just passed, made some changes with respect to the rights of victims. Could you talk to that?

So that I don't have to keep interrupting you with questions, the real question that I would like you to get into is this. I saw the three major areas that you suggested the committee make recommendations on. Which jurisdictions that you have studied in the world best include victims within the process? Within Canada and within the world, what would you recommend that we look at?

Benjamin Roebuck: There's a mix of legislative and policy changes that are needed right now.

Victims often hear that things can't happen because of legislation, so there are ways to improve the CCRA. Canada is a leader in how we're integrating victims' rights in the conditional release process, and we're an example that's looked at often, but as part of the systemic investigation we're doing, we're going to be scanning internationally to see what other regimes look like and speaking with people who are involved in the process.

The commissioner for victims in the U.K. has more power in that process than we have in Canada.

Anthony Housefather: It's clear that the convicted offenders' liberty interests are at stake. As such, it's hard to argue that the victims should have rights parallel to the offenders' rights. I don't know how you would do that in our system, but it doesn't mean they can't have timely notice and the right to intervene to correct wrongful statements that are being made at the hearing.

Is there an administrative way you could see us doing that without legislative changes?

Are there jurisdictions outside of Canada, the U.K. and Australia—the ones we tend to look to—that have a system with a charter of rights that protects these interests? Are there any jurisdictions that we should be looking to, as a committee, to interview somebody from?

Benjamin Roebuck: In the EU, there's a strong framework of fundamental rights that's often looked at through a human rights lens and would be comparable to the charter. There are much stronger legal protections and procedures for victims of crime across the EU. The EU directive for victims' rights was just updated with very significant advancements. I'd say that's a very good area to look at.

There's a long list of ways that we can improve, and we'll document them in our report. I'm happy to provide a list to the committee, if that's a helpful approach.

[*Translation*]

Anthony Housefather: Ms. Blanchette and Mr. Ménard, I have a few questions for you as well.

Sensational cases get a lot of attention. Does it happen often that someone who should have never been granted parole commits a heinous crime?

According to the statistics I've seen, 97% of offenders granted parole either do not commit serious crimes or respect their conditions. Is it necessary to consider even stricter precautions?

Patrick Ménard: From my own personal standpoint, in my 22-year career, I haven't had any cases that weighed on my conscience.

Certainly, not every offender completes their parole successfully. The parole and program officers supervising the offender in the community form a safety net, and they have suspension of release authority. It is almost always used at the right time and gives the release supervision team the authority to return the offender to incarceration.

When release expectations are not met, the release is not successful. The person is expected to find a job, develop good relationships, rebuild family ties and such, but they may have relapsed, so the release is unsuccessful.

However, did the release culminate in some terrible re-offence causing significant harm to victims? From what I've observed, that is actually quite rare. That is not to say it doesn't happen.

You know, in the correctional community, we see unsuccessful releases, meaning the offender re-enters the system, and we note that failure. It is important to keep in mind, though, that the vast majority of offenders do end up transitioning back into society and achieving their personal goals, without committing a major re-offence or doing anything terrible.

● (1230)

The Chair: Thank you, Mr. Housefather, for that great discussion.

We now go to Mrs. DeBellefeuille for six minutes.

Claude DeBellefeuille: Thank you, Mr. Chair.

Thank you to the witnesses for their testimony.

Ms. Blanchette, this summer, I met a team of parole officers in Quebec City, and we talked about their experiences and situation. I always appreciate the questions my colleague Mr. Housefather asks, but even though it doesn't happen often, when a tragedy does occur—when an offender commits a crime while out on parole—the parole officer is the one who gets the blame. Someone has to be blamed, so it's the parole officer who didn't do their job, who wrote a bad report.

Parole officers are carrying a huge stress load right now, as you mentioned, especially when it comes to documenting information in the files of sex offenders and dangerous offenders. You said parole officers are overworked and face significant pressure to keep all their files well-documented. Can you give us any specific examples? Your report goes to the Parole Board. Can you give us some examples, so we can get a clear idea of the situation?

Annie Blanchette: When an offender reoffends or commits a violent crime while on parole, whatever form it takes, there is a quick look at the Parole Board, but we mainly focus on the offender's file, the female parole officer's file—I say “female” because most parole officers are women—to see whether the officer made a mistake, however minimal. There is a very high rate of accountability for each parole officer in relation to their workload.

Of course, the heavier the workload, the less time you have to look at the details. It is our job to see whether the special conditions are being met. Often, as Mr. Ménard said, repeat offences are not violent; rather, we're talking about someone who was convicted of a violent crime, but whose parole is suspended because of a repeat drug use offence, for example.

All of this has to be dissected and documented, and parole officers are being asked to document more and more details in the file, not to mention that management is increasing its demands for documented information. All of that increases the workload, but the same level of accountability remains. Of course, it is our job to monitor offenders in the community, but accountability is a very heavy burden.

● (1235)

Claude DeBellefeuille: During a discussion I had with parole officers, they said that a lot of overtime wasn't reported to the employer precisely because officers were afraid of submitting a faulty report and being blamed for it, being told they missed something or that their assessment was inaccurate, among other things. There was a high rate of undeclared overtime to avoid this kind of situation, which leads to burnout among parole officers.

Since the appointment of the new commissioner of the Correctional Service Canada, officers received directives giving them very specific targets for meeting with offenders. I think those are good targets. However, you are not given the tools to support released offenders to help them with their reintegration.

Am I wrong?

Annie Blanchette: No, you're not wrong at all.

The commissioner's directives 715 and 715-1 added to the workload of parole officers.

In terms of overtime, because of their responsibility regarding files and the limited time they have in a day or a week to do the work, officers are sacrificing their family and personal time to finish their work, without reporting it to management. Officers who ask management if they can work overtime are always told no, that all they had to do was perform their duties within their work day.

The new commissioner's directives add to that.

Claude DeBellefeuille: We're trying to figure out what could be improved to better support victims throughout the system.

We know you prepare parole plans that include services provided by provinces, for example, so offenders can consult a psychologist or various professionals to help them. However, services can't always be offered because the wait is too long.

Ultimately, does reintegration also weigh heavily on Quebec's health and social services, which, unfortunately, cannot always be offered or lack funding?

Annie Blanchette: When there are budget cuts, the first things that get cut are services, additional resources to help offenders reintegrate into society.

Mental health resources are cut. Sometimes offenders ask for mental health follow-up, and we can't even justify them. The waiting list is too long. The prerequisites to be entitled to a mental health follow-up, psychological or psychiatric, are so onerous, the list is so long that we have a lot of trouble providing this service even to someone who requests it and says they're not doing well.

Resources have also been cut—

The Chair: I'm sorry, Ms. Blanchette, I unfortunately have to interrupt you to give the floor to Ms. Kirkland for five minutes.

[*English*]

Rhonda Kirkland: Thank you, Chair.

I'm going to dig right in very quickly.

Dr. Roebuck, you said in your testimony that victims need earlier, clearer and more timely information and stronger safety processes. It seems to me, from my experience over many years of working with victims of crime, that they have been asking for this for at least 20 years, and perhaps longer.

Would you agree that this has been something they've been asking for for a long time?

Benjamin Roebuck: Absolutely.

Rhonda Kirkland: Under the Canadian Victims Bill of Rights, victims have the right to information and participation, but are the rights adequate or enforceable, or are they effectively dependent on the discretion of the federal agencies?

Benjamin Roebuck: Federal agencies, from my perspective, typically do reasonably well with the CVB of rights. We can intervene directly in individual cases at the federal level with agencies when rights aren't respected, but legally, there's no right to appeal or cause of action, so victims have much less access to recourse.

The system we've set up, based on complaints, is also unequal, so the federal ombud for victims of crime doesn't have supporting legislation like the correctional investigator does. The terms and conditions are lower, equivalent to other positions, which is part of the reason why there are often delays in staffing the position.

I think we can do a lot better on the enforceability of their rights.

● (1240)

Rhonda Kirkland: Do you think it's time for much more supportive legislation, so that this actually comes to fruition and victims receive even somewhat fulsome rights to information in the way offenders do?

Benjamin Roebuck: That's part of the reason we're taking on a systemic investigation to review the information that victims are receiving from start to finish in their interactions with the Parole Board. It's so we can bring recommendations that are clear and tested and can provide a way forward.

Rhonda Kirkland: Thank you.

I've worked with and known Lisa Freeman for a number of years. It seems like there are so many opportunities that.... The Parole Board has sent letters and information to her. When we question it, we're told all the time that the board considers everything it's sent to be really trauma-informed, and all of that. I've read these letters, and I can tell you they are anything but trauma-informed. In fact, I believe her father's killer was released on the same date that her father was murdered.

Simple things like that can have a massive impact on victims. It is the anniversary of their father's murder, and the person who murdered them is getting out. It has a huge mental impact.

Ms. Blanchette, you mentioned that there are few resources or some concerns with staffing. Would too much work be the reason why that correspondence, which is supposed to be trauma-informed, is not trauma-informed? Is it because there's so much work and everyone's doing everything so quickly?

Annie Blanchette: Honestly, we're supervised very tightly to inform the victims department in due time. This is one of our priorities. I don't know what goes on within the victims department.

Rhonda Kirkland: Okay.

It's one of the priorities, but it's my understanding—and Mr. Caputo touched on this—that we have a duty to inform offenders, but we don't have the same duty to inform victims.

Dr. Roebuck, is that right? We don't have the same legislative duty to inform victims to the extent that we have to inform the offenders.

Benjamin Roebuck: There's a legislative scheme for what information victims can receive, and it's much more restrictive. There's certain information that could be beneficial that victims aren't permitted to receive currently.

Rhonda Kirkland: Why do you think it is so restrictive for victims?

Benjamin Roebuck: I think the CSC and PBC deal with a lot of litigation, so they're very cautious in how they interpret the law. Without clear legislation that enables certain information to be provided, we'll continue to be stuck. I think it requires a legislative change.

Rhonda Kirkland: I appreciate that, because I agree that it requires a legislative change. Hopefully, we can get there, because victims have been suffering for far too long.

Mr. Ménard, before an offender is considered for conditional release, how important is their access to meaningful rehabilitation programming? Are current staffing levels sufficient to deliver those programs efficiently or consistently?

[*Translation*]

The Chair: A brief answer, please, Mr. Ménard.

Patrick Ménard: Actually, it is essential that offenders have access to an intervention adapted to their own mental condition, whether it be correctional programs or an intervention that includes psychological follow-up, in psychiatric care.

Is it enough?

When I started my career, there were hardly any correctional programs. Today, there's a variety of them: for violence, substance abuse problems, whether you're indigenous or a woman. I think the programs are well designed and adapted.

Are they offered as often and as quickly as we would like? I think there's room for improvement here.

● (1245)

The Chair: Thank you very much.

Ms. Dandurand, you have the floor for five minutes.

Marianne Dandurand (Compton—Stanstead, Lib.): Thank you very much, Mr. Chair.

I'd like to thank the witnesses for joining us, for sharing their experiences and for helping us improve the conditional release system to better support victims of crime.

Ms. Blanchette or Mr. Ménard, I'd like to start with you. In the first hour, we heard from victims as well as people who support victims. One of the things they pointed out was the lack of predictability when a victim is invited to appear during testimony or at various stages before parole is granted. I would like to understand the process a little better, because some people said they were informed of the date just eight days in advance, or even a little less, and that the date could change at the last minute.

What is the process that leads to that? When do we know the date when a criminal will testify? How does it work and how can we have predictability?

Patrick Ménard: Correctional Service of Canada and the staff who will work with the offender are given those dates at the beginning of the sentence. They know the various dates set out in the sentence, which is broken down in thirds, two-thirds or halves, depending on the circumstances. Case management teams, including parole officers, already know at the start of the sentence which month and year an inmate will appear before the Parole Board of Canada. They also know whether or not there is a record on the victim. If such a file exists, they will have to keep in touch with a victim liaison officer.

During the offender's sentence, the victim will have the opportunity to prepare a written document explaining all the consequences they've experienced as a result of the offender's crime. Parole officers receive a copy of that, and they have an obligation to consider everything in their decision-making. That's one of our recommendations. We have to consider the impact on the victim. The victim will also be informed of the time of the hearing. They will therefore have the opportunity to express themselves on what they've previously drafted, so the offender at the hearing will have to hear the victim, the intonation, the words chosen.

Understand that this is a tribunal. There are no surprises. You can't come before the Parole Board of Canada and say all kinds of things. The offender is informed of the recommendations and the content of the reports, including all the victim's concerns and the consequences they've experienced.

Marianne Dandurand: In that case, if the dates are relatively known ahead of time and victims want to know them for the sake of predictability, to prepare for their stay and to take time off work, if necessary, do you think it's possible for them to have more predictability, to know the dates more than six, seven, eight days in advance? Would it be possible for the victim to be informed, let's say, a month in advance? Also, how often does the date change at the last minute?

Patrick Ménard: The offender knows Correctional Service Canada's recommendation about a month in advance. However, both the victim and the offender know the date of the hearing ahead of time. A victim can submit the consequences they experienced in a written document 30 days before the hearing. No problem. However, I don't see how the plane ticket and other arrangements couldn't be settled two months in advance, given the date is known at the start of the sentence. What would change the date is a postponement of the hearing, a withdrawal or a renunciation of the hearing.

● (1250)

The Chair: Ms. Dandurand, I'm sorry, but I must give the floor to Mr. Fortin.

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

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

Good morning, ladies and gentlemen.

Mr. Roebuck, your office published an annual report in 2024-25 that included 32 recommendations. I would like to hear you on that. How could adopting or implementing these 32 recommendations improve Correctional Service Canada when it comes to conditional release?

[*English*]

Benjamin Roebuck: We've made many recommendations that haven't been adopted. Some require legislative change, which is why I'm hoping that this committee can consider them. We have a number of reports that would be relevant to look at, and so there's a lot more work.

If you'll allow me to respond to the previous comment, as an example, the victims are generally provided advance notice of about three months of when the hearing will happen, and then it's confirmed typically within the month of the hearing date. That's where we end up with gaps of five days or eight days. You're supposed to submit your travel plans 30 days in advance, your victim statement 30 days in advance, but it's not the normal thing that people have the exact date 30 days in advance. There are so many gaps that really need clear action.

[*Translation*]

Rhéal Éloi Fortin: If I understand correctly, your main recommendations are related to the time frame for getting information regarding parole applications, as you just mentioned to our colleague Ms. Dandurand.

Is that the basis of your demands?

[*English*]

Benjamin Roebuck: It's a bit larger. I think there's a new right to timely justice in the Canadian Victims Bill of Rights where victims aren't prioritized in the scheduling. They're certainly considered but, with all of the different scheduling considerations for a hearing, it's not one of the top priorities. It's so disruptive to families in significant ways.

[*Translation*]

Rhéal Éloi Fortin: I have about 30 seconds left.

Mr. Ménard, do you think conditional releases in their current form help inmates rehabilitate, or are they just an obligation, since there is no interest and they are pointless?

Patrick Ménard: As a society, we have two choices: either we keep offenders incarcerated until the end of their sentence, and we get what we get when we release them without any supervision or services, or we include in their sentence a supervised period during which we make sure they are housed, find a job, continue their medical care if necessary and take part in programs, whether it be Alcoholics Anonymous or something else.

That's a choice we have to make. I think it is necessary to have such a supervised period.

Rhéal Éloi Fortin: Thank you.

The Chair: Thank you, Mr. Fortin.

[*English*]

We go now to Mr. Richards for five minutes, please.

Blake Richards (Airdrie—Cochrane, CPC): When I speak to victims of crime, or family members of victims, one of the things I often hear is some form of the justice system is a system, but there isn't a lot of justice in it. One of the primary reasons for this is that criminals' rights are often put ahead of the rights of victims.

We heard a lot of examples of that today, especially from Ms. Freeman who was here in the first hour, but also from everyone we've heard from today, really.

Dr. Roebuck, Ms. Freeman mentioned having to attend parole hearings 10 different times. Is that commonplace? You work with a lot of victims, advocate for them. Is it common that, in these kinds of cases, families are being asked consistently and constantly to attend these hearings?

● (1255)

Benjamin Roebuck: Yes, and the invisible part of that is postponements. An indigenous family who contacted our office had seven postponements for the hearing within the space of two years. Each time they're preparing and going through the steps, they're following ceremony in their community to prepare, and then it's pulled again and it has a such a significant impact.

Blake Richards: It's interesting that you that you raised that, because that's something I've heard before, as well. You've probably heard it more than I have. I think the perception, at the very least, and probably the reality that you hear from victims and their families is that they believe that offenders, in some cases, use those hearings and those cancellations at the last minute—they're almost weaponized—against the families in order to revictimize them deliberately. Would you say that you've heard that characterization of it as well?

Benjamin Roebuck: I think it's not the predominant reason, but there are certainly cases, particularly with partner violence, where that's been weaponized.

Blake Richards: That needs to be considered as well, obviously.

Taking into consideration things like this, the lack of information for victims' families and many of the other things that we've heard here today and elsewhere, I'll just ask you this simple question. Would you say that the system is currently serving victims and their families?

Benjamin Roebuck: I think we've spent generations building a system, looking at the rights of the accused and the rights of the offender, and trying to think about their fundamental rights, and we're still early in really establishing what an effective system for victims looks like. Yes, it's not designed for them, and we need to do that work.

Blake Richards: Do you think, as it exists now, that it currently serves the interests of public safety?

Benjamin Roebuck: I think we can't remove victims from the evaluation of public safety, and that happens too often.

Blake Richards: Exactly. Far too often, frankly.

Let me ask you this. I think the last time—from what I could see—that you appeared before this committee was more than three years ago. Is that correct?

Benjamin Roebuck: That's right.

Blake Richards: I know at that time you talked a lot about some of the gaps that exist in the system. We've talked about some of them today. You had only five minutes in the opening, and you've had a lot of chances to answer questions, but can you speak to some of those gaps that continue to exist and elaborate a bit further? Maybe give us some specific recommendations, based on your interactions with victims and their families, on what exactly needs to change to make sure that victims are finally being served by this process?

Benjamin Roebuck: I think there are some significant and rare issues, but they speak to dignity, where an offender who is not indigenous has the right to follow indigenous programming in prison, even if they've murdered an indigenous woman and the family is indigenous and doesn't want him to use those processes in a parole hearing or in others. I think things like that happen, and there are so many areas where there has to be a policy response. As things are raised, there has to be a policy response.

For us, as an oversight body—and I really want to emphasize this because it's at the risk of seeming self-serving to talk about our office, and that's not my intent—we don't have the oversight powers to fulfill ombud functions towards victim involvement with the Parole Board. We don't have access to audio recordings of parole hearings because we're not in the legislation. We can't be an effective ombud office if we don't have access to the materials relevant to a victim complaint. The correctional investigator has access to the entire case management system for the offenders they serve, but we have limited access, and it reflects the overall priority that's been put on the rights of victims in the process. We need effective—

The Chair: Thank you, MP Richards.

MP Acan, go ahead for five minutes, please.

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

I want to thank the witnesses for joining us today.

Mr. Roebuck, I would like to start with you.

I would really appreciate it if the other witnesses would like to contribute to the answers.

This summer, the Toronto Police Association put forward detailed reform proposals that have been endorsed by the Canadian Police Association. These include:

> clearer notice and scheduling requirements that meaningfully consider the availability of victims who wish to attend or present a statement;
>
> longer intervals between reviews following the denial or revocation of parole in defined cases involving the most serious offences, while preserving a mechanism for an earlier hearing where there has been a material change in circumstances;
>
> greater transparency and access to parole decisions, hearing records and information required for meaningful victim participation; and
>
> an explicit requirement that the Corrections and Conditional Release Act be interpreted and administered consistently with the rights and principles recognized in the Canadian Victims Bill of Rights.

These recommendations are intended to strengthen a victim-centred approach and address gaps in the parole system. Are there any of these recommendations that you believe should be prioritized? Which of those would have the greatest impact on victims and their ability to participate meaningfully in the parole process, and why?

● (1300)

Benjamin Roebuck: I think all of it's important.

What I would ask this committee to consider is the impact of the parole hearings on victims. I think that sometimes the concerns victims raise are minimized or treated like they're not substantial, but they're so significant. Where you're looking at the scheduling of hearings, please look at postponements and the added dates. It's not just the actual hearing dates. There are many dates in between that have a cumulative toll. I think that's a priority area to look at.

Sima Acan: Do you have any recommendations? Other than those recommendations, do you have your top three recommendations?

Benjamin Roebuck: Actually, I think it's finding a way to address postponements: removing burdens from the administrative process and, also, reimbursements for travel expenses. One family last week talked to us about one family member covering the costs on their credit card for all of the family members to attend and not being reimbursed for six months. Some of those things can be addressed.

I think that the proactive review we're going to do will help to identify clear priority items.

Sima Acan: Thank you so much.

Has your office previously recommended measures like any of these reforms in its annual reports? If so, could you highlight which recommendations remain outstanding and why you believe they are important?

Benjamin Roebuck: Yes. There were some areas addressed in Bill C-16 that do add a lot of value. There's a recommendation to justify when safety conditions aren't being imposed. Previously, they'd have to justify only one but not all of the things.

We made a report to the JUST committee when they did a study on victims' rights. That dealt a little more with parole. We raised postponements and the complaints process.

Certainly, paper reviews is a significant one, and scheduling. There are a number of issues.

Sima Acan: Ms. Blanchette and Mr. Ménard, from the perspective of the employees you represent, are there any parole system reforms that could both enhance public confidence in the system and improve working conditions or operational effectiveness for the Parole Board and correctional staff?

Annie Blanchette: I'm not sure that I understand the whole scope of your question.

Sima Acan: I would like to understand if there are any recommendations from your end that will also improve the working conditions and operational effectiveness for your staff, the correctional staff.

Annie Blanchette: Yes, more resources, for sure—more staff, more resources—and a better way of staffing. I'm talking more about the parole officers, but also the institutions. We're understaffed, and they keep cutting into the resources.

That would help a lot.

Sima Acan: Thank you so much.

Thank you so much, Mr. Chair. I think my time is up.

[*Translation*]

The Chair: Thank you, Ms. Acan.

I'd like to thank the panel for everything they've done to prepare and join us today.

Their heartfelt testimony was very well received.

Committee members and MPs, we will continue this study on Wednesday. Next week is the constituency week. Obviously, that will prevent us from meeting.

That said, I wish everyone a very good rest of the day.

The meeting is adjourned.

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