



House of Commons  
CANADA

# Standing Committee on Citizenship and Immigration

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CIMM • NUMBER 035 • 1st SESSION • 39th PARLIAMENT

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EVIDENCE

**Thursday, February 15, 2007**

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**Chair**

**Mr. Norman Doyle**

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## Standing Committee on Citizenship and Immigration

Thursday, February 15, 2007

• (1250)

[English]

**The Vice-Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)):** Order.

Motion number one is that the committee call government officials to provide evidence on the detainees in Kingston and what the Department of Citizenship and Immigration and the Canada Border Services Agency have on them, and that the meeting be held in camera.

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** I would like to move that, Mr. Chair.

I believe this committee certainly can hear evidence that the departments have on them, certainly if it's held in camera, and it will be held in camera. We were told about circumstances that occur, and people in third governments, and secretive evidence. I'm sure this committee should be hearing that.

**The Vice-Chair (Hon. Andrew Telegdi):** I am going to call the question.

**An hon. member:** I'd like a recorded vote.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Siksay.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Chair, while I appreciate that there is important work still to be done, especially given that the hunger strike is ongoing and I'm very concerned about the men at Kingston, I believe we're on a course right now whereby we're reaching the point where we're going to be able to make a final report on this issue.

I think we've heard important evidence that's gotten us to that point. Personally, I'm not feeling like I need to hear more from officials. I feel we've done a thorough job of that, especially as it relates to the conditions of detention at the immigration holding centre.

So what I would suggest is if there's no movement in the very near future on the issues around the hunger strike, I would be prepared to support a motion like this down the road in the not-too-distant future. Today, I don't think I can support it, because I believe I don't want to delay the work we're doing on the report, and I think we have heard the evidence we need to proceed with that report and hopefully make a difference on the conditions of detention at the Kingston immigration holding centre.

So at this point, I can't support this motion.

**The Vice-Chair (Hon. Andrew Telegdi):** Thank you, Mr. Siksay.

(Motion negated: 9; yeas 2)

**The Vice-Chair (Hon. Andrew Telegdi):** The next motion is that the committee call the five guards, Macdonald, Noble, Loft, Munroe, and McRae, to testify on detainee treatment and that the witnesses be sworn in under oath.

Do you want to move this, Mr. Karygiannis?

**Hon. Jim Karygiannis:** Mr. Chair, I'd like to move that motion.

We heard evidence when we were in Kingston and the men named these five individuals who were mistreating them, harassing them, as well as playing mind games with them. So I would like this committee to call these five individuals under oath and ask them to testify as to what we heard in Kingston.

It's too bad, Mr. Dykstra, you were not there.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Siksay.

**Mr. Bill Siksay:** Mr. Chair, I have a real problem with this motion. I am very concerned about the conditions of detention at Kingston and the treatment the men allege to have received from some of the guards, and they did name these five individuals in particular. However, I'm not sure that it's the place of the parliamentary committee to deal with these individuals directly. If anybody should be called relating to these specific issues, it would be their immediate supervisors. I think we had the opportunity to address some of those issues with the supervisors when we were there earlier this week.

I unfortunately won't be able to support this motion.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Karygiannis.

**Hon. Jim Karygiannis:** Is there a friendly amendment that Mr. Siksay wants to make that instead of the five men we call the supervisors in?

**Mr. Bill Siksay:** No. That's not what the motion is.

**The Vice-Chair (Hon. Andrew Telegdi):** Is there any further discussion?

**Hon. Jim Karygiannis:** Could we have a recorded vote, please?

**The Vice-Chair (Hon. Andrew Telegdi):** Okay. We'll have a recorded vote.

(Motion negated: nays 10; yeas 1)

**The Vice-Chair (Hon. Andrew Telegdi):** The next motion is that the three individuals responsible for decisions on running the facility from the Department of Citizenship and Immigration, the Canada Border Services Agency, and the Correctional Services be brought before the committee.

• (1255)

**Hon. Jim Karygiannis:** I would like to move the motion, Mr. Chair.

It's certainly speaks to what Mr. Siksay was saying on this not being part of the other motion about calling the supervisor. This would certainly be something he would be supporting in this instance.

Not only does it go to the treatment of the men in the facility by the five guards and the directives that could be called into question, but it goes into the 20 allegations or issues the men have raised. There is certainly an impasse, in that we don't know which department is running the correctional facility. It also speaks to what we put in the motion last week on the conditions of the facility itself.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Siksay, what do you have to say?

**Mr. Bill Siksay:** Chair, can Mr. Karygiannis indicate whether or not we met with any of these people at the briefings we had at the Holiday Inn, before our visit to Kingston to the holding centre the first time, or at any of our meetings at the Kingston immigration holding centre? Does he have in mind different individuals from the people we've already spoken to?

**Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.):** Before Mr. Karygiannis answers the question, one point I want to make is that I think I'm going to vote in favour of this motion.

I think this would be very helpful to the members of the committee on the Conservative side who were not able to visit the Kingston holding detention centre when we went on our trip. It would give them an opportunity to ask questions of the supervisors that they may have disputed on dealing with the report.

This would give the members of the committee another opportunity to ask questions directly of the supervisors who were responsible for the detainees.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Karygiannis.

**Hon. Jim Karygiannis:** I can answer Mr. Siksay's question.

We might have met with some of these individuals. If we met them the first time, we certainly didn't meet them the second time.

Members of the committee from the Conservative side were with us on that first one. They were not with us the second time.

Since the first time we were there, the deterioration of the situation in Kingston has progressed. These individuals certainly have to come to answer to the means and decisions that we're making.

**The Vice-Chair (Hon. Andrew Telegdi):** Mr. Siksay.

**Mr. Bill Siksay:** Chair, it's not clear to me whether or not we've already met with these people. We met with Susan Kramer, and we met with Mr. Poirier and a number of other folks who I think were in those positions.

Mr. Chair, my concern is again that I don't want to do anything that delays our report. I believe we've heard from the people we need to hear from in order to proceed with the report.

I have no objection to this in general, and I could support it. But I am very anxious that we not put off the work we're doing on this report and that we proceed to complete the work. That's my concern about this.

**The Vice-Chair (Hon. Andrew Telegdi):** Garry.

**Mr. Garry Breitzkreuz (Yorkton—Melville, CPC):** My point of order is in line with that.

If you're writing a report, approving the report, and then bringing in witnesses afterwards, how does it work? How can you hear witnesses after you write the report?

**The Vice-Chair (Hon. Andrew Telegdi):** Well, you do another report. You do this report and you do another report.

**Mr. Garry Breitzkreuz:** Okay. I rest my case.

**The Vice-Chair (Hon. Andrew Telegdi):** Good point.

Madam Faille.

[*Translation*]

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** In my opinion, this motion has insufficient details concerning what further questions we intend to ask to these people, since we already met them. I thought the agreement was related specifically to the hunger strike, and it looks like the hunger strike has not stopped for a combination of circumstances. If there were any complications, we could restart the same process, which is to vote an adjournment motion in order to have an emergency debate and meet again with the officials. For the time being, we are writing a report, so I feel that calling these people again would not add anything more, unless we make our call more specific.

[*English*]

**The Vice-Chair (Hon. Andrew Telegdi):** Blair.

**Mr. Blair Wilson:** I'm hoping that the intent of this motion was to deal with answers to the questions that we posed to these individuals when we were there.

We were there trying to negotiate a solution to the hunger strike. We talked to the individuals who were on the hunger strike, we talked to the individuals who were supervisors, and we listened to the grievance.

At our last meeting, before we left the supervisors, they said they were going to deal with some of the issues that were brought forward in a variety of ways.

So I'm hoping that the intent of bringing these people before the committee is so that they can bring forward solutions to the hunger strike, which they may have already implemented, or so that this could be used as a crowbar to get them to start implementing some of the solutions to the detainees' grievances so that the hunger strike can end.

Definitely, I would not want this to hold up our report in any way, shape, or form.

I'm thinking that this is not specifically to deal with our report; this was more to deal with the issue of the hunger strike and trying to bring it to a resolution without harm to those individuals.

• (1300)

**Mr. Garry Breitkreuz:** Mr. Chair, can I just perhaps give a one-sentence reply to that?

**The Vice-Chair (Hon. Andrew Telegdi):** Absolutely.

**Mr. Garry Breitkreuz:** In other words, you're saying you will issue one report, you'll hear more evidence that will contradict the previous report, so then you'll put out another report.

**Mr. Blair Wilson:** No, that's not what I'm saying at all.

**Mr. Garry Breitkreuz:** That's the implication of what you're saying.

**Hon. Jim Karygiannis:** This particular motion goes to the motion that we passed last week in dealing with the lives and the situation there. There is absolutely no protocol in place on how to deal with the Kingston... Mr. Siksay brought this motion in the House last week.

What we are trying to clarify here, by calling the three directors, is to ask them whether the workings among the departments are such... as well as to ask them what protocols they have in place to deal with the 20 issues that are in front of them, by the men.

Certainly this is part and parcel of the work the committee is doing and that we heard last week when we were there.

**The Vice-Chair (Hon. Andrew Telegdi):** Omar.

**Mr. Omar Alhabra (Mississauga—Erindale, Lib.):** Mr. Chair, if anybody had any doubts about the value of debate of a motion before it gets voted on, they should have no doubts any more. I started off in support of this motion, but after examining the various points of perspective.... By working on the report right now, we

probably have a good basis to start the report. If we bring these witnesses, are we going to delay the report?

I'm not in support of this motion. I think we should move on with finalizing the report, and do it.

**Hon. Jim Karygiannis:** Exactly.

Mr. Chair, the report was written on February 1. We heard new evidence since then, when we were in Kingston.

**An hon. member:** We are writing the report now.

**The Vice-Chair (Hon. Andrew Telegdi):** Ed.

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Yes, I think the point has already been made, so I won't elaborate. I would just like to clarify that there was never any mandate to this committee to negotiate any terms to the end of the hunger strike. I would like that to be clear.

In any event, I take the comments of the critic and agree with him in that regard.

**The Vice-Chair (Hon. Andrew Telegdi):** Madame Faillie.

[*Translation*]

**Ms. Meili Faillie:** I would like to add that, just as we have done in the past, the committee could write a letter to the officials asking them to make a follow-up and then, we could call them in, as required.

[*English*]

**The Vice-Chair (Hon. Andrew Telegdi):** Okay, we're voting on the motion.

(Motion negated)

**The Vice-Chair (Hon. Andrew Telegdi):** This meeting is adjourned.





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