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Mr. Ed Komarnicki

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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• (0850)

[English]

The Chair (Mr. Ed Komarnicki (Souris—Moose Mountain, CPC)): Good morning, everyone. I welcome you to our committee hearings. We're here, of course, studying Bill C-44. This morning we are looking at provisions relating to a new federal income support benefit for parents of murdered or missing children, amending the Canada Labour Code to protect the jobs of parents who take a leave of absence relative to the critically ill or injured child, and of course parents of children who are missing or murdered as a result of a suspected Criminal Code of Canada offence.

It is certainly a topic that will be difficult for some, but we appreciate having with us today Susan O'Sullivan, the federal ombudsman for victims of crime, who will begin sharing with us. We also have Michel Surprenant, the chair of the Association of Families of Persons Assassinated or Disappeared. We also have Yvonne Harvey, the chair and founder of Canadian Parents of Murdered Children and Survivors of Homicide Victims Inc.

Generally, what we do is have each party present. Then we have questions from each of the party representatives, alternating party to party. With that, I invite Ms. O'Sullivan to go ahead with her presentation.

[Translation]

Ms. Susan O'Sullivan (Federal Ombudsman for Victims of Crime, Office of the Federal Ombudsman for Victims of Crime): Good morning, Mr. Chair and honourable members of the committee.

[English]

Thank you for inviting me here today to discuss the proposed amendments to the Canada Labour Code that would provide for unpaid leave for parents of murdered and missing children.

As you may know, the Office of the Federal Ombudsman for Victims of Crime was created to provide a voice for victims at the federal level. We do this through our mandate by receiving and reviewing complaints from victims; promoting and facilitating access to federal programs and services for victims of crime; providing information and referrals; promoting the basic principles of justice for victims of crime; raising awareness among criminal justice personnel and policy-makers about the needs and concerns of victims; and identifying systemic and emerging issues that negatively impact on victims of crime.

The office helps victims in two main ways: individually and collectively. We help victims individually by speaking with victims every day, answering their questions and addressing their complaints. We help victims collectively by reviewing important issues and making recommendations to the federal government on how to improve its laws, policies, or programs to better support victims of crime.

I would like to thank the committee for inviting me here today to speak about the amendment to the Canada Labour Code providing for unpaid leave. I will also raise some points for consideration related to the federal income support for parents of murdered and missing children.

I would like to begin by stating that our office was pleased to hear about the introduction of Bill C-44, which includes an amendment to the Canada Labour Code to provide for unpaid leave for parents coping with the death or disappearance of a child. We are also encouraged by the announcement of a new federal income support program to help ease the financial hardship of parents of missing or murdered children.

While we support both of these measures, it is apparent that the new provisions for unpaid leave and the income support program do not address the circumstances of many victims of crime, and could be more inclusive in their eligibility and reach. Therefore, our office will be asking the committee to consider amending and broadening the reach of unpaid leave and income support in order to be more inclusive of the needs of victims of crime.

To provide some context, the trauma associated with victimization can have devastating psychological and socio-economic impacts on the family. A recent study from the Department of Justice estimates that almost 83% of the costs associated with crime are borne by victims. These costs include lost productivity and wages, costs of medical and psychological care, and time away from work to attend criminal proceedings.

A study of families bereaved by homicide, conducted in the United Kingdom in 2011, confirmed that physical health and the ability to work, maintain relationships, care for children, and manage new financial burdens were all significant problems for families who had experienced the homicide of a loved one.

The same study revealed that 70% of respondents stopped working for a period of time as a result of the bereavement. The amount of time taken off varied from under a month to over a year. Several respondents in the study noted that they had lost their jobs as a result of the impact of the loss of their loved one. This speaks directly to the need for unpaid leave and accompanying income support.

It should also be noted, however, that respondents in this study were not all parents of children. The study also highlighted the impacts on spouses, siblings, and co-residing extended family. If one considers losing a spouse to homicide, the financial impact may be similarly devastating.

For this reason, I would like to highlight that the proposed amendments to the labour code need to be more inclusive and to recognize the impacts of crime on other family members—for example, spouses and siblings. They should also recognize the impact of victimization when someone is older than the age of 18. Moreover, the amendments should also address other circumstances outside of homicide or disappearance. In this way, the unpaid leave provisions would address the impact of victimization within the family unit and recognize the tremendous impacts of other types of crime—for example, serious physical or sexual assault.

●(0855)

Taking this into account, I would respectfully request that the committee consider the following recommendations. Widen the reach of the Canada Labour Code amendments to be more inclusive to victims of crime, to include, for instance, leave for spouses and siblings, and remove the age limit of 18 years of age. Create a separate employment insurance category for victims of crime to ensure that Canadians who are impacted by crime are able to access the existing EI structure. In such instances where family members may not meet the employment insurance eligibility requirements, or if the benefit would be less than \$350 a week, we recommend that they be eligible for a program similar to the federal income support, based on the same inclusive eligibility. This program could ensure that the income support needs of more victims of crime are addressed.

In conclusion, our office strongly supports the proposed changes to the Canada Labour Code and income support for parents of murdered and missing children. However, we recommend that the unpaid leave provisions be available to a broader range of victims and their family members, as they too carry a heavy burden in the aftermath of a crime.

My office hears from victims across the country on a daily basis that there is a lack of tangible support available to them. We hear from victims about going into immense debt, suffering ill health and relationship issues, and their difficulty in getting the help they need. They often tell us about their struggle to access the supports they need to deal with the practical realities of life following a crime.

While the proposed changes to the Canada Labour Code included in Bill C-44 are indeed a positive step forward, creating more inclusive leave provisions for victims of crime, with an accompanying employment insurance benefit, would not only serve as a recognition of the long-lasting impact of victimization, but would

significantly strengthen the supports available to victims of crime in Canada.

[*Translation*]

Thank you. I am happy to answer any questions you may have.

[*English*]

The Chair: Thank you very much for that, Ms. O'Sullivan. It was very informative. I certainly hear what you have to say on the impact this has on those who are associated through relationships and otherwise.

Our next presenter is Michel Surprenant.

Go ahead, Michel.

[*Translation*]

Mr. Michel Surprenant (Chair, Board of Directors, Association of Families of Persons Assassinated or Disappeared): Good morning. My name is Michel Surprenant. I am here today as the chair of the Association of Families of Persons Assassinated or Disappeared (AFPAD).

As its name suggests, our association brings together 500 families of murdered or missing persons in Quebec. My daughter was abducted in 1999 on Castille Street in Terrebonne. She was 16. Her disappearance has turned my life and that of my family upside down.

As you can imagine, going back to work after such a tragedy and focusing on work when all you think about is that you have to look for her and that perhaps she needs help is very difficult. When Julie disappeared, a great many things were going through our heads. We were looking for her, we were wondering what happened.

In addition, Julie had a sister. They were 13 months apart. They were almost like twins. I had to be there for my other daughter, because a lot of things were going through her head. She was at risk of getting into drugs, committing suicide, and so on. For parents, when you are at work, thinking of all those things, and when you sometimes have to leave work all of a sudden, an initiative like this is important.

AFPAD is in full support of Bill C-44 that was introduced by the Minister of Human Resources and Skills Development, Ms. Finley. The financial assistance initiative for parents of murdered or missing children will come into effect in 2013 and it will support 1,000 families a year. AFPAD made the request for the new income support benefit a number of years ago. The compensation is \$350 a week and it will be provided for 35 weeks.

Some of our members lost their jobs because they did not have the strength to go back to work after a murder or disappearance. By helping parents take a few weeks of respite, we enable workers to get their strength back and to be better equipped to return to the workforce one day.

I urge all members of Parliament to vote in favour of this bill, thereby sending a clear message to victims. We have to help victims get through the very difficult months that follow the death or disappearance of their child. This period is crucial for a father and a mother.

On behalf of AFPAD, I would like to thank the minister and Senator Boisvenu, who have made it possible to turn this historic request from AFPAD into a reality. Put yourselves in the shoes of parents whose children have disappeared or have been murdered. You will understand that this bill is fair and that it is high time that it was passed.

Thank you all, and thank you for voting in favour of this important bill for victims of crime in Canada.

● (0900)

[English]

The Chair: Thank you, Mr. Surprenant, for being prepared to share with this committee, notwithstanding that you've gone through your own personal loss and anguish.

I know you invite us to imagine what it may be like, but it's difficult for us to even imagine the anguish and how difficult the moment must be for parents, and the time after. Certainly we need to keep in mind those who have to go through the situation. Anything we can do to help is certainly something we should do.

We'll move now to Ms. Harvey for her presentation.

Please go ahead.

Ms. Yvonne Harvey (Chair and Co-founder, Canadian Parents of Murdered Children and Survivors of Homicide Victims Inc.): Thank you.

Good morning, Mr. Chairman and honourable members. Thank you for providing me the opportunity to address the committee on Bill C-44. My presentation will focus primarily on the benefits that the bill will provide to those individuals whose employment is regulated by the Canada Labour Code.

My name is Yvonne Harvey, and I am the chair and co-founder of Canadian Parents of Murdered Children and Survivors of Homicide Victims, which is a national charitable organization, first formed in 2009, to provide ongoing emotional support, education, and assistance to parents and to all survivors of homicide victims, while promoting awareness and education for all Canadians.

When a wife loses a husband, she's called a widow. When a husband loses a wife, he's called a widower. When a child loses his or her parents, the child is called an orphan. But there's no word for a parent who loses a child, because that's how awful the loss is.

I'm here today in support of Bill C-44, the Helping Families in Need Act. As the mother of a murdered child, I can attest to the unexpected burdens that parents, through no fault of their own, are challenged with in the aftermath of murder. In the next five minutes, it would be impossible to explain in any depth the emotional, psychological, physical, and financial impact that a parent experiences when a child has been murdered.

Few people can appreciate the true impact of murder on a family, yet any one of us could find ourselves in this position. One day we are leading a normal life, and the next day we are thrust into a foreign world, through no choice of our own, having to deal with police, lawyers, courts, and intrusive media at the very same time that we are dealing with having just lost our child to murder.

The day that changes one's life rarely comes with a warning, yet in an instant, in the time it takes to pick up a telephone, life as we once knew it disappears. The future becomes a struggle between moving on and hanging on.

We are left with a hole in our soul. We are now challenged with reconstructing our lives. There is no guidebook to tell us how to do this, because everyone's journey is as unique as one's fingerprint. Living in the aftermath of murder is a constant emotional and spiritual struggle.

Unpredictable and complex challenges flood into our lives. These are challenges that threaten to, and often do, destabilize the family unit. We may be facing an unexpected financial burden as a result of a child loss, because in the initial months following the murder, we may be incapable of performing our jobs in a productive and competent manner. There are unforeseen health issues that are brought on by ongoing stressors, very often from re-victimization as a result of dealing with the criminal justice system and the intrusive media.

In my case, I had to return to work just five weeks after my daughter was murdered due to financial and work obligations. I did not have the benefit of having the critical time necessary to seek support and focus on addressing my own trauma. It is now five years, nine months, and two days since my daughter, Chrissy, was murdered. I don't believe that progress through this life-changing event is attainable without the time to address the trauma and the complicated grief that accompanies murder. We can go on for years emotionally paralyzed.

Bill C-44 will amend the Canada Labour Code by providing an unpaid leave of absence for up to 52 weeks for parents who have a child missing as a result of a suspected criminal act, and for up to 104 weeks for parents whose child has been murdered, while ensuring job protection.

● (0905)

This is a very progressive, necessary step forward. Every parent of a murdered child can benefit from a leave of absence. It will provide the much-needed time for parents to help themselves and their families through this difficult ordeal.

In conclusion, I want to address the addition of the financial subsidy under the recently announced federal income support program. This subsidy will be critical in alleviating some of the additional financial hardships that parents of murdered children encounter, by providing \$350 per week for up to 35 weeks to those parents whose employment does not fall under the Canada Labour Code. These initiatives are unprecedented. CPOMC applauds the Conservative government for these common-sense changes.

Thank you.

The Chair: Thank you, Ms. Harvey.

Certainly as a parent of a child, I can't think of a more awful circumstance, as you say. Life certainly does change in an instant. It's certainly understandable that there would be a hole left in your soul, as you say. You need time to address the trauma, and the grieving process, for sure, is complicated. The five-week period that was afforded you was certainly not a reasonable period of time. We can certainly sympathize with you. I'm sure the hearts of everyone here on the committee go out to you.

I invite Madame Boutin-Sweet to start the first round of questions.
[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Thank you.

This is tough. I would first like to tell you that everyone here is in favour of the bill. It is essential.

I have two grown sons and I can't even imagine what it would be like to lose them. However, I have a vague idea, because, in 1995, my cousin was tortured and then beaten to death. The fact that he was an adult did not make it less difficult for his family. He was 44, and his sister hopes that no one ever has to experience what she had to go through at that time. What you have experienced is even more difficult, because it was your own child.

Rest assured that everyone on this side of the table—and I am sure it applies to both sides—is in favour of this bill. That is why we voted for it to be studied in committee. We also wanted to make sure that it is fair for everyone.

You mentioned a few features that could be changed. We also feel that amendments should be made, and that is why we have brought it before the committee. Let me assure you that the questions that we are going to ask you today will go in that direction. No one should be left behind. But families that might need support would not necessarily be included in the bill as it currently stands.

My first question is for Mr. Surprenant, Ms. Harvey or Ms. O'Sullivan.

We are talking about an unpaid leave of 52 weeks for parents of missing children. The bill provides for up to 104 weeks for parents of murdered children and a benefit of \$350 for 35 weeks. You mentioned that there were significant and unexpected expenses in those cases.

In your view, is that amount enough? Could you also tell us what type of expenses you incurred so that we can have a better idea of the real needs?

• (0910)

[*English*]

Ms. Yvonne Harvey: Well, will there ever be enough? I don't think there will ever be enough, but if we're talking about tangible costs, everyone is different. Everyone's situation and circumstances are different, including the circumstances around the crime, whether or not there's a conviction, and whether children are involved.

I can only speak for myself. In my situation, I incurred expenses. My child was over the age of 18, and the initial expense was \$3,000 to take possession of her body because she was still not legally divorced. I was not really considered the next of kin; her husband was, who was charged with her murder.

So the first expense was \$3,000, and then we had expenses in excess of about \$8,000 that had to cover bringing my daughter home and two funerals: one in the province in which she was murdered and one in Ontario. We had other travel expenses in having to go back and forth to Newfoundland, where the murder happened, to take care of various things. We had a little 15-month-old baby, and we had to go to court to protect that baby. That bill, as far as I can tell you right now, is in excess of \$60,000.

In addition to that, I contribute about \$600 a month to my brother and my sister-in-law, who have custody of my little granddaughter in that province. That is to contribute to her expenses and her extracurricular activities, which they want her involved in.

Then, in addition to that, there are all the other expenses that I've incurred in terms of helping myself, because there is no reciprocating agreement between provinces when it comes to victim services, which is a whole other issue. After almost six years, I'm now getting trauma help. That costs me \$175 an hour, twice a month.

When you talk about expenses, everyone is different. I don't know if any amount would really be enough, but certainly \$350 would contribute to some of those expenses, the day-to-day expenses we have, regardless of the additional expenses we incur.

The Chair: Thank you, Madame Boutin-Sweet. Your time is up.

Does anyone else wish to comment?

Go ahead, Ms. O'Sullivan.

Ms. Susan O'Sullivan: I would just add that with the Canada Labour Code, one of the things we heard from victims on this is that they definitely see it as a positive step forward, but they would offer that the category should be broadened to include—and I think it reflects your comments—first of all, eliminating the age requirement.

We've just heard from Yvonne about the age of her daughter when she was murdered. There's this huge issue of whether your child is 18 or your child is 19, so eliminate the age requirement. Also, speaking directly to your comments, broaden that category to include spouses and siblings in terms of who would have access. Some of the feedback obviously is to broaden that category for crimes and include victims and their families, so that if the victim suffers serious physical or psychological harm and is required to be off work, they also would be able to have access.

Thank you.

• (0915)

The Chair: Thank you.

Monsieur Surprenant.

[*Translation*]

Mr. Michel Surprenant: I would like to add that, in a situation like ours, a disappearance where the body was never found, we have no answers. I am not exactly sure how to word this, but let us just say that, for adults, it is easier to accept the situation, whereas, for children, the trauma is much more severe. It is their brother or sister, after all.

First, they are not prepared to go through something like that. Second, you have to find specialists who have the experience and ability to treat those types of cases. And money is often wasted until you find someone with enough experience. The fact remains that you spend days trying to keep your own family together because it is falling apart as a result of the tragedy.

That is the point that I wanted to clarify. Thank you.

[*English*]

The Chair: Thank you very much for those additional comments.

We'll now proceed to Mr. Daniel.

Go ahead.

Mr. Joe Daniel (Don Valley East, CPC): Thank you, Mr. Chair.

Thank you, witnesses, for being here. It's obviously a very trying and difficult time for you to talk about these issues, but I certainly can relate a little to some of this, and certainly we're trying to make this legislation a little more helpful to families of some of the victims.

I was really looking to see what comments you can provide us on the new benefits in this legislation and on the challenges faced when provincial and federal workplaces are compared.

Ms. Yvonne Harvey: I will address that first. Certainly the benefit of having the job protection and having that opportunity to have that leave of absence would provide for someone like myself to be able to take the time off to get the help I need.

I guess the best way to explain it is that when there is a murder, it's not just a grief process you go through. When your child has been murdered, there's an element of trauma that's attached to that. If you don't deal with trauma, you will never go through the grief process, and that's why after almost six years I have decided that I need to have a specialist who is trained in trauma to help me deal with the trauma. I don't believe, personally, that I've gone through the grief process yet. I've been six years sitting on the fence waiting for justice. We still don't have justice; it's still in the courts. Every time I get a telephone call, it reactivates that trauma.

Having that period of time where I could just focus on myself and help myself to get into a place where I could help existing children or existing family members—although in this case it was my only child who was murdered—is an important thing.

With regard to the challenges faced with the provincial and the federal workplace, 90% of the employees in Canada fall under the provincial or territorial labour code, so only 10% fall under the Canada Labour Code. It would be my hope that the provinces see this as an example and be proactive and make amendments in their labour codes to ensure equality right across the country. That is my hope, but unfortunately we have seen examples with victim services

and the inequality there because of provincial and territorial boundaries.

I'm just hoping this might be seen differently and that they take that initiative, because we all deserve to have that. As I said, every parent deserves to have that, and we should not be limited by territorial or provincial boundaries if we do not fall under the Canada Labour Code.

• (0920)

Ms. Susan O'Sullivan: Could I add one point to that?

I would certainly echo the comments about the amount of variability among the services for victims. Also some of the feedback I have had is that everyone is aware that the administration of justice and the court process are at the provincial and territorial levels, so if you wanted to improve this, one thought might be to allow for some flexibility as to when a parent may take this.

We know that if there is a murder, the court case may be several years down the road, so to provide an option and some flexibility—for example, a parent may choose to take a certain amount of time at the time of the crime, and then, if the criminal court process is two years down the road, they may need to have time then as well. That could be one way you could improve, by allowing some flexibility.

Also, in some cases the person responsible may not be apprehended for a while. I'm just saying adding that flexibility would provide parents of murdered and missing children an opportunity to take the time when it's appropriate for them, when they need that time.

Thank you.

[*Translation*]

Mr. Michel Surprenant: Along the lines of what Ms. O'Sullivan mentioned, it must be said that many things go on in the first stages after a disappearance or murder. That takes up a lot of time, but things start to change gradually. There are some peak periods, and then there are slower periods. So, as Ms. O'Sullivan said, I think the possibility of having more flexibility should be considered.

[*English*]

The Chair: Thank you, Mr. Daniel. Your time is up.

I appreciate your sharing your personal circumstances. In fact, six years have gone by and the grieving process is not yet complete. We understand that, and it is more reason for that opportunity, the time that's provided for some of the benefits here. Certainly the process takes much longer and is far deeper than many would appreciate.

We'll now go to Monsieur Lapointe.

[*Translation*]

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Ms. Harvey and Mr. Surprenant, first and foremost, I would like to tell you how much I admire you. You have gone through the most painful experience in life and you have managed to find the courage to transform it into public action to help people who, like you, have gone or will go through what is surely the most painful thing in life.

So I would first and foremost like to tell you that you have all our admiration. Let me assure you that everyone on this committee is dedicated to having this bill passed in Parliament.

Mr. Michel Surprenant: As I listen to your remarks, I think of families who do not have the opportunity to vent like us, by presenting, explaining and discussing the problem, which allows us some catharsis. I think of families who do not have this possibility and who, since they do not have any other means, have to consult specialists who are not always competent. That is where this initiative becomes important.

Mr. François Lapointe: Thank you.

Frankly, regardless of what shape or form this bill will take, our party is going to support it. However, in the NDP's view, the only reason for the committee to meet and study the bill should be to see if we cannot make some improvements. It is important to be very clear.

For example, the minister has already met with us on this topic and she was very open to the concept of stacking. Let's take the example of a person who received benefits for 50 weeks after their child disappeared. If after those 50 weeks, the child is discovered dead, I think it is essential for the person to be entitled to their benefits and to their leave of absence after the death of a child. It should be possible to accumulate all that, which the minister calls stacking. Those are the types of elements that we are going to examine together to see how far we can go to ensure that there is a minimum degree of consistency between what is on paper and the extreme pain those people have experienced. By the way, I have three children, so I can understand the pain that one may feel.

So could you comment on the possibility of accumulating benefits when, unfortunately, a tragedy leads to another tragedy?

Mr. Surprenant, there is another question that I really don't want to ask you, but that I need an answer to in order to be able to conduct this study. If what had happened to your daughter, which is unbearable and unacceptable, would have happened after she had just turned 19, would your experience have been less painful? Would you have had the same needs? I believe I know the answer, but the committee has to make this aspect as clear as possible. Our opinion is that the age limit cannot be set at 18 years.

Your opinion on this is important to us.

• (0925)

Mr. Michel Surprenant: There is absolutely no way we can set an age limit. Whether your child is 16 or 24, the trauma is the same.

Actually, it is important for the legislation that will come into force to leave the door open to improvements based on what is going to happen. We can try to foresee everything, but there will always be

exceptions that we did not anticipate. So my hope is that you will leave the legislation open so that it can be improved according to situations that will occur.

Mr. François Lapointe: What do you think, Ms. Harvey?

[*English*]

Ms. Yvonne Harvey: I would go back to what you initially described as "stacking".

You're asking, if I understand you correctly, that if there was a missing child and someone took 35 weeks, 45 weeks, and then at some point down the road the child's body was found and it was obviously a homicide, that would start again. You're asking if they would be able to apply once again, correct?

Mr. François Lapointe: Yes.

Ms. Yvonne Harvey: In the case of a missing child, I think that would be important. I haven't had a child go missing, but I think I can say that you always hold out hope that the child will be found alive.

I think two different things go on here. Yes, you're traumatized, but you're holding on to the hope that the child will be found. Then when the child is found, but it's obviously a homicide, there's another whole trauma that you go through.

In terms of stacking of periods of time with a leave of absence, if that can be extended, I think it would certainly be helpful in the case of a missing child.

The Chair: Thank you, Monsieur Lapointe. Your time is up.

I think Mr. Surprenant would like to make a comment.

Go ahead.

[*Translation*]

Mr. Michel Surprenant: I would simply like to add something to what Ms. Harvey said about disappearances.

In my case, it has been 12 years, and I can tell you that you never get a chance to grieve. We have come to terms with the fact that she is not there, but we are still not grieving. If her body was ever found, the grief process would start. That should be something to consider.

Mr. François Lapointe: Thank you very much.

[*English*]

The Chair: Thank you very much.

I'd like to acknowledge that Senator Boisvenu is in the room here. He was one of the co-founders, with Mr. Surprenant, of the Association of Families of Persons Assassinated or Disappeared. He is certainly a strong proponent of the types of benefits that are in the bill.

It's good to have you here, listening in on the testimony that's being provided.

We'll now move to Mr. Butt.

Mr. Brad Butt (Mississauga—Streetsville, CPC): Thank you very much, Mr. Chair.

Thanks to all of you for being here today.

I'd like to get a little bit more information about the role of the Federal Ombudsman for Victims of Crime. Some of us and our communities are certainly familiar.... In Mississauga, Ontario, which I represent, I'm quite familiar with Victim Services of Peel, for example, and with the role they play in supporting....

Obviously, the goal of Bill C-44 is to provide financial support in some ways for parents who are going to need to take time off work to deal with the difficult circumstances in their family and to make sure they qualify for employment insurance and are able to get those financial benefits. That's part of it.

The other part, of course, is the amendments to the Canada Labour Code, which would allow an individual to take unpaid leave and still have their job secured—in the federal realm, obviously, because it's the Canada Labour Code. I think Ms. Harvey said it very well: we're hoping the provinces will consider coming on board with this in their jurisdictions.

Here is what I'd like to know. When you have the case of a family in which there has been a murdered child or a missing child, are there any other financial supports for families, either at the federal level through your office or at the provincial or local levels? In some cases, obviously, if a family member is not working to begin with, they wouldn't qualify for EI benefits, but they likely would be going through quite a fair number of expenditures, I would think, for the family, etc. Are there any other financial support mechanisms that you're aware of for families at either the federal or provincial level or at the local level, beyond what we're talking about in this bill today?

● (0930)

Ms. Susan O'Sullivan: First of all, thank you for the opportunity to tell you a little bit more about what our office can do. As indicated, I am the federal ombudsman, and as everyone on this committee is aware, the majority of direct services to victims of crime are offered at the provincial and territorial levels, so there is a large variability among what services are available to victims of crime, depending on what is offered by the province or territory.

I'd like to build on some of the comments Yvonne made. One example I can use that exists for victims of violent crime is criminal injuries compensation, but that framework is not available in the northern territories or Newfoundland.

What is available to victims of crime does vary among the provinces and territories, and those decisions are made based on their communities, their needs. One of the things that expanding the Canada Labour Code.... In my comments I also offered that perhaps this committee...and I realize it is not part of the actual Bill C-44, but it is in conjunction with it, because what we're trying to do is provide the best benefits possible for victims of crime. So if in fact the provinces and territories came on board with their amendments, this would be an example of bringing some consistency across Canada in what's available to victims of crime—if they came on board with similar changes.

I always like to say, on the subject of what we can provide, that, for example, if there were a category added to EI that was similar, which was expanded—I really echo the comments, and I'm just going to use age as an example, because we really should be eliminating age as a criterion in terms of the financial needs of victims of crime. When we look at whether EI can be amended—and

I recognize your comment as well, because, for example, under EI, you're right that the criterion for adherence to that is more stringent than in the federal income support program—we would recommend a category be added to that, which is broader. So if people were ineligible or in fact would receive more—because of their incomes—than the \$350, they should then get the option of the federal income support plan. In actual fact, I understand that the top limit on EI is \$485 per week, so there would be a potential for increased benefits to victims of crime.

There are different resources available. You're quite right, for example, that in some communities there may be a higher level of victim services at the local level, based on what's available. What we see across the country is variability. We see capacity and needs and gap needs. It's no surprise to anyone on this committee that if you happen to be in a northern community, capacity is an issue. It's not just how you are going to get it.

I want to reflect Mr. Surprenant's comments about the availability of the right support. I realize that counselling is something that's available for funding, but there is, for example, in some provinces—I think Yvonne highlighted it, that to deal with the grieving process you need that counselling support and the availability. Your ability to afford that is different, or there is that variability.

So, yes, there are services available at the provincial and territorial levels. There is a large amount of variability across the country.

The Chair: Thank you, Mr. Butt. Your time is up.

We'll now move to Mr. Cuzner.

Do you have a comment? Go ahead.

Ms. Yvonne Harvey: I would like to just build on what Sue said. One of the things I hear all the time, almost on a weekly basis, is that there is no agreement between the provinces, so there is a lot of disparity in terms of what services are available in the provinces. In my case, my child was murdered in Newfoundland and I'm a resident of Ontario, so there were even no counselling services available, because it happened in a different province. I hear that all the time from parents whose child was murdered in one province and they're residents of another. Even the fundamental support of having some psychological services is not available in some cases.

● (0935)

Mr. Brad Butt: Maybe we could take a federal leadership role on that. Maybe we should take that under advisement.

Thank you.

The Chair: Go ahead, Mr. Cuzner.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Thank you very much, Mr. Chair.

Thank you for being here today. Certainly as the representative of the Liberal Party on this committee, I can tell you that we believe in the intent and the essence of this bill. Some of the questions I had with regard to flexibility in the age restrictions, in the extension of benefits to spouses and siblings—those questions have been asked and answered.

The suggestions that you three have put forward I think are very strong, very realistic. I agree with Mr. Butt. There are representatives from five or six different provinces here, and to go back and advocate to have those types of issues addressed at the provincial level I think is very important. We as federal members should go back and do what we can to advocate for those in our own provinces.

The questions have been asked and answered. Your testimony has been succinct, it's been powerful, and it's been compelling, and I have no further questions. I want to thank you not just for being here today, but for the work that you continue to do for the benefit of others.

Thank you.

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

I think we all agree with the comments Mr. Cuzner has made. Your testimony has certainly been powerful and succinct, and it is very touching and deals with the issues that we're considering.

Thank you very much for appearing before us and taking the time to do that. With that, we'll suspend for the next panel.

Thank you.

• _____ (Pause) _____

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• (0945)

The Chair: I'd like to bring the meeting back to order.

I would like to indicate that we will adjourn a little earlier this morning because we have some committee business. We want members to be mindful of that.

We welcome the new panel. Thank you very much for attending today as we study Bill C-44.

I know that at least some of you had the opportunity to be here during the first panel. It was very touching and compelling testimony. We can hardly imagine what it must be like to appear before a committee. We certainly commend you for your courage and for the fact that you have taken the time to personally invest in these issues and come before us and answer questions.

I understand we will start with Mr. Serre. Go ahead.

[*Translation*]

Mr. Bruno Serre (As an Individual): Good morning. My name is Bruno Serre. I am the vice-chair of AFPAD and Brigitte's father. Brigitte was murdered in January 2006 at the age of 17 during her shift at a Shell station in Montreal.

When Brigitte died, not only did my life as a father fall apart, but so did my life as a worker. On the morning of January 25, 2006, I was at work. Never would I have thought that my life would be turned upside down and changed forever.

At around 9 a.m. that day, two detectives came to my work and asked to meet with me. I went to see them. After asking me a number of questions about my children, they gave me the bad news about my daughter Brigitte. That is the precise moment when my life as a father changed forever. I could not believe that something like that could happen to my daughter at her workplace.

The days that followed the tragedy will be engraved on my mind forever. I closed myself off in a bubble to protect myself, to escape the tragic events that I had just learned of and to be able to live. I was no longer the strong and solid man that I used to be. I was questioning my role as a father, as the man of the house, because, in my view, a father is supposed to guide and protect his children on their life journey.

But I was not there to protect her that night. That was my state of mind at that time. Have I failed as a father? That is the question I kept asking myself every day. What could I have done? Why her? Those questions were going through my head over and over again.

For a number of weeks, I second-guessed myself, I was angry and I could not understand what had happened. I was no longer living, I was just there. I was no longer listening to my other children. We had three other children with us at home. I was lucky to have an amazing partner. She supported me and comforted me during my moments of anger, rage and great pain.

Five weeks after the tragedy, I decided to go back to work. My partner had already been back to work for a week. In my mind, I told myself that I was also ready to go back. Other factors contributed to my decision to return to work, including financial insecurity, additional debts that were piling up and the fear of losing my job.

So I showed up at work, one morning in March, hoping to resume my work. Needless to say, my return to work was not the way I pictured it. My colleagues at work were avoiding me. When I walked down the hall, they would look somewhere else. When I entered the cafeteria, people would stop talking and would avoid any eye contact with me.

My partner, who worked in the same place as me, became my only friend. She would comfort me by saying that it was normal for people to avoid me because they did not know what to say to me. But I could not understand why they were avoiding me. I told her that I was the father. I could not see how I could go to work every day and live in silence.

During the following weeks, it was no longer the silence that I had to deal with daily, but the questions that people were asking about the tragedy. My colleagues either wanted to know how I was living with this and what had happened exactly or they would tell me that they understood my pain and what I was going through. Those were questions and comments that I did not necessarily want to address.

• (0950)

My biggest concern was how I was going to get through the day. At that point, three months had passed since Brigitte's death. So I asked myself what I had to do. The answer was simple: I had no choice; I had to work, regardless of my questions. There were basic living expenses, the mortgage, the accounts, groceries, the children's school and the big fear of losing my job if I was away for too long. Above all, there was the pride, the pride of the man of the house who wants to bring home the bacon. I also remember evenings, after work, when I was burnt out and no longer had the energy to take care of myself or my family. I wasn't the solid man of the house anymore. This situation lasted for several months.

During the year, I had to be absent from work or leave early a number of times. I was not 100% productive. As a conscientious worker, it was a situation I had difficulty accepting. Poor mental health and exhaustion has a very serious impact on daily life. During that period, I had to see my family doctor for chest pains, frequent stomach pains and headaches, and dizzy spells. After he examined me several times, the doctor simply told me that what I was experiencing was normal. In fact, what I was going through following the tragic death of my daughter was tremendous stress for any parent. Only time and rest could remedy all my physical and mental health problems. At that point, I understood that no parent who loses a child tragically is ready to return to work in the months following the incident.

Bill C-44 is an indispensable measure for any parent who has to regain their health, take time for their family and themselves, to better deal with life that moves on. I would like to thank Minister Diane Finley, Prime Minister Stephen Harper, and the Conservative government for keeping a promise that gives renewed confidence to victims like me. I applaud the government's willingness to help us.

Thank you.

[*English*]

The Chair: Thank you, Monsieur Serre.

It is certainly good to hear you share your personal thoughts and feelings and the physical effects you experienced. I think it's good for the committee to hear that and some of the second-guessing that you've gone through, as we deal with this study. The last thing you should be concerned with is losing your job.

Of course, it has some pretty practical realities, and we can understand that for sure.

We'll now go to Ms. Ryan.

Ms. Darlene Ryan (As an Individual): Thank you.

My name is Darlene Ryan. I'm the wife of Bruno Serre.

Brigitte Serre was brutally murdered in January 2006 while working in Montreal at a Shell gas station. She was 17 years old.

Brigitte was the middle child of our five children, whose ages ranged from 13 to 20 at the time of her death. The death of a child is always a tragedy. It is a path that no parent ever wants to cross. When that death is caused by the criminal act of another, the tragedy and consequences are multiplied beyond measure.

Bruno and I were at work when the police came and announced her death to us. The only way I can describe that day even now, almost seven years later, is an intense feeling that you're having a nightmare and you'll wake up. Unfortunately, that isn't the case.

When life hands you something like what we went through, you go through the first days in a strange sort of haze in which you're doing things you never thought you would have to do. You're planning the funeral for one of your children, choosing a casket and urn for a 17-year-old, when you should be planning their 18th birthday party. You're trying to help your other children deal with something you yourself aren't quite sure how to handle. You're trying to understand police procedures and meeting with them to try to find

out exactly what did happen to your child. The police were wonderful with us, but were incapable of giving us the answers we so desperately needed to hear.

In our case, as is the case for many other families in our situation, trying to deal with all the media attention and continuously seeing your nightmare displayed on the news only intensifies the suffering. I think we managed through those first days by simply doing what needed to be done. As in most deaths, the aftermath of the funeral is when reality takes shape. It did in our case as well, but not as a usual death would have. We were not only trying to deal with the sudden death of a child; we were dealing with the fact that some stranger had decided to hurt her and take her away.

We were among the lucky ones, in the sense that the criminals had been arrested quickly, freeing us from the countless crowd scanning of passing faces, wondering if they were the one or not, like so many other families have to go through.

The second part of the nightmare was yet to come. We still had to face all the judicial procedures in the upcoming months. I decided to go back to work after only about three or four weeks following Brigitte's death. The fear of losing long-term job security and not being able to make ends meet and take care of my family quickly invaded my subconscious. I also knew that I would need additional time off eventually when the court hearings would come around. This worried me in case I took too much time off in the beginning and I would lose the possibility of being present for the court procedures. Although the decision was formed rationally, I was far from ready to return to work emotionally.

From day one, it was tremendously difficult. On my first day back at work, people were actually lined up at my office wanting to ask me all sorts of questions. The majority were truly out of concern for me and my family, while others were out of morbid curiosity formed from viewing bits and pieces on news broadcasts. Either way, it was an effort to deal with. As I was at work, I tried to answer in a professional manner, but would often have to escape somewhere else and simply weep in order to let off some of the steam and some of the emotions to get through my day.

I would then come home, and try as I might, I just couldn't be there as much as I wanted to for the rest of my family. As a mother and wife, you want to help everyone in your family, but when you hardly have enough strength for yourself, it's difficult to give strength to others. I often felt that my family was falling apart and was helpless to do anything about it. My husband had also returned to work, and I could see the toll it was taking on him. I lived with the guilt that he returned to work too early. As he had seen me return, I think in some way he felt obligated to do the same.

By the time I'd figured out that I myself had returned to work too soon, it was too late for either of us to take time off, so we simply struggled on. Due to all the stress he was going through, my husband started to have numerous health problems, serious enough that the children and I were seriously wondering if he was going to make it through the year.

Whenever a drama such as ours occurs, it's often suggested that one family member be the contact person between the authorities and the family. I was that person for our family. I would receive calls at work regarding the case, which in turn required that I ask for additional time off work, enabling me to go to court. Although my employer never refused my request, it was obvious that all my absences were causing problems, as my dependability was inferior compared with before.

● (0955)

One of my superiors finally suggested that I take a few days off in the aim of settling all of my family matters. There was no ill intention on his part. He meant well. He simply didn't realize that ours was not something that could be settled in a few days.

I was starting to feel a burden and worthless as a worker, as well as lost as a parent.

Ours being such a large family, we also had to take care of our other children, most of whom were teenagers at the time. They dealt with everything in their own individual way, but all went through academic setbacks. One of our children was affected more intensely, which required additional attention. This also caused an increase in time off from work, as I would receive emergency calls from school requiring my immediate presence.

Whether it was time off work in the first few weeks following Brigitte's death or appearing in court to help my family, or simply when I couldn't make it through another day at work, I was absent more often in 2006 than in all of my previous 14 years combined with that employer. I was never a person who shunned my professional responsibilities. I had always taken pride in my career. But the reality of the situation was just too hard to handle. It was an impossible and unfair situation for both me and my employer.

It's unfathomable to think that a parent of a murdered child can return to work after only a few weeks, to return to a normal routine, when they are trying to cope with all of these harsh realities. It takes months, not weeks, to get a minimum amount of strength back.

If the measures that are being discussed today would have been in effect in 2006, I could have helped my husband, children, and myself more efficiently. It was a very long road back for all of my family, which could have been easier and quicker if we'd had the necessary time off to heal.

I'd like to take a moment to thank Prime Minister Stephen Harper, Minister Diane Finley, the respective teams, as well as all of you today and the Conservative government for listening to our plea and for finally finding for families the help that they truly need.

Thank you.

● (1000)

The Chair: Thank you very much for sharing with us.

We can certainly understand that it is a nightmare, but one that doesn't easily go away. Just the multitude of things you have to cope with and deal with separate and apart from work is cause enough for concern. You shouldn't have to be thinking about whether you'd go back to work so soon after an event like that. Again, we appreciate your sharing with us.

We'll now move on to Madame Sirois, please.

[*Translation*]

Ms. Christiane Sirois (As an Individual): Good morning. My name is Christiane Sirois and this is my story.

My son, Sébastien Métivier, was kidnapped on November 1st, 1984, when he was eight years old, close to 28 years ago. Today, I am supporting the assistance that Bill C-44 will give to parents of missing children. This morning, I would like to give you a few examples from my personal experience in order to stress the urgency of adopting this bill as a whole as soon as possible.

As a single mother, I was the only financial support for my family at the time. I had two children: Sébastien, who was eight years old, and Mélanie, who was seven years old. I worked as an administrative secretary at the time. The tragedy that occurred in our life was so emotionally intense that it took all my energy.

After the disappearance, I was unable to work and live in a balanced way, given the events that I just described. So I had to hand in my resignation to my employer and stay home. Since this was a disappearance because of a kidnapping, I kept waiting for my child to return home, which unfortunately did not happen. I used various services, those of psychologists and other people. At the time, this type of event was not familiar to them.

No one has the right to live in this kind of disarray without resources. I had to face these events without financial or psychological resources. My daughter, Mélanie, and I were in an endless corridor. We were directed toward last-resort services meant to help people. We submitted a financial aid request for compensation to victims of crime in Quebec.

Despite the financial assistance we were given, we had to use last-resort services. I worked very hard to make up for what we were lacking. I returned to work and, as a result, had to abandon the large file of research on the disappearance of my son for a few years.

This is why the assistance proposed in Bill C-44 would have improved my life at the time. Even if modest financial assistance had been available at that time, it is clear that our suffering could have been lessened.

● (1005)

[*English*]

The Chair: Thank you.

We'll now go to Madame Hotte.

[*Translation*]

Ms. Céline Hotte (As an Individual): Good morning. My name is Céline Hotte, and I am pleased to be here today to support Bill C-44.

At the time of the crime, I had two daughters, and I was living with my spouse, who is a paramedic in the Buckingham area of Gatineau. Annick, the eldest, was 15 years old at the time. She had decided to go live with her father. Everything was going well until, one day, our lives were turned upside down. A gratuitous murder was committed. I had four weeks left of a contract, but I was unable to return to work because time had stopped for me.

The bills continued to come in regularly. It was very difficult with only one income. Let me give you some examples. My spouse made the minimum payments to all the creditors, often less. The telephone got cut off. Hydro called us nonstop. We lived with another stress: money. This added to all the sorrow the murder had caused. It was very painful for us. I was also worried about my daughter, Pascale, and concerned that she continue going to school and being involved in her sports activities, but especially that she eat properly, which was not always possible.

We also had to pay for half the funeral costs and all the other expenses incurred by the situation. We really needed specialized psychological assistance. This is why Bill C-44 is indispensable for the relatives of victims. The \$350 weekly payments over 35 weeks are very important to lighten the financial burden on victims and to help them continue to live with a little less worry because, I should mention, it is very difficult to carry on with the realities of life after such a tragedy has happened.

Following this trauma, I was diagnosed in 1999 with fibromyalgia, and this was a result of the murder. I was experiencing too much stress at that time. This is an incurable disease. There was also the stress related to parole, which plunged us back into it after 10 years, 12 years; he is trying for parole each year. After 17 years, he was reincarcerated because he did the same thing to another girl. We are witnessing that. We are being thrown back into it. We are in it almost all the time.

I would like to thank you for listening to me. It is important because other families will unfortunately experience similar situations. But, they will have the opportunity to get money to meet their needs.

Thank you very much.

[English]

The Chair: Thank you very much for sharing a very painful time in your life. I can understand how things like telephone bills, hydro bills, and other money issues would add to the burden and the stress; there's no doubt about that. Anything that could help lighten the burden would certainly be appreciated, I'm sure.

We're going to move now to Mr. Cleary for a round of questioning.

• (1010)

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Thank you, Mr. Chair.

I want to split my time with Mike, Mr. Chair.

Thank you to the witnesses. Your testimony is very important for the families of future victims. Unfortunately, there will most definitely be future victims.

I was a daily newspaper reporter for 12 years in my previous life as a journalist. My career as a day-to-day newspaper reporter came to an end soon after I covered the murder of a 15-year-old girl in rural Newfoundland and Labrador. Her name was Samantha Walsh. Walking home from her grandmother's house one Sunday evening after dinner, she disappeared. They found her a few weeks later under a snow bank. She had been murdered by a young man who lived just down the lane. For the two weeks she had been missing, her parents were out of their minds with worry and fear, and then at the end came the worst possible result.

Covering that story, I felt as a newspaper reporter that the way to best relate it to the readers was to try to get as close to the story as I could. But I got too close. I couldn't do my job anymore after that.

I do feel for what you went through, for what you're going through.

I heard, Darlene, what you had to say, and Bruno, what you had to say, and what everybody had to say about how you returned to work in a matter of weeks, in your cases. This bill would give you a grant for 35 weeks.

I have two questions. Are 35 weeks enough? What other supports can you see being put in place to help families in circumstances such as yours?

[Translation]

Mr. Bruno Serre: Thank you for your comments.

A period of 35 weeks is a good start. It depends on the person and the situation, but 35 weeks is still a good amount of time.

But if these 35 weeks must be consecutive, that isn't enough. People will have to attend trials a year and a half or two years later. When the trial or the preliminary hearing starts, people must have more time. During the trial, people can't go to court and then go to work. I know this because last year, during the preliminary inquiry, we attended hearings and had to go to work two days later. It is very difficult and it takes time.

So a period of 35 weeks would be good. There should perhaps be an additional period. If the case is postponed to a later date, there should be a supplement of a few weeks. When there is a trial or a preliminary inquiry, time is absolutely needed.

[English]

Ms. Darlene Ryan: I agree with my husband in the sense that it should be spaced out. The way the justice system works, not to hurt the case, you don't know how your child died; you just know they passed away. We found out 18 months later, through the coroner's report, live, in court with everybody else. Because we were reserving as much time off as possible, and there was a two-day break in court, we found out how our child died and we went back to work the next day, and then we had to take another day off because the court started up again. Obviously we didn't even last the day. We tried, but we couldn't do it.

In some cases, I think it's hard to measure how much time would be enough. For some people, it'll never be enough. It's a case-by-case scenario, but we have to start at some point.

If I could just add to one of the comments that was made regarding the same question, it's admirable that you want to add spouses or siblings to be eligible for these measures. I was Brigitte's step-mother. According to how C-44 is written right now, I wouldn't be eligible for that help, but that's okay. The main thing is that you have parents who are going to be in need of it now. It's an urgent measure that should be passed, and in my case, if my husband at least had been at home taking care of the children, taking care of other things, it would have alleviated part of my burden. I wouldn't have been A-one—far from it—but it would have taken such a load off my shoulders. I would have been better able to at least concentrate on some things, instead of trying to patch holes all over the place. So it's okay.

• (1015)

The Chair: Thank you for that.

Mr. Cleary, your time is up. We will get to Mr. Sullivan in the next round.

I'm wondering if I can abridge the rounds a little bit to perhaps four minutes, starting with Mr. Mayes, as we want to be able to finish on time.

Mr. Mayes, for four minutes.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Thank you, Mr. Chair.

Thank you to the witnesses for being here.

I just want to echo what Mr. Lapointe said earlier to the previous witnesses, that it takes a lot of strength and courage to come here. You're not only presenting your story, but you're also representing others who have stories that are similar to yours. So I thank you for that, for being here.

I just want to go on record in saying that our government's focus has been to support the victims of crime. We have put forward various pieces of legislation to do just that. We're sending a message to Canadians that victims of crime are the innocent. The offenders are the guilty. I think that's an important definition of our government and where our focus is. This is just one of the many pieces of legislation we have put forward to address crime and also to protect victims.

One thing we talked about earlier was other support from provincial governments and maybe even community groups, local government or community groups, that come around to add support. I just want to go on record, too, and say that the thought of the possibility of provinces taking the proceeds of crime, when they capture these bad guys and then sometimes have assets that they can sell....

When they sell those proceeds, and they have moneys, they have finances, I really do think it would be great for the provinces to take those dollars and use them for victims' support services. I think it would be just a great initiative for the provinces to take, and I wanted to go on record in saying that.

Has your experience with the justice system and with those who enforce our laws been a good experience? Have they supported you? Have they had the resources to support you through some of the

challenges you were facing as they were doing their investigations, or as they were proceeding through the court system?

[*Translation*]

Ms. Christiane Sirois: Not really. I should even add that the parents of victims, as well as their brothers and sisters, lose a part of their dignity. My son has never been found, and that is a question all across Quebec. People even say that it's strange and wonder if a parent is guilty. I did not really get support.

As I said a little earlier in my testimony, we asked for last-resort assistance. I was even told at one point that I should roll up my sleeves and live my day-to-day life. It's easy to say when you're not going through this kind of tragedy. I understand it, but children are left behind. These children experience this very profoundly. I have to say that this is collaterally destructive.

There was some discussion earlier about Ms. Hotte's fibromyalgia. My daughter has it. She is 35 years old and is starting her life. When she was seven years old, her life was turned upside down. My daughter found herself in a pit of emotion, and the system does not understand what she is going through.

So I congratulate the federal government for offering this kind of help to future victims. The saddest thing in this story are those who are left behind.

• (1020)

Ms. Céline Hotte: There are also medical costs that had to be paid because of my illness. I tried to get help for that. I was refused, just like that.

[*English*]

The Chair: Thank you, Mr. Mayes. Your time is up.

If others have comments, you can maybe put them forward when we go to the next round.

Mr. Sullivan, go ahead.

Mr. Mike Sullivan (York South—Weston, NDP): Thank you, Mr. Chair, and thank you to the witnesses. I can't say enough about how courageous you all are to come here and bare the darkest parts of your lives for the rest of the world to gain from your tragedies. You've just done an amazing feat, and I really appreciate it, as do all Canadians, because you will help us craft this bill to make sure it's as good as we can make it.

I've heard from you and from people before that the process you go through is not prescriptive. Somebody can't write down in a book that says this is going to take 104 weeks, or 35 weeks. The numbers thrown out there are random. I'm guessing that some flexibility would go a long way toward allowing you the ability to deal with events as they come throughout the tragedy you've gone through. Am I gathering that correctly?

[*Translation*]

Mr. Bruno Serre: I think that would be a very good thing.

For example, if this happened to someone and, after 10 weeks, they felt ready, they could return to work. In my case, I went back after five weeks, but I wasn't really capable.

So it would help to have hours or weeks banked. Five probably would have been used and then there would be 30 left, which could be used over the years. But there should be no expiry date. For example, it could be decided that the recipient would have one year to use these 35 weeks, as is sometimes the case in the government. Instead, this should be spread out over two or three years. Some trials can take place three years later.

If someone has used all the weeks and the trial comes up, that person will relive the tragedy. When the trial comes up, you relive the day when you learned about the death of your loved one. So there are other steps to take. If the person doesn't have any weeks left, he or she will have to go through the same situation again that happened at the very start. That person will be lost and unable to work.

Being able to bank the weeks for later would be a very good solution.

[English]

Ms. Darlene Ryan: I would agree wholeheartedly. I can truly speak from experience. You go through a roller coaster of emotions, and no two people go through it at the same time. It's not something that can be foreseen. As long as there is some flexibility, I think that would be a great help to families.

Mr. Mike Sullivan: Ms. Sirois.

[Translation]

Ms. Christiane Sirois: My answer is yes, without hesitation. I support what Mr. Serre said: there should be banked hours, should a person need them.

This doesn't apply for me. I haven't found my son, but I can put myself in the shoes of people who have found their child. I do not dream about finding him alive after 28 years, you can be sure. But I understand. I am suspended. What will happen when I find his little eight-year-old body or what's left of it? This will happen one day, for sure. I will relive 28 years stored up in my memory. It is important to be prepared for this, that is certain.

That is why it is crucial that these victims have a minimum amount of financial assistance to help them survive. Because listen carefully: you don't really live with this, but you survive.

Ms. Céline Hotte: It's sort of the same thing for me. For 10 to 17 years after the events, I had to deal with the perpetrator's parole requests and the issue of halfway houses. To contest these requests, you need to put together a file. This takes signatures from people in the village where he lived. This isn't easy to do. You also have to read about everything he did in prison. This isn't easy. You cannot talk to him—that's not what I wanted to do anyway. You have to read the reports. He never followed the recommendations. Each time, it put me right back into the situation I had gone through.

• (1025)

[English]

The Chair: Thank you, Mr. Sullivan.

Mr. Cuzner, did you have some questions you'd like to put?

Mr. Rodger Cuzner: Yes, I do, and I want to thank everybody for being here.

I want to make a comment first, Mr. Chair. I heard something from Ms. Ryan that I know I've never heard in my household before, and I've been married for 28 years. She said, "I'd like to agree with my husband", and I don't think I've ever heard that in 28 years, so...

Voices: Oh, oh!

Ms. Darlene Ryan: I don't say it that often.

Voices: Oh, oh!

Mr. Rodger Cuzner: I certainly appreciate the fact that, when a family goes through this, the physical, mental, emotional, and spiritual impact on a family must be devastating, and I appreciate your coming here to share your stories.

I want to ask a question that I probably know the answer to. Had you lost Brigitte, had this happened three years later and she was 20 years old, would you be any more devastated?

[Translation]

Mr. Bruno Serre: Just as much. A child remains a child, whether the child is 2 months old or 24 years old. She was 17 years old, and she was my baby. If she had been 20, she still would have been. At 30 years old, she would also have been my baby.

The way we love or treat a child is not a question of age. As was said earlier about the victims, I am a victim now and I will always be. It will not stop.

This is why, when we are asking if it is possible to determine a period, I say that, until I die, I will be a victim of the death of my daughter. I have learned to live with it, but it's always there. If I live to be 105, I will be a victim until I'm 105.

[English]

Mr. Rodger Cuzner: That underlines an amendment or a suggestion brought forward by Ms. O'Sullivan as well. Your suggestions on the flexibility of the legislation are very well founded, and we'll look forward to supporting flexibility within this legislation as it moves forward.

Now, Brigitte was 17, and you had another son or daughter who was 20 at the time? Were they working at the time? The other suggestion was to extend this to spouses or siblings. Could you give us a little bit of an outline as to how the 20-year-old responded at the time and some of the challenges they may have had?

[Translation]

Mr. Bruno Serre: We were a blended family, as many families are these days. She had three children, and I had two. At the time of her death, Brigitte was living in Montreal with her 20-year-old sister. She was the one who got Brigitte the job at that place because she worked there herself. The day of the tragedy, if the police had not been there, she would have been the one to find her sister on the ground. That morning, she came in half an hour earlier just to be able to speak to her sister. When she arrived, the police prevented her from entering.

I had difficulty with it. She withdrew. Nothing came out. She did not speak and avoided everyone. She retreated into herself, into her own bubble and was mute. We had difficulty approaching her. She did not want to talk about this.

The assistance measures should not be just for the parents. Her closest sister and the other children all experienced this tragedy. The youngest got into all kinds of bad things. She got involved in drugs. That was her outlet. She dropped out of school. She sorted herself out, but this is the type of thing that we had difficulty monitoring because we were dealing with a serious tragedy. The children had no support. So, unfortunately, they were left to their own devices. I take some of the blame. I should have been there, but I wasn't. You know, after a day of work, you're burnt out.

This legislation will help parents greatly. It will probably save families. I should mention that a lot of families break up. In many families, children commit suicide after the death of a brother or sister. Certainly, legislation like this will help everyone. If it can be extended to people close to the victim, children for example, the step-mother and step-father, that would be good.

● (1030)

[*English*]

The Chair: Thank you, Mr. Serre, for sharing some of those very personal comments.

I had skipped over Mr. McColeman, but he assures me he has a brief comment he'd like to make. I think it would be appropriate for him to do so.

Mr. Phil McColeman (Brant, CPC): I wish to echo everything that's been said.

I also wish to add something to it from today's testimony because this is a very emotional and difficult situation. Sue O'Sullivan said something previously, and I believe you were in the room during her presentation. I agree that every situation is different and that there is not a one-size-fits all. She said something about the mandate of the advocacy is to promote the basic principles of justice for victims of crime.

I'd appreciate it, if it's within your ability, to express to us, perhaps in writing because this committee meeting is over time right now, what you believe those basic principles are, as parents. As parents today, our biggest question is, why me, why us? There is no human understanding of this, and nothing that another human being is going to say that's going to suffice in your lives. Your courage is amazing. If I may say, I believe that you're honouring your children with your strength in being here today.

Thank you.

The Chair: Thank you for that intervention.

Thank you for sharing your stories and really playing a part in making things better for others who are going through, or will go through, some of the things that you have been through. In a way, talking about it and hearing others talk about it is a bit of a healing process in itself. It's something that helps all of us.

Once again, thank you very much for coming.

With that, we'll suspend the meeting.

[*Proceedings continue in camera*]

● _____ (Pause) _____

●

[*Public proceedings resume*]

● (1035)

The Chair: We have before us Mr. Cuzner's motion, which was introduced some time ago.

Yes, Mr. Cuzner.

Mr. Rodger Cuzner: Mr. Chair, even before I address the motion—we're in public—could I ask if the minister has been requested to come? Has it been attempted to try to schedule a spot for her to do the estimates?

The Chair: I don't think we have scheduled it, but we certainly intend to before the end of the year, if that's your question. She will be here for the estimates.

Mr. Rodger Cuzner: Could we try to schedule that sooner rather than later?

The Chair: Okay. Could you undertake to do that?

With that, Mr. McColeman, did you have a motion?

● (1040)

Mr. Phil McColeman: If Mr. Cuzner's motion is now introduced—which I assume it is—

The Chair: It is.

Mr. Phil McColeman: I would make a motion that we move in camera, Mr. Chair.

The Chair: Okay. We will entertain that motion.

(Motion agreed to)

The Chair: We will now move in camera.

[*Proceedings continue in camera*]

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