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Chair

Mr. Kevin Sorenson

Standing Committee on Public Safety and National Security

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• (1530)
[English]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): I call the meeting to order.

Good afternoon, everyone. This is meeting number 27 of the Standing Committee on Public Safety and National Security on Thursday, March 1, 2012.

Before we get into the introductions, Mr. Scarpaleggia has talked about his motion. If it is the committee's will, and I believe we have some type of consensus, we would like to reserve 10 minutes at the end of the second hour to go into committee business and to discuss a number of things.

Ms. Candice Hoepfner (Portage—Lisgar, CPC): I would suggest that we have at least 15 minutes, just to make sure.

The Chair: You want 15 minutes?

Ms. Candice Hoepfner: Yes.

The Chair: All right, we will go for 15 minutes. At a quarter after five, my intention would be to go to committee business.

Today we are continuing on our report and our study of the use of electronic monitoring in correctional and conditional release settings, as well as in an immigration enforcement setting, with a view to determining effectiveness, cost efficiency, and implementation readiness.

In our first hour, we have witnesses appearing by video conference. The first is Eric Caton, the president and chief executive officer of Jemtec Inc. in Vancouver, British Columbia. We have a blizzard here in Ottawa, so we almost wish we were with you in Vancouver today. We also have Michael Nuyen from Toronto, Ontario, who is the project manager. Our committee wants to thank both of you for taking the time and effort to appear before us and to share your information with us on this study.

Committee members know that Jemtec Inc. is Canada's leading provider of compliance monitoring solutions used in justice, law enforcement, and the immigration system. I looked at their website and I see they do alcohol monitoring and a number of other things.

First, I offer the two gentlemen the opportunity to have an opening statement before we proceed to questions from members of Parliament. We will begin on the west coast with Mr. Caton, please.

Mr. Eric Caton (President and Chief Executive Officer, Jemtec Inc.): Good afternoon, Mr. Chairman, and members of the committee. What I was going to do was run through my comments and then move to the questions, if that is appropriate.

The Chair: That would be good. We will hear from you, and then we will hear from Mr. Nuyen.

Mr. Eric Caton: Very good.

My name is Eric Caton, as mentioned, and I'm the president and CEO, and I'm from Vancouver. Jemtec's project manager, Michael Nuyen, is also participating today, and he is from Toronto, as mentioned. I'll make a brief statement, as I said, and then we'll move on.

For the majority of my comments, the use of the letters EM will mean electronic monitoring in all forms of the technology.

I'm pleased to offer our experience today and to share our insights, which cover a full breadth and scope of this study from a truly Canadian perspective. I'd like to briefly describe Jemtec, what it does, who our customers are, and the relationships we have with technology leaders in electronic monitoring. Following this, we'll address specific questions. We'll move through cost-efficiency, the implementation readiness and so on, and then the questions.

Jemtec, a publicly traded firm, is a leading provider of compliance monitoring solutions for justice, law enforcement, and immigration agencies. We've been that leader for 25 years; throughout this time, we have focused exclusively on the Canadian market and helped government and law enforcement agencies launch every electronic monitoring program currently in existence in Canada.

We have provided our customized solutions to CBSA and CSC at the federal level, and also to the provinces of British Columbia, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland.

Our solutions have also been used by local law enforcement agencies, including specialized police units responsible for managing high-risk offenders in the community. For public agencies, our services and technology give the courts, correctional services, police services, immigration authorities, and other entities the means to verify if the individuals are complying with their legally imposed orders, such as house arrest, home curfew, abstinence from alcohol, and movement restrictions.

With today's technology, these types of conditions can be monitored very cost-effectively compared to detention in aging and expensive facilities. I will speak to that in greater detail shortly.

Jemtec also provides services directly to individuals in specific cases, not just public agencies. Since 2004 Jemtec has been providing specialized arrangements to accused persons applying for bail pending their trial. For those accused persons, our services provide them and their families with options to develop more robust and comprehensive release plans to propose to the courts or to the immigration adjudicators.

I've talked briefly about who our customers are. Let me now describe our suppliers. I'm especially proud of the long-standing partnerships with high-technology leaders and innovators who themselves have extensive knowledge in the North American EM market. By maintaining strong relationships with reliable manufacturers, Jemtec keeps its focus on customizing integrated solutions for its customers. For example, different government agencies will have different needs regarding EM equipment and computer systems they prefer. They will have different procurement rules and preferences, such as purchasing or leasing or renting. Their training and customer support preferences are not always the same.

In some cases, agencies prefer that we not only provide the systems, but perform some of the services that are part of an overall EM program. For example, a well-designed program will have specific people responsible for installing equipment, setting up parameters in the monitoring software, receiving and responding to alerts when customers are non-compliant, and providing reports for the courts or other justice agencies.

Jemtec has been involved in a wide variety of contracts, some involving the supply of equipment, software, and training, and others involving the installation of GPS tracking bracelets on site at a participant's residence, for example. When asked, we've also established 24-hour monitoring centres that receive and act upon alerts around the clock and escalate to local law enforcement when needed.

What I am trying to convey is that Jemtec doesn't just ship pieces of equipment around the country. We provide a customized set of services and support our customers' specific needs for the day in, day out situation. In this way, Jemtec's business is similar to a mobile phone carrier like Rogers, Bell Canada, or TELUS. We don't make electronic monitoring equipment in the same way that the mobile carriers don't make the smart phones they sell and support. Instead, we're all focused on determining the customers' technological needs and then customizing the best match for them.

Now I'd like to speak to the scope of the committee's study, which involves the use of EM in a correctional and conditional release setting, as well as an immigration enforcement setting with a view to determining effectiveness, cost-efficiency, and implementation readiness.

I want to speak to each of these factors and then point out how the issues may differ depending on the setting. As context for my remarks, let me start by sharing some of the key insights I've gleaned over the past 25 years.

•(1535)

First, I am aware that in certain circumstances the nature of an offence warrants incarceration, and sometimes lengthy or even indefinite incarceration. For example, through the years I have come

across research that suggests that some violent repeat sexual predators cannot be "cured".

Second, notwithstanding my first point, it is my experience that the vast majority of convicted offenders will eventually return to the community. Sometimes this will be after a period of incarceration—for example, through parole—and sometimes it will be because they received a community disposition, such as a conditional sentence or probation order. It is my experience that across the country, about 85% of the offenders under provincial supervision are in the community, while only 15% are incarcerated on any given day.

At the federal level, the ratios are different because the Correctional Service has a different jurisdiction, but in the vast majority of cases, even their offenders will return to the community. For the border services agency, I am aware of media reports suggesting that in the Greater Toronto Area alone 1,400 criminals remain at large and unsupervised in the community.

Third, I am aware that cognitive behavioural treatment programs show the most promise for sustainable long-term behavioural change, whether delivered within a custodial facility or in the community, although sometimes we don't get the results we would all like to see. For example, just last week the media reported that two out of three B.C. criminals serving their sentences in the community instead of jail may not be completing the rehabilitation programs aimed at preventing repeat offences.

Finally, I am aware that the delivery of correctional services has always aimed to have a balance of deterrence, rehabilitation, punishment, accountability, and the containment of people demonstrating undesirable behaviour.

Through those means lawmakers aim to discourage unacceptable behaviour. I am also aware that governments must monitor public compliance with those laws. It's not enough for governments to post speed limits on the roads or create penalties for drinking and driving; governments must also look for speeders on our highways and set up RIDE-type programs to catch drunk drivers.

I will speak more about the role of compliance detection shortly.

As I indicated before, I am aware that cognitive behavioural treatment programs show the most promise for long-term behaviour. It is my understanding of the research that generally these programs can reduce the rate of reoffending by 10% to 15%. As an illustration, a repeat offender going through the justice system with no treatment programs might be expected to have a 50% chance of reoffending. Meanwhile, another offender with very similar characteristics going through a well-designed treatment program might have a 35% chance of reoffending.

On this last point, I can appreciate that it's not necessarily a simple exercise for governments to evaluate the effectiveness of treatment programs versus their cost. For example, is the government prepared to pay an infinite amount of dollars to achieve a 10% to 15% reduction in reoffence rates? Just how much per offender is an acceptable amount to pay for such programs? As I indicated above from media reports, what happens if offenders do not complete their programs?

In terms of effectiveness, I am also aware that studies show that installing an electronic ankle bracelet by itself provides little by way of lasting behavioural change. The key point I would like to make about such studies is that in my view, they overlook a key point about what electronic monitoring does. Mainly, these techniques and technologies are tools to monitor a person's compliance with a specific rule, such as getting home by their curfew time, staying out of a schoolyard, abstaining from alcohol, and so on. Just as police cruisers look for speeders on our highways or RIDE programs are set up to catch drunk drivers, electronic monitoring is a way to document that an offender or an accused person or an illegal immigrant is respecting a condition imposed by the court or an immigration adjudicator or some other authority.

I am also aware of a study done on a program in Newfoundland whose results showed that a combination of treatment programs and electronic monitoring yielded reductions in reoffence rates.

In other words, the use of electronic monitoring does not negate the value of treatment programs and indeed can add to their effectiveness. If treatment programs do not reduce reoffence rates to zero, and if large numbers of offenders may not even complete their treatment programs, then as a matter of prudent public policy, lawmakers need to have some safeguards in place. In my view, compliance tools such as electronic monitoring bracelets, GPS trackers, and alcohol monitoring bracelets have a role to play.

● (1540)

We have worked with a variety of public agencies that have adopted electronic monitoring as a compliance tool. Because very few probation and parole officers in the community work after hours or into the weekend, their ability to visit their clients to make sure they're at home when they need to be, or to make sure they're staying away from schoolyards and playgrounds as directed, or are not drinking, is extremely limited. Governments could change this by having more officers supervising their clients, but with today's technology, do we want to have highly skilled officers do this type of work when the technology does it more consistently and more continuously than humans do?

When I talk about "officers", I include all types of officers: correctional officers, immigration officers, bail supervision officers, and the like.

Now I'd like to turn my attention to cost-efficiency. When I see media reports of costs of custody, I tend to see figures of between \$150 and \$200 per person per day. As I indicated previously, there is no question in my mind that for some cases, incarceration is the appropriate management method, so my remarks are not focused on those individuals. Instead, I want to speak to the vast majority of individuals who either need to be managed in the community or who will eventually return to the community.

Again, sometimes hard and comparable data are difficult to find, but I am aware that for some jurisdictions, the cost of community supervision, including the use of electronic monitoring, can average out to something like \$5 to \$10 per offender per day. The numbers speak for themselves, but behind these figures, I would like to speak to a growing trend in recent years when we look at what we are spending \$150 to \$200 on per person per day.

Note that I didn't use the word "offender" in this case. That's because correctional officials from most of the provinces we deal with are saying that two-thirds of their beds are being occupied not by convicted offenders but by people on remand. By "remand", I mean individuals who are awaiting trial, awaiting a bail hearing, or awaiting sentencing. Therefore, not only are custodial facilities expensive, but the majority of their occupants are not even convicted offenders.

Given these statistics, in the name of efficient use of public funds it would be my suggestion that correctional authorities, particularly at the provincial level, pay closer attention to management of the remand populations, including the use of EM. That way, double-bunking can be reduced and expensive custodial facilities can be reserved for those who pose the greatest threat to public safety.

With the proposed changes included in Bill C-10 and the media reports of possible increases in incarceration at a provincial level, it might make sense for the federal government to show some guidance to the provinces in how electronic monitoring can be used to reduce the high number of remands in their facilities.

Specifically in the context of immigration and reports by CBSA officials that 1,400 criminals are at large in the Greater Toronto Area, in my view it would be prudent for the federal government to take a serious look at electronic monitoring and GPS tracking as a solution to monitor these cases once CBSA tracks them down. Some of them will no doubt merit incarceration, but others may be appropriate candidates for electronic monitoring technologies.

Finally, I'd like to share my observation about implementation readiness. This is an area where Jemtec has significant experience with public agencies across the country. As I indicated earlier, our customers seek our expertise because they are not interested in just having someone sell them a box without any support or training. Jemtec has unique experience, because it has worked very closely with CBSA and CSC. These contracts are a matter of public record. While we are not at liberty to discuss the specific details of our work with CBSA, with CSC we helped launch their pilot program in the Toronto area, which used GPS tracking technology on federal offenders returning to the community after doing time in CSC penitentiaries.

It was through Jemtec's experience and close work with the Nova Scotia justice department that we were well placed to introduce CSC to officials from Nova Scotia, who were the first in Canada to implement leading-edge GPS tracking technologies for offenders residing in the community.

Our work with Nova Scotia, CSC, Manitoba, and other public agencies using GPS tracking has pointed out the importance of carefully designing one's EM program around one's strengths and resources. For example, it does not always make financial sense to operate a 24-hour alert management centre staffed by government employees. Monitoring and alert management are staff-intensive activities wherein one can achieve economies of scale. For caseloads of fewer than 300 people being monitored, it is faster and more efficient to outsource the monitoring and alert management function, thereby reducing the time needed for implementation readiness.

• (1545)

Furthermore, when an agency is working with multiple technologies and/or officers have high caseloads, a program can sometimes be implemented more quickly and more efficiently by allowing the private sector to perform the installation of an ankle bracelet on the client, rather than having them supervise officers who perform that function. Basically, in our experience, it can be expensive and time-consuming to train officers to be familiar with the installation, the troubleshooting procedures, and the removal of the equipment, as well as the intricacies of the supporting software systems.

For small programs with small caseloads, these functions can sometimes be best managed by leveraging the expertise and resources of the private sector, which then enhances an agency's implementation readiness. This being said, from our close association with federal agencies, we have no doubt that they've built up the reservoir of experience and competence needed to establish such programs in as little as two months.

Our only caveat would be that the policy-makers and procurement advisors should avoid the temptation of trying to fit a one-size-fits-all solution across different departments. For example, the technology, the choice of tools, and the preferences around procurement methods, training, monitoring, and alert management may be quite different between an agency such as CSC versus CBSA, and it may not necessarily be advisable to attempt to create a single procurement to meet these very different needs of these two agencies.

In closing, let me thank the members of the committee for giving Jemtec the opportunity to share the insights gained over 25 years. Today I hope that I have properly conveyed that EM is not a silver bullet policy solution, yet it is being used today across the country as a very useful safeguard to measure the level of a person's respect for rules and accountability.

The tools available today perform the work more consistently and more continuously than what we can expect from humans, and in any event, we probably ought to keep highly trained humans focused on highly skilled activities, such as treatment and prevention programs. We know that the Correctional Service can integrate EM programs so that average community supervision costs are around \$5 to \$10 per day compared to custodial costs of \$150 to \$200 per person. That's a significant financial consideration. Based on Jemtec's close work with federal agencies so far, we have no doubt of their implementation readiness, and they have shown that they have the skills. Our main caution, however, would be to avoid assuming that one single solution will adequately meet the needs of these two very distinct agencies.

Now, with the pleasure of the chair, I would like to welcome questions from the members of the committee.

Thank you.

• (1550)

The Chair: Thank you very much, Mr. Caton, for that in-depth look at your company and the process of electronic monitoring.

We will move into the first round of questions. We will begin with the government side.

Go ahead, Ms. Hoepfner, please.

Ms. Candice Hoepfner: Thank you.

The Chair: You have seven minutes.

Ms. Candice Hoepfner: Thanks very much, Mr. Chair.

Thank you, Mr. Caton and Mr. Nuyen, for being here. It was a very good presentation. It would have been great if we could have had a little time to look it over, because it was very thorough and had a lot of information.

I want to focus on a couple of things.

I think we've heard contrary testimony in terms of whether electronic monitoring actually helps in the rehabilitation of offenders. From what we've understood, there really hasn't been enough research done in Canada to see how effective it is in terms of actually rehabilitating. I'm just going to ask you, very briefly, and then I'll go on to some of the other points that you made. Strictly in terms of actually rehabilitating and reducing recidivism, have you actually seen research? We haven't really seen a lot of it, and I'm wondering if you've seen research that would indicate that it does.

Mr. Eric Caton: In my opinion, there have not been large enough programs in Canada that have been studied, so my answer is that I have not seen studies that clearly state one way or the other that there is a rehabilitative component in using an electronic monitor.

Ms. Candice Hoepfner: Okay. Thank you very much.

In that case, you mentioned that sometimes electronic monitoring would be more of a way to document if an offender is actually complying with certain requirements, perhaps not so much for rehabilitation as for the safety of the community and as part of their program, because the parole officer or the programmer would want to know if compliance was happening. I'm wondering if there is a way you can make that link, or am I stretching that?

Mr. Eric Caton: I think that is the link.

Electronic monitoring is a tool—an audit or an accountability tool—and what you're trying to do with the technology is not so much to rehabilitate but to try to set down a set of positive behavioural patterns. Whether that will make a difference or not is dependent on the individual, but you're trying to build a set of positive behavioural patterns, and you do that by having a reactive component whereby you're always in the face of clients who are being a problem and not following the rules. The ones following the rules do not need to have intensive face-to-face time, but you don't know that unless you have technology that provides you with an up-to-date account of what's going on in that client's life.

Ms. Candice Hoepfner: When you actually work with a province with different organizations, and you listed quite a few of them, can you explain to us what the process is? Maybe there are a variety of ways. Do they tell you what they'd like to do? For example, in Manitoba they used bracelets with young offenders, so would the Province of Manitoba have come to you—I know there are some confidences, obviously—and described the platform and what they wanted to accomplish, and then you helped to build the package they needed to achieve that goal?

Would you include GPS, radio frequency, and biometrics, and can you explain the alcohol monitoring bracelet to me?

Could you answer all of those questions?

• (1555)

Mr. Eric Caton: Michael Nuyen actually handled the direct interface with the folks in Manitoba, so I'm going to let him field that one.

The Chair: Go ahead, Mr. Nuyen.

Mr. Michael Nuyen (Project Manager, Jemtec Inc.): Thank you, Eric.

We deal a lot with provincial corrections, as Eric mentioned, and we have also dealt with the federal agencies, so without sharing any confidences, I can tell you that generally when customers approach Jemtec, the agencies we deal with generally have a very good structure and an understanding of what they want to achieve on the community supervision side and the objectives of rehabilitation.

They are not looking at electronic monitoring as a silver bullet solution that will solve all their problems, but the process of rehabilitation is quite lengthy, and it's costly. It doesn't happen overnight. In many cases agencies are having to deal with relatively young people who've had years and years of dysfunctional behaviours, dysfunctional social environments, and that doesn't get changed overnight. They are looking for tools that allow them to move toward rehabilitation through treatment and prevention programs in cognitive behavioural therapy, but on the way to achieving that ultimate objective, as Eric indicated, they need to have some feedback and some guidance as to whether there is compliance with some basic legal conditions that have been imposed upon them.

In many cases, these conditional sentence offenders or probation offenders have bail conditions such that very basic legal rules, such as home curfew or house arrest or abstaining from alcohol, are being imposed upon them. However, as Eric indicated, probation officers and many other types of officers are not working in a 24/7 environment, and even if they were, do we really want them to spend

all their time making sure that people are coming home when they are supposed to according to their legal orders, or abstaining from alcohol and staying away from parks and schools, when technology can do it more consistently and more continuously?

The one thing we haven't spoken about or addressed in relation to your question is the alcohol bracelet. I will let Eric address that.

The Chair: You have about 30 seconds, please.

Mr. Eric Caton: Basically, we haven't seen a lot of use of alcohol bracelets, but they are transdermal. They fit against the skin and collect samples of the sweat that comes off the person's leg. They can actually take a reading fairly quickly once the alcohol has been absorbed into the bloodstream and into the body fluids.

Those devices have a lot of merit. There are a lot of them out there in the U.S., but we have not seen any particular programs in Canada that have taken the lead and decided to implement that particular technology as yet.

The Chair: Thank you very much. We'll now move to the opposition side.

[*Translation*]

Mr. Chicoine, you have the floor for seven minutes.

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Thank you, Mr. Chair.

I would like to thank the two witnesses for agreeing to answer our questions.

Mr. Caton, in your presentation, you briefly talked about your customers, mainly the provinces. You said you had very few contracts with the federal government for the time being.

Before we talk about that, could you tell me more about the types of relationships JEMTEC Inc. might have with companies such as Omnilink, BE, iSECUREtrac, Protek and TELUS?

[*English*]

The Chair: Go ahead, Mr. Caton.

Mr. Eric Caton: We purchase, rent, and buy different technologies from a variety of suppliers. Our biggest provider is a company called BI Incorporated, in the United States of America. We take their technologies and we employ them here in Canada. We would put them on a variety of clients, or we would give them to the province and the province would put them on.

We have, then, agreements whereby we purchase technology in the case of, let's say, Saskatchewan or Newfoundland. We have purchased that equipment and we lease it to them in those provinces, and then they would put it on the actual clients. They would monitor the technology themselves—they have computers there to do so—and they would respond to any alerts or alarms.

In Manitoba, I believe they're using the Omnilink technology. The Omnilink technology is more of a rental situation. We would take that technology, then, and we would move it along to Manitoba, who would put it on the client—in this case, young offenders—and then they would monitor it themselves as well, so in that particular case we're not offering anything except a rental basis and support for their program on the policy and procedure side.

•(1600)

[Translation]

Mr. Sylvain Chicoine: Great, thank you.

Do you have clients within or associated with the Canadian government?

[English]

Mr. Eric Caton: We have agreements with CBSA, and we have had agreements with CSC. That particular agreement with CSC ended in August of 2011. The agreement with CBSA is an ongoing affair.

[Translation]

Mr. Sylvain Chicoine: What types of services do you provide to those organizations?

[English]

Mr. Eric Caton: We offer typically a rental agreement whereby we offer them technology on a daily basis. They take that technology and they put it on the clients of their choice, and then they monitor the data, the alarms, and the alerts, and they do updates themselves.

[Translation]

Mr. Sylvain Chicoine: Is anyone from your company, you or someone else at JEMTEC, on the registry of lobbyists in Ottawa?

[English]

Mr. Eric Caton: No, we're not lobbyists and we're not registered as lobbyists.

[Translation]

Mr. Sylvain Chicoine: Over the past few years, have you met with members of Parliament or government members?

[English]

Mr. Eric Caton: We have not met with anyone who is elected. We meet regularly with various operational people who run their programs. Those would be the only people we would deal with.

[Translation]

Mr. Sylvain Chicoine: Thank you.

Do you also have American clients? Do you provide services to government clients from the U.S.?

[English]

Mr. Eric Caton: We do not. To date we've only sold in Canada.

[Translation]

Mr. Sylvain Chicoine: Could you go back a bit to the ties between JEMTEC and Omnalink? I didn't quite understand what brings you together. I think you are leasing the technology from Omnalink.

[English]

Mr. Eric Caton: Yes, we do.

[Translation]

Mr. Sylvain Chicoine: Thank you.

[English]

The Chair: All right, we'll go back to the government side.

We'll go to Mr. Norlock, please. You have seven minutes.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Thank you very much, Mr. Chair, and to the witnesses, thank you for appearing.

I have a couple of quick questions, so if you don't mind and it's possible, could you give succinct answers?

In my previous occupation I was a court officer for two different jurisdictions. About 40% to 60% of the charges at one time in one of the courts were breaches of court orders. Most of them were related to recognizance offences for which you would provide a product—in other words, a bracelet or alcohol device, that sort of thing.

I thought there was a very appropriate and positive use for your equipment until some of our witnesses came before this committee. By the way, I haven't given up on that thought.

However, here's the problem that I have. I have a GPS. Most of us have a GPS in our cars. They're pretty good to within, I would say, 30 feet, or maybe even 40 feet, yet the witnesses tell us that with some of the technology, studies reported 40% to 60% false indications that a person had gone beyond the limits of where they should go.

I wonder if you have some answers as to why these types of products, which you may or may not lease, would give those types of inaccuracies. Could you explain that, for us to have some kind of reliance on why we should do business with you?

•(1605)

Mr. Eric Caton: I'm going to let Michael answer that, and I'm going to ask him to be relatively brief. He can speak for about two hours on the intricacies of GPS.

Go ahead, Michael.

Mr. Michael Nuyen: Basically these technologies rely on a number of components working in harmony. There are the various technologies that are all built into an ankle bracelet, including GPS devices and a cellphone type of device. These devices also rely on networks working.

Regarding the statement about 40% to 60% inaccuracies, that type of inaccuracy has never been my experience. When we look at the fact that a typical GPS bracelet can collect hundreds and up to thousands of points in the space of only four hours, that has never been my experience. A very small percentage of those might occasionally not be accurate.

The inherent accuracy of these devices falls within 10 meters, or about 30 feet, when we're talking about GPS signals. They're a little less accurate if we're talking about indoor tracking technology, which is not the same as satellite technology.

The 40% to 60% inaccuracy has not been my experience. It's not even close, but that has to be taken in the context of setting up these technologies for use on offenders or accused persons. If the zones that they should or should not be in are not properly configured, that can lead to what I would call "nuisance alerts". These are alerts that weren't meant to be triggered but happen because of an improper configuration.

The 40% to 60% has certainly not been our experience. These devices have a lot of moving parts. Generally speaking, of the thousands of points that are collected in a day, a very small number may be inaccurate.

Mr. Rick Norlock: Are you aware of, or do you keep track of, evidence used in courts with regard to breaches of probation or breaches of recognizance, etc., while a person is using your product? What has been your experience? Have the courts been readily receptive to the information, or have they basically rejected it?

Mr. Eric Caton: I'll take that question.

Mr. Michael Nuyen: Michael Nuyen here.

Mr. Eric Caton: Okay, go ahead.

Mr. Michael Nuyen: No, go ahead, Eric.

Mr. Eric Caton: I was going to say that usually the judge will entertain and look at the data, and in fact from time to time will call an expert from the monitoring company, such as ourselves, to ask for clarification on what the signals mean. For the most part they will take it into consideration. Again, it will be up to the judge as to whether or not they decide to entertain that information.

That said, it is our experience that for the most part they trust the technology over the client's word.

Mr. Rick Norlock: Thank you very much.

One of the other items that was brought up was the ease with which—I'm saying the "ease" with which, but it could be the opposite—they can be removed. Apparently there has been some experience that young persons—we'll say juveniles or young offenders—may remove their bracelets.

Could you tell me what kind of technology would alert the authorities that the bracelet has been removed, and in your experience, how facile is it to remove them?

• (1610)

Mr. Eric Caton: Go ahead, Michael.

Mr. Michael Nuyen: For medical and legal reasons, the vendors across North America and even Europe are not making devices that cannot be cut off. In a medical emergency, they are all under legal liabilities. They make it so that the devices, while robust and not easily taken apart, can nonetheless be removed in a medical emergency.

You need the compliance of the individual to work with this technology. They need to avoid cutting it off, and they need, in some cases, to interact with the equipment every day to recharge it.

Mr. Rick Norlock: If you don't mind my interrupting—

Mr. Michael Nuyen: The response—

Mr. Rick Norlock: I'm sorry, but we're very limited by time.

We can't always be certain, but generally speaking, if a bracelet becomes detached, it would be because it was removed by the person, not because there was a malfunction.

Mr. Michael Nuyen: That's correct. What I didn't get into is all the tamper-detection mechanisms available in today's technology to alert authorities that it has been removed or tampered with.

The Chair: Thank you, Mr. Norlock.

We'll move to the opposition and to Mr. Scarpaleggia.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Thank you, Mr. Chair.

Mr. Nuyen, you seem to be talking about zone configuration as it relates to the reliability of the technology. Did I understand correctly that it's one of the services you're offering? It's more than just putting a bracelet on someone and having some sort of control or box or receiver so that the law enforcement authorities would know where the person is. That would be almost a retail product, the kind of thing you could buy at Canadian Tire, I suppose, but it sounds as if what you do is more complex. You tell CBSA or Correctional Service of Canada that if they're trying to limit the person's movements, maybe they should be drawing the line here rather than there. The configuration will have an impact on the reliability. Is that correct?

Mr. Michael Nuyen: Because of all the moving parts and the interaction with software, the field performance issues that arise will depend on a number of factors. If the intent is to alert authorities that a person wearing a GPS tracking bracelet has entered a zone he should not be in, a simple oversight in configuring that zone could mean that the person wearing the ankle bracelet, taking public transit and going along the usual route that they take, could cross into a zone without even being aware of it.

They have no control over that. The training involved in properly setting up a GPS tracking program is considerable. The officers are well trained to define their zones carefully. They avoid setting up zones where their client would be expected to travel. If we're trying to limit entry or we want to be alerted of entry into a park or school, if you make your zone three or four times the size of that park or school, and if the person is travelling through that area, it is very easy to generate an alarm even though he did not enter the park or the school itself.

• (1615)

Mr. Francis Scarpaleggia: Is that a technical issue requiring your services, or is it just a question of the officer looking at a map and saying that this circumference is too large? Is it a technical issue that involves the coverage that telecommunications towers have in a particular area? You wouldn't want to chance the signal breaking. We can sometimes live with losing contact on our cellphones for 30 seconds when we're driving through the countryside, but I imagine it would be important to not have that kind of break in transmission.

Mr. Michael Nuyen: Yes, that's correct. Again, the GPS tracking technologies give us alerts when communication has not been established properly.

Mr. Francis Scarpaleggia: Okay.

Mr. Caton, I understand that at the federal level you're dealing now almost exclusively with CBSA. Is that correct?

Mr. Eric Caton: That's correct.

Mr. Francis Scarpaleggia: What kinds of signals are you getting from CBSA? Is your business with them expanding? Is it pretty much status quo? Are they asking you to bid on more tenders? Are they showing a keen interest in this technology? What's your sense?

Mr. Eric Caton: My sense is that they are waiting for political will to make decisions.

Mr. Francis Scarpaleggia: It's an interesting answer, Mr. Caton. We're "waiting for political will". What do you mean by that?

Mr. Eric Caton: They're waiting for some direction.

Mr. Francis Scarpaleggia: Essentially then, there have been questions as to what the purpose of this study is, and it sounds as though it's to give impetus to expanding the use of electronic monitoring at the federal level and, more specifically, with the CBSA. Would you say that may be an accurate statement?

Mr. Eric Caton: I wouldn't...That's beyond my purview.

Mr. Francis Scarpaleggia: Okay.

For how many cases at the moment is CBSA using your technology? How many people are being tracked by CBSA?

Mr. Eric Caton: At this time, I'll only say that there are fewer than 10.

Mr. Francis Scarpaleggia: Fewer than 10?

Mr. Eric Caton: Yes.

Mr. Francis Scarpaleggia: Okay. That's interesting, actually.

I guess that's pretty much it for my questions.

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

We'll now move to Mr. Garrison. Mr. Garrison, you have five minutes.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Thank you very much, Mr. Chair, and thank you to the witnesses for appearing.

I must say I was a little disappointed with your written presentation, because it doesn't really focus very much on the actual technology.

Just to be clear, I'd like to ask you both a couple of questions about your background, since your brief talks a lot about public policy and rehabilitation.

Can you both tell me how you came to be associated with this company, and what your personal backgrounds and expertise are, especially as it might relate to rehabilitation and case management?

Mr. Eric Caton: Speaking first, it's Eric Caton. My background is computers, and I came up through a large company that got into the business of monitoring through its justice software division. My background, then, is more of the sales and marketing of technology. This was one of the technologies that came along that I thought had merit, and I thought perhaps we could do a better job in the community.

Michael, do you want to speak to your background?

Mr. Michael Nuyen: Yes. Prior to joining Jemtec, I was a senior policy adviser with the Ontario provincial government in the Ministry of Community Safety and Correctional Services. At the time, the government wanted to develop an electronic supervision program that would cover conditional sentence cases as well as some probation and would involve GPS tracking, electronic monitoring—which is radio frequency monitoring—and voice verification.

I was the project manager to get that ESP, or electronic supervision program, running. Because I was a policy adviser

working as part of the policy division, that work was done within the context of the province's treatment and rehabilitation program. The ESP program was seen to be a component of a provincial offender's rehabilitation and treatment.

• (1620)

Mr. Randall Garrison: Thanks very much. That explains why you have a persuasive presentation: Mr. Caton has a background in marketing.

I want to ask some questions about the reliability of the technology. How reliable would you say the technology is, overall? I think you made a distinction, saying that if it's properly set up it's reliable, and that caused me some concern. Overall, and obviously taking into account the set-up and any problems with the technology, how reliable is the technology that you use?

Mr. Eric Caton: There are a number of technologies that we provide. Radio frequency is the oldest. The first program started in 1987 here in British Columbia, and it's extremely reliable. It is proven technology that has been used for many years on hundreds of thousands, if not millions, of individuals in North America.

GPS, I would say, is very reliable, but it's a much more complex set of technologies that require proper training and understanding and feedback, so the training and specific knowledge of the user become key in that reliability. Someone who doesn't know what they're doing with the technology will not see it as reliable. That same technology, that same box, used by someone with a great deal of knowledge and understanding will be seen as extremely reliable. The human factor becomes very strong when dealing with the technology today. It is complex technology.

Mr. Randall Garrison: Does your company assume any liability for negative consequences of any failures of the technology?

Mr. Eric Caton: Certainly we have responsibility to fix the technologies and that type of thing, but we don't take responsibility for the actions of the clients, no.

Mr. Randall Garrison: Well, I'm talking about the technology rather than the actions of clients, so if you're saying the technology is reliable, then in some way there's a connection between that and what clients are able to do because of a failure of technology. To be clear, what you're saying quite clearly is that fixing the physical technology is your responsibility, but that any consequences resulting from those failures would not be the responsibility of your company.

Mr. Eric Caton: I think that's a bit simplistic, but what happens then is that we have responsibility to train and retrain and keep training until we have people at the level they need to be. Certainly at some point we have to hand off to the government officers, and they take responsibility. They feel comfortable and they know what they're doing. We're there to back them up if there are issues.

The Chair: Thank you very much.

We'll now move to Ms. Hoepfner for five minutes. Are you going to split your time?

Ms. Candice Hoepfner: Yes, I'm going to share my time with Ms. Young.

I want to follow up on something that Mr. Scarpaleggia asked about, or one of the questioners. Could you confirm that you've met with department officials, but not elected officials? Is that correct?

Mr. Eric Caton: That would be correct, and again I want to point out that those are operational folks.

Ms. Candice Hoepfner: Right.

We heard testimony from the Centre for Security Science at Defence Research and Development Canada. They also told us that the department is looking at the best options—the platform and some of the requirements that may be needed—and I would think that any government department has to look at all the options available.

I congratulate you on your presentation, and there's no shame in being a good salesperson. I think that's a great quality when you have a successful business. There's a reason you're successful, and our job in this study, which I think we're doing very well, is to find out the facts on electronic monitoring. We want to know what it does so that if there are ways that it can be beneficial to public safety, including in immigration cases, we can put those tools to best use in what we're trying to accomplish.

I appreciate the information that you brought forward. I don't think any of us.... We're hearing a lot of different testimony. We want to hear from all sides, and then I think we can go forward and make a productive recommendation to the government in terms of whether electronic monitoring is best for offenders and for immigration monitoring. That's what we need to do. I just wanted to point out that we're glad you've come and made this presentation. I think we are going to be able to make some good determinations based on it.

I think Ms. Young had some questions. Thanks.

● (1625)

The Chair: Go ahead, Ms. Young.

Ms. Wai Young (Vancouver South, CPC): Thank you. I would like to second what Ms. Hoepfner said. Thank you so much for your presentation. I think that the information you provided is quite fascinating.

I am actually from Vancouver, so I welcome the opportunity to perhaps visit your facility and see some of these interesting items that you are talking about.

I wanted to turn your thoughts to page 7 of your presentation. In the first paragraph you say:

...electronic monitoring is a way to document that an offender, or an accused person, or an illegal immigrant is respecting a condition imposed by a Court or an Immigration Adjudicator or some other authority.

You make quite clear in your presentation that basically this is a tool, and a fairly effective tool, based on your presentation, but that the system still has to be in place. For example, officers must be trained on how to do the monitoring, and there must be support programs in the community, etc.

Can you describe in more detail your experiences with the equipment on the immigration side? You've applied your product to the immigration situation. I'd like you to explain how it works from the beginning to the end.

Mr. Eric Caton: We have very few immigration clients.

Specifically, we would be contacted that technology would be required for a given client. Typically—and again it seems there are many flavours—we would offer the technology for the officers to use on the client. They might ask us to tag along to ensure they got it right because they don't do it very often. They would also ask for training on the software so that if the alerts and alarms came through, typically on a BlackBerry or some other smart phone, they would be able to interpret them properly, quickly, and efficiently. If not, they would ask if they could contact us or the monitoring centre to get support in the wee hours or during the day, and that type of thing.

We would typically provide the technology, the support, the training, support again, and then ongoing regular updates of what's happening with regard to the clients.

That said, I want to mention again that we haven't had a lot of immigration cases.

Ms. Wai Young: I understand your equipment is very technical, or there appears to be a variety of different equipment for different circumstances. Would you say that's true? I'm intrigued by the notion—sorry, how is my time?

The Chair: Your time is up.

Ms. Wai Young: I apologize.

Thank you.

The Chair: You shouldn't have asked the question, as I might have given you a little more.

We want to thank you for being with us via video conference today and for the information you've given to us.

We're going to move on to our next guest.

The other thing I should say is that if you think back over some of the answers you gave and would like to supplement those answers, please feel free to provide that information to our committee, even in writing.

Mr. Eric Caton: Thank you. It was great to talk.

The Chair: We'll take 30 seconds to close off this video conference. I guess that's cleared now.

We'll move to our next guest.

In our second hour we're going to continue the study of electronic monitoring. Our witness, Dr. Brian Grant, is director general of the research branch at the Correctional Service of Canada. Our committee wants to thank you for responding to the call for further information and for bringing testimony from your department before our committee.

I understand you have an opening statement. I think you were here earlier, but we're probably going to close off this segment at about 5:15, if that's all right. We may cut it a little short. We have some committee business to discuss.

Dr. Grant, welcome.

•(1630)

Dr. Brian Grant (Director General, Research Branch, Correctional Service of Canada): Thank you, Mr. Chair and members of this committee. It's a pleasure to be here and to have the opportunity to talk to you about some of the issues around electronic monitoring as it relates to the Correctional Service of Canada.

I'll give you a bit of background on my experience and knowledge. I have a Ph.D. in psychology from Queen's University. I have been a social science researcher with the federal government for 30 years, 20 of them with the Correctional Service of Canada. As the director general of research, I am responsible for developing and implementing an annual research plan that contributes to the effective management and operation of the Correctional Service and also serves to contribute to the public safety of all Canadians by helping develop and assess rehabilitative programs for offenders.

I've worked on a number of projects over the many years I've been with the service, one of which was the overview of electronic monitoring in corrections issues and its implications, authored by Ms. Bottos. I was the director general at the time this report was prepared and I reviewed it numerous times in my capacity as the director general.

This report summarizes the results of a review of the literature related to electronic monitoring up to 2006. I would be pleased to respond to your questions about this research in just a moment; however, before taking questions, I'd like to reinforce some of the comments made by Commissioner Head following his appearance before this committee this past month.

As you know, the intent of electronic monitoring is not that it be used as a mechanism for reducing recidivism. The research demonstrates that it does not have that ability. It is a tool to assist our staff with the supervision of offenders who have been granted a form of conditional release. Electronic monitoring contributes to our mandate by overseeing the safe transition of eligible offenders into the community. Essentially it provides staff with the ability to monitor an offender's compliance with the conditions of his or her release as stipulated by the Parole Board of Canada.

Further, it strengthens efforts to promote offender accountability while these individuals are residing in the community. It also enables the service to compile pertinent information for various ongoing risk assessments and analyses to monitor and mitigate any concerns that may arise with the offender and ultimately, therefore, to protect public safety.

The safe transition of eligible offenders into the community is a priority for the service, and we feel that the use of EM could be an effective tool to assist our parole officers to meet that objective.

Thank you for your time. Mr. Chair, I welcome any questions that members have.

The Chair: All right. Thank you, Dr. Grant. I apologize for not having "Dr." showing as the title in front of your name on your name card.

We'll move to Ms. Hoepfner, please, for seven minutes.

Ms. Candice Hoepfner: Thank you, Mr. Chair.

Thank you, Dr. Grant, for being with us.

I want to give you the opportunity to explain to the committee how the report was drafted. Can you please explain the role that Ms. Shauna Bottos played in publishing this report? Did she gather the literature? Can you tell us where the literature came from?

Just give us some context, if you would, of the report.

Dr. Brian Grant: She would have searched through various electronic databases that contain research information. She would have contacted people in other countries to find out what they've been doing in electronic monitoring. Bringing in all that information and reviewing the content of these articles, she would have then prepared her report summarizing, basically, what others have said about electronic monitoring in studies that have been published in either the peer-reviewed literature or in what we call the grey literature, which would be government publications and other sources of information.

•(1635)

Ms. Candice Hoepfner: Would you be able to confirm what we've heard from other witnesses, which was that there isn't a lot of research that has been done in Canada on this subject? Did she find the same result?

Dr. Brian Grant: Within Canada, there has been very little research. The work done by Jim Bonta probably represents the major study within Canada.

The interesting thing about electronic monitoring is that one of the reviews we looked at for this report looked at over 350 studies that had addressed electronic monitoring, but most of those studies don't address the quality and the value of the electronic monitoring itself. They're not evaluations of electronic monitoring; they're simply descriptions of programs, rather than an assessment of whether they're actually achieving objectives.

Ms. Candice Hoepfner: From the report, then, would you be able to give us your opinion on the pros and cons of electronic monitoring, or are you more able to give us a synopsis of how it works and maybe more of the process?

Dr. Brian Grant: I can give you a summary of the research literature and what it was saying.

Ms. Candice Hoepfner: That would be helpful.

Dr. Brian Grant: What the research literature clearly says is that there is a lack of conclusive evidence to demonstrate that it either works or doesn't work. Studies are sometimes contradictory. We get some results that are positive, some that are negative, and some that show no effect. When you take a look at all of the work that's been done, what you conclude is that there's no evidence to say that it contributes to reducing recidivism.

One thing that a number of the studies show is that it does help the person through the period of time during which they're on electronic monitoring. For the short period of time they're being monitored, they're more likely to comply with their conditions. Most of the research is based on the use of electronic monitoring for ensuring a condition of curfew or of living in a residence, such as with a conditional sentence or an early release. Essentially it's a house arrest following an early release.

Ms. Candice Hoepfner: That could be interpreted as confirming the overall testimony we've heard to the effect that electronic monitoring is only successful when it's coupled closely with programs and with actual human contact. Then today we heard from the witnesses prior to your appearance that one of the things electronic monitoring does is document, as a more concrete way to measure whether someone is complying with a rule or a condition, which in turn would help them with the work they're doing with their program or with their parole officer.

Is that a conclusion that could be drawn?

Dr. Brian Grant: That's a fair conclusion. One of its features is that you know whether the person didn't comply with the condition of location or time, such as with a curfew. It's very accurate when it's used to determine whether they're at a specific location, such as their home. That's one of the things it's very good for.

You mentioned the idea of correctional programs. Correctional programs have been shown to be highly successful at reducing recidivism and to be cost-beneficial as well. There is research that demonstrates that, contrary to what the first witness responded.

Ms. Candice Hoepfner: I don't remember hearing that from the first witness, but I think we've heard very strong evidence in a number of our studies that programs are beneficial. What we want to be able to do is see whether there is a benefit to electronic monitoring in corrections and whether we can suggest that the government use it.

Alternatively, as we heard other witnesses state, it may be useful primarily in monitoring immigration cases when there have been removal orders and there are risks of people taking flight. In those situations there is no link to rehabilitation at all. The only reason such an individual would wear a bracelet or be monitored would be so that their removal order could be complied with, as opposed to putting a bracelet on to help them comply with their conditions and thus help them with their program and help them keep out of jail and reintegrate into society.

Would you say that any of the research indicates that the strongest value could be placed on just direct, pure monitoring, with no link to corrections at all?

•(1640)

Dr. Brian Grant: I haven't looked at the literature evaluating electronic monitoring in immigration cases, so I really can't respond to the specifics related to immigration, but it has shown itself to be effective when it is used simply to monitor curfew or to confirm that a person remains in his or her home.

Ms. Candice Hoepfner: Thank you.

How much more time do I have?

The Chair: You have about 20 seconds.

Ms. Candice Hoepfner: All right. Here is a quick question.

I know that in some of the other work you do, you monitor people who are on conditional release. Can you tell me from your experience in your research how often people on conditional release violate their conditions?

Dr. Brian Grant: It depends on which group of offenders you're looking at. It's highly dependent on the characteristics of the individual offenders. Offenders who are high risk may be returned to custody at a rate as high as 50% for violating a condition, whereas low-risk offenders may be returned at a rate of about 20% for violating a condition over an extended period of time.

The Chair: Thank you very much, Dr. Grant.

Now we'll move to Mr. Sandhu, please.

Mr. Jasbir Sandhu (Surrey North, NDP): Thank you, Dr. Grant, for being here today.

Are you familiar with the pilot project that was evaluated back in 2008 in Ontario?

Dr. Brian Grant: Do you mean the Correctional Service of Canada one?

Mr. Jasbir Sandhu: That's correct.

Dr. Brian Grant: I'm familiar with it. I wasn't involved in conducting it, but I am familiar with the study.

Mr. Jasbir Sandhu: Could you give us an overview of what the conclusions were for that particular evaluation?

Dr. Brian Grant: The purpose of that evaluation was to determine whether it was operationally possible to implement electronic monitoring, and what challenges we would be faced with as an organization. It was not meant to assess whether electronic monitoring was a useful tool for monitoring offenders per se. That would have to wait until we actually had a full system in place; we'd be able to determine its usefulness once we had offenders going out with EM on a regular basis.

That pilot project was there to determine how the technology works. Many of the questions that you've asked of the vendor here were the kinds of questions that we had at that time. How does it work? What are the complications? When is the signal going to disappear? That's what the purpose of that evaluation was. It wasn't meant to determine whether electronic monitoring would reduce or impact recidivism. It was very much an operational issue to see what we would need to put in place in order to actually have an effective electronic monitoring program.

Mr. Jasbir Sandhu: Would you agree that one of the conclusions from that study was that the pilot project was plagued with technical issues?

Dr. Brian Grant: I know that's a statement in the report, but you have to put it into the context. There were a lot of technical issues, and that's why they did the pilot. They did the pilot to find out what those technical problems were.

The study was done in Toronto, and when people went into the subway the signal was lost. That created an issue, so you'd have to figure out what kind of policy you'd put in place with the monitoring regime to allow you to deal with the fact that somebody might take a subway. All of those technical issues provided the opportunity to find solutions.

The earlier speaker talked about what happens when a person goes into a building. You lose GPS capability within a building. What do we do when that happens? How often does that happen? The issue of drift was raised, and that was a technical issue that came up in that pilot, but the purpose of the pilot was to find all those technical issues. If I might say so, the purpose was to find out what all those issues were, because the salesperson is telling you that there are no issues and that the system is highly reliable. The only way we could determine the reliability of the system was to actually put it in place and see what kinds of results we got.

That's in fact why the first people on electronic monitoring were our staff. We had 10 staff wear a bracelet so that we could find out what the initial issues were going to be. That's what its purpose was.

•(1645)

Mr. Jasbir Sandhu: We've actually already recommended that our whips get the electronic monitoring bracelets.

It was a pilot program, then. We did find that the salesperson was telling us that this was a perfect system. Here it is, off the shelf; slap it on, and you're going to know everything about this person. However, during the pilot you found that there were many complex issues and that it's not as simple as slapping on the bracelet or putting on a GPS device.

Dr. Brian Grant: That's right. It's a very complex problem.

We might know where the person is, but we don't know what they're doing there. We needed to know the level of drift that we might find and how we would deal with that in policy. Do you revoke somebody's conditional release because it looks like they were in the wrong place, when in fact you find out, by looking before and after that time, where they actually were? That was the real purpose of the pilot.

Mr. Jasbir Sandhu: I want to back up and to use your expertise, since you're here.

Who would this bracelet be good for? Would you use it for low-risk offenders, or medium-risk offenders, or high-risk offenders? Who would this work for?

Dr. Brian Grant: The vast majority of studies that have been done actually have used relatively low-risk offenders, a group of offenders we don't even have in our system, or we have very few of them. A lot of the uses have been with driving-while-impaired offenders—DWI, or drunk drivers. A lot have been used with very minor property offenders. We think if it were going to be used effectively, it would be used, actually, with higher-risk offenders.

Mr. Jasbir Sandhu: Why is that so?

Dr. Brian Grant: Well, that's where you have the potential of achieving the greatest gain. If you spend your resources working with low-risk offenders, you spend a lot of money, but you don't have the opportunity for very much gain. In some research we see about 6% of low-risk offenders maybe committing a new offence after two years. For high-risk offenders, you find that number is more like 25%. We can deal with the 6% of people who will commit a new offence or we can deal with the 25% of high-risk offenders who will commit a new offence. Which ones do we want to deal with in order to impact public safety? It's those high-risk offenders.

Mr. Jasbir Sandhu: In other words, it would be cost-effective to use the electronic devices or electronic monitoring just for high-risk rather than low-risk people, because if they're low-risk offenders, you presume they are not going to violate their conditions of release or whatever else they have.

Dr. Brian Grant: There hasn't been a lot of good work—in fact, there hasn't been any good work—to look at a cost-benefit analysis of electronic monitoring. If you have a limited number of resources and you have to decide who to spend them on, you want to spend them on the high-risk offenders, because that's where you can get the greatest gain for public safety.

The Chair: Thank you very much.

We'll now move back to the government side and to Mr. Rathgeber, please.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Thank you, Mr. Chair.

Thank you, Dr. Grant, for your attendance here today and for your testimony.

I'm quite intrigued by the statement on page 3 of your opening comments, in which you indicate—and I agree with you—that EM is not intended to be a mechanism for reducing recidivism.

You also indicated, I think in response to one of the questions from Ms. Hoepfner, that the research is clear that EM is not successful in reducing recidivism. Those are slightly different concepts. One is the intent of doing something, and the other is the conclusion.

I take it that both of those statements are true. The intent is not to reduce recidivism, and in fact it does not reduce recidivism.

Dr. Brian Grant: That's right. Certainly some people would argue—I am sure the previous presenter would argue—that it could have that effect, but that's not what the literature says. When we use it, we are really focused on—

Mr. Brent Rathgeber: It's location.

Dr. Brian Grant: —location. Do we know where the person is, and that sort of thing?

• (1650)

Mr. Brent Rathgeber: If it's ineffective in reducing recidivism, that must be vis-à-vis some other benchmark. Are you telling me that statistically it's less effective than incarceration in terms of recidivism?

Dr. Brian Grant: In fact—

Mr. Brent Rathgeber: What are you measuring it against when you say that it is not effective in reducing recidivism?

Dr. Brian Grant: If you take a group of people and you give one group electronic monitoring and you just leave another group either in prison or even in the community—so now you have three groups, one with electronic monitoring, one still in prison, one still in the community—you will not see a lower recidivism rate for those who are getting electronic monitoring compared to the rate for the other two groups.

Mr. Brent Rathgeber: Right, and then the only time that electronic monitoring is used is obviously if somebody's on some sort of conditional release. You don't use electronic monitoring for people who are incarcerated.

Dr. Brian Grant: No, and you also wouldn't be able to monitor... they wouldn't have any offences while they were in custody.

Mr. Brent Rathgeber: Sure.

Dr. Brian Grant: If you look at them after they're released, you'd see that the extra six months in prison didn't reduce the likelihood that they would reoffend and that the six months on electronic monitoring also didn't reduce the likelihood that they would reoffend.

Mr. Brent Rathgeber: Right, so the only conclusion I can come to, from what you're telling me, is that conditional release is not effective in reducing recidivism vis-à-vis incarceration.

Dr. Brian Grant: No, conditional release that we use within the Correctional Service of Canada, which includes participation in programming and other activities while they're in the community, including work activities and things like that, is an effective means of reducing new offending. The function of conditional release is to provide a gradual process of moving the offenders from the institution out into the community so that we can impact the likelihood that they will remain crime free.

Studies have shown that using conditional release, such as parole, and statutory release, which is a gradual release, reduces the likelihood that new offending will occur. What we were comparing were the two different systems. It doesn't have any better effect than anything else.

Mr. Brent Rathgeber: Are you saying you can statistically differentiate the effect of conditional release from the effect of monitoring the offender? Can you somehow measure the effectiveness of their counselling programs or their reintegration into society separately from the monitoring?

Perhaps I'm oversimplifying. Say you take two populations. One is subject to conditional release and electronic monitoring, and the other is not subject to electronic monitoring and is incarcerated. If you have a higher degree of recidivism in that population, it would

appear to me that the conditional release system is not as effective in reducing recidivism as incarceration. I'm oversimplifying matters, because in my scenario, I've completely discounted counselling and other aspects of conditional release.

My question is whether you can statistically measure the effect of those other aspects.

Dr. Brian Grant: It's very difficult to separate the specific impact of conditional release by itself, because we don't have conditional release just by itself. We have many other things going on. When you're on conditional release, you have a parole officer. That parole officer is meeting with you and discussing what your issues are and how you can work through challenges you're facing.

Conditional release, then, is a whole combination of different things. It's not just the fact that they're in the community; they're in the community and are getting support from their parole officers.

Mr. Brent Rathgeber: Thank you, Dr. Grant.

The Chair: Thank you very much, Dr. Grant.

We'll now move to Mr. Scarpaleggia.

Mr. Francis Scarpaleggia: Thank you.

Continuing in that vein, could you, as an expert in this area, explain to us how the mechanics or the synergies of using electronic monitoring with a counselling or rehabilitative program for someone on conditional release works to potentially reduce recidivism? What's the process?

Dr. Brian Grant: If we're using correctional programs, most of them are based on cognitive behavioural treatment. That is a form of programming whereby you work with the offenders to try to change the way they think about issues in their lives and their approach to life. You try to teach skills for planning and avoiding high-risk situations.

Think of the person who has a substance abuse problem. The first thing is that you don't go into a bar, but maybe before you don't go into a bar, you don't think about going to a bar. Maybe if your friend, who you usually go to a bar with, calls you up, the first thing you do is say that you don't think you want to talk to him or her now. That's part of cognitive behavioural treatment. It is to get people thinking about what the issues are. If you can get them thinking ahead of time, they can prevent the behaviour that comes further down the road. That's what effective correctional programming is trying to do.

I'll go to a study Jim Bonta did on electronic monitoring in Newfoundland. He was able to show, in the Newfoundland program, that where they had some cognitive behavioural treatment programs, they actually got a slight reduction in recidivism. One of the things they couldn't do in that analysis—

• (1655)

Mr. Francis Scarpaleggia: It was with the use of electronic—

Dr. Brian Grant: Well, that was the problem. The combination of the two produced a reduction. What they were unable to do, and what other studies have been unable to do, was separate those two pieces in the same study and say whether it was the electronic monitoring or the programming that resulted in the effect. What we have, though, is a lot of other research that clearly demonstrates that those treatment programs have a strong positive effect.

We know that, at a minimum, the programming had an effect. What we can't determine from the research that's been done is the incremental benefit of the electronic monitoring. That's the challenge.

Mr. Francis Scarpaleggia: Then we need to have more studies, I suppose. Would you say that's the next step?

Dr. Brian Grant: Unfortunately, that's the normal response from a researcher, but that's where we are today. If you look at the conclusion of all the research studies that have been done, they all end up with the statement that the proper studies have not been done yet.

Mr. Francis Scarpaleggia: Do you feel you'll be getting more resources, more funding, to do those kinds of studies? Is it part of your vision or your department's plan for the future to do more studies and to get the resources to do more studies?

Dr. Brian Grant: If electronic monitoring were implemented, our department would be involved in conducting research and evaluation studies to determine its effectiveness.

Mr. Francis Scarpaleggia: Now, do you expect that the use of electronic monitoring at CSC will expand? Are you getting signs that the government wants to use it more? Do you think it will be used more as a result of Bill C-10?

Dr. Brian Grant: Well, I think Bill C-10 authorizes us to use it. It doesn't give us direction on how much to use it.

Mr. Francis Scarpaleggia: Right.

Dr. Brian Grant: That will be a direction that will come after the legislation permits it.

Mr. Francis Scarpaleggia: I see.

I think that pretty much—

The Chair: You have two minutes left.

Mr. Francis Scarpaleggia: —covers my questions.

The Chair: All right. We'll now move back to Madam Morin.

[Translation]

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Thank you very much, Mr. Chair.

First of all, I would like to thank Mr. Grant for making this trip today. We really appreciate your testimony.

I would actually like to continue along the same lines as Mr. Scarpaleggia. We were talking about how a rehabilitative program works; you were talking about studies and research.

Could you give us more details about that? Where are we at right now? Is the technology sufficiently developed to be an efficient tool for adequate rehabilitation?

[English]

Dr. Brian Grant: The research we have doesn't indicate that it adds to the rehabilitative component of our interventions. It does ensure compliance with a curfew or with a location requirement, but there's no evidence to show that it will add to the rehabilitative component of our work.

[Translation]

Ms. Marie-Claude Morin: Let's say you get results and the studies are conclusive. How could electronic monitoring really help parole officers with their professional objectives for the people they are working with? Could that hinder their efforts instead?

• (1700)

[English]

Dr. Brian Grant: It would help them by ensuring they know exactly where the offender is or was at a particular time. The system that was tested in the pilot study was a GPS, so we had the ability in real time to know exactly where the offender was. For example, if they, as a result of a condition, were required to remain at their house and the GPS monitoring showed the person leaving that location and going somewhere else, we would know immediately and would be able either to use a parole officer or, if it was a very high risk situation, to contact the police to intervene.

The other area where it can help is if there appears to be a minor breach of the location requirement. That's an opportunity for the parole officer to sit down with the offender and say, "Look, the record indicates that you walked next door and visited your friend over there, and you're not allowed to do that, so let's talk about why you're not supposed to do that and what the consequences for you could be."

One of the things it gives, as our commissioner mentioned a number of times, is this ability to engage in a conversation over working within the confines of their conditional release, but you have firm information that there was a minor breach of the condition.

[Translation]

Ms. Marie-Claude Morin: By going over the studies, we have also noticed that the bracelet can create stress on families in some cases. We know that some families might be uncomfortable with that type of technology, which is sort of unfamiliar.

We know that family members and friends who have a positive influence play a major role in the rehabilitation and reintegration of a person into society. So would the bracelet not become an obstacle not only for the person in question, but also for the officers working with that person?

[English]

Dr. Brian Grant: There is that possibility, although most of the time when electronic monitoring is used, it actually gives the offender a greater opportunity to be with his family, so the trade-off in most cases—not all, but in most cases—is an option of being in prison or of being out a little bit earlier and being with your family.

In a really interesting study out of New Zealand, I believe, they spoke to the offenders and to their families. While there was that tension—and it certainly was a challenge that had to be dealt with—for the family, the benefit of having the person there outweighed their being back in prison.

However, there are quite a number of things. There are additional costs for the family; they have to pay for the monitoring devices and they have to pay for an additional person to feed, and that person may not be able to work because of the other conditions that they're facing. There are those issues, and those are things our parole officers would work with when talking to the families.

[Translation]

Ms. Marie-Claude Morin: Thank you.

[English]

The Chair: Thank you.

Madame Morin, I gave you an extra 40 seconds there.

We'll go to Mr. Leef, please.

Mr. Ryan Leef (Yukon, CPC): Thank you, Mr. Chair.

Thank you, Dr. Grant.

I have a couple of things here.

There's one thing that perplexes me a little bit, and I do respect the fact that probably more study is needed to really get to the end of it. We heard Commissioner Head's testimony—and we've heard you allude to it a bit, if not directly say it—that this provides a better opportunity for parole officers to interact with the people on electronic monitoring.

I read in the report that one of the findings of the evaluation indicates that:

The frequency of contact between offenders on SRR and their parole officers was not reduced as a result of their participation in the EMPP.

It doesn't say that there was any finding that it actually increased, but if I remember the direct testimony of the commissioner correctly, he said that if this provides greater opportunity for his staff to interact, and that's what it encourages, then he's fully in support of it.

My point is that I know we're saying there's no evidence of this leading to recidivism, but if we're acknowledging that it does increase interaction between parole officers and offenders and it does encourage participation in programs—and I think in your brief you mentioned that it “strengthens efforts to promote offender accountability” and that it allows the Correctional Service “to compile

pertinent information for various ongoing risk assessments and analyses”—then all those things should naturally lend weight to rehabilitative efforts or to a decrease in recidivism. Naturally, you would think that would occur.

I'm perplexed that we wouldn't draw that conclusion, while respecting that we haven't done enough study to do so. I would think that if an offender interacts more with his or her parole officer, and you're promoting accountability and you're able to compile information, you're going to see some rehabilitative efforts that you wouldn't see if those interactions aren't occurring because staff can't track them on electronic monitoring.

• (1705)

Dr. Brian Grant: Just to address a point at the end there, I should say that it's not that our staff are not interacting with the offenders.

Mr. Ryan Leef: Right.

Dr. Brian Grant: A high-risk offender will be met with frequently by a parole officer in the community. Somebody who is on statutory release with residency will be living in a halfway house, so they'll be interacting constantly with our staff. That interaction is going on all the time.

I think what you raise is a really important empirical question. If we do increase that interaction, could we get an effect? The problem is that most of the studies that have been done in the past haven't used the GPS technology we're talking about. It was used mainly for house arrest, conditional sentencing, and things like that. The increase in opportunities for positive interaction, those interventions, was not really part of those studies. There is a possibility that in the future we will see a positive impact.

One of the things you have to understand about electronic monitoring is that it doesn't last for a long time. In a number of studies I looked at, the period of electronic monitoring ran for 13 or 14 weeks, so it's not a permanent disposition. There are longer ones that may range up to three years, but the average is 13 to 14 weeks. You actually wouldn't expect an intervention that lasts such a short period of time to have a major impact.

If someone has had a crime lifestyle lasting 10 to 15 years and you put him on electronic monitoring for three months, you're not going to change his behaviour, but it's one piece in the package and it gives us one opportunity for some additional interaction with the offender.

The Chair: Thank you very much, Mr. Leef and Mr. Grant.

We'll now go to the last question of the day. We have committee business coming up. We'll go to Mr. Sandhu for five minutes, please.

Mr. Jasbir Sandhu: I'll be very brief.

The first question is on investment. Whether we're investing in electronic monitoring or programming, which would be most beneficial to Canadian society?

Dr. Brian Grant: It's hard to get a handle on what the cost-benefit ratio is for electronic monitoring, because the full cost-benefit analyses haven't been done. The federal government receives 3:1 benefit from correctional programs that we offer in our correctional institutions. That's a result from a study that was done by the Conference Board of Canada for us, looking at our core correctional programs. That's only looking at the benefit to the federal government; that's not looking at the cost for pain and suffering or anything like that. It's very focused.

We know that correctional programs have that kind of benefit. There are no data to suggest that electronic monitoring has that same cost-benefit level. Those studies just haven't been done.

• (1710)

Mr. Jasbir Sandhu: Thank you. That's the last question.

The Chair: Thank you.

I think we'll probably leave it at that.

Thank you, Mr. Grant, for coming here today and bringing your expertise with you. We certainly look forward to hearing more someday. If more pilot projects are undertaken, you will evaluate the success of them. Thank you for being here today and helping us as a committee in the decisions we are deliberating.

Dr. Brian Grant: Thank you.

The Chair: Although it is not on the agenda, we had agreement earlier that we would proceed to committee business.

We have been given indication that Mr. Scarpaleggia would like to move his motion. You have a copy of this motion, which was tabled on Monday, February 13, 2012:

That, pursuant to Standing Order 108(2), the Committee invite the Minister of Public Safety and senior officials to discuss the government's new anti-terrorism strategy, *Building Resilience Against Terrorism: Canada's First Counter-terrorism Strategy*, for a maximum of four hours at the earliest opportunity.

Mr. Scarpaleggia, I'll let you speak to your motion, please.

Mr. Francis Scarpaleggia: It's very straightforward.

This document, released a couple of weeks ago, is fairly important. It strikes at the heart of what we're doing here as a public safety committee. I find it's a little odd that we wouldn't at least hear from officials to have it explained to us and to tell us what the salient points of this strategy are, because it seems as if it's the overarching vision wrapped around a lot of what we're doing through individual pieces of legislation and maybe even this study.

The idea is to hear about the strategy from experts. Quite frankly, I don't necessarily think the minister has to appear. I know that's in the motion, but I think we might get more substantive information from the officials. That's what the heart of this motion is all about.

The Chair: All right. It sounds to me as if you're open to some kind of an amendment. We do have a motion that we have to deal with, and named in that motion is a four-hour appearance by the minister.

Mr. Francis Scarpaleggia: I'd asked for a four-hour maximum. I didn't mean to suggest four hours for the minister.

The Chair: It's a maximum of four hours. Okay, I got you.

Go ahead, Ms. Hoepfner.

Ms. Candice Hoepfner: We would totally support the intent of this motion. We agree that it's something that is important for us to look at. We were going to introduce an amendment so that we would have a time parameter. Could I present my amendment at this time, or do you want me to just...?

• (1715)

The Chair: Go ahead, if you have a suggestion.

Ms. Candice Hoepfner: Instead of saying "for a maximum of four hours", we'd like to say "for one meeting" and we'd like to say "at the minister's and officials' earliest availability".

Francis mentioned that he's willing to have just the officials.

Mr. Francis Scarpaleggia: The object here is to find out what this is about so we can comment on it individually at some point. It's not to have a media show around the minister, to be honest.

The Chair: If I understand your amendment here correctly, Ms. Hoepfner, you're saying that the minister would then appear for the first hour.

Ms. Candice Hoepfner: Yes, with the officials.

The Chair: They would appear with him.

Ms. Candice Hoepfner: We'd have one meeting at the minister's and officials' first availability. The mover invited the Minister of Public Safety and senior officials to discuss. I don't think that motion laid out whether it would be the minister and officials together or apart, but we wanted to say we don't think the minister would necessarily be able to come for four hours.

Mr. Francis Scarpaleggia: No, that's not the intent.

Ms. Candice Hoepfner: Right. That's why we want to be clear that it would be for one meeting.

Mr. Francis Scarpaleggia: He'd come for one hour or something.

Ms. Candice Hoepfner: However, it sounded to me as if you're thinking that if there's more information needed, you don't want to limit the officials.

Mr. Francis Scarpaleggia: I'm thinking honestly that it would take one meeting, but if we get on—

The Chair: You mean one two-hour meeting.

Mr. Francis Scarpaleggia: Yes, I mean one two-hour meeting, but if we get onto something really interesting and then we find we need to know more, perhaps we could have a second meeting.

The Chair: It sounds as if there's a good consensus here on both sides.

Ms. Candice Hoepfner: I think so.

The Chair: Then would you accept Ms. Hoepfner's friendly amendment to that motion, which is that the minister would appear for the first hour and that the department would appear for the other...?

Mr. Francis Scarpaleggia: Sure.

The Chair: Does that sound all right?

Ms. Candice Hoepfner: Would it be okay if we agreed to this motion as you've written it and as I've amended it, with the understanding that...? As with some of our other studies, it may be that once we get going, we may realize that we need more information. Maybe we could have some discussions and come to agreements among all the parties.

Mr. Francis Scarpaleggia: Yes.

The Chair: All right. It sounds as though the two of you have that agreement, but I do have others on the speaking order here.

Go ahead, Mr. Sandhu.

Mr. Jasbir Sandhu: I think you guys have done a wonderful job, and we agree.

The Chair: All right. Are we ready for the question, then, for the motion as amended?

Ms. Candice Hoepfner: My amendment is "for one meeting at the minister's and officials' earliest availability".

The Chair: All right. Let's just do it all in one here. Are we all in favour of the motion as amended, instead of the amendment first and then the amended motion? Are we all right with that?

(Motion as amended agreed to [See *Minutes of Proceedings*])

The Chair: At the first availability, I would encourage the table to get on that. Remember we have a number of other.... Just hang on, Mr. Rathgeber. It appears that someone else wants to speak on committee business, so that's why I'm asking everyone to stay.

We have a number of other meetings already scheduled, so there may be an opening. I also want to remind the committee that there will be some legislation coming within the next number of weeks, so we need to work together to get this invitation out as soon as possible to make certain we can complete that motion.

Did we do that? Was everyone in favour?

Mr. Randall Garrison: Yes, we did.

The Chair: Go ahead, Mr. Sandhu.

Mr. Jasbir Sandhu: At the end of the last meeting we had some discussions around the immigration officials at CIC not wanting to come to the committee in regard to electronic monitoring. I looked at the motion for this study. It's clearly stated in there that the immigration enforcement setting is part of this study, so I think it's important that we hear from them directly, and that we invite them again, and with a little force.

The Chair: What is your opinion, Candice?

Ms. Candice Hoepfner: I would agree. I think it's important that they know we think there is more information that they can provide, and maybe invite them one more time, in a friendly way, but we would like to hear from them.

The Chair: You have the floor, Mr. Norlock.

Mr. Rick Norlock: By all means they should be here, but I was also very interested in Mr. Grant's testimony, and I would like to hear more about the efficacy of monitoring and its worthiness, so we might have immigration officials for two hours, or perhaps one hour, and have one hour on efficacy, etc.

• (1720)

The Chair: Generally speaking, when we invite witnesses, we invite for a one-hour segment. If people back out suddenly, sometimes we ask the witnesses from the first hour to stay a little longer and we work through that. However, we will invite them again. We will send out another invitation, thank them for responding before, and tell them that we have brought this to committee, as well as that the committee wants them to attend and expects them to attend, perhaps.

Ms. Candice Hoepfner: May I just ask the clerk, through you, if we've invited Swedish representatives? We heard that Sweden has a very good model. Have we invited representatives from Sweden, or were we planning on going out there? Was that it?

Mr. Jasbir Sandhu: I move a motion to that effect.

The Chair: Good luck to our whip. We do have whip representatives here on both sides. We aren't in camera either, but go ahead.

Were they on the witness list?

Ms. Candice Hoepfner: I believe they were, yes.

The Clerk of the Committee (Mr. Andrew Bartholomew Chaplin): They're in the plan, but as things are evolving, we're not clear on the date, and I haven't approached them yet on when they're going to appear.

The Chair: Okay. We can do that.

Ms. Candice Hoepfner: Well, let's make sure we get those....

The Chair: Also, we need to keep a day, probably, or an hour, on that report. What do we think we need? We have a draft report on prisons, so that's probably going to be another hour. It'll be ready sometime next week, and we'll have to work all those in. We'll leave that in the able hands of our clerk. I'm certain we'll all be satisfied.

Go ahead, Mr. Garrison.

Mr. Randall Garrison: This is on that same topic. On this side we wish to have the minister appear on estimates at some point, so we have a number of things pending.

The Chair: You may want to bring forward a motion on that, then, and give it the proper timing.

Mr. Randall Garrison: Right. Thank you.

The Chair: Are there any other questions? No?

Then this meeting is adjourned.

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