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Chair

The Honourable John McKay

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• (0845)

[English]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): I call the meeting to order.

Ladies and gentlemen, we look like we're all in our places, with bright shining faces.

We'll start the 81st meeting of the Standing Committee on Public Safety and National Security. We are welcoming to the study on indigenous corrections, from the Department of Public Safety and Emergency Preparedness, Angela Connidis, and from the Correctional Service of Canada, Anne Kelly and Larry Motiuk.

You're pretty experienced witnesses. You know the way it goes around here, so I'll let you lead off in whatever order you see fit.

Thank you.

Ms. Anne Kelly (Senior Deputy Commissioner, Correctional Service of Canada): Good morning, everyone.

Mr. Chair, I would like to thank you and the honourable members of this committee for the opportunity to appear before you today.

I'm Anne Kelly, senior deputy commissioner of the Correctional Service of Canada, or CSC, and I have responsibility for indigenous corrections within CSC. I've been with corrections for 35 years, half of which was spent mostly in institutions.

I have with me today Larry Motiuk, who is the assistant commissioner for policy. Larry is responsible for ensuring coherence in our planning and policy framework, including how we report on performance to Canadians. Larry has also been with corrections for 35 years.

[Translation]

I am grateful to the committee for providing us with the opportunity to highlight our vision, and some of the innovative strategies we have implemented in the Correctional Service of Canada over the past decade, in order to put in place the organizational structure to improve our criminal justice results.

[English]

Ultimately we want to improve reintegration results for first nations, Métis, and Inuit people, and contribute to public safety. It is my hope that we can provide sufficient information, including some of our key successes, ongoing challenges, and opportunities for improvement, to assist in your study of this important subject.

Following my remarks, we would be happy to answer any questions you may have.

[Translation]

I would like to start by providing context on the magnitude of the challenge of over-representation of indigenous peoples in custody across Canada, a challenge that has been described by Chief Justice Beverley McLachlan as a deep-rooted, endemic social problem. The Prime Minister has underscored the collective government commitment to addressing this monumental challenge.

[English]

As you are all aware, there are many factors that have contributed to this recurring national challenge. They include poverty; substance abuse; health issues, including mental illness; lack of awareness and understanding regarding the cultures and traditions of indigenous peoples; and, most importantly, the significant negative impact that residential schools had on indigenous cultures, communities, and families. Some of these factors were highlighted in the important 1999 Supreme Court decision with respect to Gladue.

In Canada today, indigenous offenders make up a significant and growing proportion of offenders in custody. Indigenous offenders represent over a quarter of those incarcerated in federal penitentiaries across the country. This overrepresentation is even more acute among women offenders, where more than a third of the incarcerated population is indigenous.

CSC has been at the forefront of improving the way that indigenous peoples are engaged in the design, development, and delivery of correctional services. In 1997, the service developed and implemented a national strategy for aboriginal corrections, with a focus on strengthening indigenous offender programming, enhancing the role for indigenous communities in our correctional operations and practices, and increasing the recruitment of indigenous peoples in the management of indigenous offenders.

[Translation]

CSC also began exploring the potential for establishing healing lodges in response to section 81 of the Corrections and Conditional Release Act. Through engagement and partnerships with indigenous peoples, by 2001, CSC had established four healing lodges under section 81 of the act, and four other healing lodges operated in close collaboration with indigenous communities.

[English]

The Correctional Service counts on the collaboration and cooperation of indigenous peoples to engage in the development and delivery of services to the first nations, Métis, and Inuit offender population. For that reason, the national aboriginal advisory committee and the regional aboriginal advisory committees continue to provide advice and guidance to CSC on policies and practices related to indigenous offenders. In addition, CSC engages the services of elders to provide spiritual and cultural services to indigenous offenders. We currently have over 140 first nations, Métis, and Inuit elders across the country providing spiritual counselling, ceremonies, and traditional teachings to indigenous offenders.

● (0850)

[Translation]

In 2001, as a result of funding of \$18.6 million over five years, provided by Treasury Board Secretariat through effective corrections initiatives, CSC explored the expansion of healing lodges. CSC determined that, in order for offenders to be successful in these environments, it was essential that spiritual and cultural interventions were available within all institutions, at all security levels, so that offenders would be better prepared for a healing lodge environment.

[English]

In 2003 CSC developed the continuum of care model, created with the guidance of elders and the participation of national indigenous organizations. The aboriginal continuum of care provides a framework for delivering culturally and spiritually responsive services and interventions to our indigenous offender population, from intake through to warrant expiry. The aboriginal continuum of care provides culturally relevant alternatives to mainstream services, and by 2006 all institutions in every region had a base level of services for indigenous offenders.

The strategic plan for aboriginal offenders, which was developed in 2006, established a renewed policy framework, accountability at all levels of the organization, and an expanded aboriginal continuum of care. It increased programs, services, and interventions as well as providing a human resource strategy and training to address systemic barriers over time.

The aboriginal corrections accountability framework, a performance measurement report, was put in place in 2010 to measure progress for indigenous offenders, and positive results were identified. For example, indigenous offenders with a release plan under section 84 of the CCRA, the Corrections and Conditional Release Act, who engaged with the indigenous community were more likely to receive day parole. As well, offenders working with elders and participating in the Pathways initiative were more likely to transfer to lower security.

[Translation]

Since the implementation of the strategic plan for aboriginal offenders, our organization continues to explore successful interventions to respond to the needs of indigenous peoples. We have developed and implemented the Sivuppiak action plan for Inuit offenders in 2013 to better respond to the needs of Inuit offenders. We enhanced and expanded the Pathways initiative to better meet the

rehabilitation and reintegration needs of indigenous offenders. We have also strengthened the delivery of culturally responsive interventions to the indigenous women offender population.

[English]

Despite the progress made to date on several indicators, there are still significant reintegration gaps for indigenous offenders when compared to the rest of the offender population.

As members of this committee are likely aware, the Auditor General made eight recommendations in his fall 2016 report regarding the preparation of indigenous offenders for release to the community. CSC has fully accepted the Auditor General's findings and recommendations and has either implemented or is in the process of implementing changes to address them.

Moving forward, we remain committed to supporting indigenous offenders with a more robust approach that will focus our efforts to support their successful and safe rehabilitation and reintegration into the community at rates comparable with their non-indigenous counterparts.

While the number of indigenous Canadians receiving federal sentences is beyond our control, CSC's work and interventions can ultimately impact the length of time indigenous offenders remain under our care by focusing our efforts on timely and successful reintegration.

[Translation]

As part of a new strategy to significantly improve results for indigenous offenders, the Correctional Service of Canada has recently developed the National Indigenous Plan, with the objective of streamlining existing resources, strengthening case management practices, and ensuring that indigenous offenders who wish to follow a transitional path will have access to more intensive cultural and spiritual interventions and programs.

● (0855)

[English]

As part of this strategy, we have recently established seven aboriginal intervention centres across the country, including three in the prairie region, where a significant portion of our indigenous offenders are incarcerated. At these intervention centres, offenders, particularly those with shorter sentences, will receive programs and interventions earlier in their sentence and will begin the preparation for conditional release in advance of their first parole eligibility date. In addition, dedicated case management teams have been established and have received specialized training in indigenous case management and the consideration of aboriginal social history.

Offenders will be better prepared for release earlier in their sentence with more intensive and targeted support, increasing their chances for success upon release.

The Chair: I'm sorry to be hustling you along here, but a minute passed already.

Ms. Anne Kelly: I'll go to my conclusion.

The Chair: Thank you.

Ms. Anne Kelly: In conclusion, I want to reiterate that CSC welcomes the opportunity to be part of a coordinated and cohesive strategy for improving results for indigenous peoples, and therefore will closely monitor the progress and outcomes of the important work of this committee.

With this in mind, I must stress that CSC cannot do this alone. We will continue to work closely with our partners in the criminal justice system, indigenous organizations, and community stakeholders to address the needs of indigenous peoples in our care. Together, we can work to close the gaps in correctional results between indigenous and non-indigenous offenders.

With that, I thank all members of this committee for the opportunity to appear before you today, and we welcome your questions.

The Chair: Thank you.

Go ahead, Ms. Connidis.

Ms. Angela Connidis (Director General, Crime Prevention, Corrections and Criminal Justice Directorate, Department of Public Safety and Emergency Preparedness): Thank you.

Good morning, Mr. Chair and honourable members of this committee. Thank you for giving me the opportunity to address you today.

I'm Angela Arnet Connidis, the director general of crime prevention, corrections, and criminal justice at the Department of Public Safety.

[Translation]

I am pleased to be here with my colleagues from the Correctional Service of Canada. We work in close collaboration, and your committee's study of indigenous inmates and their release and reintegration outcomes will inform our knowledge and work on this issue.

[English]

Today I would like to describe some of the work the Department of Public Safety has undertaken to improve reintegration outcomes for indigenous offenders and to promote and enhance the safety of indigenous communities.

The overrepresentation of indigenous people across the spectrum of the criminal justice system is chronic and alarming, and my colleagues have reviewed the statistics that you're all well aware of. For this reason, indigenous corrections and community safety are ongoing priorities for the Department of Public Safety. We recognize that the overrepresentation of indigenous peoples in contact with the criminal justice system is a complex issue and that it requires a continuum of policies, programs, and initiatives to address the disproportionate rates of crime and victimization experienced by indigenous people.

Public Safety itself does not have responsibility for the management of indigenous inmates in federal corrections institutions, but we work in some key areas to improve their reintegration outcomes and support indigenous communities to create safe environments. I would like to talk to you in particular about three key initiatives we have undertaken to do this: the indigenous community corrections initiative, the aboriginal community safety development contribution program, and our national crime prevention strategy.

The indigenous community corrections initiative is directly related to helping indigenous offenders reintegrate into their community. Under section 84 of the Corrections and Conditional Release Act, if an inmate expresses an interest in being released into an indigenous community, the Correctional Service of Canada can, with the inmate's consent, engage with that community to codevelop a plan for the inmate's release and integration. This approach can help improve the success of an indigenous offender's application for conditional release and the outcome of that release.

However, not all indigenous communities have the capacity to engage with the Correctional Service of Canada to provide their input into a conditional release plan, nor do they have the capacity to provide indigenous inmates with the support they need upon release. This is the problem we're trying to address through the indigenous community corrections initiative. This initiative received \$10 million over five years in budget 2017. Through this initiative, Public Safety will provide contribution funding to support training and capacity-building within indigenous communities. This will help them implement community-based projects that will in turn assist in the reintegration of offenders and provide alternatives to incarceration.

The important thing about these approaches is that they will be tailored and responsive to the concerns, priorities, and unique circumstances of the particular indigenous community applying for the funding. Through this initiative, our objective is to increase the indigenous community's capacity to work with both Correctional Service of Canada and provincial corrections to provide transition support in the release of indigenous offenders and improve their reintegration outcomes.

The projects will also contribute to the knowledge development of what works and are best practices in community reintegration of indigenous offenders. This could also benefit other communities dealing with similar issues.

● (0900)

[Translation]

Eligible recipients for this funding program include indigenous not-for-profit organizations; indigenous governments; municipal governments working in collaboration with indigenous organizations and/or communities; indigenous communities themselves, and Canadian universities and colleges.

[English]

The first call for proposals was launched on October 4, 2017.

We're very much looking forward to receiving, reviewing, and awarding funding to successful submissions. With a focus on reintegration, this initiative proposes to help reverse the trend of indigenous overrepresentation in the Canadian criminal justice system and will support the healing and rehabilitation of indigenous offenders.

The second initiative I referred to is the aboriginal community safety development initiative. We usually refer to this one as community safety planning.

Community safety planning is focused on building a community's capacity to create a safe community by providing it whatever support it feels it needs to develop and implement a community safety plan. It is a uniquely grassroots approach. Public Safety officials reach out to the elders and senior council members in indigenous communities, and we offer a trained facilitator and Public Safety officials to hold sessions with the community on how to identify its safety risks and its community strengths and goals. We support the community in developing a plan for what it needs to be safe.

We pay for the facilitator, who is experienced in working with indigenous communities, and we offer support for the process, but only if the community feels it is ready and invites us in. The community itself provides the venue and hospitality for the meetings, as well as a core group of community members to do the planning. To date, we have engaged with over 100 indigenous communities. Twenty-nine of them have completed their plans and are in various stages of implementation.

After the plans, we are now operating a pilot project with as many as 10 communities, and through this we engage other federal departments such as Indigenous and Northern Affairs Canada, Health Canada, and Justice Canada, as well as ministries and provincial governments that have a role to play in implementing components of the community safety plan.

From the perspectives of these partners, the community safety plan helps them target their funding more effectively and ensures that they are supporting projects that the community itself feels are priorities for its safety.

[Translation]

We are working with several indigenous communities to enhance local reintegration services and to develop capacity to enter into an agreement with Correctional Service of Canada to take on the care and custody of indigenous offenders, as allowed under section 81 of the Corrections and Conditional Release Act.

[English]

We are hopeful that our continued work toward an integrated, comprehensive response to the communities' priority issues can replace a reactive approach to fixing problems.

By supporting indigenous communities in responding to and developing solutions to address their own corrections and community safety needs, we feel there is a greater possibility for sustainable, longer-term solutions.

The third initiative I want to discuss with you is our national crime prevention strategy. This is another key component of efforts to address the growing pressures on the criminal justice system by

reducing the number of individuals who come into contact with the law. Successful interventions have been shown to reduce not only victimization but also the social and economic costs that result from criminal activities and the costs related to processing cases in the criminal justice system.

Under this strategy, Public Safety provides funding to support evidence-based crime prevention interventions with at-risk children, youth, and young adults, former offenders who are no longer under corrections supervision, and indigenous populations. The strategy has a targeted northern and aboriginal crime prevention fund that supports the adaptation, development, and implementation of innovative and promising culturally sensitive crime prevention practices. It supports the dissemination of knowledge and the development of tools and resources for indigenous and northern populations, as well as capacity-building as a means of exploring ways to develop or implement culturally sensitive crime prevention practices among indigenous and northern populations.

With regard to the crime prevention projects the department has supported since 2012, 46% of crime-prevention funding has involved indigenous people or communities.

I've talked about these three initiatives because they're most pertinent to your discussion, but I do want to let you know that Public Safety and Justice Canada share a mandate commitment to address gaps in services to indigenous people throughout the criminal justice system, and we're working closely with our colleagues to do that. As well, the extensive work and findings of the Truth and Reconciliation Commission include 12 calls to action that implicate our portfolio, and we're working across the portfolio and with indigenous organizations and other government departments to respond to these calls.

● (0905)

We know that to reduce the overrepresentation of indigenous people in custody, we need to focus on the social history and risk factors present in people's lives. This study is going to help us get there.

[Translation]

Thank you once again for the opportunity to address you today. I welcome any questions you may have

[English]

The Chair: Thank you, Ms. Connidis.

Go ahead, Ms. Damoff, for seven minutes, please.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair.

Thank you to our witnesses for your testimony and for all your work on this issue. This government is committed to improving the conditions in corrections for indigenous peoples, and I'm pleased to hear about some of the initiatives you've taken.

As you know, our study is particularly focused on access to programming and early release. Women are the fastest-growing prison population. Indigenous women, in particular, are falling into corrections and are vastly overrepresented as a percentage of the population.

If you don't have this, you can provide it to us, but when you look at the stats for access to early release and parole, do you see any difference between female and male offenders? The percentage is low overall for indigenous offenders, but do you know if there's a difference between female and male?

Ms. Anne Kelly: Just as we have programs for male offenders, for women offenders we also have programs, and they're based on a continuum of care. We have an aboriginal women offender correctional program. It's called the circle of care. It's elder-assisted, and they're there for 100% of the delivery. There's an engagement module for everybody. Then there's a moderate- and high-intensity module. There's also self-engagement in the institution and the community that's provided to women offenders.

Ms. Pam Damoff: Would you be able to access the numbers for us?

Dr. Larry Motiuk (Assistant Commissioner, Policy Sector, Correctional Service of Canada): We can delineate between genders. We can provide that for you.

• (0910)

Ms. Pam Damoff: You can provide it to us.

We invested \$65 million in budget 2017 specifically to reverse the trend on indigenous representation. Then we also invested, I think, \$55 million in mental health in corrections. That's targeted to everyone, but given the overrepresentation of indigenous people in corrections, they're going to be accessing it as well. You gave us some of the programs. Can you give some specifics on where that money is going?

Ms. Anne Kelly: Yes, absolutely. In terms of budget 2017, there are a couple of initiatives.

The first is enhancing community reintegration and section 84 support for indigenous offenders. With that initiative, we're going to increase the number of aboriginal community development officers that we have. I'll explain a little bit more later about the aboriginal intervention centres. What we call ACDOs, the aboriginal community development officers, work with the offenders to initiate a section 84 release plan, meaning that we engage the indigenous community.

We'll also have an increased number—

Ms. Pam Damoff: Sorry, but I'm not familiar with them. Are these people working in corrections pre-release or post-release?

Ms. Anne Kelly: The aboriginal community development officers work in institutions with the case management team and with offenders who have expressed interest in a section 84 release.

We're also going to be increasing the number of aboriginal community liaison officers. Those are people who work in the community. Usually they meet up with the offenders three months prior to their release and six months after release. It's really where they connect with the indigenous communities, and they're there to support the offender. That's one initiative.

Through the second initiative, we'll be able to provide contracts to indigenous communities to provide services to offenders on release—for example for trauma, life skills services, and counselling—

Ms. Pam Damoff: To interrupt you for one second, how many of the offenders are returning to the reserve versus returning to an urban environment? If offenders are going to an urban environment, that initiative won't help them. Do you know how many are actually impacted, or could you provide that to us?

Ms. Anne Kelly: We could. I'll have to confirm, but what I saw, I think, is that approximately 56% are from urban communities. Is that about right?

Dr. Larry Motiuk: We'll confirm that number for you.

Ms. Pam Damoff: Of those people who are working with the offenders, are there any aboriginal officers working in urban centres, or are they only on reserve?

Ms. Anne Kelly: No, they're in urban centres as well. They're in both. That's the second initiative.

Then we also have an initiative that we're quite pleased about. It's a CORCAN proposal to increase job readiness of indigenous offenders through new community industries.

The way it's going to work is that while they're incarcerated, there will be pre-release employment centres in select CSC healing lodges in the prairie region, because the highest numbers of aboriginal offenders are in the prairie region, and there they would receive skills training, soft skills training, health and safety training. Modular construction is going to be the mainstay of this initiative.

Then upon their release, we would create CORCAN community industries in Edmonton and Saskatoon, where indigenous offenders can continue their construction employment. They would build the infrastructure for modular homes that would then be used by the communities.

Ms. Pam Damoff: I only have about 40 seconds left. I don't know if you're aware that in the status of women committee we're also doing a study on indigenous women in corrections. We'll be focusing on women in that study, and in 30 seconds I probably don't have time to continue, so I'll end it there.

The Chair: Thank you.

Mr. Motz, you have seven minutes.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you, Mr. Chair, and thank you to the witnesses for being here today.

Ms. Kelly, you indicated in your report that you remain committed to supporting indigenous offenders with a more robust approach. What does that look like operationally?

Ms. Anne Kelly: Yes, absolutely. We're quite pleased. This is a new approach, and it's in response to the Auditor General's report. This new approach we're implementing addresses the majority of the recommendations of the OAG report.

We're going to provide more intensive, focused support and interventions. We've created seven aboriginal intervention centres, three of which are in the prairie region. These aboriginal intervention centres serve as both intake centres, where we do the intake process with the offenders, and programming centres. We'll also offer programming there.

It's mostly for medium-security offenders serving short sentences. We'll have case management teams with specialized training, and we've already completed the training at all the aboriginal intervention centres. It's on aboriginal social history, on how to document the impact of the Pathways program on an aboriginal offender, training in a section 84 process, and also how to assess the impact of culturally relevant interventions, such as elder services.

The other component is that aboriginal community development officers, which I referred to previously, are assigned to these aboriginal intervention centres. Section 84 release plans, for those offenders who are interested, are initiated well before the offender's parole eligibility dates. Also, aboriginal community liaison officers will be positioned to work with communities as part of the section 84 process. They will meet up with the offenders three months prior to their release and follow the offenders for six months after release.

When the aboriginal offenders arrive at the aboriginal intervention centres, they will be provided with an explanation of the programs and services available to them. Then they will tell us whether they wish to follow the aboriginal continuum of care or not, because aboriginal offenders can also take mainstream programs.

● (0915)

Mr. Glen Motz: Right. I'm sure there's more, but—

Ms. Anne Kelly: Yes, there is.

Mr. Glen Motz: —because of time, maybe it would be helpful if you could provide those new approaches to the committee, in addition to what you've already provided.

Ms. Anne Kelly: Absolutely.

Mr. Glen Motz: I'm sorry for having to intervene and ask another question.

I know that the Supreme Court and the Corrections and Conditional Release Act in sections 81 and 84 talk about healing lodges and returning indigenous people back to their communities. I'm curious to know, I guess from both Ms. Connidis and Ms. Kelly... I have two questions related to that. Are the healing lodges in section 81 functioning as intended? Are they actually rehabilitating people as intended? Also, are there any stats about those

indigenous offenders who have gone through the healing lodge process and their opportunities to reoffend? What are the stats on reoffending, for them and for those who have stayed in the normal process and not chosen that option. Are there any stats on those two?

Are they operating as intended, as provided in legislation, and are there any stats to indicate what the results are if they go through that process?

Ms. Anne Kelly: The answer is yes, they are operating as intended.

Certainly the healing lodge is a type of environment where the offender can better understand his or her culture. There are traditions and ceremonies. Normally the offenders have been working extensively with the elders. They're committed to following a healing path.

I can say that when I was in the Pacific region, we had a healing lodge, the Kwikwëxwelhp healing lodge, and an excellent relationship with the Sts'ailes community. Certainly when we went to the healing lodge and participated in the ceremonies and spoke to the offenders, we saw that these were offenders who were extremely committed to their path.

In terms of results, I don't know. Larry, do you have them?

● (0920)

Dr. Larry Motiuk: We don't have the results here, but we can provide them. We do have some research done on this, on section 81, as well as on healing lodges—

Mr. Glen Motz: It's sections 81 and 84.

Dr. Larry Motiuk: —and 84, too. We can provide any kind of return rates on any release.

Mr. Glen Motz: If you can provide those, that would be great. Thank you.

I know that we've read the stats, and they are concerning. From Correctional Service Canada's perspective, what are the main challenges that indigenous people face in the correctional system that might be unique to them?

Ms. Anne Kelly: Did you say unique to them?

Well, the first thing that I'd like to note is that the aboriginal people represent 3% of the adult Canadian population, but they represent 24% of admissions into CSC. We don't have control over those admissions. Some 65% of those admitted are actually admitted as first-time federal offenders.

Also one of the challenges is their profile. They are younger. I have some stats here: 34% of aboriginal offenders are under 30, compared to 22% of non-indigenous offenders. Of those under 35, it's 51%, as opposed to 38%. Those who have previous youth and/or adult sentences are 33% versus 26% of non-indigenous. They're incarcerated more often for violent offences. They have higher risk ratings, higher needs ratings, more gang affiliations, higher rates of substance abuse, and higher rates of mental health issues. These are some of the challenges.

Mr. Glen Motz: Please ask why. That's the question we all have to ask, isn't it?

[*Translation*]

The Chair: Mr. Dubé, you have seven minutes.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

My thanks to the witnesses for being here.

I am going to talk to you about the Auditor General's recommendations. As you mentioned, we are all well aware of them. You said that some recommendations are in the process of being implemented and others are already in place. You alluded to it in your reply to my colleague Mr. Motz, but I wanted to know if you could give us some more specifics on the recommendations that have been implemented, and on the way in which that was done or is in the process of being done.

Ms. Anne Kelly: One of the recommendations was that offenders should be assessed for a reduction in their security level following the successful completion of a program. Currently, indigenous offenders are assessed automatically. Since April 1, 2017, we have to assess the security level of indigenous offenders who have successfully completed a program. That is one of the recommendations.

Our aboriginal intervention centres will also play a role with low-risk offenders and with those who must be prepared for their appearance before the Parole Board of Canada when they are first eligible. Offenders will be assessed and will begin to follow programs at the same time. So we are going to be able to prepare them for their appearance before the board as soon as they are eligible.

The Auditor General also said that offenders should have access to programs according to their needs and their preferences. At present, we routinely ask them what their preferences are and if they want to follow specifically indigenous programs or simply the general programs.

Mr. Matthew Dubé: I know that there are other aspects to mention, but one of them came out in your response. You talked about security levels and about assessing them. Given the over-representation of the indigenous population in maximum security penitentiaries, is an assessment done at the moment of incarceration to determine the security level?

• (0925)

Ms. Anne Kelly: Yes. We use actuarial tools to determine the security level, but, for indigenous offenders, social history is also taken into consideration.

Mr. Matthew Dubé: As the answer could be a long one, can I ask you to provide the committee with a summary of the recommendations and of the concrete actions that have been taken both for the assessments done, or in process?

Ms. Anne Kelly: I have it right in my hand.

Mr. Matthew Dubé: When you answered Mr. Motz' question about young people, you mentioned the over-representation of indigenous youth. We know that they make up a large part of the population, even outside the prison system. However, you did not

mention specific programs for young offenders, based on what I heard and what I read in your remarks.

We are aware of the long-term impact of incarceration, future employment possibilities, for example. In terms of reintegration, we know full well that it is even more important for those less than 35 years of age. Can you give us examples of what is being done specifically for indigenous youth in that context?

Ms. Anne Kelly: Our offenders have access to the same programs; they do not get different programs. Even for the young, we consider the social history, of course.

Mr. Matthew Dubé: So, as I understand it, there are no specific youth programs. They are the same for everyone.

Ms. Anne Kelly: Exactly, the programs are the same.

Mr. Matthew Dubé: Perhaps I should put that question to the Minister of Youth.

The other question that I want to ask you is about the impact on reintegration of the treatment that the prisoners may have suffered, like solitary confinement, for example. What is the impact of that and what adjustments do you have to make, given those different considerations?

For example, people with mental health problems, especially indigenous people, are over-represented in the use of things like solitary confinement. I know that there is a government bill, but does the use of various practises have an impact on the operation of reintegration programs?

Ms. Anne Kelly: What do you mean when you say solitary confinement?

Mr. Matthew Dubé: I am using one example from the various measures taken in a penitentiary that can have an impact on reintegration. In terms of mental health issues, I use solitary confinement as an example, but it could be something else. How can they impact reintegration?

Ms. Anne Kelly: When an offender arrives at one of our institutions, depending on his behaviour, he can be placed in administrative segregation. Certainly, that can have an effect on his rehabilitation and reintegration because we consider the offenders' behaviour when we assess them, including for their security level.

Mr. Matthew Dubé: Thank you.

Let us go back to the assessments. I would like to know what factors are considered. I imagine the list could be quite long, when you use methods like that.

Is mental health history considered, or just behaviour, in such matters?

Ms. Anne Kelly: The issue is more the security level.

Mr. Matthew Dubé: In using solitary confinement, the treatment is not a factor—

Ms. Anne Kelly: The factor really is the risk that the offender poses for the safety of the institution and the people in it, and for the offender himself.

As for the level—and Mr. Motiuk can tell you more about it—we consider how the people are adapting to the institution. We also consider the risk of escape, and also public safety.

The Chair: Thank you, Mr. Dubé.

[*English*]

Ms. Dabrusin, you have seven minutes.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you to all of you for coming and providing us with information and experiences.

One of the first questions I have is about Gladue principles and training. It came up in the Spirit Matters report. Then again, when I look at the Auditor General's recommendations, the Gladue principles seem to be contained in at least two of them. One is 3.94, which said that "Correctional Service Canada should explore additional tools and processes" and includes "...consideration of an offender's Aboriginal social history"; the other is recommendation 3.106, which also said "structured guidance" should take into account "Aboriginal social history".

What is being done in terms of Gladue training to respond to the Auditor General's recommendations?

● (0930)

Ms. Anne Kelly: We've developed structured guidance for parole officers and members of the case management team. It's called "A guide to documenting consideration of the Aboriginal social history". As well, at each of our aboriginal intervention centres this summer, all the members received training on aboriginal social history. Also, we have what we call "parole officer continuous development" every year, and this year one component is the aboriginal social history. We're placing a lot of effort and energy on that.

Just as an aside, in my job I'm also responsible for third-level grievances from offenders. We're very good at documenting aboriginal social history. The training we're giving to our staff is how you take those factors and look at different culturally appropriate approaches.

Aboriginal social history is supposed to be considered in the decision-making process. When an offender grieves, let's say, a transfer decision or other decisions, if I see that aboriginal social history was not considered, in some cases I uphold a grievance, and we send letters to the institution to say that it needs to be done.

Ms. Julie Dabrusin: Thank you.

The other question I had goes to Truth and Reconciliation call to action number 35, which is "to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system". What is being done to eliminate those barriers? When I was reading through the Spirit Matters report, there were section 81 healing lodges and Correctional Service healing lodges. Are more healing lodges coming under section 81 now, and what's being done to improve that?

Ms. Anne Kelly: The first thing that's being done, obviously, is to continue to work with indigenous communities that expressed an interest in section 81. The other thing we've done is enhance our policy framework so that we have a stronger agreement framework. We've also enhanced our funding arrangements for existing section 81 healing lodges.

Ms. Julie Dabrusin: Is it now equal, then, between Correctional Service of Canada and section 81 healing lodges?

Ms. Anne Kelly: I wouldn't say it's equal, but it's been enhanced. Again, it's for them to better respond to the needs of indigenous offenders.

Actually, just to let you know, in September 2017 the minister and the first nation community of Waseskun signed a new section 81 agreement for five years that uses this new framework and the new funding arrangement. We just received a letter from them saying how happy they were with the collaboration that they received and with this stronger framework. I have other section 81 agreements that are coming to term that we will be renegotiating as well.

Ms. Julie Dabrusin: All right.

Just so I understand numbers, do we have healing lodges now represented in all of our provinces and territories across the country?

● (0935)

Ms. Anne Kelly: Right now we have healing lodges in B.C., the prairie region, and the Quebec region.

Ms. Julie Dabrusin: Okay.

What steps are you putting into place to eliminate barriers to the creation of more of them?

Ms. Anne Kelly: Again, we continue to engage indigenous communities. If they express an interest, we work with them.

Maybe Mrs. Connidis wants to talk about this aspect. She mentioned that with the communities it's often a question of willingness and capacity and having the supports that are in the community as well.

Ms. Julie Dabrusin: I probably only have a half a minute left.

Ms. Angela Connidis: It's what I referred to earlier. In our indigenous community corrections initiative, we find that communities largely don't have the capacity to do that engagement and to then get the community running. What our program wants to do is solicit interest and provide funding to those who are interested to develop those section 81 capabilities.

Ms. Julie Dabrusin: Thank you.

[*Translation*]

The Chair: Mr. Paul-Hus, you have five minutes.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

Ms. Kelly, as I understand it, current detention conditions for indigenous people are at a higher level than for other prisoners. For example, they have sections reserved for them and they have access to their elders.

If you compare their detention conditions to those of other inmates, do you agree that indigenous people do quite well?

Ms. Anne Kelly: Of course, you have to consider the unique status of indigenous people. The legislation requires us to give them specific programs, and that is what we do.

Mr. Pierre Paul-Hus: The programming aside, take their detention conditions, their cells and their living environment, for example. Are they different from those of other inmates?

Ms. Anne Kelly: No, when they are in our institutions, their conditions are the same, apart from the Pathways concept.

The elders look after those pathways.

Mr. Pierre Paul-Hus: That makes the detention conditions different. What do you mean by the Pathways concept?

Ms. Anne Kelly: It is a unit within a penitentiary. The cells are the same, but an elder has intense involvement with the offenders there.

Mr. Pierre Paul-Hus: As you mentioned in another reply, these people are incarcerated because they have been found guilty of offences. Is there a kind of social pressure on CSC? With indigenous inmates, do you feel that the CSC has to solve problems it did not create?

Ms. Anne Kelly: Indigenous people represent 3% of the Canadian adult population, but they represent 24% of the prison population. We can't do anything about that. When they come to our institutions, their profiles are different. The pressure we feel is more on our involvement and our programs for the indigenous people in our institutions.

Mr. Pierre Paul-Hus: That leads me to my next question. At the moment, there is a psychological drama going on about the fact that these people make up 22% of the prison population whereas they are 3% of the population as a whole. I wonder whether some of the conditions make them not want to get out of prison. Perhaps, in a way, they feel good there and prefer to stay there rather than going back to their reserves where they find the living conditions to be not as good. Could that be a factor?

We often hear that people get out of prison and then commit an offence so that they can get back in. Do you see that very often with the indigenous community?

Ms. Anne Kelly: One of the challenges with indigenous offenders—certainly with those in the prairie region, in any case—is their affiliation with gangs. When they arrive at our institutions, we want to make sure that they are surrounded by people who behave socially, before they are influenced by gangs. Clearly, aboriginal offenders want to take part in the programs too. Those who do take part—

Mr. Pierre Paul-Hus: Some people think that indigenous offenders are not well treated, that the conditions of their detention are poor. From what I am seeing up to now, a lot of efforts are made to put them in a good situation.

It is also said that conditional releases are less frequent with indigenous people. Is that because they do not comply with certain conditions? That is what we are trying to find out.

Ms. Anne Kelly: Earlier, I talked about the profiles of indigenous offenders. Often, there is more violence and substance abuse. In terms of the needs and the risk, the situation is more serious. So, in

their case, we have to work harder. As a result, it may take longer. That is the reason we now have aboriginal intervention centres, the goal of which is to prepare them more quickly.

• (0940)

The Chair: Thank you, Mr. Paul-Hus.

[English]

Mr. Spengemann, you have five minutes.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Mr. Chair, thank you very much.

My thanks to the witnesses for being here, for their service, and for their work.

There is a very powerful saying that any society is measured only by how well it takes care of its least advantaged. I think this is front and centre for us, not as an indigenous issue but as a Canadian issue. We're looking at one portion of the spectrum of problems within a much broader whole. I very much appreciate your expertise and your service.

I want to start by asking you if you have a sense of what the top three offences are that are leading to the numbers of indigenous persons who are incarcerated, both on the male and female side. Is that accessible to you now, or could you provide that to us? I think it would be helpful to get a sense of where those numbers come from.

Dr. Larry Motiuk: We can certainly provide that. As was mentioned by Anne Kelly, violence is heavily represented amongst this population, but as to the nature of it—whether it's homicide, assault, robbery—we can provide that kind of distinction.

Mr. Sven Spengemann: Another area that I think is of interest to members of the committee and to Canadians is the level of representation of indigenous public servants within Correctional Service of Canada and Public Safety Canada. Can you give us a flavour of how that currently looks and what efforts are under way to increase representation, perhaps also with your added thoughts of the direct benefits that greater representation could create within the system?

Ms. Anne Kelly: Currently, 9.5% of our employees, our staff, have self-identified as being indigenous peoples. That's above the workforce availability estimate of 6.2%.

In terms of aboriginal staff, we have approximately 140 elders that we contract with. We have aboriginal liaison officers, aboriginal correctional program officers, aboriginal community development officers, and aboriginal community liaison officers. Our healing lodge wardens, for the most part, are aboriginal. We have an aboriginal initiative directorate at NHQ, national headquarters. The director general is aboriginal. We also have regional directorates in each of the regions.

In terms of our efforts to hire staff, obviously we go to colleges and schools to recruit, but we've also just developed a succession planning plan. This is really to assist employees who are part of the aboriginal continuum of care that I just mentioned. We want to retain their expertise, but we also want to prepare them to take over more senior positions.

• (0945)

Mr. Sven Spengemann: As far as your recruitment efforts are concerned, is it your sense that there is a good pull of indigenous students into the relevant programs by universities and colleges—corrections, crime and deviance, sociology, the programs that would ultimately lead to careers in Correctional Service of Canada or Public Safety? In short, are you getting the numbers you are looking for from those institutions, and if not, what can we do to help increase enrolment?

Ms. Anne Kelly: When the director general of aboriginal initiatives goes to some of the colleges, she is extremely passionate about what she does. There is one in Prince George, I believe, that's mostly centred on aboriginal people. People get interested. I think there are some people who apply as a result of hearing about what we do. It would be nice to have more.

Mr. Sven Spengemann: Thanks very much.

I'm going to take the remaining minutes to ask you about an issue that I may have a chance to circle back to in the second round, and that's the classification of indigenous offenders as "maximum security".

What are the dynamics around that? Is it your sense that this is one issue that may lead to the removal of potential releases into indigenous communities, simply because they are designated as "maximum security" and communities might be reluctant to consider having such an offender in their midst following their release?

Ms. Anne Kelly: Larry is the expert on classification.

Dr. Larry Motiuk: In terms of classification for indigenous people who come into the federal correctional system, how they are assessed depends on their profile. We have a very comprehensive assessment process at intake, upon admission into our institutions. Everything is taken into consideration: criminal history, the severity of the offence, and the amount of harm that's done to victims. We also take into consideration their needs. We call them "dynamic factors": employment history, educational background, marital family dynamics and situations, right through substance misuse and personal, emotional kinds of factors, which would include things such as impulsivity or the ability to self-regulate. It's all of these factors, as well as attitudes.

All of this is combined in coming up with an accurate assessment and gauging the risk for adjustment inside the institution. We have two factors that we have to consider by law: escape risk, or public safety risk, and institutional adjustment. Many indigenous offenders upon arrival find themselves in a higher area of concern for management, particularly through gang affiliations, violence, and whatnot. They may find themselves in maximum security initially, relative to non-indigenous people.

However, what we—

The Chair: Thank you, Mr. Spengemann.

I'm sorry, Mr. Motiuk. You can probably work it back in on another question. I'm sure Mr. MacKenzie will give you an opportunity to finish that response.

Mr. MacKenzie, you have five minutes.

Mr. Dave MacKenzie (Oxford, CPC): Thank you, Chair.

Thank you to the panel for being here today.

I've always found it very interesting. The committee previously toured many of the facilities, including the healing lodges. I'm not sure that I had any understanding of what a healing lodge was until I went there. I would suggest, Mr. Chair, that if we have members who have never seen a healing lodge in operation, it wouldn't be a bad idea for us to visit one.

I am also of the opinion that by the time an offender gets to the institutions, we as a society have already failed. We have not broken some other chain of behaviour. I'm wondering whether, within the indigenous communities, there are some that are better prepared to deal with their young people through a variety of means.

What I'm looking at is whether there are areas where, as a result of their upbringing in those communities, far fewer people run afoul of the law and end up in your institutions, or are we looking at everything being the same? I rather doubt that. I suspect there are some areas that are far better. Might we better spend our resources, or some of our resources, imitating the communities that are working better with their young people?

Ms. Anne Kelly: When I was in the Pacific region, at Kwikwèxwelhp, the relationship we had with the Sts'ailes community was excellent. The community, I believe, had the capacity to deal with some of the challenges.

You're quite right: there is absolutely no question that there needs to be some investment at the front end in terms of education, employment, substance abuse, housing, health, and prosocial contacts.

• (0950)

Mr. Dave MacKenzie: Did you have any comments?

Ms. Angela Connidis: I want to add that it definitely varies among the different indigenous communities. We find this especially with our community safety planning. In the context of the missing and murdered indigenous women file, the RCMP did a risk assessment of the communities, so we have a sense of where the high-risk communities are located, and we try to target them because they have the most needs. When they do their community safety planning, we find that it's not that we need more police or more alternatives to corrections, but that we need things for our youth. We need some sports facilities. We need addiction facilities. They could repurpose some of their other facilities to start doing that. If we could get the front end, we'd all be that much farther ahead.

Mr. Dave MacKenzie: You mentioned the gangs. When they are released, or even before they go in, they're associated with gangs. What are these gangs? What do they look like? Are they just indigenous gangs, or are they mixed races?

Ms. Anne Kelly: In prisons we have all sorts of gangs, but in the prairie region I would say it's mostly street gangs. The names are horrible, like Terror Squad.

Mr. Dave MacKenzie: One of our challenges is how we fix that part. If the gangs don't exist, there's no place for these people to become reacquainted with them. I'm assuming that those gangs do exist within the prison population.

Ms. Anne Kelly: Yes, they exist in the community and they exist within our institutions.

Mr. Dave MacKenzie: When you talk about the prairie region, where is the largest population of indigenous people? I'm under the impression that there might be more in Ontario than in the prairie region.

Ms. Anne Kelly: The largest proportion...?

Mr. Dave MacKenzie: I mean the largest proportion of citizens in the indigenous community. All I'm saying is that I know that Six Nations and the New Credit reserves are highly populated areas, and I think in the London area there are four or five reserves. Certainly there is an issue in the prison population, but do we see a greater percentage in the prairie region? You've referred to the prairie region several times. Is it more highly represented in the prison population?

Ms. Anne Kelly: Are you talking about gangs?

Mr. Dave MacKenzie: No, I mean in the prison population. Are there more offenders from the prairie region?

The Chair: Unfortunately, Mr. MacKenzie, there's no time to answer that question, but you can possibly work it back in or get a response in writing.

[*Translation*]

Mr. Picard, you have five minutes.

Mr. Michel Picard (Montarville, Lib.): Thank you, Mr. Chair.

I would like to make a comment, by way of introduction.

I share Mr. MacKenzie's view that we have to go and see one of those centres. We did it with Ms. Damoff in Winnipeg and we did not see that one community or another had better conditions. The conditions are much the same, and are certainly not those that most Canadians would like.

With that out of the way, have all the prevention initiative that you put in place well before 2017 received enough support? I am talking about the measures taken to avoid people coming back to prison. Do the Initiatives fill a gap in some places, the result of which is that people end up in prison? Do you have to make up for lost time by taking a greater number of measures?

Ms. Anne Kelly: Clearly, the initiatives that Ms. Connidis mentioned complement what we are trying to do.

The offenders we deal with have received sentences of two years or more, most of the time for serious crimes. In our institutions, offenders are still well supported. With indigenous offenders, their

rates of suspension and revocation are higher, compared to those of non-indigenous offenders.

When indigenous offenders go back to their communities, we have to work with the communities so that the offenders receive the support they need to remain there and so that they do not come back to our institutions.

• (0955)

Mr. Michel Picard: In terms of the way of the programs in your institutions are offered, there are particular features because of the unique nature of the indigenous population. Despite the distinct differences between the nature of the programs for the indigenous population and those for the non-indigenous population, are the pathways basically the same? Let me explain.

There are initiatives during incarceration, and thereafter, to stop people coming back to prison. Is what is done for the indigenous population as a whole, with its different cultural emphasis, better by comparison than what is done for the non-indigenous population? However, it seems to me that the follow-up takes more or less the same kind of approach.

Ms. Anne Kelly: It is similar, except that, in the case of indigenous offenders, of course, the elders take part in delivering the services and the programs. So that is a difference. Moreover, the programs have been developed in collaboration with the elders. So there are more cultural aspects, traditions and ceremonies.

Mr. Michel Picard: You raise a very important point about the cultural aspect. It is important to have a fair prison system for the entire population. There is inequity when it comes to the indigenous population, but the approach of the service must be fair to an extent. With such a different approach, do we not run the risk of creating inequity in the eyes of non-aboriginal people? They might wonder why there are different practices for indigenous people that might seem to them to be advantageous or different, or at least more focused. The non-aboriginal population may feel left behind because there is more emphasis on service to the indigenous population.

I have a supplementary. In the delivery of indigenous services, the initiatives that are in place, are there no best practices from which we could draw inspiration, specifically to improve our system on the non-indigenous side as well?

Ms. Anne Kelly: No. Once again, there are large gaps in outcomes between indigenous and non-indigenous offenders. The law also requires us to address the specific needs of indigenous offenders, which we do. Also, of course, indigenous offenders come to us with their social background, culture and traditions, which institutions respect.

The Chair: Thank you, Mr. Picard.

Mr. Dubé, you have five minutes.

Mr. Matthew Dubé: Thank you, Mr. Chair.

[English]

I'm going to come back to this whole security level issue. The first thing is in terms of programs that are available.

I'm wondering if someone could give us a very brief overview of the difference in what may be available, in terms of the different programs, whether you're in a medium or maximum security institution.

Ms. Anne Kelly: Offenders who are classified maximum security go to a maximum security institution, and there are programs offered there as well.

In terms of our programs, we have what we call the aboriginal integrated correctional program model. It's a multi-target program. Earlier we used to have different programs for different things. Now it's one program that addresses violence, family violence, and substance abuse. What we have with this program is different intensity levels. You either are in a high-intensity program or in a moderate-intensity program.

• (1000)

Mr. Matthew Dubé: Is this regardless of security level?

Ms. Anne Kelly: Yes.

Mr. Matthew Dubé: I'm wondering if there's been any thought given to.... This is perhaps a broad issue that would require more time than we have, but when I hear you list the factors that are taken into account when you decide whether to have an offender go into a maximum security institution, to me a lot of those issues are going to inevitably create overrepresentation. For example, if we know there are issues already with substance abuse and gang affiliations and things like that, if those factors are being used, then it seems to me that we're just perpetuating....

There's a bit of a chicken-and-egg issue. Some of these issues might be exacerbated because the same people are constantly being put in the same situation again and again.

We are seeing overrepresentation of aboriginal offenders in maximum security prisons. I'm wondering if any thought has been given beyond the safety issues—which I recognize are important, and I don't want to downplay that—on attempting to alleviate some of these other factors that have been brought forward.

Dr. Larry Motiuk: Part of the response that Anne Kelly gave is that we try to address all of these factors through programming and interventions. We continue to do research on how we can accelerate the progress of these programs and cascade them down to lower security.

Again, much of our assessments are highly individualized, as opposed to being for a member of a particular group. If a particular offender is indigenous and finds himself or herself placed in maximum security for reasons of safety and security as well as risk to the public or risk of escape, we would look towards bringing that classification down through interventions that target a variety of factors that would contribute towards that happening.

Again, it's difficult to generalize to whole groups, but nevertheless, for individuals who do show progress.... We conduct ongoing research on these kinds of things in terms of whether there are other kinds of considerations that we should be looking into in

terms of bringing down that classification or mitigating the risk that they would pose in lower security. We do that kind of work.

We do know that what brings them into custody from the beginning are often expressions of violent behaviour. We need to grapple with that upon admission and in placement. We strive to intervene on those factors and mitigate those risks, whether they're a member of a gang or not.

Again, the efforts that are put forward to address and mitigate those risks are extensive in our correctional process.

The Chair: Thank you, Mr. Motiuk and Mr. Dubé.

That brings us to the end of the first round. We'll be on to the second round. I and the clerk need about 10 minutes at the end to go in camera with you, colleagues, concerning this study, so I propose that the first round be five minutes instead of seven minutes.

With that, Mr. Fragiskatos, you have five minutes.

Mr. Peter Fragiskatos (London North Centre, Lib.): Thank you, Mr. Chair.

Thank you for being here today and for your work. It's tremendously important to hear from you.

In a given year, how many indigenous offenders participate in programming? It's our first day here, and I think the answer should be on the record.

Dr. Larry Motiuk: We can get you those enrolment rates. That's one of the performance metrics that we track for the whole population, as well as for the indigenous population and for women.

Mr. Peter Fragiskatos: Can you briefly restate the criteria that are used to determine who enters the various programs?

Dr. Larry Motiuk: In terms of the programs, first and foremost are their need in terms of whether, as individuals, they need intervention—

Mr. Peter Fragiskatos: Needs come in various forms.

Dr. Larry Motiuk: Right, and they can be multi-faceted in many ways, as you just expressed.

We also have to establish the level of intensity for this intervention. A higher-intensity program, as was described, would be over 100 sessions, which is fairly intensive and requires time and effort. A moderate-intensity intervention would be 50 sessions or so. Again, an individualized correctional plan is developed for each and every offender on admission to address their needs. Then a level of intensity is established, and they are referred to a program.

Our integrated correctional program model, as was described, is fairly comprehensive. It begins with a primer at the beginning. Many offenders are not equipped to participate in group-based programming. As we know, many of these offenders have had difficulty in school or in participating in these things, so we need to get them ready and prepared to be in a group-based delivery of a program simply because it's more cost-effective.

•(1005)

Mr. Peter Fragiskatos: Thank you very much.

This has come up at least in passing, but I think it's worth looking at again. I'm asking here about various programming. Let's take healing lodges, for example. Seventy percent of all indigenous offenders do not return to a first nations community but go to an urban centre. How many healing lodges or other sorts of programming are located in cities and based entirely in urban centres?

Ms. Anne Kelly: We have the Stan Daniels Healing Centre in Edmonton, Alberta. We have the Prince Albert Grand Council Spiritual Healing Lodge in Prince Albert, Saskatchewan. We have the Waseskun Healing Centre in Saint-Alphonse-Rodriguez, Quebec. We have a healing lodge for women, which is called the Buffalo Sage Wellness House. By the way, we just increased their beds to 28 beds in Edmonton, Alberta. We have the Kwikwèxwelhp Healing Village, which is in Harrison Mills, in B.C. We have Pê Sâkâstêw Centre, which is for men, in Alberta. We also have the Willow Cree Healing Lodge, for the Willow Cree in Saskatchewan. It's a bit more remote—

Mr. Peter Fragiskatos: Thank you. I don't mean to cut you off, but I only have five minutes in this session, rather than seven.

I think there's a sense among the Canadian population, in part perpetuated by the media, that a healing lodge somehow offers less of a means of justice. Could you comment on the fact that in fact those who go into a healing lodge lose their liberty, are subject to strict rules and regulations, and have to follow a correctional plan? There is, in fact, a program and a process in place. This is not somehow a break for them. They're not going to a Holiday Inn, so to speak. It's simply a different form of achieving justice.

Ms. Anne Kelly: Absolutely. It's the next step in—

Mr. Peter Fragiskatos: Right, with an emphasis on rehabilitation.

Ms. Anne Kelly: Yes, absolutely. Healing lodges are minimum security institutions. All offenders have a correctional plan. Their correctional plan is good from the time they come in to the time they leave.

In the healing lodge they have to continue to work on the objectives outlined in their correctional plan, but they also have the opportunity at the healing lodge to work with elders and to practise their teachings, cultures, and traditions. Still, there are objectives that are set. There are expectations that are placed on the offenders, and obviously one of them is that they can't just leave the healing lodge. As I said, it's a progression.

The Chair: Thank you, Mr. Fragiskatos.

I don't wish to interrupt people, so I would ask the witnesses, if you could, to keep an eye on the chair, because we do run a clock here.

Go ahead, Mr. Motz, please.

Mr. Glen Motz: Thank you, Mr. Chair.

I have to say quite honestly that I'm not too terribly concerned about the indigenous peoples and the programs that are available to them in correctional facilities, because I think that over the last number of years that situation has been steadily improving.

Maybe this question is more for Ms. Connidis. My concern is why they get there in the first place, why there is the disproportionate population and why we have indigenous people in incarceration at that rate. We know that in terms of first-time offenders, the number for indigenous people is higher in the federal system. We know that the offences are more violent in nature. We know that the offenders are younger. We know that they have pre-existing criminal records, both as youth and as adults, and that there are substance abuse issues.

We know that the whole crime prevention strategy you spoke about, ma'am, is intended to prevent indigenous peoples from entering the justice system and being involved in it in the first place. Through speaking with many of my friends, residents of the Blood Reserve, I know that they are very concerned about the criminal activity and involvement of their youth. It's not diminishing.

You talk about this new crime prevention strategy. How do you see it being different in addressing the issues being faced by indigenous communities in terms of solving the problem of why they're there in the first place? How is that going to make a difference? How is this plan going to be different from what we thought was going to work in times past?

•(1010)

Ms. Angela Connidis: It's a very good question. I think what we're looking at is a new approach to working with indigenous peoples. The community safety plan is one of them. We actually work with them. They identify what they need, and we help them get what they need, as opposed to saying to them, "We have this program, so take it. It might fit and it might not." This is really about seeing what fits and what they need.

Then, importantly, this isn't the crime prevention strategy. It's community safety planning. We engage with the provinces and other federal government departments, because Public Safety doesn't have the mandate for those solutions. Other orders of government do, and other federal departments have those mandates.

When a community can identify where their risks are, we're trying, in these 10 pilot communities, to bring the other partners on board and to say, "Here's what they need to fix it, so what can we do for them to support their plan?" With about 680 different communities around, we've reached out to 100 so far. We have a long way to go, but that is part of fixing the problem at the root.

In our crime prevention strategy, a number of the programs that we work on with indigenous people are about strengthening families. It is about trying to look at the dysfunction that has come into families through, among other things, the history of residential schools, and to strengthen the family unit to repair it, keep people out of gangs, and create a safer community.

In a country like Canada, it really is about looking for all the synergies whereby we can bring all the players on board to tackle the problem.

Mr. Glen Motz: It's interesting. My friend Keith—and I won't mention his last name—from the reserve in my riding was a residential school participant. He has a really interesting approach. He says, “You know, for me to get better, I've had to get over what's happened. I can't keep dwelling on it. I have to move on and I have to get my family to move on, and society has to move on, and our reserve has to move on.”

I applaud that sort of approach. The frustration is that those people are telling me that the programs you talk about and the funding from our government, when we were in government, and from your government now, don't translate into change, because the funding doesn't get to the programs it needs to get to. That's their frustration.

Again, my question is how do we fix what has been a systemic issue of well-intentioned governments trying to improve the quality of life of individuals on a reserve so that they don't get incarcerated in the first place? I appreciate the whole family dynamic, and that's something that they talk about—strengthening the families. Do you see anything specific in these strategies that you speak about that is going to deal with that concern? The funding can be there and the programs might be available somewhere, but it doesn't necessarily get translated into actionable on-reserve fixing of the problem. It doesn't get operationalized, and it's frustrating for them.

The Chair: Mr. Motz asked a very profound question and left you no time to answer.

Mr. Glen Motz: Sorry. Maybe my colleague following would allow them to answer that question.

The Chair: You'll have to be nice to Mr. Dubé.

Mr. Dubé, go ahead for five minutes.

Mr. Matthew Dubé: Thank you, Chair.

Ms. Connidis, if I may, I want to go back to that issue of the responsibilities of other levels of government and such. I'm wondering what the department thinks of what happens before, to go back to the line of thinking that Mr. Motz was putting out there. I'll throw out an example, and I'd like to hear your thoughts on it.

If we look at first nations policing, we see that they're still awaiting funding for that. Do those kinds of services that are offered in communities on the law enforcement side, for example, play a role in this whole chain of events that eventually leads us to the principal topic of our study, which is reintegration? How are the law enforcement issues being dealt with in the communities, and are the resources adequate? Then obviously you get to the choice of whether someone's in a maximum or a medium security institution, and so on and so forth.

•(1015)

Ms. Angela Connidis: Well, as my staff always remind me and as I think we all know, there's not a one-size-fits-all solution. It's a very complex problem. The first nations policing program has an important role to play, but it's not going to be the one to fix everything, just as there's not one quick fix to any of it.

Within our department, the first nations policing program consults with us regularly. It's often engaged in community safety planning to see what its role could be to improve that. There is definitely a role in all societies and indigenous communities with regard to the

question of the role police play in interaction. The first nations policing program is built to help within those communities.

Mr. Matthew Dubé: Thank you. That's it.

The Chair: Thank you.

Mr. Picard is next.

[*Translation*]

Mr. Michel Picard: We have invested various amounts at various stages. However, on a number of occasions, there have been comments to the effect that money, even if it is invested, is not necessarily the answer. I believe that we must focus on the scope and quality of services provided as part of the initiatives available.

The new initiatives, including the three that you mentioned at the end, still require time to implement, apply and evaluate the results. How much time is needed to really assess the quality of the initiative and the expected results, and to see the changes or evolution stemming from those initiatives?

[*English*]

Ms. Angela Connidis: Measuring results is always an issue when we do our program, and for the community safety planning, it's multi-stage programming, so the first question will be if the community wanted to engage with us and if it had a community safety plan. That could take one, two, or three years, and then it's the implementation. How do you get the partners around the table? Success is measured on getting partners together and getting things started in a community.

Then the programs run. At a minimum, you'll want five years to be able to get the program running and have enough data to then evaluate whether it has worked. To see outcome results, I'd say you are looking at about seven to 10 years. Remembering that this is multi-generational, you are targeting the youth and you need to let them grow up to see if the results are going to be there.

We've had initial internal evaluations of the community safety plan, and it's looked very positive. That's why we received extra funding in 2015 for it. In the crime prevention strategy, federally our role is to fund projects to develop an evidence base of what works, and then work with provincial partners, private sector partners, and communities to institutionalize the successful programs.

On the sustainability of what we're doing and looking at the long-term results, you're not going to get that outcome in three or five years. You need to let the program do what it's meant to do and then assess the outcome after the people have been able to move on.

[*Translation*]

Mr. Michel Picard: Is it reasonable to believe that the investments being made, by adding up those that are scheduled each year—we are talking about more than \$10 million a year—are necessary and sufficient to allow us to at least implement these initiatives and take the time to assess their performance?

[English]

Ms. Angela Connidis: Yes.

[Translation]

Mr. Michel Picard: Let me come back to the cultural issue. Although our obligation to design specific programs is governed by the act, has this sort of initiative triggered—also for cultural reasons—requests for new programs from ethnic groups, requests for “culturally motivated” initiatives under the pretext that this different approach ultimately seems to yield particular and positive results?

Have you seen this secondary effect of implementing new initiatives for indigenous people in a non-indigenous environment?

• (1020)

Ms. Anne Kelly: With the increased number of black offenders in the Atlantic region, ethnocultural committees provide us with advice. A suggestion was put forward. For indigenous offenders, we have a commissioner's directive that outlines what we do. I know that the ethnocultural committee suggested that it might be appropriate to develop a guideline for black offenders in the Atlantic region.

Mr. Michel Picard: Thank you.

[English]

The Chair: Mr. MacKenzie, you have five minutes.

Mr. Dave MacKenzie: Thank you, Chair.

I'd like to go back to trying to break the whole chain of indigenous people being incarcerated. When we looked at self-reported data from inmates, we saw that half had been in the care of the child welfare system, 96% indicated that substance abuse was related to the current offence, 88% reported they had a family member struggling with alcohol or drug addiction, and nearly one-third of the sample indicated they were first introduced to indigenous cultural teachings in prison. It seems to me that we're trying to correct in the prison system a problem that began long before people got there. I'm impressed with the prison system. I've seen it. I believe your people are doing a tremendous job, but we need to break that pattern at home.

We used to see it years ago with family violence in the home. If people were part of a violent family as they grew up, it was only natural they would continue on that path. Once we can break that, then we break the system of people coming in. It's almost recidivism by family as opposed to by individual.

Have you any suggestions on what we might do to try to break that at its source in a far more effective way than spending money and time and maybe not being successful at the far end?

Maybe the witness from crime prevention is a good place to start.

Ms. Angela Connidis: When we look at the criminal justice system, we like to say it's on a continuum. If you want to change things, you need to look across that continuum, and the beginning of that continuum is crime prevention.

In the federal-provincial-territorial ministers meetings, one of the priorities was to develop a five-year national action plan for crime prevention. We're working closely with the provinces to build crime prevention together, to have joint action plans. This is not focused on indigenous communities but on crime prevention writ large.

However, it's an acknowledgement that the federal government is not going to do it on its own, and the provincial government isn't, so we need to work together.

I find that a very exciting approach. I'm glad the ministers decided to take that on as a priority. We're moving into the last year of the five-year action plan, and we've had a very productive relationship with the provinces in bringing this forward.

When we look at the indigenous communities in particular and at the calls to action and wanting to move forward on reconciliation, it is at that crime prevention stage. You want to focus on that.

At Public Safety, we're doing an internal audit of crime prevention. We plan to restructure that perhaps, depending on what the evaluation shows. Part of it will be about how we can effectively get into communities.

One thing that is really important to bear in mind is that we can help with the solution, but we should really make sure that the key players are identifying what the problem is and what they need as a solution.

• (1025)

Mr. Dave MacKenzie: Part of that has to be, in some cases, with the band and band councils. Is it fair to say that some band councils are more active than others? Do we need to work with everybody to get it to be across the board as much as we can?

Ms. Angela Connidis: I'm not familiar with all the bands, but I know different communities have different capacities. Some have a greater capacity for working with the federal government or other partners than others do.

I'm keeping an eye on my time here.

The Chair: You have a minute. The members have great talent at ignoring the chair.

Ms. Angela Connidis: One community we worked with said that they couldn't start this program because they'd had too much pain in their community, too many suicides. They said they needed to have a walk around, so part of the community safety planning was to do a walk around through the community to help them heal and get over it and be able to move on to the next stage.

Now, we would never have thought of that. They identified it. It is about looking at what each community needs and helping them with their capacity. That's why we wait until we're invited in to work with them, because some of them have other priorities. As an example, perhaps they've had flooding and a fire, so they're not in a position to deal with crime right now, or a community safety plan.

The Chair: Thank you.

You actually have 15 seconds left. That was impressive.

For the final five minutes, we have Ms. Dabrusin.

Ms. Julie Dabrusin: I believe it was Ms. Damoff. I'm happy to take it, though.

The Chair: Sorry. I apologize.

Ms. Pam Damoff: I want to bring us back to our study, which is consideration of why indigenous offenders are not being released more frequently and are not completing programs.

As Mr. Picard mentioned, we had the opportunity through the Union of Solicitor General Employees to do a tour of the community corrections centre and parole office at Stony Mountain when we were in Winnipeg about a year and half ago.

I've seen numbers for indigenous offenders at Stony Mountain as high as 65% of the prison population. The Pathways program there was a very small component of it. If I remember correctly, it was only one wing in the prison.

In terms of offenders accessing that program, could you provide us with a breakdown—I don't need it right now—of the number of indigenous offenders in the system, as well as the number who are accessing healing lodges and the Pathways program? I think 28 beds for female offenders at a healing lodge is pretty small. It's a great program, but it's a small number.

I know that at Stony Mountain it was only offenders who were committed to the Pathways program who were going into it, which is great, but how do we deal with all those other offenders in places like Stony Mountain who are not accessing it and aren't motivated to be part of that program? How do we reach those offenders?

Ms. Anne Kelly: You're quite right. In terms of accessing Pathways, you really need to be on a healing path and work extensively with the elder. For the other offenders, obviously the case management team is there, and they're there to try to motivate them. It's the same with the elder.

Having been a parole officer, oftentimes it was my job to try to motivate offenders and try to encourage them to participate in programs and give it a chance to see if it would make a difference. It's very important that all staff be involved, because when, say, an offender participates in a program, the correctional officers write an observation report. The shop instructor can tell you whether or not they're actually applying the skills that they learned in the program. What you try as a parole officer is to say, "Listen, it's having an impact. You're reacting differently. You're interacting differently."

Ms. Pam Damoff: I'm going to cut you off there because I only have five minutes. If you have any suggestions on improving that situation, could you provide them to the committee?

The second part of my question has to do with not only indigenous offenders but all offenders. There were a lot of cuts made to the CORCAN program or the types of programs that were being offered to offenders. Obviously we want to make sure that offenders

are rehabilitated, since most are getting out, and can reintegrate into society. Do you see a benefit to providing greater investment into the CORCAN program within our prison system?

• (1030)

Ms. Anne Kelly: We'll be able to do that through budget 2017, and that's why we'll have these pre-employment centres at two of our healing lodges, and then at CORCAN community industries, they can build the infrastructure for modular homes. Also, in some way we're helping with a government priority, because housing in indigenous communities is an issue.

Definitely what we want are offenders who are meaningfully employed in the institution, because when they're meaningfully employed, there are other things they're not doing, which is good. We want them focusing on their correction plan.

In terms of release to the community, one of the indicators that an offender will be more successful is if he is able to get a job once he is in the community.

Ms. Pam Damoff: One of the recommendations of the corrections investigator was to appoint a deputy commissioner of aboriginal corrections. Has that been done?

Ms. Anne Kelly: No, it hasn't. Actually, I'm really glad you asked that question. I'm the senior deputy commissioner. I'm the most senior executive reporting to the commissioner. I think it's very important that aboriginal corrections be integrated throughout all the regions and be a shared accountability.

The other reason that I believe—

Ms. Pam Damoff: Are you saying there shouldn't be one?

Ms. Anne Kelly: No, I believe that the structure we have now is a good one.

The other reason is that I'm also responsible for a number of other key files, like our supermax prisons, our special handling unit for who comes in and out, as well as third-level grievances from offenders and commissioner's referrals for detention. I'm also chairing the long-term segregation committee and I'm also responsible for investigations, and there are lots of aboriginal offenders. I can actually see the trends and influence the decisions.

The Chair: Thank you, Ms. Damoff.

Before I suspend, I want to thank the witnesses on behalf of the committee. It has been an interesting hour and a half.

With that, we're going to go in camera as soon as the room is cleared.

[*Proceedings continue in camera*]

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