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Chair: The Honourable John McKay



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• (1610)

[English]

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

I understand a couple of people are in the room although I'm not seeing them. I'm obligated to note that we keep to two-metre physical distancing, wear non-medical masks and maintain proper hygiene.

Before I ask for the two witnesses, Josianne Grenier and Sandra Wesley, I want to entertain a motion. At the subcommittee meeting we arrived at four decisions, and the report of the subcommittee has been circulated to members. I ask for a motion to adopt the subcommittee report. Pam is moving it.

(Motion agreed to)

The Chair: Thank you very much. I won't go into any detail because we are running really tight.

With that, I'll welcome Ms. Wesley and Ms. Grenier, and ask you to speak in the order that you are listed on the notice.

We are running very late as you can see, so the overall hour is going to become 45 minutes. I'm going to arbitrarily take a minute off everybody's time. I apologize to the witnesses. I know it's difficult to get here, but we are dealing with the realities of virtual parliamentary proceedings.

With that, Madam Grenier, you have six minutes, please.

[Translation]

Mrs. Josianne Grenier (Development Assistant, Projet Intervention Prostitution Québec Inc.): Good afternoon. Thank you for this opportunity.

I represent Projet intervention prostitution Québec, or PIPQ. We work specifically to address sexual exploitation and prostitution on three fronts.

First, we provide a place where people can go for their basic needs.

Second, we work to prevent youth sexual exploitation. We provide workshops and education not just in schools, but also in places where youth are more vulnerable such as youth centres. In those settings, we focus on protective factors such as self knowledge and healthy relationships.

Third, we are active on the ground, reaching out to those on the street who do not have ties to an institution. We provide support

based on their needs. We also work directly in settings where sex work takes place, such as strip clubs, escort agencies and massage parlours, including the one where Marylène Levesque worked.

The PIPQ also does a lot of work with community agencies, schools, and the health and social service network, as well as prosecutors, the Quebec City police service and researchers. Through that co-operation, we can contribute our knowledge and expertise, and examine the prostitution phenomenon from all angles.

The PIPQ is ideologically neutral on the matter of prostitution. We maintain that prostitution covers a spectrum of realities, from exploitation to full consent, and everything in between. It is up to the person experiencing the situation to define and name their reality, and we help them accordingly. If the person wants to leave prostitution, we support them through the process. If they want to practise prostitution, we make sure they can do so as safely as possible.

It is out of respect for this wide range of realities and concern for the safety of the people we help that we are in favour of decriminalizing prostitution.

It was from that perspective that I wanted to appear before the committee. In light of the case that has brought us together today, I think it's essential to take a broader look at what happened, beyond the parole aspect.

Marylène Levesque's murder received considerable media coverage, not only because she was a beautiful woman with blond hair and blue eyes, but also because the circumstances surrounding her murderer revealed potentially glaring institutional failings. Many sex workers are killed in Canada, ranging from indigenous and racialized individuals to people who are trans and those living in poverty. Their cases, however, do not draw the same media attention, and the authorities may not try quite as hard to find the perpetrators. It is clear, then, that other factors need to be examined if the safety of all sex workers really does matter. One of those factors is the legislation governing prostitution—legislation that has undeniably fallen short of its objective, protecting workers.

The ideology behind the Protection of Communities and Exploited Persons Act is clear from its name alone. The act's very existence and some of its objectives perpetuate the stigma around sex work, suggesting that it is necessarily wrong and shameful, that it should be hidden or even that it should not exist at all. The stigma is nevertheless a direct cause of the dangers associated with sex work. If you remove the stigma, sex work is not inherently dangerous. The danger stems from the fact that the person talks less about it with their family and friends. No one knows what the person is doing or where, so their circle of protection is small. Furthermore, people often see sex workers as objects, instead of women, making violence against sex workers somewhat socially acceptable.

The act also suggests that those who practise sex work are necessarily exploited, representing a significant value judgment. Here, the spectrum I mentioned earlier is important. When the legislation, policies and programs that receive funding deny an entire reality on the spectrum, or a major part of one, regardless of people's values, it is a recipe for failure: a segment of the affected population is cast aside. It's easier to put on the blinders and forget that those people exist. In doing that, the government is lending credence to a value judgment that overrides people's safety.

Safety-wise, the act is especially problematic in two ways.

First, criminalizing clients of the sex trade has done nothing to end the demand, or even curb it, for that matter. Truth be told, it puts sex workers at risk because clients, who are scared of being caught, bring workers to places that are more isolated—places where help is not available and it is harder to escape. It also prevents workers from taking the time to vet clients before getting in the car with them, since the client is in more of a hurry.

On top of that is the fact that the act is seldom enforced. In Quebec, for instance, just 233 clients have been charged since 2014, fewer than 40 clients a year. It can't be said that the legislation has had a positive impact. All it has done is prevent sex workers from better protecting themselves.

The same is true for the criminalization of third parties who may benefit from the sex work of others. In fact, that aspect of the legislation was deemed unconstitutional by an Ontario judge less than a year ago.

That brings me to a study that came out on Thursday, by Anna-Louise Crago, a researcher at the University of British Columbia. It reveals who sex workers turn to for help when they are in danger. The findings are telling and range from one extreme to the other.

• (1615)

To begin with, more than 40% of the sex workers surveyed said they turned to other sex workers or those in the sector, such as security staff or managers at the establishments where they worked. That means sex workers feel safest around their co-workers and third parties—those considered criminals under the act.

Consider this. Had Marylène been able to meet her client at the massage parlour, in the presence of a third party who was keeping watch, it is reasonable to think that the perpetrator would not have

had time to stab her 30 times and kill her, regardless of his criminal history or the conditions of his release.

The study also revealed that only 5% of sex workers turned to police for help because they wanted to protect third parties.

The criminalization of third parties forces sex workers to choose between two options: forgo police protection in an emergency or put themselves, their co-workers or their bosses in potential legal jeopardy.

That means violent clients are not reported, and the knowledge that they won't be reported gives clients a sense of impunity, something that can prove extremely dangerous for sex workers.

Those were a few—

[*English*]

The Chair: Madam Grenier, I hesitate to interrupt, but we're at six minutes at this point. I apologize for that, but we are under some pressure for time.

If you could wind up your remarks, I would appreciate it. Is that good?

Mrs. Josianne Grenier: Yes.

The Chair: I apologize for that.

Madam Wesley, if you would look at the chair from time to time, I'll give you some indication of how much time is left.

With that, Madam Wesley, please go ahead.

[*Translation*]

Ms. Sandra Wesley (Director General, Stella, l'amie de Maimie): Good afternoon.

I had planned to give my presentation in French, but given how little time I have, I will give it in English. I'll be able to get through it faster.

[*English*]

I'm the executive director of Stella, l'amie de Maimie. We're an organization by and for sex workers. We were founded in Montreal 25 years ago. Every year we make, on average, between 5,000 and 8,000 contacts with sex workers here in Montreal. We are fully by and for sex workers, meaning that our staff, our board, our members are sex workers ourselves. We represent and are accountable to our community.

As you probably know, in the Bedford case of the Supreme Court, criminalization of sex work was declared unconstitutional on the basis that it violated our rights to health and safety.

That right to safety which the Supreme Court talked about is precisely the right to not be murdered, the way Marylène Levesque was. The response of the government at the time was to fully criminalize sex work for the first time in the history of Canada and create a set of laws that does not aim to protect us, that does not aim to improve our working conditions, that does not aim to make sure we can screen clients appropriately. The only objective of this law is to eradicate sex workers from Canada. When we have a government that chooses as an objective the elimination of sex workers, we cannot be surprised when aggressors choose to be violent towards us and take up that call to eradicate sex workers from Canada.

It's pretty rare that Parliament cares about sex workers and invites us to speak, and we know there has been no such committee for the dozens of other sex workers who have been murdered since this change in the law.

Specifically in the case of Marylène Levesque, many parts of this story are very clearly tied to the criminalization of sex work. We can look at the fact this man had been a client of a massage parlour on several occasions and had been banned from that massage parlour because he was violent. It was impossible for that massage parlour at the time to call the police or to call the Parole Board because sex work is criminalized and calling the police on a violent client usually means maybe people getting arrested, people losing their source of income, attracting more police repression to our workplaces. As sex workers, it's not possible for us to do that. If they had been able to contact the police or the parole officer when he first acted violently towards a sex worker, he would have been sent back to prison and would not have had the opportunity to escalate his violence and murder Marylène Levesque.

We also know that hotels have been targeted by police repression when it comes to sex work. In the summer of 2019 police forces across Quebec launched RADAR to encourage hotels and other tourism businesses to detect sex workers and to report them to police under the guise of potentially protecting them from exploitation. We know that when Marylène Levesque walked into that hotel on that night she was preoccupied with making sure she was not detected as a sex worker. She could not tell the receptionist she was seeing a client and that if she wasn't seen in an hour or two could she be checked on. She couldn't make any arrangements for her protection because that would have led to being detected, being kicked out of the hotel and possibly arrested or having her money seized.

We also know as sex workers that when we're victims of violence, when a situation is scary with a client, we might not scream. We might try to de-escalate on our own, because we know that if we make a scene in a space like a hotel, we will face the consequences of the criminalization of sex work.

It's very clear that the criminal laws against sex work that are in place put Marylène Levesque in a position where she was not able to screen her clients. No client will agree to provide ID and go through a background check before booking an appointment in a context where he can be arrested for buying sex.

We also see in the reaction to this murder that the response from Corrections Canada and the Parole Board have been mostly to say that they are against the purpose of sex, period. Once again we're

focusing on sex work as the harm instead of the actual violence that someone has experienced.

I don't have a lot of time, but one important point I want to make is that this is not a tragedy; this is not irrational or hard to predict. This is the direct effect of the decision the government made in 2014 to criminalize sex work. It is the continued impact and it is to be expected. More sex workers will be murdered if we keep these laws.

The only recommendation this committee needs to start with is the full decriminalization of sex work.

I represent thousands of women. A lot of us have been victims of violence. A lot of us could have been Marylène Levesque.

• (1620)

We know for a fact that if Marylène Levesque were sitting in front of you today fighting for her rights to work safely, you would be dismissing her the same way you've been dismissing sex workers for over 40 years and refusing to give us the rights that we should have.

I encourage you to make sure that the work of this committee leads to actually respecting sex workers, understanding that we will continue to exist and continue to work, and giving up this foolish and problematic quest to eradicate us from Canada. We need to be talking about our rights as workers.

We need to be making sure that we don't just pass the blame to the Parole Board of Canada and Corrections Canada, because in many cases this murder could have happened with no involvement from Corrections Canada, the same way that many sex workers have been murdered in the past few years. I would even add that on the same night Marylène Levesque was murdered in Quebec City, another young sex worker was murdered in Montreal. No one has been talking about her death, and there hasn't even been a proper investigation.

That is the reality of all marginalized sex workers across Canada. We die. We hold vigils for ourselves and try to be resilient, but Parliament maintains the position that we should be criminalized.

The Chair: Thank you, Ms. Wesley.

Mr. Motz, you have five minutes, please.

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

Ms. Grenier, it appears that the government is very reluctant to make this full report public. Did your organization ask to see the report and would your organization be interested in seeing the full report?

[*Translation*]

Mrs. Josianne Grenier: Of course, we would like to see the report. From our standpoint, however, parole is really just one aspect of the situation. As mentioned, we feel it is much more important to keep the focus on decriminalization.

• (1625)

[*English*]

Mr. Glen Motz: Thank you for that.

The board's decision to release this offender despite his violent history put people at risk. While it's easy to say in hindsight, the experts I've heard from, including former Parole Board members, have said that there's no way this offender should have been placed back out on parole before a thorough review of those risks. That should have included a review of the risks to the facility he had been frequenting, including to the women who were there.

Do you think it reasonable, Ms. Grenier, that Corrections and the Parole Board should try to determine if the offender had been violent prior to his day parole being renewed?

[*Translation*]

Mrs. Josianne Grenier: It's hard to say. What I do know I read in the papers, and since certain things published on other subjects were not necessarily true, I don't know whether I can answer your question on the basis of the information I read. That said, the perpetrator, like any man who commits femicide, should certainly have undergone a risk assessment, in my view.

[*English*]

Ms. Sandra Wesley: May I add something to that?

The Chair: Go ahead.

Ms. Sandra Wesley: I took the time to read the Parole Board decision. I've also read everything I could find in terms of the reports on this situation. It seems very clear in this case that this man was not given proper rehabilitation services for the whole time he was incarcerated and that the evaluation of his risk to reoffend was not done in any serious way.

The decision was based mostly on his behaviour with other prisoners in prison. We know that men who are violent towards women and only towards women and only in intimate and sexual settings tend to be well-behaved around other men, and that's not in any way an indicator of their risk to reoffend.

It seems pretty clear that this man was a particularly high risk and that it was considered acceptable to put sex workers in the position of facing that risk, while other women were not considered to be good candidates for being around this man.

Mr. Glen Motz: That leads in to my next question. Do you believe that the Parole Board or Correctional Service took any consideration of the actual threat to sex workers from this offender when they recommended that this individual, who had a history of vio-

lence against women, engage in procuring sex, or in the subsequent actions and decisions that they took?

Obviously, Ms. Wesley, you feel that they did not.

Ms. Grenier.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): On a point of order, Chair, the Parole Board did not say this man could solicit sex, so I just want to correct the record on that.

Mr. Glen Motz: The Parole Board allowed him parole, knowing that was going to happen. They have the final authority on parole—

Ms. Pam Damoff: They didn't authorize that though, Chair.

Mr. Glen Motz: Mr. Chair, could my time stop, please?

The Chair: Your time has stopped.

I think you are probably asking questions that may be a little beyond the expertise of these two witnesses and may be better directed to people who are familiar with the Parole Board and prison services. I'm going to allow the questions under the circumstances and just ask that the witnesses comment within their realm of knowledge as opposed to the realm of speculation or hearsay.

With that, I'm going to allow Mr. Motz to continue.

Mr. Glen Motz: Thank you, Chair.

It would appear that no one warned the massage parlour this offender frequented that he was a threat to the workers there. Do you feel, given the work you both do and the background you have in helping individuals, that this is something that should have happened, or that this facility should have been warned since they knew he was frequenting one place? Should they not have been told that this person had this history and that he was a threat to the people who worked there, especially the women?

Ms. Sandra Wesley: Yes, absolutely. They should have been notified, but, once again, sex work is fully criminalized in Canada. That creates a huge barrier to sex workers' being part of receiving that information and being treated with dignity and respect. We see it in the reaction now from Corrections Canada and the Parole Board, in this blanket statement that no former incarcerated person should buy sex. We're seeing that there is no intention to actually address how sex workers can be warned and can be partners in our own safety.

It seems to me that the Parole Board's decision was not in any way based on any consideration whatsoever for the lives of sex workers. If anything, the objections that the Parole Board seemed to have about this man purchasing sex were rooted in a general sense that sex work is wrong and not a sense that sex workers are women who could be put in danger if they interact with him.

• (1630)

The Chair: Thank you, Mr. Motz.

With that, I'm going to ask Madam Khera or Mr. Lightbound, one or the other.

Ms. Kamal Khera (Brampton West, Lib.): It will be me.

Thank you, Chair, and thank you to our witnesses for being here and for all the work they do.

I want to once again give my sympathies to Ms. Levesque's family and loved ones.

My question is for both of you, Ms. Grenier and Ms. Wesley.

StatsCan reported approximately 294 homicides of sex workers in Canada from 1991 to 2014. We heard from Correctional Service that it does not condone offenders seeking sexual services; there are no strategies and there have been no other similar cases to the one that took place. We also heard from Parole Board of Canada, which states that 99.9% of those on day parole do not reoffend violently.

Given the laws you spoke about, particularly for sex workers, is it possible that these incidents are not reported because there may be legal repercussions for sex workers?

Ms. Sandra Wesley: Yes, absolutely.

We know that sex workers do not report most instances of violence to police. At Stella we have a bad client and aggressor list that we've been running for 25 years. Sex workers report to us incidents of violence so that we can share that information with the community and protect ourselves. We know that since the change of law in 2014, it's even harder to denounce anything to police, and we know that police won't necessarily help.

It's also important to point out that, in terms of women who are incarcerated, a large proportion of incarcerated women are sex workers, former sex workers or future sex workers. We're very concerned about this general anti-sex work sentiment that's coming out of the investigations into this murder and about the effects this will have on women who are also coming out on parole and might be punished if they engage in sex work if there's this big anti-sex work attitude.

As you said, the vast majority of offenders are not violent and are not a threat to sex workers. This man was a threat to sex workers, not because he liked to purchase sex but because he was a violent man who targeted women in a very specific way. As sex workers, we need clients. We like the clients, and any attempt to restrict good clients from accessing our services only puts us in a situation where we have fewer good clients and more need for money, and we end up having to make compromises on our health and safety.

Ms. Kamal Khera: Thank you.

Ms. Grenier, do you have anything to add?

[*Translation*]

Mrs. Josianne Grenier: I agree. The numbers are certainly low, first, because the reporting rate is low and, second, because certain murders are not necessarily linked to the sex trade when, in fact, the two are connected.

To comment on a previous question, I would say that I don't think it's necessary to prevent all former inmates from seeing sex workers. As Ms. Wesley mentioned, Marylène Levesque's killer had a specific problem.

Even if massage parlours had been warned about him, what would they have done? Parlour owners do not have relationships with police; otherwise, the parlour could be shut down, or the girls working there could be arrested or lose their jobs. That is the problem.

We know that the man frequented another parlour on Quebec City's south shore that same day and absolutely nothing happened.

• (1635)

[*English*]

Ms. Kamal Khera: Thank you.

Could you talk about suggestions as to how the criminal justice system...? You talked about decriminalization, and I know the Department of Justice has a mandate to review the law. Could you perhaps suggest how the Correctional Service of Canada and Parole Board of Canada systems could be improved to specifically protect the lives and safety of sex workers who may be put at risk by violent offenders?

The Chair: You have about 30 seconds, please.

Ms. Sandra Wesley: As long as the Government of Canada has as an objective the eradication of sex workers from Canada, it's really hard to think of anything that can be done in any government institution to protect us. The government needs, instead, to have an objective to give us good working conditions and to protect our safety. Once that is in place, laws and policies can follow. Right now, in the context where buying sex and selling sex and everything around that is a criminal act, it's hard to think what the Correctional Service of Canada can do to address that other than simply have respect for us as human beings.

The Chair: Thank you, Madam Khera.

[*Translation*]

Ms. Michaud, you may go ahead. You have five minutes.

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

Thank you to the witnesses for being here. I very much appreciate their participation.

I'm going to start with Ms. Grenier.

You said in your opening statement that Marylène Levesque's case had probably received so much media coverage because she was a beautiful woman with blond hair and blue eyes. Unfortunately, you're probably right. Another reason, though, is that the case brought to light egregious errors by the government institutions involved, and that is what interests the committee. Errors were made both by the Parole Board of Canada and by the Correctional Service of Canada. At any rate, parliamentarians should pay more attention to the potential tragedies that can befall sex workers.

Specifically, I would like to follow up on a question Mr. Motz asked earlier.

You said that case management teams were not in the habit of alerting massage parlours even if they knew the offender frequented the establishment. It likely has to do with the fact that parlours fear retaliation by police.

Is it common for individuals on day parole or parole to see sex workers? Do you have any information on that?

You mentioned sex workers having access to third parties. How might that work?

I'd like to hear your comments on that.

Mrs. Josianne Grenier: I'm sure Ms. Wesley will have a lot to say.

Earlier, I didn't mean to say that the Correctional Service of Canada should not notify massage parlours. What I meant was that, even if parlours were warned that someone like that was out there and was likely to frequent their establishment, they wouldn't necessarily have the tools to do anything about it. They would not turn to police because that would put them at risk.

It is really important to give women the freedom to decide how to protect themselves. People often picture pimps exploiting the women; they see sex work as violent and sex workers as unwilling participants. It really doesn't have to be that way, however. There are sex workers who do what they do because they want to, workers who manage themselves in an organized way. For example, they may hire someone to protect them or split the costs and revenues from their establishments. They have the right to say no to certain client requests. In short, they are truly able to make their own choices and set their own working conditions. Obviously, when you work for someone else, they aren't always willing to negotiate those things. Be that as it may, those are some of the ways to make sex trade working conditions better. The important thing is it has to come from the worker.

Ms. Kristina Michaud: Before we get to Ms. Wesley, I have another question about that.

Had Marylène Levesque known about her murderer's history of sexual violence, or simply history of violence towards women, she just may have refused to take him as a client. That leads me to wonder.

Since Mr. Gallese's case management team had the information, should the team have notified the massage parlour? That way, the information would have been available to everyone, and Marylène Levesque could have refused to take him as a client.

Mrs. Josianne Grenier: Indeed, she could have said no to meeting him at a hotel. Passing on the information can't hurt—that's for sure—but it can't work miracles, either.

Ms. Kristina Michaud: Thank you.

I'd like to hear Ms. Wesley's take on it.

Ms. Sandra Wesley: All right. I'd be glad to answer all your questions.

As far as third parties are concerned, under the current criminal law regime, anyone who helps a sex worker practise is considered a pimp, or procurer. Therefore, if I work with a friend, one of us could be considered the other's pimp. A driver or receptionist could also be considered a procurer. Basically, under the definition of procuring, anyone who contributes to our work is considered a criminal, even if they aren't earning any money. Benefiting financially from sex work is a separate criminal offence.

Of course, third parties tend to be people who are very helpful in the practice of our work. Thanks to them, we can implement all kinds of safety measures and establish a dynamic where we have more power over clients and would-be attackers. They see that we are protected and that someone will know if anything happens to us.

In Marylène Levesque's case, I think the perpetrator was very aware of how important it was to her that no one at the hotel realize she was a sex worker. All kinds of things could have happened. For example, if she was naked, would she risk running out into the hall and being found out, only to realize that the situation wasn't as dangerous as she had thought? Those factors make a big difference.

As for how many former inmates see sex workers, it's impossible to know. There aren't any statistics on that. Keep in mind that people from all walks of life and every occupation see sex workers for a variety of reasons. Parliamentarians are just as likely as former inmates to seek out sexual services, in a wide range of circumstances. What's more, those circumstances tend not to revolve around exploitation or violence.

• (1640)

[English]

The Chair: Unfortunately, we're going to have to leave it there, Madam Michaud.

Mr. Harris, you have five minutes, please.

Mr. Jack Harris (St. John's East, NDP): Thank you, Chair.

I want to thank both of the witnesses for their very important evidence. I think we haven't heard that perspective before this committee on this issue.

Clearly, it seems to some extent we may be barking up the wrong tree when it comes to the kind of questioning we've been placing before the CSC and the Parole Board, for example. I think it's good that there is a point of view we haven't considered in this context.

Thank you very much for your presentations, both of you.

I know it may be very difficult to answer from your points of view, Ms. Wesley and Ms. Grenier, but is there anything the Parole Board or the CSC should have done differently? As was pointed out, mistakes were made, decisions were made that led to this very unfortunate consequence for Ms. Levesque, and there is clearly some blame to be placed on the CSC and the Parole Board for their actions.

Is there something you can suggest that could have been done or should have been done differently that may have prevented this death?

Ms. Sandra Wesley: Yes, there are many things.

I think the first mistakes in this case date from the very first time this man was ever arrested for violence against women and from every time after that. From what we've seen from the record, he was essentially warehoused in a prison for 15 years and then let out without any meaningful rehabilitation. We don't believe in a punitive carceral approach. We believe in serious meaningful rehabilitation and in finding ways to make sure that if someone has been incarcerated, on the day they come out they are in a different position.

When it comes to violence against women, it's an area that's particularly mistreated in the criminal justice system at every step. We are in solidarity with a lot of the demands of women who experience intimate partner violence, in terms of the criminal justice system simply not being able to address that. A lot of men are violent towards women and only towards women, and that's not addressed.

We're glad there will be training on intimate partner violence. However, that doesn't address the case here of Marylène Levesque, who was a sex worker who was murdered at work, so not in the context of an intimate partner relationship. We think that should be included. When I heard about this training, my first thought was that obviously, once again, they will talk about us without ever consulting us regarding what should be said in that training and how that should be implemented.

I think it goes beyond training. We need actual policy changes. We need to review why we incarcerate people, what we do with them while they're incarcerated, how we identify those who can't be rehabilitated, and what conditions we can put on them.

I'm quite concerned that one of the outcomes of this will be to make it harder for inmates to get out on parole. We know that a majority of people trying to get parole are in prison because of poverty, colonialism and racism. We know that indigenous people are overrepresented and Black people are overrepresented. Is the outcome going to be that the actions of this one white man will lead to more problematic incarcerations of Black and indigenous people? We're quite concerned about that.

We need meaningful reform, not simply training and statements against the sex industry.

• (1645)

Mr. Jack Harris: Thank you for that very fulsome response.

Yes, we need programs in the prisons themselves. We all know that the prisoners will eventually get out, and it needs to be safe for

people when they do get out. That involves programming that is often absent.

Ms. Grenier, would you like to add anything in response to my question?

[*Translation*]

Mrs. Josianne Grenier: I think that Ms. Wesley covered everything.

There must be training. It's necessary to ensure that part of this training focuses specifically on sex workers. It's also necessary to consider any intersectionality that may exist.

In addition to the training, the human being who made this decision—

[*English*]

Mr. Jack Harris: This training that was talked about in our committee was training for the correctional officers, not what happens to the prisoners inside the prison.

Do you believe there can be effective programming in prison for people like this?

[*Translation*]

Mrs. Josianne Grenier: In this case, training doesn't seem sufficient. This requires a great deal of work.

I'd like to talk about training for Correctional Service of Canada and Parole Board of Canada employees.

The person who gave the man permission to see sex workers should have realized that this didn't make sense. In addition to training, as Ms. Wesley said, it's necessary to work towards a comprehensive culture change.

[*English*]

The Chair: I think we're going to have to leave it there, Mr. Harris.

Colleagues, I had anticipated ending this meeting at 5 p.m. With some discipline with the witnesses and ourselves, I think I could squeeze in another round of two-minute questions, if that's of interest to colleagues.

Is that of interest? Okay.

Could I have a Conservative questioner for two minutes, please.

Mr. Tako Van Popta (Langley—Aldergrove, CPC): I believe I'm next, Mr. Chair.

The Chair: Mr. Van Popta, you have two minutes, please.

Mr. Tako Van Popta: I'll try to keep it to two minutes.

Thank you so much to both witnesses for coming here and sharing their wisdom and professionalism.

I also want to reflect on how difficult this must be for the friends and family of Ms. Levesque and for all sex trade workers who are murdered. The statistics in Canada are terrible.

In retrospect it all seems so obvious when we look at the reports showing that Mr. Gallese was a dangerous man and should not have been allowed to go unsupervised with Ms. Levesque. The board of inquiry found that there were many pre-incident indicators in this man's life that he was dangerous.

Ms. Wesley, maybe this is a question for you. You're saying that it's not helpful to blame everything on the Parole Board or Correctional Services Canada. Do you place any blame on them at all? They could have prevented this.

Ms. Sandra Wesley: They could have prevented it to a certain extent. This case is such a clear-cut example of someone who should never have been allowed to be anywhere near women, but it could have been a case that's not so clear-cut. It could have been someone who's not particularly violent towards women.

It's important to make a distinction. They made a mistake in allowing this specific man to be around sex workers. They also made a mistake in assuming all sex work is wrong. Their objections to him seeing sex workers and the objections that still seem to be talked about in terms of why he shouldn't see sex workers is that sex work itself is wrong and no delinquent should ever see a sex worker. That's also a big mistake that was made.

Mr. Tako Van Popta: Fair enough.

I have a very short period of time and would love to hear an answer from our other witness to that same question. Is there any blame at all to be placed?

The Chair: Unfortunately, if we're going to get through our 10 minutes in 10 minutes, we're going to have to not allow an answer to come.

Mr. Lightbound, please go ahead for two minutes.

• (1650)

[*Translation*]

Mr. Joël Lightbound (Louis-Hébert, Lib.): I want to thank both witnesses for their presentations and for their very important work.

The report clearly states that it was completely inappropriate to include the visit to a massage parlour in Mr. Gallese's strategy. The case management team made a mistake. There's even a disciplinary investigation under way.

I also gather from your comments that you want to see a broader policy change.

I would be curious to hear your comments on the impact of Bill C-36. In particular, the bill criminalized the purchase of sexual services. If my memory serves me correctly, the bill was passed six or seven years ago. How has the bill affected you?

Ms. Sandra Wesley: First, the legislation criminalizes not only the purchase of sexual services, but also all activities related to sex work. This means that the sex worker commits a criminal act every time she sells her sexual services. This is much broader than simply criminalizing clients.

The impact is enormous. All sorts of information is available to show the impact.

In our community, we can see very clearly that this puts us at high risk of contracting HIV. We know that decriminalizing sex work in Canada would reduce new infections among sex workers by about 33%.

Moreover, as a result of the legislation, it's much more difficult to report violence and to access protection.

There are also many crackdowns on sex work. We've seen extreme and very traumatic cases of police crackdowns. For example, we've had 10, 20 or 30 police officers come into our establishments to catalogue our tattoos and piercings. They told us that they'll be able to identify our bodies when they find us dead. The police officers now have a mandate to convince us to stop working in the sex industry.

The criminalization of sex work has also exacerbated the overdose crisis.

With regard to missing and murdered indigenous women, we've seen that the criminalization of sex work creates vulnerabilities. The women in our communities who are most likely to be arrested or to have hostile contact with the police are also the women who are most at risk of being victims of murder, violence or other criminal acts.

Mr. Joël Lightbound: Thank you.

[*English*]

The Chair: Madam Michaud, please go ahead for one minute.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair. I'll be brief.

As the witnesses said earlier, the case of Marylène Levesque isn't isolated. A number of sex workers have been victims of homicide in recent years.

My question is along the same lines as Mr. Lightbound's question. You rightly pointed out that Canada's criminal laws make women vulnerable to violence by requiring them to work in isolated locations, for example. In your view, decriminalizing sex work in general would be one option.

What specific legislative changes would be needed to ensure that women are less vulnerable to violence?

Ms. Sandra Wesley: Our organization is a member of the Canadian Alliance for Sex Work Law Reform. Three years ago, we released a report, which I sent to your clerk, with very detailed and clear recommendations. In the report, we proposed that consultations be held with about 30 groups across Canada created by and for sex workers. The recommendations could very easily be used as a draft bill.

We're calling for full decriminalization, meaning the complete removal of all references to sex work from the Criminal Code. Instead, as workers, we want access to labour standards and other protections. We're asking that, in situations involving violence, the other provisions of the Criminal Code apply.

There are also all sorts of recommendations regarding the impact at the provincial level.

[*English*]

The Chair: I apologize for interrupting people. I'm running the clock kind of hard so we can get through to our next set of witnesses.

Mr. Harris, go ahead for one minute.

Mr. Jack Harris: Thank you, Chair.

Ms. Wesley, I'm going to ask you one question concerning Bill C-36. I speak as someone who voted against that bill when it was before the House in 2014.

Is there any way that a complaint, for example, to your organization from the massage parlour identifying Mr. Gallese as a threat to women could have worked? Is there any way, under that legislation, that could have been reported without endangering the circumstances and the vulnerability of Ms. Levesque and the others who worked in that parlour?

Ms. Sandra Wesley: We only receive reports from sex workers and disseminate them to other sex workers. We don't go to police, because most sex workers don't. In the current context, even if that massage parlour had contacted the cops, the likelihood of it being taken seriously and any meaningful action being taken is pretty slim. Because the law is so hostile to sex workers and the attitude of police is so hostile to sex workers, we're usually received with nothing but contempt and dismissive attitudes from police.

Obviously, what we aim for in a decriminalized context would be to be able to report those things. We work very, very hard in organizations like mine to try to accompany women who want to press charges, who want to denounce violence to police. It is pretty rare that any serious action is taken by police.

• (1655)

The Chair: Thank you, Mr. Harris.

The next Conservative questioner is Mr. Kurek.

Please go ahead for two minutes.

Mr. Damien Kurek (Battle River—Crowfoot, CPC): Thank you very much, Mr. Chair.

I'd like to thank our two witnesses for joining us today.

I would like to continue with the question Mr. Van Popta asked Ms. Grenier with regard to blaming the Parole Board and Correctional Service of Canada.

You didn't have a chance to reply before—

The Chair: Madam Grenier, Mr. Kurek was directing his question to you.

[*Translation*]

Ms. Josianne Grenier: Can you repeat the question, Mr. Kurek?

[*English*]

Mr. Damien Kurek: Sure, Mr. Chair, if I could have a few extra moments of time.

Ms. Grenier, I want to give you the opportunity to answer Mr. Van Popta's question about whether or not blame should be attributed to the Parole Board and I would extend it to Correctional Service of Canada and if they had some responsibility for this terrible tragedy.

[*Translation*]

Ms. Josianne Grenier: I find the word "blame" a bit strong.

Obviously, mistakes were made, such as letting the man out too early and letting him believe that it was possible to visit these establishments. I believe that the permission to do so had already been withdrawn at the time of the murder. The man shouldn't have been out at that time.

In addition to these considerations, many other steps must be taken to truly ensure the safety of sex workers.

The Correctional Service of Canada and the Parole Board of Canada aren't solely to blame. That's my response.

[*English*]

Mr. Damien Kurek: Ms. Wesley, observers of the justice system have criticized, in particular, the judicial and correctional system.

Is this an example of rehabilitation at all costs, the circumstances that led to this tragedy?

Ms. Sandra Wesley: It's the complete opposite of that. There has been absolutely no evidence of any rehabilitation in this case. I know there seems to be a desire to turn the death of the sex worker into some sort of indictment of the criminal justice system, to have a more repressive and punitive approach. Sex workers do not stand for that.

We are against carceral and punitive approaches even for the people who commit acts of violence against us. We believe in rehabilitation, not at all cost, but in a meaningful, intelligent, dedicated way to minimize incarceration, and to eventually get to a point where we drastically reduce the number of crimes that are committed and the amount of violence that exists in our community. We know that punishment is not the solution.

Please do not use our deaths and the violence that we experience to push an agenda to further incarcerate us in our community.

The Chair: Thank you.

Who is next for the Liberals?

Ms. Pam Damoff: I am, Chair.

The Chair: Madam Damoff, you have two minutes, please.

Ms. Pam Damoff: Thank you, Chair, and thank you to both of our witnesses for this testimony.

I think we should be clear that notifying the massage parlour is not the answer. He should never have been allowed, and never was supposed to have been allowed, to go there in the first place.

I want to direct my questions to you, Ms. Wesley, because I really appreciate what you were talking about in terms of sex workers and the restrictions on them that were put in place.

One of the things that got changed during the Conservative era in corrections was the type of programming that was offered in prison. If we expect people to get out of prison and be able to function in society....

First of all, I'm wondering if you think it's a really important thing that Corrections needs to look at. Second of all, have you ever been consulted on that type of thing and would you be interested in being consulted if they were to start to enhance their programming?

• (1700)

Ms. Sandra Wesley: We absolutely would be interested in being consulted. At Stella we've been working in prisons with incarcerated women since the beginning of our organization in the 1990s. We see first-hand the overrepresentation of marginalized people and the lack of meaningful rehabilitation. This applies to everyone. It applies to violent offenders, including the violent women who we support. It applies also to non-violent people who are there for reasons of poverty.

Most people come out of prison worse off than they were before going in, and that's a really big problem. We would be very interested in being consulted on programming, policies and everything that can be put in place, so that by the time people come out of prison they're able to lead a healthier life and to not be a danger to other people, and also to find some sort of peace and happiness.

Ms. Pam Damoff: I think that's my time, Chair.

The Chair: Yes. You ran the clock perfectly, Madam Damoff.

Witnesses, on behalf of the committee, I want to thank both of you for coming. Again, I apologize for rushing this, but we are in a pandemic and we are in a virtual Parliament, and the virtual Parliament doesn't necessarily operate as efficiently as the real Parliament. Nevertheless, I want to thank you for your time.

With that, we'll suspend while we empanel the second group of witnesses.

The meeting is suspended.

• (1700)

_____ (Pause) _____

• (1705)

The Chair: Colleagues, just take note that we have five votes on Wednesday, which on the present extraordinarily efficient system will probably take us somewhere into seven o'clock, so unless something changes, I don't propose calling a meeting on Wednesday. That's not final, and certainly if people have other ideas, I'm open to them. I would be open to any suggestions or alternatives, but at this point, Wednesday does not look like it's going to work.

Thank you to the witnesses for their co-operation. As you can see, we've run the clock a bit hard here. I'm proposing that we finish by 5:45 p.m., because other members have meetings immediately beyond this.

To the clerk and members, I don't have the list of questioners. If that could be texted to me before the questions start, that would be helpful.

I want to welcome the witnesses and we will start with Mr. Henry.

I apologize, Mr. Henry. I'm going to cut you back from seven minutes to six, and it will be the same for Mr. Stapleton or Mr. Neufeld, whoever is going to occupy their six minutes. We'll cut back questioners by a minute each as well.

The other thing I would say to the witnesses is that if you would take a look at the screen at around the four-minute mark, I'll try to give you an indication of how much time you have left.

With that, Mr. Henry, you have six minutes, please.

[*Translation*]

Mr. David Henry (Director General, Criminologist, Association des services de réhabilitation sociale du Québec): Good afternoon, everyone. My name is David Henry. I'm the director general of the Association des services de réhabilitation sociale du Québec. This association brings together 68 non-profit community organizations that work towards the social and community reintegration of adult offenders and towards crime prevention. The ASRSQ promotes community action in criminal justice and supports the work of its members.

Each year, the ASRSQ's member organizations provide services to over 35,000 offenders in Quebec. The association's member organizations provide services in various areas—

[*English*]

The Chair: Mr. Henry, excuse me. I'm sorry.

I appreciate that I've cut back your time, and I don't know whether you speak this quickly, but we have an interpreter on the other end of the line interpreting into English. I'm afraid that at around three minutes she'll fall over in a dead faint because she can't keep up with you.

If you would slow down a bit, the interpreter could keep up with you. Thank you.

[*Translation*]

Mr. David Henry: Of course.

The association's member organizations provide services in various areas. Almost all halfway houses, or about 30, in Quebec are members of the association. We also bring together organizations that specialize in employability; organizations that manage community work programs; organizations that provide specialized services for mental health, addiction, women offenders and restorative justice; organizations that provide services for the families of incarcerated people; organizations that provide advocacy services; and so on.

The foundation of the ASRSQ's work is based on empowering citizens, including offenders, to take charge of the crime issue in partnership with the government and other social groups in the community. The ASRSQ believes that the community's active role in resolving crime-related issues contributes to social development and, as a result, to the well-being of our community. The solutions must be fair and satisfactory for the victim, society and the offender.

Halfway houses are organizations that serve as a base in a community for offenders who are going through a social reintegration process and who are participating in a gradual release process. Halfway houses give individuals the opportunity to meet their basic needs. The individuals can then continue their social reintegration process, including their job searches and personal development. Halfway houses provide programs that vary from one organization to the next. These programs may focus on addiction, anger management, domestic violence, sexual offending, social skills, or other areas. For example, Maison Painchaud provides a dozen programs to its residents.

There are three types of halfway houses in Quebec: community correctional centres, or CCCs, which are managed by the Correctional Service of Canada; community residential facilities, or CRFs; and community shelters.

The ASRSQ brings together only CRFs and community shelters.

CRFs are community-based non-profit organizations. These organizations are managed by a board of directors made up of volunteers who are from the community that they serve. The halfway houses select their residents. An assessment process is put in place to determine whether the CRF is willing to support and guide the individual in the community.

I want to make it clear that the ASRSQ has no authority over its members. Member organizations are independent community organizations managed by their own boards of directors. The ASRSQ isn't involved in the day-to-day activities of its members. The ASRSQ also shouldn't be seen as a union. We're a group of organizations. As a consensus-building body, the ASRSQ is involved in various working groups with the different correctional services.

All the CRFs and community shelters in Quebec are certified by the federal and provincial correctional services in a compliance process. The compliance standards outline all aspects of the administration and operations of halfway houses in Quebec. The standards complement the contractual agreements signed between these organizations and the Correctional Service of Canada. The standards govern the organization of services, the qualifications of community workers, the programs provided by the house, the admission procedures, the accommodation requirements, the clinical supervision standards, and so on.

Halfway houses are undeniably successful when it comes to social reintegration. A study conducted in 2014 by a student from the Université de Montréal's criminology department established the recidivism rate, with or without violence, at 1.25% over the course of a stay.

I'd like to invite the committee members who wish to do so to come and visit a halfway house. There's one in Gatineau, not far

from Parliament. If you want to visit the house, I'll make arrangements as soon as health conditions permit.

I'll provide some historical background to help you understand why and how the principles of what's known as direct supervision were put in place in Quebec.

The 1977 Sauvé report is a historical reminder that community organizations established the first structures for supervising people on parole in Canada.

In direct response to some of the recommendations in the 1938 Archambault report and the 1956 Fauteux report, the federal government created the National Parole Service in 1959. The organization reported directly to the National Parole Board.

• (1710)

With the establishment of this organization, the goal was to make these supervision activities available across Canada. Nevertheless, this didn't prevent the system from still relying heavily on the services provided by community organizations, which were then known as post-sentence agencies.

In the years that followed, a number of these community organizations chose to move away from this area of activity. The organizations considered that they had achieved their goal of providing universal access to parole. However, other organizations continue to provide this type of service. On that note, we should recall that, in 1971, Minister Jean-Pierre Goyer spoke of a fifty-fifty arrangement between the NPB and NGOs.

In the 1980s, the arrival of new players—

[*English*]

The Chair: Mr. Henry, could you wind it up, please.

Mr. David Henry: Sure.

[*Translation*]

In the 1980s, the arrival of new players in the Quebec region will make it possible to implement direct supervision as we know it today in the region.

I read the investigation report. The association believes that the five recommendations will improve community supervision practices. As far as I know, the community strategy approved by the Correctional Service of Canada, which allowed the offender to visit a massage parlour three times, was unusual and unique. I had never seen this type of strategy implemented or even heard of a similar one.

In closing, I want to say that we're disappointed that the CSC went one step further than the board of investigation's recommendations. The board of investigation proposed a review of all direct supervision. However, the CSC chose to eliminate direct supervision, even though it's a time-honoured practice.

[*English*]

The Chair: Thank you.

Again, I apologize for having to do this to people. I don't take any great joy in interrupting.

We now have Mr. Stapleton and Mr. Neufeld, or some combination thereof, for the next six minutes.

Mr. Stanley Stapleton (National President, Union of Safety and Justice Employees): Thank you.

USJE represents all parole officers, program officers, teachers and other federal correctional employees who work in non-active security functions in Canada's 43 federal prisons, 92 community parole offices and sub-parole offices, 14 community correctional centres and four healing lodges.

The murder of Marylène Levesque was of course a tragedy, a devastating event not just for the family of the victim but also for those employees in the correctional system who work each and every day to rehabilitate offenders. Respectfully, because of an ongoing disciplinary process, USJE is not in a position to comment on any of the specifics of the case today, but we will speak to the role of parole officers in federal corrections more generally.

At any one time, there are approximately 9,000 offenders under supervision in communities throughout the country who parole officers and case management teams are mandated to supervise. Many people mistakenly believe that parole officers only work in the community, like provincial probation officers, but in fact the process to safely reintegrate offenders back into the community begins at their assessment by an intake parole officer upon their arrival at a federal institution. Once the federal inmate is assessed for criminal history, security risk and their potential for rehabilitation, the wheels are already set in motion for their release into the community.

Very few offenders enter a federal facility with no prospect of leaving it. This is equally true of offenders with a history of violent offences. It is not parole officers who make these rules but the judges who give the sentences. Additionally, it is the Parole Board of Canada, as you know, who is mandated to carefully review an offender's application for parole. It is the Parole Board who imposes the conditions under which offenders are supervised in the community.

There is no doubt that federal parole officers who work directly with the offenders while they are incarcerated play a crucial role in making recommendations about the conditions for the offender's release. Ultimately, however, these are just recommendations. That being said, parole officers play a pivotal role in preparing offenders and advancing public safety. Sadly, however, they are not always treated that way. In the case of a violent offender, such as someone who has murdered his or her spouse, you might think that parole officers are given more time to carefully assess the background and circumstances of an offender with a history of committing a homicide. This is not the case. Caseloads are extremely heavy in federal corrections, and no distinctions are made based on complexity or the violent past of the offender.

You may also think that a parole officer would have clerical support to support the acquisition of crucial court documents that are often hundreds if not thousands of pages in length. This is not the case either. Many clerical positions were cut by Correctional Services of Canada in 2016 and have not been reinstated. In fact, parole officers sometimes wait months if not years for these documents, in certain cases. Privacy considerations prevent the release

of material from police agencies and such other relevant bodies as victim services, children's aid, etc. Consequently, many parole officers are left to navigate complex administrative processes to receive relevant information. The requests from parole officers do not receive special consideration. They must get in the queue like other players in the criminal justice system. Unfortunately, they don't always get what they need when they need it.

You might also assume that parole officers receive leading-edge training on an annual basis that equips them with the best assessment tools and provides a meaningful opportunity to talk with their peers about best practices. This is also not true. In fact, due to cuts, almost all training has been virtual for a number of years and does not always align with what parole officers need. This is something that federal parole officers believe has been of significant detriment to their profession.

It is for these and so many other reasons that in 2019 USJE released the groundbreaking report entitled "Protecting Public Safety: The challenges facing federal parole officers in Canada's highly stressed criminal justice system". For this study, USJE invited parole officers from across the country to share their perspective on the status of the correctional system and their role in it. Hundreds responded. Most had never been involved in our union. Overwhelmingly, they said that Canada's correctional system is stressed and nearing a breaking point, with the majority of parole officers asserting that their working conditions often prevent them from properly assessing, supervising and preparing offenders for their safe return to society.

● (1715)

High offender caseloads, chronic understaffing and significant changes to correctional programs and services are cited as presenting insurmountable challenges to the managing of offenders' risk. More than two-thirds, 69%, of parole officers surveyed worried that they are not able to sufficiently protect the public given their current workloads. Ninety-two per cent agree that an increase in staffing would improve their capacity to keep Canadians safe and 85% agree that a decrease in the number of offenders assigned to them would improve public safety.

We submit this report as part of our testimony today and ask that it be considered for making recommendations.

You would think that this report would have been the catalyst for an important dialogue within CSC on how to improve the system. Instead, it fell on deaf ears. USJE has had no formal response to the report since it was released in June 2019.

In conclusion, it is appropriate for the parliamentary committee and the joint board of investigation, which has now released the report, to look at what got missed in the case management around the homicide of Marylène Levesque. Without a systems-wide analysis on how to better equip and enable parole officers and the correctional employees who are on the front lines doing the work of supporting the reintegration of offenders each and every day, USJE fears another tragedy is just around the corner.

Thank you.

• (1720)

The Chair: Thank you, Mr. Stapleton.

Before I ask colleagues to start questions, I'll mention that the report has been received by the clerk, but not translated. It will be distributed.

With that, we go to Madam Stubbs for five minutes, please.

Mrs. Shannon Stubbs (Lakeland, CPC): Thanks, Mr. Chair. I appreciate that.

The testimony that we've just heard is alarming for a number of reasons. Obviously, it must be part of what went wrong in the murder of Marylène Levesque, but also it would be concerning to every Canadian everywhere.

Mr. Stapleton, I'd like to invite you to give some more information to this committee. Maybe start where you ended. Are there five or 10 specific recommendations you would make to us that would help better enable and empower the front-line officers who have such important and challenging work to do?

Mr. Stanley Stapleton: I'll pass this off to David Neufeld, who is a parole officer.

Mrs. Shannon Stubbs: Sure.

Mr. David Neufeld (National Vice-President and Regional Vice-President, Correctional Service of Canada Community - Parole Board of Canada (West), Union of Safety and Justice Employees): Hi there. Thank you for that.

In our report that was released in May 2019—again, that's almost two years ago—there were a number of recommendations that were made. We went back to the Correctional Service of Canada and tried to have very serious discussions about them. However, to date, very little has changed, and it still remains a very large concern for our union and particularly our members.

One of the first things we talked about is how our workloads are not divided or given out amongst the staff based on the complexity of the cases. Rather it's simply based on the number of cases that you have. For example, if you have a very high-risk, high-needs offender who comes into the institution at the front end of the sentence, you don't get additional time to work with potentially more complex, high-needs offenders. In fact, it would be the same amount of time that you would get for everybody else. One of the things that we're really saying is that workload needs to be more

than the numbers; it also needs to be the amount of actual time it takes to do proper risk assessment and proper interventions with the offenders.

The other thing that we have been calling for is in relation to the mental health needs of our offenders. Institutional parole officers repeatedly told us that the mental health of the offender should be a determining factor for a caseload size. As you can imagine, those individuals who come into our system and who require more assistance with their mental health needs require more time. Ultimately, what a lot of parole officers have been telling us is that more time means that we need to have more parole officers available to do the work. In fact, that has not changed, and I know that the Correctional Service has been under a lot of pressure for many years to reduce its budgets. That goes back to the deficit reduction action plan and then also in recent years to making sure that we're trimming everywhere we can to make sure that the budgets are not exceeded. It's very difficult to do that.

Other policy changes as well, such as working with indigenous offenders, have been extremely challenging. There have been some additional positions created over the years, but as it relates to parole officer work and even in terms of programs, we need to make sure that we're giving the time to those offenders and meeting with them to understand who they are, their backgrounds, what brought them into their criminal activities and what it's going to take to ensure that they stay out of crime. It's very crucial.

Quickly, I want to summarize and say that for parole officers to do their work properly, they need to be able to have the time to have meaningful interactions with everybody on their caseload. When we're talking about highly complex cases, that means we need to have the time for those meaningful conversations to understand their worlds and to understand, if they are to be released back into the community, what those conditions are that they're going to be released back into. What are those relationships that are going to be important to them and their reintegration back into society? What supports are they going to have?

I'll leave my comments there, and maybe there will be more questions.

• (1725)

The Chair: You have about 30 seconds.

Mrs. Shannon Stubbs: I would throw it back to the witnesses for any more that they would say.

I find it a bit alarming that there have been increases in the budget overall in the last five years, but it seems that either it hasn't gone to increasing much-needed staff members in order to be able to have the kinds of interactions that you're talking about or somehow that has been insufficient, but—

The Chair: Okay, we're going to have to leave it there.

Thank you, Madam Stubbs.

Madam Damoff, you have five minutes, please.

Ms. Pam Damoff: Thank you, Mr. Chair.

Thank you to all of our witnesses for being here.

I'm going to start with the USJE.

In 2016, you very graciously took me on my first prison tour. I visited the parole office in Winnipeg. I can remember very distinctly the manager talking about the deficit reduction action plan and the cuts that had been made. I said to her, “You're far too good at your job because you're managing to still do the good work that you do in spite of the cuts that have been made.”

Stan and David, you and I have talked about this. How critical is it for us to be making investments in the community? I think it's about 6% or 7% of the Correctional Service budget that goes to communities to support offenders when they're released. How important is that community support, both for increasing the number of parole officers as well as supports in the community for people once they're released?

I think, probably, David Neufeld, you would take that one.

Mr. David Neufeld: In terms of community resources and managing risk in the community, it's absolutely crucial that we have organizations we can link with to provide referrals for our offenders in managing cognitive deficiencies or those things that trigger their criminal behaviour—that they are able to get the help they need.

One of the major cuts we saw a number of years ago was in relation to that of psychological counselling for offenders in the community. Again, as you can imagine, with highly complex cases needing access to psychological intervention, on top of a meaningful contact that should be taking place with not only parole officers but also with correctional program officers we have in the community who are delivering programs to these offenders, we also have other needs, such as access to residential substance programs.

These are things that were cut as a result of the need to reduce the budget, and these are absolutely crucial pieces to our overall intervention plans and making sure that when these offenders are being released to the community, they have the supports they need.

Really, when it comes down to what Corrections does, we understand that people have the ability to change and that we have a responsibility and accountability to managing risk. However, we need those resources in place to ensure that no matter how long that particular offender has been in the community that we're fully aware of what they are doing with their time, making sure they are getting the help they need, and making sure that if they are living next to you or to me or your friends or your family, we can be confident that we know what they are doing, how they are using their time, and, of course, that they are not falling back into their old criminal behaviour.

Ms. Pam Damoff: I want to commend you and all of the parole officers for the fine work that you do. I have spoken to a number of parole officers and I'm always impressed.

I will start with Mr. Henry, and maybe, Mr. Neufeld, you can respond as well.

How important is parole itself to the successful reintegration of offenders? Is it better to keep them in prison until the last day of their sentence and then send them out in the world, or is parole important?

• (1730)

[Translation]

Mr. David Henry: I believe that parole is a key social rehabilitation measure. Giving someone parole, guidance and supervision in the community ensures the safety of our communities. We can assess the person when they come out of custody and see how they're progressing in the community. If they become disorganized, if they fail to comply with their intervention plan or if they don't commit to their social reintegration, it's always possible to suspend their parole.

Parole helps protect our communities. The statistics speak for themselves. A person granted parole is less likely to reoffend than a person granted statutory release after serving two-thirds of their sentence. A person granted statutory release is less likely to reoffend than a person incarcerated until the end of their sentence.

As a criminologist, the thing that concerns me most for the community isn't the people granted parole. It's the people who remain incarcerated until the very end of their sentence and who, after 10, 12 or 15 years in prison, return to our communities without any form of supervision or guidance. This is a real issue. About 50 or 100 people a year are kept incarcerated in penitentiaries.

When we try to address this issue in the community, we're faced with a void. No one wants to fund these services. The ex-offenders are no longer under the jurisdiction of correctional services, so the correctional services aren't responsible for paying for the services. Public safety isn't responsible for doing so either. Health and social services don't want to fund these types of programs. After 15 years in prison, the ex-offenders must turn to resources for homeless people. That's what concerns me.

[English]

The Chair: We're going to have to leave it there, Madam Damoff.

Ms. Pam Damoff: Thank you, Chair.

The Chair: I know Mr. Neufeld is keen to respond, but you're going to have to work it in in some other manner.

With that, we have Madam Michaud for five minutes.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I want to thank the witnesses for joining us.

Mr. Henry, I want to thank you in particular. I'll gladly accept your invitation as soon as the health situation permits. I think that we must venture out into the field in order to carry out our work properly, especially for studies such as this one. Thank you for telling us more about the different centres and the services that they provide. I think that it's very important.

At the end of your presentation, you said that the Correctional Service of Canada announced that the supervision of offenders at Maison Painchaud would be transferred to the CSC effective March 31, 2021, and that the agreement would be terminated rather than reviewed. You didn't seem to agree with this. What are the reasons for this? Why would it be better to review this agreement, rather than eliminate it entirely?

Mr. David Henry: Direct supervision is part of a long tradition. Community organizations have been involved in the supervision of offenders in the community for a long time. The Correctional Service of Canada must rely on community partners to ensure community safety and social reintegration.

Direct supervision has several advantages. For example, it may prevent certain administrative tasks from being duplicated. It may also prevent certain types of antagonistic behaviour on the part of the offender. Some offenders, particularly those who are antisocial, may feel very resentful towards the CSC staff. When these offenders are supervised by non-CSC staff, they're less adversarial. Certain types of antagonistic behaviour are prevented. Direct supervision also allows for a variety of approaches, which may be necessary to ensure the social reintegration of individuals. There's no uniform approach that works for all individuals. There's a need to adapt.

I find it unfortunate that the CSC decided to go one step further than the board of investigation's recommendations. We had already started to review several components of the board of investigation's report, including the clarification of the roles and responsibilities of the various stakeholders. Obviously, we didn't wait for this investigation report to take concrete action in the field. When this type of incident occurs, all stakeholders, clinical counsellors, halfway houses and parole officers reassess their practices. During meetings with the CSC in the spring and summer, we clarified these roles and responsibilities. I find it unfortunate that the CSC's national headquarters didn't take this work into account.

• (1735)

Ms. Kristina Michaud: In any institution, I think that it usually takes several failures before a decision is made to completely abandon a practice. In the situation at hand, you said that the issue involved an isolated case and that you had never seen anything like it in your career. However, the decision was made to immediately eliminate this practice.

Perhaps in this case, rather than pointing the finger at the people who made a bad decision, the goal is to discredit Quebec's practices. As we know, these practices are different from the practices in other parts of Canada.

Do you think that blaming Maison Painchaud is a bad excuse as we try to resolve the situation?

Mr. David Henry: As you said, it's a very special case. It isn't always possible to make generalizations based on a very special case.

Maison Painchaud has been around for 53 years. You can imagine the thousands of residents who have been housed and guided by Maison Painchaud over the past 53 years. As far as I know, in 53 years, only one person has committed a murder during their stay

at the halfway house: Eustachio Gallese. It's really a special case. I find it unfortunate that generalizations are being made based on the case.

The direct supervision model has been implemented and tested in Quebec since the 1980s. Year after year, the assessments conducted by the CSC with organizations that carry out direct supervision have always been very good and complimentary regarding the work accomplished. The work was accomplished as a result of the joint efforts of the CSC staff, the parole officer and the parole officer supervisor.

If direct supervision weren't working or had serious shortcomings, the recidivism rates would be much higher than the rates presented to you.

[English]

The Chair: Thank you, Madam Michaud.

Mr. Harris, please go ahead for the final five minutes.

Mr. Jack Harris: Thank you, Chair, and thank you to the witnesses.

I'd like to direct this question to the parole officers.

I'm looking at the report that was prepared in May and released in June 2019, which I have a copy of. I note that workload is a very important issue. As you pointed out, Mr. Stapleton, in your evidence, 70% of parole officers reported that they don't feel they can adequately protect the public given the current workload.

I think it is important for anyone listening to this to know that we have parole officers in the institutions who are assessing the capability of someone for parole, and there are parole officers in the community as well. You people are perhaps the ones who are assessing the risk more than anyone else in terms of each individual's potential for reoffending.

I see that some of the workload issues are identified here in responses to questions as staff reductions, lack of resources, parole officer positions being left vacant, insufficient clerical support despite increased workloads, other support positions being left vacant, and cutbacks to funding, all of which speak to an inadequate number of people doing the jobs you do. Yet we heard from the correctional investigator that the ratio of correctional officers to inmates in our prisons is higher than it is in almost any other comparable institution.

Could you square that circle for me? Are we dealing with a misallocation of resources? Are we dealing with a lack of spending the money in the right place, or are we dealing with a lack of money altogether?

Mr. David Neufeld: I'll quickly comment on that.

Ms. Damoff indicated earlier that about 6% to 7% of the overall Correctional Service of Canada budget is spent in the community, and the vast majority is spent on institution structure and of course dynamic security. I think it's very important to understand that how much money we invest in reintegration is absolutely important. In terms of overall work in the Correctional Service of Canada, I would say every employee plays a very practical and important role in the reintegration of offenders, but it's very important to understand that if you're not investing in the community at the same time, that's where the rubber meets the road. For the offender who's living inside the institution, it's not like life on the outside, and it's important to understand that anybody can do time. I don't know if you've ever heard that saying, that anybody can do time. It can be a very hard time, but when you come into the community, you have to now live again and have a bank account and work and support your family, perhaps. For whoever's a part of your life, there are always problems.

If resources aren't put in the right places, it's absolutely an issue. I really do believe that CSC needs to take a look at how much money it's investing in the community. The institutions are absolutely important but there needs to be more money invested in terms of how we're doing supervision in the community.

I'll turn it over to Stan.

• (1740)

Mr. Jack Harris: I would just add that one of the parole officers replied to the survey by saying, "I don't have enough time to see my offenders on my caseload and write reports. It's important to meet regularly with offenders...so you gain a better understanding of the person you are working with. The workload doesn't allow for that."

That seems to say it all, Mr. Neufeld, in terms of the consequences of an inadequate level of community service support for the parole officer and the community risk.

Rather than go to Mr. Stapleton on that point, I would like to discuss another point that is raised in your report that has to do with a lack of resources for assessing offender risk. Speaking of offenders, for example, the CSC methodology for assessing risk ends up with an overrepresentation of certain offenders, primarily indigenous offenders, and higher levels of security classification; and that affects their ability to get effective programs or opportunities while serving time. That was pointed out in a Globe and Mail article in recent days, and you say that too many offenders don't qualify for programs and actually need them.

Again, in terms of assessing the risk and the ability of someone to operate in the community, they do have to have access to programs within the institutions as well.

Would you or Mr. Stapleton care to comment on that problem, the lack of actual programs available in the institution for people to prepare themselves to be able to live on the outside?

The Chair: I think that's a very important question, but Mr. Harris unfortunately has not left you any time to answer. However, we do have a minute or two left, and I would appreciate an answer to the question if I can get it within a minute from one of you. Both would be even better.

Mr. Stanley Stapleton: I will take a stab at this one.

First, I want to make sure it's clear that we don't represent the correctional officers within the prisons. We represent the program people and parole officers. Within the prison system, one of the problems we had in the past when offenders came in is they had to wait to enter a program. With the integrated correctional program module, which I don't think is as good as the old system, they're able to get the offenders into a program right away, so your short-timers will have some programming before they get out.

Unfortunately, people who are doing medium term take these programs, and it is my opinion, based on responses from program officers across the country, that this program is not as effective as the old programs we used to have that were focused on the individual problems that the offenders needed help with. Of course, to deliver as many programs as we need for all the offenders, we need to increase our program staff and the program capability we have within the prison system.

The Chair: Thank you, Mr. Stapleton.

Unfortunately, we're going to have to leave it all there. We have a virtual meeting coming in behind us, so the clerks need a chance to get things organized here.

On behalf of the committee, I want to thank you for your time, your patience and your co-operation. This has been a very difficult study. We appreciate all the efforts that all three of you put in on a daily basis to make the public safety of Canada that much stronger, so thank you for that, and on behalf of the committee, thank you for your appearance here today.

Colleagues, with that we'll call an adjournment. Unless things change, I don't anticipate a meeting on Wednesday. Maybe we could have some offline discussions as to what needs to happen after that.

With that, unless my clerk says otherwise, the meeting is adjourned.

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