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# Standing Committee on Public Safety and National Security

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Chair: The Honourable John McKay





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• (1650)

[English]

**The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)):** Do I have unanimous consent to proceed for, say, the next 20 minutes? Would that be fair?

**Some hon. members:** Agreed.

**The Chair:** Okay. Then I can call this meeting to order.

This is the 34th meeting of the public safety committee. Pursuant to Standing Order 108(2) and the motion adopted May 5, the committee is commencing a study on the current situation in federal prisons in relation to Correctional Service Canada's response to COVID-19, the implementation and operation of structured intervention units, and reports of sexual coercion and violence in federal prisons.

I see that Pam's hand is up.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Thanks, Chair.

I'm hoping we can deal with this quite quickly. I want to see if we can get unanimous consent for something.

Yesterday all parties in the House came together to condemn the attack on a Muslim family in London, Ontario, which killed three generations of one family. Last night leaders of all the parties were in my hometown of London to attend a vigil in their memory. They all spoke about working together and putting partisanship aside to deal with the issue of Islamophobia and hate. I'm trusting that we can do that today.

On May 5 we passed a motion to study ideologically motivated violent extremism. We've completed two meetings thus far. I have a motion, which I would ask for unanimous consent to deal with today, that would see us continue our study next week, on Monday, and add an extra day on Wednesday. I think it would be important for us to hear from the National Council of Canadian Muslims to talk about the rise of Islamophobia, as well as the Centre for Israel and Jewish Affairs to talk about the rise in anti-Semitism.

Chair, the clerk should have the motion in both official languages. It reads as follows: That, pursuant to the motion passed on May 5, 2001, the public safety committee continue its study on ideologically motivated violent extremism; that the meetings occur on June 14 and June 16, 2021; and that the committee invite the National Council of Canadian Muslims and the Centre for Israel and Jewish Affairs to appear as witnesses on June 16.

I'm hoping we can get unanimous consent for that and pass it quite quickly, Chair.

**The Chair:** Before I recognize Mr. Motz, I would note that the motion does not have 48 hours, which is the usual expectation, and it is not pursuant to the business before the committee. Therefore, unless there is unanimous consent to table and debate the motion, we will have to wait for the 48-hour period.

Mr. Motz.

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** Chair, I'm just curious to know a couple things. One, we have a couple of outstanding motions before the committee already that we can't lose sight of. Two, I agree that this is a study that requires some fulsome review and direction and recommendation moving forward. I agree with the concept. However, what are we going to park and not get at before the end of session?

That's what we need to deal with.

**The Chair:** We're getting into the merits.

**Mr. Glen Motz:** Sorry.

**The Chair:** I need to know that we can proceed with this motion. Then we can hear debate on the content.

Does the committee give permission to proceed with the motion?

**Some hon. members:** Agreed.

**The Chair:** I take note of Mr. Motz's intervention.

I see Madam Lambropoulos and then Madam Khera.

• (1655)

**Ms. Emmanuela Lambropoulos (Saint-Laurent, Lib.):** I want to speak in support of Pam's motion.

My riding has a very high concentration of Jewish and Muslim Canadians. Both groups are living in fear right now because of events that occurred in Montreal a couple of weeks ago, anti-Semitic events that happened, and now because of the London event that took place. People are afraid to walk in the streets alone. People are having their windows broken if they have a certain flag or a certain sign on their door.

I definitely think this is a pressing matter right now especially. I feel that it definitely deserves the attention of this committee.

**The Chair:** Madam Khera, Madam Stubbs and Mr. Harris.

**Ms. Kamal Khera (Brampton West, Lib.):** Chair, just like Emanuella, I want to speak in support of Ms. Damoff's motion. I thank her for actually bringing it forward, because from the testimony we've already heard and from NSICOP's report itself, we already knew that ideologically motivated violent extremism has been growing in Canada and has been getting worse since this pandemic.

Given the horrific terrorist attack motivated by Islamophobia that took place in London over the weekend that destroyed a whole family and has broken the entire Muslim community, I think as leaders the time to act is now. The Muslim community is hurting and so are other communities. I think at this committee we have the ability to act on this very pressing issue and a chance to do something before the House rises. We already know the terrorist attack was part of the larger trend in the rise of IMVE, ideologically motivated violent extremism

I agree with Ms. Damoff's motion that we commit to finishing our study on this to provide the government with recommendations on what needs to be done to ensure that attacks like this do not happen again. It's incumbent upon all of us as elected members, as leaders and as members of this committee, to make that happen, to ensure that all Canadians, whether they're Muslim Canadians, Black Canadians, Asian Canadians, Jewish Canadians, indigenous people or racialized Canadians can feel safe in their homes and their communities.

I really hope that we can move this motion forward and I hope that everyone can support it.

**The Chair:** Next is Ms. Stubbs, and then Mr. Harris.

**Mrs. Shannon Stubbs (Lakeland, CPC):** Thanks, Chair.

Thank you, Pam, for bringing this motion forward. I, too, agree with the seriousness of it and the concept, the spirit, of completing our work and our report, and the specific witnesses who you're suggesting we bring forward in an urgent way to our committee. I sure as heck hope if there are immediate tools, which I think we've all been trying to explore, and legislative and policy remedies that could prevent and deter the heinous acts and crimes like the heinous act that took the lives of those innocent people and impacted their friends, neighbours, family members and an entire community, that it's being acted upon in government. I sincerely hope that our taking either a day or three extra days to report from our committee is not stopping that real work from happening if it is ready to go in government.

Chair, this is a bit embarrassing thing to confess: I have my material here prepared for our witnesses and the topic today, but could you or the clerk remind us what it is we had planned for which days? We're running up to there being eight days left in session. We all know that we want to complete the Levesque report, complete recommendations on Bastarache to drive to action, and then there is also a date for estimates. It's just so we can get a sense of logistics as to how we get all this done.

**The Chair:** If this motion goes through as presented, on the Monday we would have to deal with the border study in some other fashion, and we'd have to deal with the Levesque report in some

other fashion as well. The motion as presented would bump those two schedules, and how we would deal with those two later I'm not quite sure.

• (1700)

**Mrs. Shannon Stubbs:** Also, there's the Bastarache motion respecting the government—

**The Chair:** The Bastarache motion we actually haven't dealt with.

Anyway, Mr. Harris.

Sorry.

**Mrs. Shannon Stubbs:** Chair, are summer sittings an option, or are we going to run into a technical issue like we did the last time?

**The Chair:** I would have to defer to our respective whips' offices, because I don't know that we have the ability to go past June 23 in a hybrid format, other than to go to real sittings in real places with real people, presumably in real Ottawa. At this point, as I understand it, that is before the parties. I haven't received a report from our whip, and I don't know about the other whips as well.

Jack.

**Mr. Jack Harris (St. John's East, NDP):** I guess the other question is, on a similar point, what is currently scheduled for Wednesday?

**The Chair:** It's the Levesque report.

**Mr. Jack Harris:** It's the Levesque report for Wednesday and Monday.

**The Chair:** No. Monday is the border study.

**Mr. Jack Harris:** We would prospectively be moving the agenda and possibly not completing the Levesque study in time to have it back to the House. That's one consequence, I suppose.

I agree with the idea of focusing right away on the issue, given its currency.

What strikes me, Pam, and others, is what's on the minds of people in the Muslim community, in particular today. Now, in the aftermath of the shock, I think people are very moved and are receiving condolences and prayers and support. However, I spoke to the president of the Muslim Association of Newfoundland and Labrador just before this meeting, and what they're interested in hearing is concrete action. They want to see concrete things done.

In the House today, Brian Masse, the member for Windsor, asked a question, and after question period asked to table a series of recommendations that were made two years ago during a committee on how to deal with hate speech, and it was rejected.

**The Chair:** Jack.

**Mr. Jack Harris:** What I'm going to say is...

Do I have the floor or not?

**The Chair:** I'm interrupting you. You still have the floor, but I'm interrupting you anyway, because I want to make sure that the clerk will alert us to the time so that I can manage our time.

I will wind you down, Jack, if I need to wind you down.

**Mr. Jack Harris:** You may have robbed me of some momentum, but I wasn't planning a long speech.

**The Chair:** Jack, I would never, never rob you of momentum.

**Mr. Jack Harris:** This is a very serious matter, so I don't want to treat any of it lightly.

I did want to focus on the fact that if we're going to do this, I don't know if we're going to be able to finish this IMVE study. There are lots of contentions or contortions about all the various aspects of it that we've already wondered about, whether they're ideologically motivated or religiously motivated or whatever. I would prefer to ask both of the proposed witnesses—and I don't disagree with the witnesses—to come and ask them specifically.

We know the horrors of anti-Semitism and the effects thereof, as well as clearly what's before us, the horrors of what's called Islamophobia, which is literally the fear of Islam. I think it's really more of an Islamic hatred than a phobia. I don't know where that name actually came from.

What I would like to do is to ask these individuals to address that question specifically: What is it that they would like to see us report or recommend to government from the various ideas that are out there? We can do something specific on that, which may result in a motion to do *a*, *b*, *c*, and *d*, but do that separately, not as part of the larger study, because all these other questions start coming into it then.

There are lots of things out there. People want to see a crack-down on hate speech on the Internet. There are various things I've heard. Let's ask them what they think we should recommend, and compress it, not into part of a study that we may or may not get to finish, because events seem to overtake committee business during this time of the calendar. Let's see if we can do it, even if we hear witnesses on one day and explore options, and then on another day, the second day, listen to proposals and try to do a mini report or motion that would contain several proposals.

That would be much more preferable to me, and I think much more doable and efficient than just carrying on with that study that may never get to Parliament because of the time involved for translation and reports and all that goes with it.

• (1705)

**The Chair:** Those are good points, all.

We're probably hovering at around 10 minutes right now.

I take note that we could bump the Levesque study scheduled for the 16th to the 23rd, which is when the other IMVE study was scheduled. For the Wednesday, you're essentially switching dates. Really, the only date that would be possibly lost would be on the border issue.

I see four hands, plus I understand that Ms. Larouche wants to speak as well. She is in the room all by her lonesome.

I saw Ms. Khera first and then Mr. Lightbound, and then I'll go to Madam Larouche.

**Ms. Kamal Khera:** Thanks, Chair. I think my hand was up from before.

**The Chair:** Joël, go ahead

[*Translation*]

**Mr. Joël Lightbound (Louis-Hébert, Lib.):** I will be quick, Mr. Chair. Since 2014, a total of 21 Canadians have lost their lives at the hands of ideologically motivated violent extremists, not including the victims of the attack in London. That's more than any other form of extremism.

In terms of concrete steps parliamentarians can take, we need to hold these meetings and invite representatives of the National Council of Canadian Muslims. As Mr. Harris suggested, we should ask them what concrete actions they want us to take to fight the scourges of Islamophobia, anti-Semitism and racism in Canada.

This would also be an opportunity for them to go on the record before a parliamentary committee, given what a timely and sensitive issue this is. That is something concrete that we, as parliamentarians, can do. I support Ms. Damoff's motion or a similar motion to move up the meetings we already had scheduled to discuss this issue.

[*English*]

**The Chair:** We all have votes in 20 minutes.

I want to look at the clerk here. Do we have up to 20 minutes—presumably less than 20 minutes—to talk about this motion?

**The Clerk of the Committee (Mr. Mark D'Amore):** There are nine minutes remaining before the vote.

**The Chair:** We'll carry this on for four more minutes and then leave the meeting.

My apologies to the witnesses, but I'm sure the witnesses can appreciate the timeliness of this particular motion.

With that, I'll turn to Madam Larouche.

[*Translation*]

**Ms. Andréanne Larouche (Shefford, BQ):** I would like to clarify something, Mr. Chair.

As I understand it, since the motion put forward today was not put on 48 hours' notice, unanimous consent is needed to extend the study.

Since we could, as a result of the vote, end up sitting past June 23, the motion would be subject to the discussions currently being had by the whips, in terms of figuring out whether committees can extend into the summer or not. Those talks are under way.

As you said not that long ago, Mr. Chair, this would mean postponing the study on Ms. Levesque until June 23 and not completing the border report.

I want to give this decision proper consideration. I believe the committee has already met a few times on violent extremism. The parties had agreed on a certain number of meetings, so I wanted to make that point for everyone's benefit as we prepare to vote.

[English]

**The Chair:** Mr. Motz, you have the last two minutes.

• (1710)

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

This is an issue that has grown and doesn't appear to be ending any time soon.

I think that as much as we need to hear from those, as Joël indicated and Pam laid out in her motion, nothing prevents the government....

We've talked about action. Of the things we hear between now and June 23, and even if we sit in the summer when Parliament isn't sitting, nothing is going to be actionable unless the government decides to act on it. The government doesn't need our committee to tell it to take some action. It can do that on its own. We have to be mindful of that. Yes, we need to hear from witnesses. We need to hear from those communities that are being impacted and we can learn.

That's important, but I think it's important for everyone to understand that our committee hearing these in the order we need to hear them and how that all looks.... Yes, we have to try to get a lot of work in a short period of time, but that does not preclude the government from taking action now, in advance.

I just want that to be very clear and on the record.

**The Chair:** I'm just about to suspend. Correct me if I'm wrong, Mr. Clerk. I have lots of fun with suspensions and adjournments, but I think I'm suspending. We'll reconvene after the vote.

I interpret the conversation as waiving the 48 hours and that we are into the debate and the substance of the matter. I would like to get a conclusion, if you will, shortly after the vote, so we can respect our witnesses. I still have to get clarification from the clerk as to whether we will save the time, if you will, and still have a full two hours with the committee.

Could you clarify that, Mr. Clerk? We'll clarify it, I guess, after the vote.

**Mr. Jack Harris:** I will have a point of order after we get back, Chair.

**The Chair:** Okay.

With that, we'll have to leave this meeting and go back to the House.

The meeting is suspended.

• (1710)

(Pause)

• (1740)

**The Chair:** [Technical difficulty—Editor] bring up a point of order, I believe, or some point.

**Mr. Jack Harris:** Yes. It was a point of order. I said that I would have a point of order when we came back. You seemed to be making a ruling just before we left, and I wanted to clarify it.

I understand your ruling was that there was unanimous consent for the motion to be debated, thereby removing the requirement for 48 hours' notice. But that does not mean there needs to be unanimous consent for the motion, or a version of it, to be passed.

**The Chair:** That's correct.

**Mr. Jack Harris:** That is correct.

**The Chair:** Yes.

**Mr. Jack Harris:** That was the point of order I wanted to make.

I think there may not be unanimous consent for the order that was put forward, but there seems to be various proposals as to how we might accomplish some of the things that are contained in it. I'll leave it to others to suggest those.

• (1745)

**The Chair:** The chair appreciates the assistance in making these rulings.

With that, I see both Mr. Motz and Madam Damoff. I don't recollect who's first, but since I'm having so much assistance with the rulings, I'll ask Mr. Motz. I'm sure he'll be of great assistance.

**Mr. Glen Motz:** Pam's hand was up before mine. She can go ahead.

**The Chair:** Okay.

**Ms. Pam Damoff:** Chair, I was just going to suggest an alternative.

I'm disappointed that there isn't consensus to do the two meetings. To Jack's point about the National Council of Canadian Muslims and CIJA—the long name is escaping me right now, I'm sorry—I suggest that next week we have them for one meeting for 90 minutes, with 45 minutes for each party, whichever works best for the clerk to do. We would then take 30 minutes at that meeting to hopefully come up with some consensus for a motion that we could table in the House, based on their recommendations. We would listen to one and then the other for 45 minutes each and take 30 minutes to draft something for the House. Then we would do the border study.

I would leave it to the clerk as to when witnesses were available and whether that was Monday or Wednesday next week. I do think we need to get to this next week. That would then leave June 21 and 23 for the Levesque study.

I would have to amend my motion, Chair—

**The Chair:** I believe you need to have unanimous consent to amend your motion.

Is that correct, Chair, if she's amending her own motion?

**The Clerk:** You're the chair, Mr. Chair.

**The Chair:** Oh, yes. That's right.

**Mr. Jack Harris:** I was just going to offer some assistance, Chair.

**The Chair:** Yes. Well, I have plenty of assistance, only one of which is competent.

Mr. Clerk.

**The Clerk:** Normally, to amend your own motion, you would require unanimous consent of the House, because it belongs to the committee now, or somebody else may move the amendment.

**The Chair:** All right.

**Ms. Pam Damoff:** Can I ask somebody else to move it?

Jack, do you want to move it for me?

**Mr. Jack Harris:** No. I have a different amendment.

**The Clerk:** I'm sorry, Mr. Chair, but Madam Larouche is trying to get your attention.

**The Chair:** I apologize to Madam Larouche. I can't see her from this vantage point.

This is where we are: Ms. Damoff needs unanimous consent to amend her motion.

**Mr. Jack Harris:** I would [*Inaudible—Editor*]

[*Translation*]

**Ms. Andréanne Larouche:** That's what I want to comment on.

[*English*]

**The Chair:** Okay. So that's denied.

We're back to the original motion.

With that, I have Mr. Motz, Madam Larouche, Mr. Lightbound and Mr. Harris.

Mr. Motz.

**Mr. Glen Motz:** Chair, I thought I had a good idea of where we were going, up until Pam's motion. Maybe I should have gone first. Now I'm really confused as to the actual timeline that we have remaining for the next four meetings.

I have something to say about it. Could I first get clarity from the clerk on exactly what has been proposed, please?

**The Chair:** For the next four meetings?

**Mr. Glen Motz:** For the next four meetings, yes, which is Pam's motion; I just need clarity on that.

**Mr. Jack Harris:** We had an agreement on four meetings.

**The Chair:** Yes. Before Pam's motion, we had the border study on Monday, Levesque on Wednesday and the following Monday, and the IMVE study on the following Wednesday.

**Mr. Jack Harris:** On a point of order, Chair, that isn't fully correct.

**The Chair:** Really?

**Mr. Jack Harris:** Yes. June 16 was either the Levesque study, if we hadn't finished it, or the CSC study that we were undertaking. June 21 was either Levesque or CSC as well. June 23 was IMVE. That's the motion that was passed.

So there are two other studies that are affected, Levesque and the CSC, as well as the border study.

**The Chair:** I suppose I was not operating in the realm of miracles on CSC.

**Mr. Jack Harris:** There may be a proposal that contains some. We'll see.

• (1750)

**The Chair:** Okay.

Mr. Lightbound.

**Mr. Glen Motz:** Chair, I was asking a question before. I haven't made any of my statements yet that I need to make.

**The Chair:** I'm sorry. Okay.

**Mr. Glen Motz:** That was the original, but Pam had just finished talking about changing that, and that's what I'm referring to. I knew what our schedule was previous. Pam just spoke about making some changes to her motion or changes to the dates and what we're going to study on those dates. That's what I'm referring to needing clarity on before I speak to what I need to speak to.

**The Chair:** She was turned down. She was originally taking Monday and Wednesday of next week. Then she proposed that she would take a portion of Monday—

**Mr. Glen Motz:** Yes, that's what I'm referring to.

**The Chair:** —and then leave the Wednesday, presumably, as is, but that was turned down because she didn't get unanimous consent.

**Mr. Glen Motz:** All right.

I just want to say this. Further to what I said previously about this motion that's before us that Pam originally put forward, Chair, I look at this and it's so incredibly important that we hear this, but there's no action on here. There's no action from this motion that says what the committee is going to do with any of the information that we have or information that we're going to gather.

What I would encourage through Joël, as the PS to the public safety minister, is to go back to the minister and say that if we want action, because Canadians want action on this.... It might give us a warm feeling to have a conversation, but Canadians are looking for something that keeps them safe in their communities and we need to deal with this. I would encourage the minister and the government to meet with these groups and to action some things that we're not going to get actioned by hearing them at committee and then not giving anything to the government to action. That's what I'm getting at.

It's so critically important that we hear from these groups and we try to figure out some concrete plans, but in the short term this committee is handcuffed by time and the fact that Parliament won't be sitting in the summer to action the items that we hear. The government can. That's what I would encourage be done if we want to hear on IMVE and we want to hear from the Islamic groups and from the Jewish groups on what they're experiencing and what recommendations they would have.

That's my suggestion, Chair, and to Joël. Maybe that's an avenue where we can actually have these groups heard so that we could action some of those things, because what we hear now is there's no time. We're prisoners to the time that we have left.

**The Chair:** I think Madam Larouche would be up next and then Mr. Lightbound.

[*Translation*]

**Ms. Andréanne Larouche:** Mr. Chair, to help me make up my mind and cast the right vote, I need some clarification on Ms. Damoff's motion, which may end up being amended.

Before we suspended, I had asked what the implications were for the committee's schedule. I was told that, if the motion were adopted, we would spend June 14 and 16 on this study, extremism, and June 21 and 23, our two meetings the last week, on the Levesque study.

Before the vote is called, I really need some clarification as to how the motion and amended motion will affect our schedule, because right now, it's not clear to me.

[*English*]

**The Chair:** For a point of clarification, the only motion that's currently on the floor, the unamended motion, would replace the border study and Levesque next week with two studies for the IMVE, and that would presumably leave space for the Levesque study to be further dealt with on the 23rd because we would have one leftover space.

I hope that's clarifying for you.

We will go back to Mr. Lightbound and then Mr. Harris.

**Mr. Joël Lightbound:** Mr. Chair, if I may say respectfully, what's before this committee is not about getting a warm feeling, as Glen has suggested. It's about giving a voice before a parliamentary committee to two communities who in recent years have felt increasingly unsafe because of the drastic rise in Islamophobia and anti-Semitism. We've seen 2020 become a record year for hate crimes in this country.

To me, reducing it to getting a warm feeling when this is an action we can take.... As parliamentarians, we offer this space to these groups to make their demands known and public and to hear what actions they'd like to see the Government of Canada and Parliament take.

It's not about getting a warm feeling. It's very important that we proceed with this motion.

I fail to see, really, what the issue is here. Pam has just suggested that we reduce it to one meeting, as was initially agreed, and that we move the meeting planned for the 23rd to the 14th or the 16th, next week, so that we hear from these groups on these pressing matters.

I would move to amend Pam's motion so that the session planned for the 23rd be moved to the week of the 14th and that we have the border study, CIJA and

• (1755)

[*Translation*]

the National Council of Canadian Muslims appear before the committee the week of the 14th.

[*English*]

I'm sorry. I just switched back to French. My mind gets a little confused between French and English at times.

We would have one meeting. There would be 90 minutes for CIJA and the National Council of Canadian Muslims and then 30 minutes to draft a motion for this committee to report back to the House on what we've heard from these two groups.

I think that's very important. It changes none of what we have planned. The only thing it changes is the order. I fail to see why we can't agree on this.

I would move to amend the motion. I hope the analysts can work something out from what I just said.

Thank you.

**The Chair:** Okay. That amendment is properly moved and would have to be voted on before the main motion.

With that, we will hear from Mr. Harris, Madam Damoff and then Madam Stubbs.

**Mr. Jack Harris:** Thank you.

I would agree with most of what Mr. Lightbound said. Yes, we have heard, in recent weeks, in fact, about the climate of fear in the Jewish community in Canada, voiced publicly as a result of recent events and the rise of anti-Semitic acts. We have also heard clearly, since the events in London, an expression of real fear from the Muslim community and a call for action to get results.



I support the idea of having a 90-minute session where each of those groups could express their concerns and also offer specific recommendations regarding solutions and concrete actions. Half an hour may well be enough, if some thought is given to it advance, to craft a motion that would be referred to the House. I think we can do that.

However, there are several other motions before this committee that have to do with ongoing studies. One is in relation to the Bastarache report, for which a notice of motion has been given. There's also a notice of motion that I think went in today with respect to the Levesque study. There's also the motion I put forward. I gave the notice of motion regarding the study we were actually supposed to be starting today. That seems to be have been forgotten about, despite the fact that we have witnesses waiting.

I don't think we're being fair to the balance of our calendar. I would point out that three days were offered for the CSC study, which is of great importance and on which we have five witnesses waiting to talk today. I don't think we can ignore that.

There's a suggested method for dealing with the Levesque study that we can debate, and we may pass a version of that so we can complete that study.

If we were going to interrupt our schedule with respect to the Levesque study, I would prefer that we still try to complete that and to do that, potentially, by considering those motions.

Also, with respect to the border study, which I think was of great interest to Madam Michaud, instead of starting something we haven't even begun.... I don't know if there's still the same level of interest on that point. However, there is a lot of interest in the Bastarache report and the motion before the committee. There's interest in the CSC study and there are witnesses waiting to testify. As well, there is a proposal, I believe, from the Conservatives as to how to deal with the Levesque report. I think we should deal with those next week, as well.

I'm not in favour of Mr. Lightbound's amendment if it deals with only one aspect of what's before us.

• (1800)

**The Chair:** Madam Damoff, and then Madam Stubbs.

**Ms. Pam Damoff:** Chair, I'm actually surprised that we're still talking about this. I can't tell you how disappointed I am to hear comments like, "We're running out of time." There was a family in London, Ontario, that ran out of time and were killed. I watched the vigil last night and I listened to every single leader of the Conservative Party, the Bloc Québécois, the Liberal Party and the New Democratic Party speak passionately. The Bloc leader was in London as well, even though he didn't speak. All of them talked about working across party lines.

I watched that vigil last night and I felt that it was urgent for the public safety committee to do work on this. We had already committed to a study on ideologically motivated violent extremism. We had already decided to do that. I listened to someone from the National Council of Canadian Muslims talk about how they wanted action and I felt that this was something we could do as parliamentarians. I also find it offensive to say that we, as parliamentarians,

don't have a role. I'm sorry, but I believe we do. I believe we can give these people a voice and I would hope that we could vote on this.

I am prepared to agree to Joël's amendment. I've accepted to reduce this to one meeting, although I would have preferred to have two. I think this is something that we need to do urgently. I just think this talk about running out of time is terrible. We should vote on this, and if people don't feel that this is an important issue, then shame on them.

**The Chair:** Next will be Ms. Stubbs, Ms. Khera and Mr. Motz.

**Mrs. Shannon Stubbs:** Chair, I am wholeheartedly amenable to Joël's suggestion here, which might come to a solution that we all want, to hear from representatives of the NCCM and CIJA about their recommendations to government, but as Jack and Glen have said, also to see government then act efficiently and expeditiously on the actions that they can take.

My only concern—and Joël, I don't know, maybe you can help guarantee this or whatever wording might be necessary to do it—is, as Jack has articulated, that it is also imperative that we do our report on Levesque. I'm sure that Joël feels the same way too, given that young woman's death. We need to figure out a way to be able to complete that and report out on that work.

You all know that I do believe we need to make recommendations to report out on the Bastarache report, about which I think we also share the same concern and desire to see actual consequences, support for victims and consequences for offenders, and so too with this heinous crime in London.

Joël might be on track here to helping us get to a solution. I just want to make sure that whichever way we have to, as a committee, we ensure that we complete these other items that we're working on.

**The Chair:** Okay.

Yes, Mr. Harris.

**Mr. Jack Harris:** Chair, on a point of order, we seem to be doing something that's contrary to what the committee actually wants. Everybody has agreed that we have the priority given to what Pam has suggested.

I resent the idea that I have no interest. I want to hear from both of these individuals, both of these communities, and make some positive recommendations.

The question is regarding other things before the committee.

**The Chair:** That's more a point of debate than a point of order, but I congratulate you on your subtleties.

Colleagues, I would dearly love to call this question, especially since we have witnesses waiting.

I see three hands up. I would love to call the question on Mr. Lightbound's amendment and then the main motion.

I would urge people to keep their comments to a minimum so that we can at least hear what our very patient witnesses have to say.

Madam Khera.

• (1805)

**Ms. Kamal Khera:** Mr. Chair, I briefly wanted to comment on Mr. Motz's comments and echo what both Joël and Pam said. I think it's important to recognize the role that this committee and its members play.

Government certainly has a job to do, and government has taken action on listing the terrorist groups, and is taking action but, as Pam said, what we saw yesterday was all parties coming together at the vigil and saying that we must work together. We already have a study before us where we were studying IMVE. We heard just the week before from witnesses about this climate of hate and the rise of Islamophobia and anti-Semitism. Committees have a role to play in listening to these groups, as this is the most important threat right now to Canada, as we heard.

I think it's truly incumbent upon all of us to hear from these groups, give them the space that's needed, and make recommendations to the government before the House rises. I just don't understand, Mr. Chair, why we are even debating this. I really thought there would have been unanimous support on this motion. It's not a new study. It's something that we're already studying. I just hope that we can get it done.

**The Chair:** Mr. Motz, go ahead.

**Mr. Glen Motz:** Chair, I want to clarify a couple of things.

First, Joël, thanks for the amendment to the motion. That is something I certainly would support and do support.

I want to make it very, very clear that my statements at the front end were that this is a critically important study and a critically important issue that we have to deal with. It's increasing in this country, and it's completely unacceptable.

These groups who wish to come as witnesses want a voice. They deserve a voice, but what they need is action. That's what my point was. That's the point that I will stick to. This government can action things that this committee may not be able to in a timely way. That's my point. I'll stick to that. These groups want action.

Joël, you said it yourself, and, Kamal, you said it yourself: These groups need action. They have to have a voice. This committee is a vehicle for that but so is, directly, Public Safety Canada. The minister can meet with these groups and action some of these items immediately, faster than this committee can. That's what these groups need. Anything short of that is unacceptable in my books.

This sort of crime needs to stop, obviously, but a study here doesn't solve the problem immediately. That's my point. If it was misunderstood, I apologize for that, but action is what's required, not just words.

**The Chair:** We'll have Mr. Lightbound and then Mr. Harris.

**Mr. Joël Lightbound:** I'll be brief. Just to answer Shannon, I think it's fundamental that this committee provide its perspective on the tragic death of Marylène Levesque; however, the amended mo-

tion would not impact whatsoever the number of meetings that we've planned to work on the Levesque report, just to be clear.

I would hope that the debate collapses soon. Thank you.

**The Chair:** Well, we're hoping that Mr. Harris has the last word here.

**Mr. Jack Harris:** First of all, I just want to say that from my point of view, this debate is not about whether we immediately hear from CIJA and the National Council of Canadian Muslims as well, which we should do as soon as possible for the length of time it takes.

I think it's been proposed that we do that for one meeting with a focus on concrete action that this committee can recommend to government that ought to be taken immediately to address, not only the concern, but also solutions that we hope will help. I think that has to happen, and that should happen right away.

I regret that we've ended up with a motion that ends up, I think, disturbing three other studies of this committee without an opportunity to talk about that other than to be accused of not being interested in dealing with the main question that's before us. It's made it impossible to have that debate. I guess we may as well go ahead and vote and let us get on with the CSC study, which seems to have been thrown out the window by this, and, unless we do something else next week, we don't have an opportunity to deal with the motions that deal with those three studies.

• (1810)

**The Chair:** Okay, I want to call the question, but I want to make sure that everybody knows what the question is, so I'll ask the clerk to read the amendment.

**The Clerk:** May I trouble Mr. Lightbound to clarify his amendment to make sure I have it correct?

[*Translation*]

**Mr. Joël Lightbound:** Yes, I will read it:

That, pursuant to the motion adopted on May 5, 2021, the Committee continue its study on Ideologically Motivated Violent Extremism; a meeting during the week of June 14, 2021 and, that the Committee invite the National Council of Canadian Muslims and the Centre for Israel and Jewish Affairs to appear as witnesses at that meeting.

[*English*]

**The Chair:** People have heard the terms of the motion—or the amendment, at least.

**Ms. Pam Damoff:** Could we have a recorded vote, Chair?

**The Chair:** We can have a recorded vote.

(Amendment agreed to: yeas 11; nays 0 )

**The Chair:** That would then put the motion as amended to the committee.

Do we wish to have another recorded vote?

**Ms. Pam Damoff:** Yes, please, Chair.

**Mr. Glen Motz:** Chair, could you have that motion read as amended please? Is that the one that Joël just did?

**The Chair:** We just unanimously agreed to the amendment. That amends the main motion, so now we have to vote on the main motion as amended.

**Mr. Jack Harris:** We seem to have replaced the main motion.

**The Chair:** I don't know if it replaces it. It's an amendment, not a replacement.

Mr. Clerk, please read the motion as amended.

**The Clerk:** The motion as amended reads:

That, pursuant to the motion adopted on May 5, 2021, the Committee continue its study on Ideologically Motivated Violent Extremism; a meeting during the week of June 14, 2021 and, that the Committee invite the National Council of Canadian Muslims and the Centre for Israel and Jewish Affairs to appear as witnesses at that meeting.

**The Chair:** There has been a request for a recorded vote.

(Motion as amended agreed to: yeas 11; nays 0)

**The Chair:** Thank you.

Clerk, could you advise me as to how much time we have left for this meeting?

• (1815)

**The Clerk:** We have about 55 minutes.

**The Chair:** Okay.

Mr. Harris, did you deal with your motion or...?

I know you wanted my attention, but I can't remember what it was for.

**Mr. Jack Harris:** A notice of motion had been given regarding the disclosure of documents made available to the committee on June 3. It relates to the business of this particular study and I'd like to move:

That the committee publicly release all documents that were made available to the committee on June 3, 2021, pursuant to the motion adopted by the committee on May 5, 2021 regarding Correctional Service Canada's transition to Structured Intervention Units, and that all additional documents regarding the same motion be made public as they are provided to the committee.

That's been circulated in both languages, sir, and it has had 48 hours' notice. The documents that have been available are redacted in the sense of privacy considerations. No names are used. The names are protected. They're public information that would be available, in any event, on an ATIP, so I think we can go ahead and release them.

**The Chair:** The clerk is asking me, by public does that mean on the website?

**Mr. Jack Harris:** It means on the website. That's what we've done on other committees such as this. We've put them on the website.

**The Chair:** Hopefully this can be a relatively quick motion.

Madam Damoff.

**Ms. Pam Damoff:** I was just going to say I think when they're tabled with the committee, they're normally public anyway, Chair, so we don't have a problem with that at all.

**The Chair:** Are there any other interventions?

Shannon.

**Mrs. Shannon Stubbs:** Chair, following all of that, I think that we still have outstanding motions we need to deal with, so can you confirm for us when will we do that next week and at which meeting?

**The Chair:** That's an excellent question to which I don't have a very good answer.

Your intervention, as welcome as it might be, is probably not in order given that we are debating Mr. Harris's motion.

Are there any other interventions on the motion itself?

(Motion agreed to)

**The Chair:** I would dearly love to get to these witnesses and maybe I'll have some clarification for your inquiry by this time next week or even earlier. I'd like to be able to have a work plan of some kind or another to deal with the various issues that are in front of us. We can undertake that, and I'm sure you'll hold my feet to the fire.

With that, with whatever time we have left, Mr. Clerk, I'm assuming that the witnesses are standing by.

I see Madam Coyle, Dr. Doob and Dr. Sprott.

We will have very limited time.

How much time do we have left, Mr. Clerk?

**The Clerk:** We have until 7:10.

**The Chair:** It's 6:19 so we have roughly 50 minutes.

I think to be fair to the witnesses, who have been extremely generous and patient, that we ask them to make their presentations and then we'll have to figure out how we go to questions after that.

In no particular order, I see Dr. Sprott and Dr. Doob. I believe Dr. Sprott wishes to go first. I believe each of you is going to do four minutes.

Dr. Sprott, please, you have four minutes.

• (1820)

**Dr. Jane Sprott (Professor, Department of Criminology, Ryerson University, As an Individual):** Thank you very much for inviting us to speak to you about Correctional Service Canada's structured intervention units. To date, we have written four reports using CSC's data on the operation of these new SIUs. Before highlighting any of our findings, it's important to know from the outset that none of what we found could predominantly be attributed to COVID. These issues [*Technical difficulty—Editor*]

**The Chair:** Has Dr. Sprott frozen?

**Dr. Jane Sprott:** Have I frozen?

**The Chair:** You froze. I'm sorry.

You are unfrozen now. Perhaps you could just back up, say, 30 seconds and go from there, please.

**Dr. Jane Sprott:** Absolutely.

To date we have written four reports using CSC's data. None of our findings can be predominantly attributed to COVID. It's important to understand that these problems are pre-existing.

In our first report, released almost eight months ago now, we identified some very serious issues. While there is enormous provincial variation or regional variation—

**The Chair:** Dr. Sprott, you froze again.

**Dr. Jane Sprott:** Oh, no. Am I back?

**The Chair:** You're back in the land of the virtual.

My suggestion would be to go over to Dr. Doob.

I'll try to come back to you, and by some magic or another, maybe you won't freeze quite so often.

Dr Doob, we'll give you four minutes.

**Dr. Anthony Doob (Professor Emeritus, Centre for Criminology and Sociological Studies, University of Toronto, As an Individual):** Excellent. Thank you.

The presentation from Professor Sprott was really to give you an overview of some of the findings we had in the four reports that we wrote using Correctional Service of Canada data. Rather than describing what she, I hope, will be able to describe, I'd like to concentrate on the issue of the oversight of our system of solitary confinement.

One body said to be providing oversight are the independent external decision-makers, or IEDMs. In our fourth report, we document, using CSC data, that there are prisoners who are ordered by the IEDMs to be released from SIUs but who remain in SIUs for at least 61 days after their case is referred for review. We report that there are others who have been in SIUs for long periods of time without review.

As you know, if you look carefully at stays in SIUs, you will see that many of the stays fall into internationally recognized categories of solitary confinement and torture. I find it disturbing that in Canada we could have a discussion of why the rate of torture in CSC facilities in the Pacific region is so much higher than in Ontario. I never thought that in my career as a criminologist I would be comparing torture rates in institutions under the control of the Government of Canada. This is happening while oversight is being provided by these external decision-makers.

Let's talk about another form of oversight. I chaired the SIU implementation advisory panel that was established in mid-2019. We were a volunteer panel. In order to get an overview of what was happening, we asked CSC in November 2019, before the SIUs were to open, to provide us with certain administrative data that they routinely collect. In February 2020 we were told that CSC might not give us this data. No adequate justification was given. Only when the panel released its first and only report in August 2020, after its mandate had expired, did anything happen. To his credit, Minister Blair at that point apparently told CSC to provide me with the data that the panel had requested. By then the panel did not exist.

Professor Sprott and I received this data on September 30, 2020. We went to work finding out what this data told us about the operation of the SIUs. We provided a draft of our report to CSC for comment 16 days later. We released it publicly at the end of October. Professor Sprott, if she is able to get back on, will tell you some of the findings.

In our report, we were influenced by a statistician who suggested that in policy areas like this, the motto should be, "In God we trust. All others must bring data." Our four reports total 111 pages and contain 87 tables of data, most of which provide details of the serious problems in the operation of the SIUs. We trust the data. We're skeptical of those in CSC who question the validity of our research findings, which are based on CSC data, when these same people fail to provide any evidence of their own. We need to have adequate oversight of CSC's operations of the SIUs.

Let's consider the basis for the decisions made by these IEDMs. They are almost completely dependent on CSC's accounts of individual cases. We have at this point no information about what they base their decisions on, or even what information they are given by CSC. We're not criticizing the IEDMs as individuals. It's a problem of the structure in which these people are being required to make decisions.

We also know that there is significant and substantial variability in the pattern of decisions made by these independent decision-makers. You are much more likely to be ordered to be released from the SIU by some of these IEDMs than by others. Our fourth report provides a substantial amount of data demonstrating that the IEDM system is not adequate. We also need broader oversight of penitentiaries to determine whether solitary confinement is being practised elsewhere in the institutions, not just in the SIUs.

• (1825)

Remember, solitary confinement is a practice, not a place. Our prisons are—

**The Chair:** Can I interrupt? You have roared past the four minutes, and I apologize.

Should we go back to Dr. Sprott?

**Dr. Anthony Doob:** Yes, let's do that.

**The Chair:** We will get her properly started and hopefully not frozen. The tech team said something about closing a bunch of apps. I just got a note. It says here that your connection is good, but they are asking you to close as many apps as possible.

Anyway, this is called multi-tasking, Dr. Sprott. I'll ask you to do four minutes, please.

**Dr. Jane Sprott:** Sure. I can be quicker than that. I'll pick up from where Professor Doob was talking about some of the disturbing findings that we have found.

In our third report, released almost four months ago, we found that 28% of stays in these SIUs fell within the internationally defined Nelson Mandela Rules as solitary [*Technical difficulty—Editor*]

**The Chair:** Oh, my.

**Mr. Glen Motz:** You may have to lose her video, Chair.

**The Chair:** Yes, we may—

**Dr. Jane Sprott:** Perfect. I'll do that.

Another 10% of these stays constituted what would be internationally described as torture or other cruel, inhuman or degrading treatment. This means that, overall, 38% of SIU stays can be described as being solitary confinement or torture.

I'm not sure if that perhaps requires repeating, but in Canada, 38% of SIU stays would be internationally defined as solitary confinement or torture.

You might have thought, when calculating [*Technical difficulty—Editor*]

**The Chair:** Okay, here we go again.

I see you are frozen. The best way to handle this is going to Ms. Coyle and asking her for her seven minutes, and, because we are under time pressure here, we'll ask you to respond to questions as they arise.

Ms. Coyle, you have seven minutes.

**Ms. Emilie Coyle (Executive Director, Canadian Association of Elizabeth Fry Societies):** Thank you. I was looking forward to hearing the rest of Dr. Sprott's testimony.

I'm very grateful to be here today with all of you. It's a pleasure to see you all, and I'm grateful that you're working on this topic. You may know about the Canadian Association of Elizabeth Fry Societies, for which I am the executive director.

In the interest of time, I want to make sure that everyone here is aware that we work very closely with those who are serving federal sentences in all of the prisons designated for women across the country. You know that we've been asked to speak on three issues today that are impacting federally incarcerated people. While they're disparate in some ways, I think these issues are connected by power structures that are inherent in the prisons and a lack of transparency, which we were hearing about from Dr. Doob and Dr. Sprott, which are often facilitated by a lack of data collection and reporting.

I will begin today by speaking about the issue of sexual violence and coercion. I believe all the members of this committee will have received our brief ahead of this meeting, so I'm not going to go into too much detail, but I really do hope that you read it. The women, non-binary, trans and two-spirit people in federal prisons designated for women as you all know are some of the most under-resourced, underserved and under-protected people in our communities. They are people who are survivors of trauma and abuse, which

is a fact that the Correctional Service of Canada has acknowledged and reported on, but we cannot underscore it enough in this context.

I'm sure you're also aware, because he appeared before you, that the Office of the Correctional Investigator released their annual report in October 2020, and it included a national investigation into sexual coercion and sexual violence. It was entitled, very appropriately, "A Culture of Silence". We welcome their initiative in taking the first-ever systemic examination of the issue of sexual coercion and violence in Canadian federal prisons, and we agree that Canada is behind when it comes to addressing sexual violence behind bars.

However, while the investigation includes some anecdotal evidence around incidents of sexual violence and coercion involving the actions of CSC staff toward prisoners, this was not the focus of their investigation. It is the focus of mine, because the inherent power imbalance between a correctional officer and a prisoner cannot be overstated, and these harms must be included in further research and action.

We've been made aware over the years of numerous incidents of CSC employees engaging in sexual coercion or violence against prisoners in the prisons designated for women. You can read the details of some of the reported incidents in the brief that I referenced earlier. It is extremely concerning to us.

We also recognize that much of what we are sharing is anecdotal; and herein lies the problem. We're unable to provide a clear picture of sexual violence and coercion perpetrated by CSC staff in the federal prisons designated for women because further accurate and comprehensive data is not collected on this matter.

As you know, in the report, "A Culture of Silence", the OCI found that "CSC does not publicly report on this problem, does not collect, record or track statistics and has never conducted research in this area." In this, I am reminded, as I'm sure all of you are, of the power dynamics and the culture of silence that has been exposed in the current investigation into sexual misconduct in the Canadian military. It begs the question: Is this a clear example of apathy on the part of CSC, or a concerted effort to use a lack of transparency to skirt accountability?

So far I've touched on the unsanctioned sexual violence and coercion that happens in the prisons designated for women. However, there are also ways in which CSC sanctions sexual assault, namely through the use of strip searches.

It is well documented that strip searches are traumatizing and harmful. The Supreme Court of Canada has described the practice of strip searching as “inherently humiliating and degrading”. For those who have experienced sexual violence, strip searches are experienced as an act of sexualized violence. The OCI has found that by definition, “a random strip search is beyond the reach of any legal or constitutional standard of suspicion, reasonableness or necessity.” It may not surprise you that CSC does not track or publicly report on the [*Technical difficulty—Editor*] strip searches meeting the stated objective of preventing contraband from entering the prisons.

To conclude my remarks on this issue, the power structures inherent in institutions like prisons, and the lack of transparency related to data keeping have resulted in opportunities for people to be further harmed by sexual violence while in prison.

• (1830)

I'm speaking very quickly. I'm trying to keep to my time.

• (1835)

**The Chair:** You have two minutes.

**Ms. Emilie Coyle:** Now I'll go to my comments on COVID-19.

During COVID-19, there has been less CSC oversight than ever, making prisoners even more vulnerable to abuse. This lack of oversight, we believe, has contributed to unacceptable and unlawful conditions of confinement during COVID-19 that were certainly not contemplated or foreseen by the courts at the time of sentencing of most of the prisoners.

From the very beginning of the pandemic, CAEFS, our organization, joined the calls of prisoners, prisoners' families, prisoner rights groups, academics, politicians, lawyers, health care experts and other NGOs, like the John Howard Society, which I believe you will hear from in the next hour or perhaps next half hour, to depopulate the prisons as quickly as possible. This was following the advice of the World Health Organization and actions taken by other states to keep people in prison safe. These calls were not heeded, and it resulted in prisoners being kept in torturous conditions of confinement and further exposed to the deadly virus.

We have documented conditions of confinement that have been implemented at different times for varying lengths of time throughout the last year and a half, which I can't go into because of time, but I will answer any questions you may have about them.

A commonality in the conditions is this restriction of access to mechanisms that support the well-being of prisoners, their timely release and CSC oversight. We are concerned that the conditions under which people have been held have not been to protect their health but rather for the operational convenience of CSC. All of this could have been prevented if the prisons had taken the calls for depopulation seriously and had taken swift action. CSC's operational restrictions cannot and must not be downloaded to restrict the rights and the well-being of prisoners.

Finally, with regard to the structured intervention units, I will try to be very brief, as you have the experts in the room here today, on the lack of transparency, clarity and reporting. We support all the findings of the reports put out by Dr. Doob and Dr. Sprott.

Since the changes to the CCRA through Bill C-83, we have observed that the unconstitutional practice of segregation, often colloquially referred to as solitary confinement, is ongoing. Prisoners are still experiencing the same human rights violations as they were prior to the court rulings of 2019.

**The Chair:** If you could just wind it up....

**Ms. Emilie Coyle:** I'll wrap up. This is it. I'm wrapping up.

**The Chair:** Thank you.

**Ms. Emilie Coyle:** In addition, CSC employs a myriad of other segregation methods to isolate prisoners for unregulated periods of time. I think this is what Dr. Doob was referring to.

I just want to say that we must continue to be guided by the principle that human rights are not just abstract or theoretical. We cannot simply say that someone has a right without then developing and ensuring a functioning process that enables that person to access and protect that right.

**The Chair:** Thank you very much.

Colleagues, I'm in your hands. Normally, we would go to a round of questions and then call in the other two witnesses, but what I'm afraid of is that the other two witnesses may not ever be heard from because of the time constraints we have.

I want to see if there's an appetite to call on the other two witnesses now and then have one round of questions. We do have a hard stop at 7:10 p.m. I believe that's correct.

Is that true, Mr. Clerk?

**The Clerk:** Yes, that is true.

**The Chair:** Mr. Harris.

**Mr. Jack Harris:** I would agree that we should call in the other witnesses, but I would also like to move a motion that we continue this study in the week of June 14.

**The Chair:** We're going to have to deal with that. If we're going to deal with this at all today—hear these witnesses—we're not going to be able to deal with the motion, even though the motion is in order.

Mr. Clerk, if you could admit the other two witnesses, that would be appreciated.

**The Clerk:** Mr. Chair, may I recommend that you suspend for two minutes while I proceed to sound checks with the witnesses?

**The Chair:** Okay.

**Mr. Jack Harris:** I have a point of order, Mr. Chair.

Can we deal with that motion during this meeting at some point? It's relevant, and it's in order.

**The Chair:** It's in order and it's relevant to the study. The concern is that we're running through time.

**Mr. Jack Harris:** We can't deal with it while the sound checks are going on, I take it?

**The Chair:** No. I don't think so.

Can we move those sound checks ahead?

• (1835) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1840)

**The Chair:** We are back.

I'll ask Ms. Latimer to speak for her seven minutes, and then Mr. Wilkins for his seven minutes. We'll see where that leaves us as far as members asking questions is concerned.

Ms. Latimer, you have seven minutes, please.

**Ms. Catherine Latimer (Executive Director, John Howard Society of Canada):** Thank you, Chair, and committee members. It's good to be here.

There are very few words to describe the current state of corrections in Canada today. Crisis, lawless, unaccountable and tragic would be some of them. In my 30 years as a lawyer I have never seen failings of this magnitude.

Let's start with COVID. In March 2020, CSC assured stakeholders that it was "prepared to handle any cases of influenza or other respiratory illness, such as COVID-19." Reliance on its influenza strategy soon proved no match for a virus that we knew was far more contagious and deadly than the flu. Epidemiologists from around the world were calling for the safe depopulation of prisons, particularly for those who were medically vulnerable, but this did not happen in the federal corrections system.

Instead, CSC chose to combat COVID with extreme isolation: no activity, no family, no books, no programming, no contact—complete isolation. Inadequate consideration was given to the severe mental health impacts these lockdowns have caused. CSC might claim that these measures were required by public health officials, but ultimately CSC was the decision-maker, and it should have known that Canadian courts have found that this type of extreme, cruel isolation violates prisoners' rights and is prohibited by international human rights documents.

While CSC assured us that everything was under control, its own records show quite the opposite. December 2020 correspondence from the warden at Saskatchewan Penitentiary showed that prisoners had suicide and starvation pacts. Correctional officers kept COVID-positive prisoners in the general population and simply hung flammable shower curtains around their cells to separate them from non-COVID prisoners. This was a formula for spreading the virus.

On December 24, the same institution said, "The health and safety of our employees, offenders, and the public remains our top priority during this public health pandemic." Further inconsistencies are revealed in internal documents, from wardens telling correctional officers to ignore the advice of health authorities, to wardens telling prisoners that correctional officers do not need to wear masks. We have lots of documented inconsistencies that we would be happy to share.

Prisoners were generally not consulted about what steps should be taken to protect their health. When protests arose, usually about correctional officers failing to wear PPE, significant force was brought to bear: concussion grenades in one case and rubber bullets in another. The correctional investigator, Ivan Zinger, in his second update on COVID in June 2020, stated, "Some of these restrictions reach beyond measures or controls contemplated in either domestic or international law. Public health emergencies must be managed within a legal framework. Rights need to be respected and restored."

I agree with Dr. Zinger. Rights were violated and legal limits were exceeded in CSC's approach to the pandemic.

In the end, COVID-19 technically decimated the federal prison population, with more than 10% contracting the disease, six deaths and unquantified enduring health complications.

The Liberal Party made a commitment, a campaign commitment, to implement Ashley Smith's coroner's recommendation, which included limiting solitary confinement to 15 days. In 2018, administrative segregation was ruled unconstitutional in Canada as violating charter rights.

In 2019, we were told that abusive solitary confinement had ended and was being replaced by structured intervention units, where prisoners would be out of their cells for four hours a day with two hours of meaningful human contact. As we learned from Dr. Doob and Dr. Sprott, this is not happening.

Among the significant problems that have been identified, the structured intervention units are not delivering the measures the government promised they would, and 10% of the placements in structured intervention units experience the same prolonged solitary confinement condition that the courts found violated charter rights that are defined in international human rights documents as a form of torture. Yes, Canadians are being tortured by state officials.

Minister Blair accepted these findings before this committee, yet the government has not directed CSC to stop placing people in solitary confinement for more than 15 consecutive days.

Section 4 of the Department of Justice Act requires the Minister of Justice to see that the administration of public affairs is consistent with the laws. The Department of Justice has lost litigation in class action lawsuits on the basis that prolonged solitary confinement violates prisoners' charter rights.

• (1845)

The publication of the Doob and Sprott report last February should have signalled to the Minister of Justice or his staff that CSC was not administering public affairs in a manner consistent with the charter. He has not acted on his statutory obligations. This tolerance for the torture of Canadian prisoners should shock the conscience of us all and needs to stop immediately.

I'm delighted that the committee has agreed that the disclosures from CSC that are required will be made public. There is a profound public interest to know how this dire situation arose and has been allowed to persist: why 44% of SIU prisons are indigenous and 18% are Black; why Canada chooses to ignore international human rights standards, like the Nelson Mandela Rules, yet calls on other countries, like China, to respect those rules in relation to the treatment of the two Michaels; whether, as many feared, the SIUs are simply solitary confinement renamed, as the commissioner herself said in response to the Doob and Sprott finding of torture in the SIUs. She said, "I always stress with staff the importance of speaking of structured intervention units and not administrative segregation/solitary confinement."

Whatever it is labelled, wherever it is occurring in the federal correction system, keeping prisoners in their cells for more than 22 hours without meaningful human contact is solitary confinement, and such confinement for more than 15 days is prohibited as a form of torture and a charter violation. It must end.

I know I'm running short on time so I'm going to be quick.

**The Chair:** You have 30 seconds, please.

**Ms. Catherine Latimer:** Regarding violence, images are more powerful. I would encourage everyone to take a look at the recently released video of the Black prisoner who was assaulted at Millhaven institution. I'd be happy to answer any questions on that.

In conclusion, the failure of the Correctional Service of Canada to respect the spirit of the charter and the findings against prolonged solitary confinement and the international minimum standards that prohibit the form of confinement is shocking. While this confinement has been worsened by COVID, not even a pandemic can justify the rights abuses we have seen over the last year.

I hope this committee will support the public's petition for a judicial inquiry into this fiasco which the government is required to answer by June 26.

Thank you.

**The Chair:** Thank you, Ms. Latimer.

Mr. Wilkins, you have seven minutes, please.

**Mr. Jeff Wilkins (National President, Union of Canadian Correctional Officers):** Thank you and good evening, Mr. Chair and the members of this committee.

I'm Jeff Wilkins, the national president for the Union of Canadian Correctional Officers.

I'm going to focus my opening statement more on the first part of the what the committee is looking into, and that's the current situation in federal prisons in relation to the Correctional Service response to COVID-19, but I'm more than happy to answer any questions you may have with regard to the structured intervention units or the reports of sexual coercion and violence in Canadian prisons.

I'd first like to express my pride in representing such an incredible group of professionals, the correctional officers of Canada, who have worked through this pandemic with pride, who have sacrificed their own health and safety in their mandate to protect the Canadian

public, and who all too often are unrecognized for the vitally important role they play in the criminal justice system.

Over the last 15 months, our members have been on the front lines battling this pandemic and performing the duties of all first responder groups. Arguably, one of the most dangerous occupations in the country is that of a correctional officer, and the global pandemic only increased the danger for our members. While countless public servants were sent home and workplaces were closed, our members continued to don their uniforms and enter the institutions.

Over the last 15 months, there have been significant outbreaks within institutions in every region except the Atlantic region. In recent statistics, it is known that there have been approximately 5,000 reported cases of COVID among federal public servants of the core public administration. Correctional officers represent nearly 450 of those cases, meaning that our members represent approximately 10% of the recorded cases of the entire public service. That's interesting when you calculate that our membership represents only 2% of the core public administration. Furthermore, our members were unable to telework, so our rates of infection were, for the most part, a result of work.

The waves of this pandemic resulted in a turbulent wake that some institutions are going to feel the effects of for years to come. We saw cases where the workforce of correctional officers was depleted in some of our institutions to about 30%. Forced overtime became a reality for our members in many of our institutions.

The pandemic choked the induction training programs for new correctional officers entering the service, just when that relief was needed. When restrictions began to lift after the first wave, the service scrambled to try to put on as many correctional officer training programs as they could; however, we're still behind, and our members will face another summer where forced overtime will be a reality.

UCCO-SACC-CSN was encouraged at the beginning of this pandemic when virtually all provinces moved to strengthen the front lines by providing a hazard allowance, while also creating and promoting morally inspiring messages about those working on the front lines. For those who stepped into the line of fire, it is both important to reward that bravery and to provide messages of thanks, respect and encouragement. Rightfully, front-line workers have been portrayed as heroes across this country, and I would like to highlight to this committee that the members of UCCO-SACC-CSN, Canada's federal correctional officers, are heroes as well.



The heroes I represent have not made the spotlight of recognition. Nowhere have I witnessed a message of thanks for the correctional officer. Since the beginning of this pandemic, UCCO-SACC-CSN has been asking about that recognition in the form of a hazard allowance from this government to help encourage and recognize the work being performed for the public. Unfortunately, the government has not moved in a direction to recognize this. However, this government does remain committed to subsidizing the provinces to recognize the essential workers in their jurisdiction. For the members of UCCO-SACC-CSN, this failure is demoralizing.

This pandemic has brought on many challenges for corrections, to say the least. The very nature of a penitentiary is to provide control by restricting movements and associations, while working to rehabilitate the population to become law-abiding citizens. Ironically, the way to control the spread of a pandemic in civil society is also to restrict movements and associations. Our institutions are essentially communal living facilities, not much different from long-term care homes. If this pandemic has taught us anything, it's how quickly the virus can spread in places where there's an inability to create individual space.

Of course, the population in our structured intervention units, our SIUs, has also been affected. The SIU model, which replaced segregation in November 2019, can only be assessed based on the four months it was running before the pandemic took hold in March. Though the members of UCCO-SACC-CSN and other institutional staff have worked tirelessly to meet the mandate set forth in the CCRA, it has proven extremely difficult to do with the necessary institutional restrictions.

• (1850)

UCCO-SACC-CSN has been vocal on many fronts with our employer, as well as the government, throughout this pandemic. We have raised and debated everything from personal protective equipment to leave restrictions, institutional routine change, risk mitigation strategies, vaccination priority, hazard pay and now, obviously, the work being done to return to normal routines.

As COVID fades into our history, we'll always need to be aware of the devastation that comes with a pandemic of this magnitude and be prepared for a future crisis.

As we come out of this pandemic, proper attention needs to be given to the mental health of our first responders and essential workers, who have made sacrifices for the public. Essentially, a battle has been waged against this virus since March 2020. All of those who have been on the front line, as well as those helping to stop the spread by following public health orders, are tired, physically and mentally. Mental health will need to be on the forefront of any agenda moving forward.

I thank you for the opportunity to make this opening statement, and I welcome any questions from the committee.

**The Chair:** Thank you, Mr. Wilkins.

Colleagues, we have about 15 minutes left before our hard stop.

We're going to be able to do only one round of questions. I'm proposing that it be four minutes for each party, starting with Mr. Van Popta. I see it was scheduled to be Ms. Damoff, but I'm assum-

ing Madam Khera is taking her place. I see Madam Normandin is in, and I welcome her to the committee. We will finish up with Mr. Harris.

With that, for four minutes, go ahead, Mr. Van Popta.

**Mr. Tako Van Popta (Langley—Aldergrove, CPC):** Thank you, Mr. Chairman.

Thank you to all the witnesses for being here today and for being patient with us.

Thank you for your evidence. It was really quite shocking in particular to hear about so many of our inmates in structured intervention units not coming within the Mandela guidelines. I'm really quite shocked by that. That 33% would be coming to the definition of torture.

Dr. Doob, you stated in your evidence that you waited a long time for data from CSC but that it finally did come. How reliable is that data? What is the integrity of it?

• (1855)

**Dr. Anthony Doob:** These are administrative data. They're the basic, ongoing records that CSC has of all prisoners, including those in structured intervention units.

Any administrative data I've worked on from the last 50 years has had errors in it, but there's no reason to believe the errors would be in any particular direction. We found some things that were obviously errors, but the story that they tell is consistent. It's consistent across time and locations. You can see certain things that are errors, but we have confidence in those.

Among other things, Correctional Service of Canada is required by law to keep these data. This is nothing new for them. My suspicion is that they simply didn't like what those data told us.

**Mr. Tako Van Popta:** Do you think that was the cause for their delay in getting the data to you?

**Dr. Anthony Doob:** No. The delay came from their not wanting to give us the data. They didn't know at that point what the data really showed. They told me on the phone in February 2020 that they weren't sure if they were going to give us the data because they didn't think we needed the data. It was an absolutely astonishing thing for them to say to us.

**Mr. Tako Van Popta:** Thank you for that. That is quite astonishing.

The last part of Bill C-83 was to get rid of solitary confinement and move over to structured intervention units. Was there more than just a change in format? Was there a substantive improvement at all?

**Dr. Anthony Doob:** The simple answer to that, based on data, is that we don't really know since the data we have date from the beginning of the SIUs on November 30, 2019.

Certainly what we can say is that the bill to abolish the practices, which established the SIUs, did not work. Those practices still exist.

Just to respond to something else that was said by another witness, I will tell you that these problems existed before COVID. There is no way under the sun that you could blame the problems that we have described on COVID.

**Mr. Tako Van Popta:** All right. Thank you.

I think the other witness said that maybe it was worse because of COVID but not necessarily caused by COVID.

**Dr. Anthony Doob:** Our data would suggest otherwise. Our data would suggest that the problem was fairly consistent. There was variation across institutions and variation in some of the measures, but it would be hard to say that the problems that we've identified are COVID-related problems.

**Mr. Tako Van Popta:** Thank you.

**The Chair:** I'm sorry, Mr. Van Popta, you have eight seconds.

**Mr. Tako Van Popta:** I will concede that to the chair then.

**The Chair:** Thank you.

Madam Khera, you have four minutes, please.

**Ms. Kamal Khera:** Thank you, Chair.

Thanks to all our witnesses for being here. First I want to apologize for all the time you had to wait.

Thank you for your testimony. I wish I could ask all of your questions.

Ms. Coyle, I'll start with you.

I want to talk about data collection. We know there is a serious problem in our correctional service system as it relates to sexual coercion and violence. There are certainly many layers to that problem, the reporting and collecting the data of those crimes being one of them.

What can you recommend to ensure that CSC collects the necessary data to help better inform that issue of sexual coercion and violence within the federal prisons?

**Ms. Emilie Coyle:** I think we have to step back a moment from that question, because I actually don't have the answer to that. However, I do think what we need is something akin to what's happening right now with the public independent inquiry into sexual misconduct in the military.

I think a public independent inquiry on this issue would be well served, and then recommendations could flow from that.

**Ms. Kamal Khera:** Thank you for that.

Would you say that the other programs and resources available to women offenders are adequate, and what needs to change, or what can be improved?

• (1900)

**Ms. Emilie Coyle:** They're certainly not adequate. The reason is that there is always a fear of reprisal or that your personal information will be shared with others within the prisons.

One of the recommendations we have is to ensure that there is outside counselling and treatment available for folks who come forward, or who would like to come forward, and some mechanism involved that is separate from the current structure.

I know this is not one of your questions, but I just want to say it would be quite easy for CSC to stop strip searching in federal prisons. The current legislation is permissive; it doesn't say that it has to happen, and there is absolutely no evidence that it currently is doing what it says it's doing. I would make that as another recommendation.

**Ms. Kamal Khera:** Thank you. I was going to ask about that, so thank you for bringing that forward and for saving that time.

**Ms. Emilie Coyle:** That's great. Thanks.

**Ms. Kamal Khera:** Dr. Doob, again, thanks for all the work you do.

In one of your reports, you raised concerns regarding the lack of clarity on meaningful human contact requirements. How do you define "meaningful human contact", and are there any examples, including from other jurisdictions, internationally, maybe, that can help staff better conceptualize the term?

**Dr. Anthony Doob:** It's not well defined in the legislation, and that is a problem, or certainly would be a problem if CSC were even capable of providing meaningful human contact of any kind to a substantial number of prisoners.

What we're finding is, however it's defined, even CSC is telling us they're not accomplishing it.

My own feeling is that meaningful human contact is something we should be concerned about defining. At least what we have to do is to make sure that people have some form of human contact. Then we can worry about how to make it more meaningful and perhaps more human. At the moment, we're not even getting there. We're not even at the first step, let alone defining how good it is.

**The Chair:** You only have about 10 seconds. I apologize.

That's what I seem to be doing all day; I am apologizing.

[*Translation*]

Welcome to the committee, Ms. Normandin. You may go ahead. You have four minutes.

**Ms. Christine Normandin (Saint-Jean, BQ):** Thank you, Mr. Chair.

Thank you to the witnesses for being here today.

I, too, want to apologize. Unfortunately, I missed the first two witnesses' opening statements, so I apologize if any of my questions are redundant or have already been asked.

I have a question about other rights that may have been jeopardized because of the COVID-19 pandemic. I was wondering about access to counsel. Were any problems flagged in that regard because of the pandemic?

Ms. Latimer, I see you nodding.

[English]

**Ms. Catherine Latimer:** Yes. We found that access to legal services has diminished during COVID, mainly because there were extremely serious lockdowns. People were confined to their cells for excessive periods of time. They weren't getting the medical treatment that they needed for other underlying conditions. They weren't getting access to counsel.

The internal audit of the CSC indicates that when they did get access to counsel, they were often listened to, so the solicitor-client privilege element was violated. There is a whole slew of human rights abuses that go well beyond solitary confinement, but it has to be one of the most serious, given that it is defined as a form of torture. It's just inconsistent with the values of Canadians that it would be persisting in the way it is.

[Translation]

**Ms. Christine Normandin:** Thank you.

If the other witnesses have anything to add, please go ahead.

[English]

**Ms. Emilie Coyle:** I would like to add that one of the challenges we've seen in the prisons during COVID-19 is a lack of access to private spaces to speak with lawyers. As well, in some of the prisons, people have been asked to submit reasons why they would need to speak with their lawyer, which would certainly go against privilege and confidentiality.

I want to clarify to everybody here that I hope none of the comments I made earlier would suggest that reform is going to change anything in the prisons designated for women. We cannot reform our way out of this particular issue.

I would also point to some of the recommendations made by Louise Arbour in the report on certain incidents at the prison for women to guide this committee's work as well.

• (1905)

[Translation]

**Ms. Christine Normandin:** Thank you.

I'm wondering how much better the situation might have been had some detention centres not been in such disrepair. I'm referring to confinement, the spread of COVID-19 and the violation of solicitor-client privilege. Having practised some prison law, I have been to a few centres, and they were extremely dilapidated.

Would problems have been avoided had federal correctional facilities been given a little more TLC?

[English]

**Ms. Catherine Latimer:** I think a lot of things could have been improved if there had been goodwill and more of a creative way to approach these things. I mean, you can see this. I talked to a lot of prisoners during this period, and they kept asking, "Why are you putting the prisoners who are ill in the hole?" That's the former segregation, which is a very untherapeutic environment. At that point, nobody was using the trailers, which make quite nice accommodation for personal family visits. Why not put the sick people in there, where they would be away from the rest and isolated? They could get the treatment they needed without infecting others.

We found throughout that there was a real problem with isolating those who were testing positive for COVID-19 from those who weren't. I think that's why you saw the huge spread, the quick spread, of COVID in those institutions where it took root. There were also fairly inexplicable things like six or seven prisoners from the reception unit at Joyceville who were transferred to other institutions in the Ontario region. They all tested positive. Why they were transferred, I don't know.

**The Chair:** Unfortunately—

**Ms. Catherine Latimer:** Oh, I have a lot more, but that's okay.

**The Chair:** I'm sure you do—we all do—and that's tantalizing.

Thank you, Madam Normandin.

Mr. Harris, this is your final four minutes.

**Mr. Jack Harris:** Thank you, Chair.

To the witnesses, I want to thank you for coming forward, for your patience and for your dedicated work over the years on these issues.

It's very difficult to spend four minutes asking any questions that can deal with this situation, which has been called a crisis, lawless, tragic and state-sponsored torture, with sexual coercion and violence in the prisons going unrecognized and unhelped. Is it possible to fix this? We've had the Supreme Court of Canada. We've had changes in legislation. We've had your work. Still we don't see any improvement. What is the hope for this? Do we need to have a judicial inquiry?

If I could have a quick yes or no on that from the witnesses, I'd like to hear that, but I'd also like to move my motion, which will take up all of my time, to continue this study next week. When we're talking about state-sponsored torture on an ongoing basis, when we're talking about the kind of treatment we are hearing about of prisoners who are suffering from mental health issues, who are not being properly looked after, with ongoing solitary confinement, we need to continue this study. That's extremely important.

Dr. Doob, can we have a quick answer on whether a judicial inquiry is required to do this?

**Dr. Anthony Doob:** I'm not sure what would be the best way to deal with this problem. It would seem to me that one of our first problems is that CSC is not addressing any of these issues.

**Mr. Jack Harris:** Yes. That's a problem.

**Dr. Anthony Doob:** One of the things our report shows over and over again is a huge variability across the country. Some places are much worse than others. Why can't we learn from those experiences?

**Mr. Jack Harris:** But who can fix it? They're not learning, from what you say, and they're not even relating properly to you. I guess we have to find that out: How do we fix it?

**Dr. Anthony Doob:** My own feeling is that part of what is necessary but not sufficient is a decent form of independent overview of what's going on. We don't have that. That would be a starting point.

**Mr. Jack Harris:** Thank you.

I guess the time will run out, Chair, if we ask all the other witnesses to respond to that.

I would like to have a vote on my motion, if that's possible.

**The Chair:** I'd be happy to facilitate that in the last two minutes that we have.

Witnesses, thank you again for your patience. Certainly, what you have said to the committee is extremely disturbing and worthy of further inquiry on the part of this committee.

We'll release you, apologizing again for just the way things are. Ain't democracy grand?

**Ms. Emilie Coyle:** Thank you very much.

**Ms. Catherine Latimer:** Thank you for the time.

**The Chair:** With that, Mr. Harris has moved his motion. Essentially, we have agreed that next week, one will be dedicated to the motion we debated for the last hour. The second time together, we basically have a choice between the Levesque study, continuing with the CSC study, or a border study. That's what it boils down to. I'm open to....

Well, I'm not that open. It's 7:10 p.m. The whip's office is going to get excited.

I see Mr. Lightbound and then Mr. Fisher.

● (1910)

[*Translation*]

**Mr. Joël Lightbound:** I will keep it short, Mr. Chair.

I, too, am disappointed that we had so little time with such exceptional witnesses. Their input is extremely relevant.

I do, however, want to make a point. When we had agreed on how many meetings to assign to the various studies, Kristina Michaud, who is currently tied up with another committee, really

wanted a meeting on the border issue. That meeting was supposed to happen next week.

Given the commitment we made to Kristina Michaud, of the Bloc Québécois, I can't really support Mr. Harris's motion.

[*English*]

**The Chair:** Mr. Fisher, you have the last word.

**Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.):** Thank you, Mr. Chair.

I was going to say what Joël said. I thought we had sort of agreed, on behalf of the Bloc Québécois, that we would do the border.

Also, Mr. Chair, Mr. Harris moved his motion really, really quickly. I'm looking to see if it came by email. I don't know whether he has to submit in English and French when he's doing it from the floor. Perhaps he doesn't have to. I know that Madam Normandin would probably appreciate seeing it in French, especially if it's going to replace something that this committee agreed to, as a request by the Bloc.

I'm not certain I have a lot of interest in supporting this unless we have time to actually discuss it.

**The Chair:** Okay.

I will have to adjourn, at this point, without resolution of this motion.

At this point, I know that the clerk has instructions to invite two witnesses to continue the IMVE study for 90 minutes, plus 30 minutes to decide what it is we want to do. That will occupy either the Monday or the Wednesday. If there's no other resolution, if it's on the Monday, that would bump the border study. If it's on the Wednesday, it would bump the Levesque study.

That's kind of where we're at, unless you can collectively tell me something different.

With that, I regrettably have to adjourn the meeting. It's very frustrating, folks.

Thank you.







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