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Chair: Mr. Ron McKinnon



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• (1100)

[English]

The Chair (Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.)): I call this meeting to order.

Welcome to meeting 75 of the House of Commons Standing Committee on Public Safety and National Security. Pursuant to the order of reference of Friday, November 25, 2022, the committee continues consideration of Bill C-20, an act establishing the public complaints and review commission and amending certain acts and statutory instruments. Today the committee starts clause-by-clause consideration.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application.

Although this room is equipped with a powerful audio system, feedback events can occur. These can be extremely harmful to interpreters and can cause serious injuries. The most common cause of sound feedback is an earpiece worn too close to a microphone. We, therefore, ask all participants to exercise a high degree of caution when handling the earpieces, especially when your microphones, or your neighbours' microphones, are turned on. I invite participants to ensure that they speak into the microphone into which their headset is plugged and to avoid manipulating the earbuds by placing them on the table away from the microphone when they are not in use.

I will remind you that all comments should be addressed through the chair.

I would like to thank all the officials for joining us once again. I appreciate your patience.

I would also like to thank Mr. Shipley for presiding over the previous meeting.

Voices: Hear, hear!

The Chair: I understand that it was a trial by fire. He came out very well.

Mr. Doug Shipley (Vice-Chair): There was no applause from over there, but I tried.

Voices: Oh, oh!

The Chair: Before I introduce the officials, I understand that Ms. O'Connell wishes the floor.

Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.): Thank you, Mr. Chair.

I provided a notice of motion. I'd like to move it now. I move:

That the committee hold a meeting, immediately after the committee's study of Bill C-20, on the rights of victims of crime and the security reclassification and transfer of offenders within Correctional Service Canada and that the committee invite the Commissioner of Correctional Service Canada, Anne Kelly, the Deputy Minister of Public Safety, Shawn Tupper, the Correctional Investigator, the Federal Ombudsman for Victims of Crime, Tim Danson, and officials from Justice and Public Safety Canada.

Mr. Chair, now that it's on the record, I would like to speak briefly to it.

There have been four meetings in which we've attempted to address the issue of dealing with the reclassification of prisoners. We've had many sidebar conversations. We've had many committee discussions with amendments. The motion we have introduced here today takes into account all of the concerns that have been raised, including the issues around the lawyer representing victims, yet the Conservatives continue to play games with heinous crimes against women.

Mr. Chair, it's incredibly disappointing to see.

I'm sure Conservatives saw, over the course of last week, correspondence similar to what we received, including from several women who are absolutely appalled that such a heinous crime is being used as a filibuster tool to avoid dealing with Bill C-20. Many have pointed out that the bill is something that many survivors of sexual harassment and victimization say is a welcome tool, which we need to be moving on with.

This is a motion in good faith to take into account all of the concerns from multiple parties and what they would like to see happen in this study, so that we can move forward with Bill C-20 and the work of this committee. If members opposite... If Conservatives decide to filibuster using this issue, women will be the judge of their issues and who is actually fighting for real legislation that will have an impact versus using heinous crimes as a way to create clickbait. I saw some members out there, filming their videos already. Perhaps it's to hit their fundraising targets. I don't know. I guess we'll see. I think women in this country would be appalled to see that sort of behaviour.

As I've mentioned, the committee has received correspondence on this very matter about the performance of many at the previous meetings. We've received several pieces of correspondence—I know I have, and I'm sure others have—about how appalling it was that some members at the last meeting, when we were talking about such an important issue.... All male colleagues on the Conservative side decided to talk over the women speaking on this committee. They were more concerned about the score of the Blue Jays game. Women noticed these things.

If we are serious about having a conversation about how prisoner classification is handled in this country and if we're serious about victims' rights, we can move forward on this motion and move forward with having that meeting. It's up to the Conservatives now. If there are other members from other parties.... I don't pretend to speak for them. However, I believe this is a motion to address the issue of discussing prisoner transfers and reclassifications. It has, like I said, addressed all of the issues that have been raised to us.

If this really isn't a filibuster using heinous crimes against women, Conservatives can prove it by voting for this motion and moving forward with Bill C-20. If they choose not to do that.... Like I said, I think women in this country realize that crimes against them are nothing more than political tools for the Conservatives to block legislation. I think that's incredibly sad and also probably why Conservatives are polling so poorly among women. It's because they see through their use of heinous crimes as political tools.

Thank you, Mr. Chair.

• (1105)

The Chair: Thank you, Ms. O'Connell.

We go to Ms. Rempel Garner, followed by Mr. Bittle.

Go ahead.

Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC): Thank you, Chair. It's a pleasure to work with you both again. It's been a hot minute.

I am a woman, and I've been watching what's happened here. It shocked me a little, too, to be honest with you, so I'm glad to have an opportunity to speak to this today. I will go to the substance of my colleague's argument for her motion and then try to, perhaps, propose an alternative.

My colleague said the motion she put forward addressed all of the concerns of all colleagues. I don't think it does. Some of the issues that have been raised.... I spent yesterday looking through the committee testimony. It was romantic reading, to be sure.

My understanding is that the impasse we're at in this committee is that some colleagues feel there should be more meetings, particularly to give victims an opportunity to talk about the impact from their perspective. I also don't think that there has been an opportunity for correctional services officers—particularly the union—to give their feedback on whether or not the measures the government has put in place are adequate.

This is what I propose, and then I'd like to give my rationale with respect for what I'm proposing.

Chair, I will ensure that this is circulated in both official languages to you, particularly for my colleague in the Bloc.

I move to amend the motion such that all of the words after the word "That" be replaced with the following:

the committee hold a minimum of three meetings, immediately after the committee's study of Bill C-20, on Paul Bernardo's transfer from a maximum-security prison to a medium-security prison, the rights of victims of crime and the security reclassification and transfer of offenders within federal corrections, provided that the committee invite the Minister of Public Safety to appear alone for no less than two hours, and the former Minister of Public Safety Marco Mendicino to appear alone for no less than two hours, the Commissioner of Correctional Service Canada Anne Kelly, the Deputy Minister of Public Safety Shawn Tupper, the Correctional Investigator, the Federal Ombudsperson for Victims of Crime, and representatives of the victims' families, including Tim Danson, and that the committee report its findings to the House.

I would like to give an argument as to why I think this is in the best interests.... I hope I can give fresh voice to this.

I wrote an article on this topic this morning. I entitled it "Canada has a revictimization problem, but doesn't want to find out why."

Last June, an uproar arose when the notorious serial rapist and killer Paul Bernardo was transferred to a medium-security prison from a maximum-security facility.

At the time, the families of Bernardo's victims were not given reasons for the transfer. A lawyer for the families, Timothy Danson, described the federal government's opaque process as having a severe revictimizing effect.

As the furor over the transfer unfolded, and more details about what happened behind the scenes emerged, it became clear that the federal government had, putting it mildly, been lacking in its oversight of the process and in its consideration for the impact it would have on victims' families. Finger-pointing between Corrective Services Canada, the agency that oversaw the transfer and the office of the now-former Minister of Public Safety, Marco Mendicino, suggested that the Minister knew ahead of the transfer but failed to act on the information.

These failures are problematic for several reasons, the primary one being that the federal government, led by Prime Minister Justin Trudeau, has been found lacking in addressing internal process concerns across various high-profile issues, even after major incidents have occurred. For example, the government that oversaw the failures in the Bernardo prison transfer also found itself in the same situation in 2018 when child-killer Terry-Lynne McClintic was transferred to a minimum security healing lodge.

This repetition begs the question, why did the government allow this failure to happen twice, and has the government taken adequate action to ensure it doesn't [happen] again?

The answer to that question [for me] remains unclear, despite an internal report on the Bernardo transfer issued during the summer.

Which I read in its entirety. My article continues:

The report outlines some startling process gaps that led to the opacity and lack of sensitivity to victims' families, but likely not all, particularly critical errors that occurred within the office of the Minister of Public Safety. Further, the report largely failed to examine the impact of those issues from testimony directly from the experience of [victims'] families.

● (1110)

In that, it is currently impossible to know if adequate measures have been taken to stop this type of revictimization, including whether or not a Ministerial directive issued to Corrections Services Canada is sufficient. Today, there are very few public details about whether concrete processes have been implemented or whether victims' families feel they are appropriate.

The scrutiny for these questions and providing a forum for victims to have their say on the matter would typically fall to Members of a Parliamentary Standing Committee. Attempts made by Conservative members of the House of Commons Standing Committee on Public Safety to review the issue over the summer were rebuffed by other committee members.

I'll get to that. Yes, there is legislation in front of this committee, but I have also been following this issue. It deeply disturbed me that I had to sit in the House of Commons and listen to how the same issue that happened in 2018 happened again. I was pleased when colleagues tried to get a committee meeting during the summer so that legislation, like Bill C-20, would not be held up. This could have been done over the summer; however, that was not done.

I'll continue:

With Parliament having resumed for the fall sitting, now would seem to be an opportune time to bring the matter forward for study.

Unfortunately, the Committee has not been able to come to a consensus on whether a study is needed or what witnesses should testify should a committee study be undertaken. The last meeting of the Committee saw Liberal Parliamentary Secretary Jennifer O'Connell use procedural tactics to attempt to block the passage of a Conservative motion that would have the Minister of Public Safety appear, ostensibly to testify regarding whether or not the process issues that had occurred in his office around the transfer have been rectified. More importantly, the Conservative motion also called for an opportunity for victims' families to appear to have their say on the impact of the government's process failures and whether or not they felt measures taken to date have been sufficient.

Last week, the Conservative Vice-Chair of the Committee, Doug Shipley, signalled that Conservative members would attempt to pass their motion once again.

And here we are:

It would seem prudent for the Committee to do so, [colleagues,] given that at least two high-profile prison transfer failures have now happened under the current federal government's watch, and others have happened with less public scrutiny. For example, in 2021, the mother of a high-profile murder victim that occurred in [Parliamentary Secretary] Jennifer O'Connell's riding, Sherry Goberdhan, described the revictimization process that happened when her daughter's murder, Nicholas Baig, was transferred from a maximum security prison to a medium security facility.

There are other issues that must be explored too, like whether or not correctional services staff feel safe—

Again, we need to ensure the union has an opportunity to address this, but I'll get to that in a moment. It continues:

—and protected under current policy when these types of transfers occur, and also other prisoners who don't have dangerous offender classifications.

Parliamentarians may have differing views on how to address the issue of punishment for Canada's most heinous criminals, be it through new legislation or process reform, but it's difficult for Parliament to have that debate if Members of the governing parties or its supply-and-confidence partners...don't...allow the debate to happen to begin with.

In that, to prevent more revictimization, I think this motion should pass, the revised motion with the amendment.

Colleagues, one meeting is not adequate for this study. I appreciate that we all might have differing opinions. I also appreciate that the government might not like to revisit this issue, for whatever political reason, but the reality is that this is a pattern now.

It happened with Terri-Lynne McClintic. What happened after that? The minister who was in charge at the time failed upward, into a really great gig. We now have gone through, I think, three public safety ministers, and it happened again. We have to take time in the House of Commons to address this issue, and most importantly.... Wait, I'll get to the most important part.

When we talk about legislation and the ability to use committee time like this to review legislation, this could have been avoided if the government had taken corrective action in 2018. However, it did not, so here we are again. The most important issue as to why this needs more meetings and why we have an onus to review every step of what happened, independently and beyond the internal review that happened within the government, is that the victims' families were clearly retraumatized and clearly revictimized—again, completely unnecessarily.

● (1115)

To me, that was what was most striking about what was in the government's internal report. It was not just the shocking process gaps that led to the situation. It was not just that those process gaps existed after Sherry Goberdhan went through this and after the family of Tori Stafford went through this again in 2018. We weren't spending more time on it, and the victims' families had not had an opportunity to talk about the adequacy of the government's review or the government's response.

It will take more than one meeting. I'm begging colleagues in the opposition parties. A one-meeting study on this issue will only allow the government to put forward some talking points and say that everything's okay, but everything's not okay. In Bill C-20, the legislation that this committee is tasked to review right now, many things need to be reviewed. It's an important piece of legislation, I agree. However, what happened here is now a pattern. The members of this committee have an onus of responsibility to the victims' families to hold the government to account, regardless of partisan affiliation. That is what our job is here, all of us. Outside those who hold a government appointment, our role here is to hold the government to account on the report.

The report did not address Correctional Service officers' concerns. Members of this committee have not had the opportunity to scrutinize or ask members of that group about the impact of having a maximum-security dangerous offender prisoner transferred into a lower-level security facility without some sort of plan. That poses a security risk to Correctional Service officers for a wide variety of reasons. I will certainly be reaching out to the union to ensure that, if there is not an opportunity for them to testify on that, they know why. It is just beyond me.

That's number one. I also think that many families who have gone through this need to have their say. The report did not use a lens of revictimization. It was very much an internal review. I think in some ways it was navel-gazing. Maybe I'm wrong, but at the end of the day, it will take more than 45 minutes of questioning to make that determination, which I hope colleagues would do independently.

I think it's also important for this committee to then ask, with regard to the ministerial directive that was issued, which I read at length too, what steps have actually been implemented out of that. What processes have been implemented? We don't know. The committee doesn't know. Forty-five minutes or whatever's left after a round of departmentals is not enough time. It's not enough time for the committee to look at it. I think it needs to be more than three meetings to ensure that this doesn't happen again, but I understand that three meetings is kind of the red-line minimum for some of my more regular colleagues on this committee.

I also want to know what happened in the minister's office—and not for political reasons. Correctional Service Canada, I believe in late June or early July, said that the minister knew about this transfer. At least the minister's office was alerted to this. How was that rectified? I mean, this has happened twice. It's not just about changing the minister out, with all due respect to my colleague Mr. Mendicino. This is really about parliamentarians looking at whether or not adequate processes and controls exist to ensure that the finger-pointing situation doesn't happen again. Why? Because that traumatizes victims. Paul Bernardo's victims' families should not have had to watch Correctional Service Canada pointing the finger at the minister's office and the minister's office going, “Oh, I don't know. Maybe I did see the email or maybe I didn't.”

• (1120)

How is that not going to happen again? I do not see anything in the ministerial directive that addresses that concern or, first of all, outlines what happened. We know something happened, but we don't know what happened. That needs to be fixed.

Colleagues, this is why.... If this decision did not involve the minister's office and if there wasn't that back-and-forth between the minister's office and Correctional Service Canada, then perhaps we don't need the minister to testify. I assume he would want the opportunity to do so and to say, “Okay, this is what happened. Don't worry, guys. This is how we're going to ensure that this doesn't happen again.” I know the current Minister of Public Safety, and I like to think that he would like to fix this problem. We should hear from him on this issue.

We should also hear what happened under the past minister so that he can explain to the committee his rationale for how the ministerial directive was implemented and whether or not he thought it was sufficient, and so that it can be entered into the committee's report and recommendations to the government, because that's what this study should do. The study should result in concrete recommendations to the government to ensure that this doesn't happen again.

I also think the reason why we need a minimum of three meetings is that we should look at the impact on other situations that have had similar issues. I'm sure these families want closure. Clo-

sure comes in this instance by having a process in place that fixes the problem, but we can't get there if we don't know what the problems are. It is our duty as parliamentarians to scrutinize the government, to read those reports, to read the ministerial directives, to ask very technical questions and to ask for more information in order to make those recommendations to ensure that this doesn't happen again.

I'm not saying I know what those recommendations are, but it certainly.... Guys, this is the fourth or fifth time. It certainly bears studying and it bears our scrutiny.

I respect my colleague, the parliamentary secretary, across the way. I do. I respect her knowledge of committee procedure. I want to drive this home personally for her with a case that happened in her own riding. This is the instance of a man who, I believe, stabbed his wife 27 times.... I'm sorry. It says, “The 27-year-old woman was nine months pregnant when she was stabbed to death in Pickering in 2017.” The mother of this victim—her name was Arianna Goberdhan—was revictimized when this process failed her too.

It is very clear to me that the government has not thought about this. I would just ask my colleague, the parliamentary secretary, to give women like her the opportunity to come to the committee and speak about it.

Without getting into more sensitive topics of debate.... This was already a difficult case, because it involved the stabbing of a woman who was nine months pregnant, and the mother of the victim did not feel that justice was served. Given that I don't believe the death of the fetus was given additional consideration in sentencing.... We had legislation before the House of Commons earlier this year, which I believe my colleague spoke against.

This was already difficult to begin with, and then it was worse because this person was transferred for a life sentence from a maximum-security prison to a medium-security prison, and her only recourse for dealing with this was the media.

• (1125)

Can you imagine trying to get through processing the death of your daughter and a potential grandchild-to-be, and then having to go through this without any sort of sensitivity on behalf of Correctional Service Canada?

It impacts all of our ridings. I had an interaction with my colleague in the House of Commons in an Adjournment Proceedings debate. Because of what these families are going through, I really take offence with the characterization that has happened in these debates over the last few meetings that this is somehow less important or that it is somehow blocking victims' rights to have this discussion. Chair, I would just ask that colleagues give their heads a shake.

To the substance of the subamendment, I will try to persuade my colleagues. To each of the specific....

Chair, do you have a copy? Did you receive a copy of the subamendment?

• (1130)

The Chair: It has been emailed, apparently.

Hon. Michelle Rempel Garner: I have outlined the rationale for having the ministers here. I think the current minister has to be here to talk about what procedures have been put in place within their office. Correctional Service Canada cannot speak to that, so the minister has to speak to what processes have been put in place to do things like ensuring that the minister reads his email on issues like this. That's number one.

I would assume that the Minister of Public Safety, the new one, would be okay with coming to committee on that. I think we should have him here for that reason, to articulate what processes have been put in place to rectify the situation. But then we can't scrutinize whether or not what he says is adequate unless the previous minister of public safety comes in to explain what he believes happened.

In reading some of the articles on this issue, I don't think he ever said that his staff knew, but Correctional Service Canada said that his staff knew, so I think we need to clarify that. That's problematic. Were there any remedial measures taken? I want to know who's lying—or perhaps not lying, but people are talking over each other in this situation. Correctional Service Canada said the minister's office knew. The minister's office said they did not know. Regardless of prosecuting that point, that situation cannot happen again.

The committee should be asking itself what processes, from the perspective of the minister's office, are going to be put in place to rectify this. The ministerial directive did not address that anywhere. I'm not sure if colleagues have read the directive, but that is why the ministers need to be there. The ministers need to be there, at a minimum, and that's why the subamendment needs to pass. My colleague's original motion did not have the ministers attending, and that is a huge problem in moving forward with this—it really is.

Second, I believe we're going to have a large degree of interest from victims services groups and families. I'm not sure if I'm disclosing anything, but I believe there is interest from the representative of the families in this case to have a say publicly on this matter. The reason that's important is that I do not think Correctional Service Canada or the government has looked at the process through the lens of the victims.

I'm just looking at the wording here: “the rights of victims of crime and the security reclassification and transfer of offenders within federal corrections.” The reason the motion needs to be broadened is that this process, the victims lens process, needs to be reviewed from their point of view. Frankly, I think they're subject matter experts on this in a way that we just aren't, or in a way that Correctional Service Canada is not.

The ministerial directive states:

More can be done to ensure that a trauma-informed and victim-sensitive approach is factored into the decision making process as regards transfers and se-

curity classifications. This means meaningfully engaging with victims to elicit input on a transfer prior to its occurrence.

What that “meaningful engagement” means cannot be directed by simply the minister or Correctional Service Canada without public scrutiny by this committee. Victims should have the opportunity to come here to speak and say exactly what that means in terms of operationalization. Then members of this committee should be able to go back to the government and recommend policy, perhaps additional legislation, changes in procedure, changes in communications—whatever—based on that determination or that testimony.

Again, with respect to my colleague's original motion, it does not have any opportunity for victims to testify, and that's a huge problem. They're the ones we're here to protect. That is why we should be ensuring we do not have this perpetual revictimization process.

I think what needs to happen is three meetings. I would hope that colleagues, particularly within the opposition parties, would be open to negotiating something in this regard.

Another thing—and I want to re-emphasize this—is that the directive has nothing in here with regard to correctional services officer safety. I feel like they've been, perhaps, removed from this conversation as well. Perhaps if this amendment does pass—I hope it passes—colleagues would be open to ensuring they have a voice, too.

Colleagues, as I said in the article that I put out this morning, we as parliamentarians might not agree on an approach to dealing with people like Paul Bernardo, but the debate needs to happen. Our responsibility is to hold the government to account, especially in instances of a pattern.

With that, chair, I would implore, with deep respect, all of my colleagues to support this amendment, and if they want to make other suggestions on how to deal with this, to do so—again, not to retract the number of statements so that this issue is given lip service by the government through talking points, but to make sure it is given the scrutiny it deserves by all members of all political parties, so that victims' families are given a say in the matter on determining whether or not the ministerial directive is put in place.

The Terri-Lynne McClintic thing in 2018.... If you didn't have the opportunity to be through that debate, it was deeply uncomfortable. Then to have it happen again.... Let's make sure it doesn't happen again.

Let's have a robust study of this. It could have happened in the summer, but it didn't, so we're sitting here, with witnesses sitting here. I get that, but guys, we need three meetings. We need to have the victims at the table. We need to have the union at the table, and we need to determine whether or not the process has actually been fixed.

• (1135)

The Chair: The amendment has been distributed. It is noted as a subamendment. That's an error. It is an amendment.

The debate continues on the amendment.

We go to Mr. Bittle, followed by Mr. Genuis, followed by Mr. Julian.

Mr. Bittle, go ahead, please.

Mr. Chris Bittle (St. Catharines, Lib.): I've made my concerns about this known, but I would like to reiterate them. This case, this offender, whose name I don't even want to mention in this place.... It's a painful thing for the people of Niagara. I remember living through this when I was growing up. It's deeply painful for all the residents, especially the families. The wishes of the families are top of mind for me. I know they are top of mind for my constituents, as well.

I was concerned when members, last week, were saying, "We're speaking on behalf of the families." I interrupted and asked for clarification last week. I said, "I'm curious if it could be answered for us—and it would shed some light on things—whether anyone has spoken to Mr. Danson or the victims' families." The answer back from the opposition was, and I'm quoting from Hansard, "Yes, they have." I asked that member, who said she had letters, if she could provide me with those letters. I didn't hear anything back. As I'm concerned about the thoughts of the families, I reached out to Mr. Danson, who—Ms. Rempel Garner is right—is interested in appearing, but no one had reached out to him. We've had multiple meetings of filibustering, with people saying, "We are here for the rights of the families" and using their names, using these tragic circumstances, without even having the courtesy to reach out.

I support Ms. O'Connell's motion. I believe Mr. Danson should be here.

When I look at the difference between the amendment and the motion, in this amendment there's actually less time for victims' representatives to appear. If it's a three-meeting study and two of the meetings are members of Parliament coming to testify—which this committee knows it cannot compel—that leaves a two-hour study for this.

I believe wholeheartedly in Ms. Rempel Garner's advocacy for victims. She has been consistent in my eight years here. She mentioned correctional services and said they've been removed from the conversation. She spoke eloquently about how they should be included, but she brought forward an amendment that didn't include them. It was in her control to do it. It was top of mind. It was one of the first points she spoke to. She told us to give our heads a shake. I direct that back to the Conservative Party, Mr. Chair. This is painful.

There is consensus among the members at this table to hear from Mr. Danson, the representative of the French and Mahaffy families. There is consensus to hear from correctional services and to have meetings about this, but not to let the filibuster block this. We have, conservatively, 20 government officials sitting here, waiting to help us out on legislation. Conservatives say this is important legislation, but the lengthy filibuster, using this horrendous act, doesn't show that.

The point was made clear to me, Mr. Chair—when I walked into this room and a member of the Conservative Party was putting together what I assume is a fundraising video and smiling as he was showing his assistant the video, as he had his mic set up and was ready to go, ready to post it to social media—that this is a game for the Conservatives. It's truly unfortunate.

I really do want to hear from Mr. Danson. I believe the families....

Maybe we're getting an original clip of that video from the back of the room. I guess they are taking a look at that to see. I guess we got a brief introduction to that.

This committee does need to hear from the family members, through their representative, Mr. Danson. It's unfortunate that the Conservatives choose not to reach out to that family but to make statements and use them as props. It is deeply insulting to this place and to the people of Niagara to use this tragedy as torque for political gain.

● (1140)

This amendment doesn't give the victims' families more opportunity to speak, so I can't support it and I will be voting against it.

I hope we can get through to the areas where we do have consensus and move on so we can hear about an important piece of legislation and get through that, so we can then get to the case at hand and hear from these families. We've agreed on this point, but delay after delay, filibuster after filibuster, the Conservatives are delaying that opportunity for the victims' families to speak. It's almost as if they don't want it and would rather just torque and continue to fundraise off it, which is just absolutely disgusting.

● (1145)

The Chair: Thank you, Mr. Bittle.

We go now to Mr. Genuis, followed by Mr. Julian, followed by Mr. Motz.

Mr. Genuis, go ahead, please.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Chair, thank you for this opportunity to address the motion moved by Ms. O'Connell and the amendment put forward by my colleague.

I'll say a few words of clarification at the outset. Both Liberal members who spoke have referenced the fact that I was recording a social media post prior to this meeting. I don't think there's anything wrong with my communicating on a regular basis with my constituents about things that are happening in committee. Out of interest, it had nothing to do with fundraising. It was a video recorded on a parliamentary device, updating my constituents on parliamentary activities and making it very clear, in the context of that post, that Conservatives will be continuously advocating for families of victims, as well as their representatives, to be heard on this issue. There's nothing unusual about our view. That's a legitimate position, the right position, and something that constituents should be aware of.

I make no apologies for informing people about my activities in Parliament. It's curious that it became a real talking point latched on to by Liberal members. Respectfully, I would encourage them to be communicating with their constituents, too, about the things they are doing in Parliament—and in this case, frankly, their failure to work to include the voices of victims in this conversation.

In particular, chair, we are seized with this comparison between the motion that Ms. O'Connell has put forward and the amendment that my colleague has put forward. I think a couple of observations about this are important.

One, Mr. Bittle suggested that our motion provides less time to hear from people about this issue. On the face of it, that's obviously false, because the original motion says that the committee hold "a" meeting, one meeting.

Sorry, if you want to provide a clarification formally—

Mr. Chris Bittle: I have a point of order.

The Chair: Mr. Bittle, go ahead.

Mr. Chris Bittle: Mr. Chair, can you direct Mr. Genuis not to yell into the mic? The interpreters don't need to hear.... He's quite loud enough. It's not a problem for me, in terms of volume of voice, but—

The Chair: Thank you.

Mr. Garnett Genuis: I don't think I was yelling, but I can speak even more softly if that would be preferred by Mr. Bittle.

The motion that Mr. Bittle put forward has "a" meeting, which I believe means one meeting and only one meeting, and in fact constrains the committee.

The Chair: You're a little confused: Mr. Bittle did not put forward a motion.

Mr. Garnett Genuis: Chair, I'm sorry. I misspoke. It's the motion from his side, the government side. Mr. Bittle defended it by saying that it in fact allows for more discussion of the issue than the amended version. Mr. Bittle's argument is incorrect, because the motion put forward by his colleague, Ms. O'Connell, references "a" meeting, one meeting, and I will note that the amendment the Conservatives have put forward calls for a minimum of three meetings.

If Mr. Bittle is authentically concerned about the fact that our motion doesn't provide enough time for consideration of this issue, we could, of course, consider a subamendment that would have a minimum of four meetings or five meetings. I don't think that would be objectionable to members on this side. It does say "a minimum of three meetings", which I think would provide an opportunity for the committee to go further down this road if the committee wishes to.

It is a bald-faced fabrication to suggest that the amendment provides less time for consideration of this issue, and I think it is a fairly obvious and easily verifiable fabrication. It's evident in the first line, in the first phrase of both: "that the committee hold a meeting" is replaced with "that the committee hold a minimum of three meetings"—

• (1150)

The Chair: Mr. Genuis, I would advise you not to use the word "fabrication" here. That implies dishonesty. We are expected to assume that everyone is speaking honestly. We cannot do indirectly what we cannot do directly.

Mr. Garnett Genuis: Thank you, Chair. That is a more challenging assumption in some cases than in others, but I will endeavour to submit to your authority in this, as in all things.

The no doubt unintentional misstatement of Mr. Bittle has been, no doubt, addressed. I also want to identify....

I'm sorry. Maybe Ms. O'Connell has a point of order or maybe it's just heckling.

Ms. Jennifer O'Connell: No, I was just speaking.

The Chair: Let's avoid crosstalk, please.

Mr. Garnett Genuis: This actually brings me to another point. Ms. O'Connell said that at the last meeting the Conservative contingent at the table was all male. I won't say it was a fabrication, but anyone consulting the record will know that there were female Conservative MPs who spoke on the record—

Ms. Jennifer O'Connell: I have a point of order, Mr. Chair.

The Chair: Ms. O'Connell, go ahead on a point of order.

Ms. Jennifer O'Connell: Mr. Chair, to clarify the record, what I said was that—

Mr. Garnett Genuis: This doesn't sound like a point of order.

Ms. Jennifer O'Connell: —only male voices, once again, were interrupting when I had the floor.

That's what I said, and the member opposite just proved my point in real time.

Mr. Garnett Genuis: Just on that point of order, Chair, that was not a point of order, and—

The Chair: Wait until I address you, please.

Thank you for the point of order, Ms. O'Connell.

Yes, Mr. Genuis, go ahead on that point of order.

Mr. Garnett Genuis: Mr. Chair, respectfully, I think you will find that was not a point of order. Ms. O'Connell knows the rules and is using points of order to try to inject somewhat substantive arguments. I wonder if you could—

The Chair: I did not find that that was not a point of order.

You may continue.

Mr. Garnett Genuis: Was that a point of order? Chair, do you think it's a point of order when a member interjects to clarify their opinion on a subject?

The Chair: I think we're going off topic here. Let's go back to—

Mr. Garnett Genuis: You're the chair. What's your ruling, that members can raise points of order to express opinions on matters and not even pretend they're raising issues of order? Issues of order are issues about the rules of the committee. The member said, "I have a point of order" and then said, "Just to clarify, here's what I said previously."

The Chair: Mr. Genuis, my point is that the chair will make a determination whether or not it's a point of order, not you. I'm content that it was a satisfactory clarification. It's good for the committee to clarify these matters.

If you wish to carry on with this point of order, do so. Otherwise, please carry on with your debate.

Mr. Garnett Genuis: Chair, I'm new to this committee. I just find it helpful to understand your interpretation of the rules. It sounds like when another member is speaking, I could also say, "On a point of order, I want to clarify my previous statement or my opinion on such-and-such a subject" and you would deem that to be a legitimate point to raise. Is that your interpretation of the rules?

The Chair: I have seen this happen on both sides on a frequent basis. I think, on balance, it is a fair point. Whether or not it's a point of order or a point of information, I don't know, but please carry on with your debate.

• (1155)

Mr. Garnett Genuis: Okay. Maybe the clerk can clarify if a point of information is actually a real thing or is anywhere in the rules.

I'll let you come back to the committee on that.

The Chair: Mr. Genuis, if you wish to carry on—

Mr. Garnett Genuis: Yes, I do.

The Chair: —please go ahead.

Mr. Garnett Genuis: Thank you. I'm happy to carry on.

The point of information—

Hon. Michelle Rempel Garner: Chair, I have an actual point of order, and I'm going to reference *House of Commons Procedure and Practice* on decorum. It's that the chair may usually overlook "many incidental interruptions, such as applause, shouts of approval or disapproval, or mild heckling that sometimes punctuate speeches, as long as disorder does not arise."

Colleagues, we do have a code of conduct now that governs how we govern ourselves in these committees. I would argue that the repeated heckling by Ms. O'Connell is.... It doesn't bother me—I mean, girl, I've seen it all—but I do think that it is adding to this disorder of the committee at present, and I think it is throwing off my colleague's train of thought.

I would just ask, Chair, that you encourage people to listen to colleagues' arguments, which they may or may not agree with—we do have a speaking order—and perhaps stop the heckling, which is my point of order on decorum.

Thank you.

The Chair: Thank you, Ms. Rempel Garner.

Mr. Genuis, do you wish to proceed?

Mr. Garnett Genuis: Yes, Chair, I do. Thank you.

I'll return to the point of the arguments and maybe allow you to review some of the rules around these points of order subsequent to the meeting.

Chair, I want to return to the point I was at before being interrupted by members opposite, which was to address the issues around the differences between the original motion put forward by Ms. O'Connell and the revised and amended version proposed by Ms. Rempel Garner.

One thing that I think should jump out is the fact that there is no reference in the government motion to the ministers responsible.

The government motion wants to hear from various officials, including the deputy minister of Public Safety, and the Conservative motion seeks to follow the logical train of ministerial accountability and have the minister responsible at present for this file as well as the ministers responsible at the time both present before the committee.

I do think it is important that we hear from the correct point of accountability. I've been here for about eight years, and I've noticed this trajectory at committee where, when there are issues or problems, even issues or problems that do involve legitimate political accountability.... They're not just questions of public administration. They're issues that should have been and were brought to the attention of ministers and that involved questions of government policy. The impulse still is, on the government side, to have officials come in and provide testimony.

I think that officials providing testimony is extremely useful in certain kinds of contexts. We have officials here for possible consideration on the clause-by-clause stage of a bill, but their role is to provide technical expertise and information. We should not allow ourselves to mistake that role of providing technical context with the responsibility of ministers to be the ones ultimately accountable for the decisions of their departments. That's how our system works. It's based on the principle of ministerial accountability.

When officials are put in a position to testify, when in fact it should be the ministers testifying, I think, frankly, it's unfair to those officials, because they are career public servants. They're experts. They will faithfully implement government policy regardless of the stripe of that government, and they may at some point in the future be called on to implement the different policies of a different government. However, they are increasingly being brought to committees at the impetus of government members in place of what should be testimony provided by ministers. I think this is a kind of further erosion of the principle of ministerial accountability.

On this issue of the transfer of this heinous offender, Paul Bernardo, from maximum to medium security, I think there are legitimate and important questions we have to ask about ministerial accountability.

We see on a broad level that the government is embarrassed about this issue. They don't want people to be talking about this issue. They don't want people to be doing posts and speaking with the public about this issue, because they are embarrassed about it. In particular, they don't want to have ministers come before the committee, clarify what ministers knew and what decisions ministers made and really take responsibility for the fact.

Canadians don't elect officials, nor should they. Canadians elect the minister. They elect parliamentarians, and, through a process we all understand, we have ministers, who are elected members of the House of Commons in virtually all cases. They have that political responsibility for decisions that are made and, by extension, they have to take responsibility for the actions and decisions of their whole department. This is why it is proper that we have ministers come before the committee and provide that context.

In that light, I want to share this article from June about the former minister, which notes, in fact, the involvement of the minister's office. It's an article from CBC that says, "Staff in Mendicino's office knew about Bernardo transfer months before minister did, his office says."

Just before I get into this article, I want to respond to something Mr. Bittle said earlier. When it comes to the issue of calling ministers, he sort of casually referenced that clearly a committee can't compel members of Parliament to appear before a committee and provide testimony. That was, of course, accurate. Members of Parliament cannot be compelled to testify before parliamentary committees.

I certainly don't understand, and I wouldn't defend this sort of casual disregard for the importance of inviting people, even if they can't be compelled. On most of the committees of which I've been a part, it has been the normal practice to invite a good many people who, if they choose not to appear, the committee doesn't compel, in some cases because they can't compel them and in some cases because they choose not to.

The power to compel witnesses who are not parliamentarians is still a power that committees use relatively rarely, so the idea that we would not pass a motion seeking to hear from witnesses simply because we could not subsequently compel those witnesses doesn't make a lot of sense to me. I would hope that proposing that motion would provide enough of an impetus to encourage those people to testify, and I hope the Minister of Public Safety as well as the former minister, in response to the request from this committee, would understand the importance of the issues that are associated with it and be willing to testify.

Again, that government members are resisting this push suggests there is a certain reluctance there, but I would hope that we could get to the point of extending the invitation and providing that opportunity at the very least. Who knows—maybe the minister and the former minister would welcome the opportunity to provide some clarification about what they knew when or didn't know when, or how these processes work.

In any event, I think the proper way of recognizing and respecting the role officials have is to say that they do critical work implementing government policy, but they are not the ones who are ultimately accountable for the actions of their departments. That responsibility resides with the ministers, and that's why we need to hear from the minister in this particular case.

I'll come back to the article I was referencing earlier about how staff in Minister Mendicino's office knew about Bernardo's transfer months before the minister did, his office said. The article reads as follows:

Staff in Public Safety Minister Marco Mendicino's office knew for three months that serial killer and rapist Paul Bernardo would be transferred from a maximum to a medium-security prison—but didn't inform the minister until after it had happened—CBC News has learned.

The Correctional Service of Canada (CSC) said it first emailed Mendicino's office on March 2 to inform it that Bernardo would be moved to a medium-security institution. A final date for the transfer hadn't been determined at that time.

CSC said it sent a second email on May 25 to Mendicino's office saying Bernardo would be transferred four days later.

The minister's office now says it did not tell Mendicino about Bernardo's transfer until May 30, the day after the transfer happened.

A spokesperson at Mendicino's office would not disclose the names of who in the office knew, and would only say multiple members of his staff were made aware.

"The minister's office examined possible options for potentially changing the decision over the subsequent period, and were informed there weren't any," said press secretary Audrey Champoux in a statement to CBC News. "The minister was informed of the transfer on May 30, including details surrounding lack of authorities to influence it."

Mr. Chair, I'll pause there and just observe that we have only the word of the minister's own political staff as the basis for saying that the minister was not informed about this transfer. In terms of this idea of having senior officials appear before the committee, of course, typically senior officials would accompany ministers, but it seems that senior officials did inform the minister's office, no doubt with the expectation that staff would inform the minister, and we have the claim—a hard claim to swallow on some level—that the minister was not informed.

I'll note that this is not the first time critical information may have been sent to a minister's office. There have been past instances. We dealt with the previous minister for international development. Information was sent to his own email, and he said he hadn't checked his own email.

● (1200)

Chair, just in thinking about what the former minister was doing, he had a job to do, and that should include being informed about important developments that relate to his portfolio and ensuring his office is informing him of those developments and responding to them.

Just in looking at this, I think this underlines why, if we're going to get to the bottom of the issue of prison transfers, we need to hear from families and their representatives. We need to have them have an opportunity to present. We also need to hear from ministers and not allow the kind of obfuscation of responsibility that we consistently see from members of the government in various instances. I think this should underline the importance of hearing this information.

The article goes on, saying, "Families kept in dark". This is really core to the advocacy we're doing. My biggest concern here is the impact on families and the revictimization that my colleague spoke about so eloquently. The article notes:

A lawyer representing the families of two teenage girls murdered by Bernardo said it's alarming that the minister and the victims' families were kept in the dark for nearly 90 days.

"If that is true, that staff truly kept this a secret from their boss, then that is an egregious abdication of responsibility and is profoundly unfair to the minister," said Timothy Danson, counsel for the families of Kristen French and Leslie Mahaffy.

"This is precisely the kind of information that must be communicated [with] the minister because the buck stops with the minister."

With that line, "the buck stops with the minister", I think we clearly see that Mr. Danson has a precise understanding of how public administration is supposed to unfold in terms of who is responsible for such actions, a precise understanding. I should say, that I think seems to be lacking on the government's side.

These are some of the principal differences.

Maybe there's just one other note in terms of the victims' families. The government motion says one meeting and lists a fairly large number of people that I think would be difficult to accommodate during one meeting in any event. Our motion doesn't just say, "Tim Danson". It says, "representatives of the victims' families, including Tim Danson." The operative word "including" emphasizes our desire to allow victims' families, their representatives and others who may wish to come forward to be heard and to be able to present their testimony before the committee.

Mr. Chair, I did want to move a subamendment as well. There was some discussion back and forth about including the Union of Canadian Correctional Officers and hearing their perspective. That's not in the original motion, but I think it would be a worthwhile addition, and perhaps it will help get support for this amendment. When you're talking about security in prisons, when you're talking about whether a particular prisoner is appropriate for maximum security or medium security, I think a perspective from those who are responsible for security operations in prison should be included in the conversation.

I think that would be a worthwhile change. It was mentioned, so I'm going to propose an amendment that adds it in.

As well, my colleague spoke about the case of another prisoner, another killer, Nicholas Baig, who was transferred to medium-security prison. Considering this case in the context of this motion so that the committee can indeed do a broader look at the issue of these prisoner transfers.... As my colleague mentioned, this isn't the first time this has happened. We've seen a pattern from this government, sadly, of prisoners being transferred, a lack of proper engagement with the families and revictimization happening in the process.

• (1205)

I'm going to propose, Mr. Chair, a subamendment that has two parts. The first part of the subamendment is to add, after the "Commissioner of Correctional Service Canada Anne Kelly", the following: "Union of Canadian Correctional Officers". That's kind of the first part of that amendment.

Then, after "Tim Danson", add "and representatives of victims of Pickering native Nicholas Baig, who stabbed his nine-month pregnant wife to death, was convicted of murder, given a life sentence and was transferred to a medium-security prison".

Those are the subamendments I will put forward, and I will conclude my remarks at that point.

Thank you, Mr. Chair.

• (1210)

The Chair: Thank you.

Please direct the hard copy, if you could, to the clerk so he can make sure he has them correctly. Then we can get them translated properly.

Mr. Garnett Genuis: I'll do my best, Mr. Chair. Thank you.

The Chair: Thank you.

The debate continues with Mr. Julian on the subamendment.

It's Mr. Julian, followed by Mr. Motz and Madame Michaud.

Mr. Julian, please go ahead.

[*Translation*]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you, Mr. Chair.

First of all, since Mr. Genuis has just spoken for half an hour, it's very obvious that we won't be moving on to the bill today. The witnesses have extremely important jobs and their time is precious, so I ask that we let them get back to their work. It's not appropriate to let them sit through this parliamentary filibuster when they have so many other important things to do.

[*English*]

The Chair: Thank you, Mr. Julian.

Is it the will of the committee to proceed thus?

Some hon. members: Agreed.

The Chair: I would like to thank the witnesses and our legislative clerks, as well, for attending once again. I appreciate your patience, all of you. We will get to you, I promise, someday.

Thank you.

Mr. Peter Julian: Thank you, Mr. Chair.

This filibuster has been going on for a month. I don't know the cost to Canadians. It's potentially \$100,000, when you think of a month of meetings while we're not considering Bill C-20 on the public complaints and review commission. That is important legislation that we need to get to. I find it really unfortunate.

Now, this is compounded, Mr. Chair, by the fact that we've already had agreement off-line numerous times. I find it frustrating that every time there is agreement, the Conservatives simply change the goalposts and pose a new type of motion or amendment rather than coming to a conclusion. This is an important subject. We've agreed that the government's handling last spring was tragic in this regard in the transfer of Mr. Bernardo. We also agree that we have an important role to play as the public safety committee.

I will say that the government's errors have been compounded by the Conservatives' errors over the last few weeks. Instead of coming to a consensus and moving forward with the study, we continue to come to a new motion or a new amendment at every single meeting. Where do we agree? We agree in having the study.

Where we left off, Mr. Chair, as you'll recall, is that I certainly had agreed—this is a minority Parliament, so all parties have to be consulted—to a three-hour meeting that included a number of those important witnesses, plus the meeting with the Minister of Public Safety, which I believe needs to be convened as quickly as possible, with officials from Public Safety, so that we can talk about that public safety issue and a number of other public safety issues. This Conservative filibuster has been blocking that invitation to get the public safety minister here. It is inconceivable to me that you would have Conservatives blocking the public safety minister from coming to testify on this and other very important issues. Quite frankly, I think the official opposition has handled this badly over the course of the last few weeks. I find this unfortunate.

We have an amendment and a subamendment, which doesn't allow me to move the amendments that I was hoping to make so that we can move through and vote on Ms. O'Connell's motion. There are three elements I wanted to bring. The first is that the three-hour meeting, which we had all agreed to, would be the first meeting that we hold on this issue. The second is that we convene the Minister of Public Safety with his officials for a second meeting on this.

I'm certainly open to other meetings on this. I've said this numerous times. However, when we look at what the Conservatives are attempting to do, I must say, having lived through the Harper regime and having lived through Conservatives steadfastly stopping ministers who had been demoted from their positions from coming to committee.... I guess we can say that the Conservatives have reflected on that. After being steadfastly opposed to bringing ministers who had been demoted as a result of their actions, the Conservatives are now saying bring back that former minister. I'm not prepared to say yes to that today, but I think it's important that it be something that we potentially look at, depending on the answers we get from the first two meetings. It makes sense to start step by step.

There's a more important element that I would like to bring up. I think one of the proudest moments I saw in terms of all parties working together in committee was in the Canadian heritage hearings around Hockey Canada. We started with one meeting—you'll recall, Mr. Chair—15 months ago. From there, all parties agreed to convene other witnesses. We made sure, as we went through that process with that sporting organization and other national sporting organizations, that we moved forward on consensus at every single step.

We also heard from victims, Mr. Chair. Conservatives on the heritage committee had the presence of mind to agree with all the other parties to ensure that, when any victims came forward, it was done in a way that was trauma-informed. The heritage committee understood that understanding of trauma-informed questioning. We took it forward as a committee. We went through that and subsequently invited victims.

• (1215)

I regret to see that the Conservatives on this committee have not taken that tack, which they need to understand the impact of trauma and which this committee needs to be well versed on what trauma-informed committee hearings could be. As Ms. Rempel Garner, whom I have enormous respect for, has mentioned numerous times, these victims have experienced trauma. I don't understand why

Conservatives aren't agreeing to a trauma-informed approach on this.

The reality is that we already have agreement. We know that we want to have a three-hour meeting, followed by a meeting with the Minister of Public Safety—or potentially the public safety minister would be appearing before—and then, as a committee, we can decide where to go from there. If at every meeting the demands change, if at every meeting the amendments change and if at every meeting there is a new group of witnesses or a new configuration, we will not be doing the work that we need to do on behalf of Canadians.

Through you, Mr. Chair, I say to my Conservative colleagues, you agreed to a three-hour meeting and you agreed to having the Minister of Public Safety come forward. Let's move forward with that. Let's get to those hearings, and let's decide as a committee after that on what the next steps are. I'm certainly open-minded on that.

I do believe that we need to go through this legislation, which has now been sitting on this committee's desk for months. Given the importance of having that review around CBSA and the RCMP and the numerous complaints that have come forward, and the importance that the legislation be modernized and we put in place amendments that will improve the legislation, we have to move to that as quickly as possible. The cost is not just in the delay of months on the legislation. The cost is as well in the tens of thousands of dollars when we have witnesses from the RCMP, the Department of Public Safety and CBSA who come forward at each meeting and are unable to provide their expertise because we're not even going to the legislation.

We can have this resolved today if we simply stop the filibuster, allow the vote, allow the additional amendments that bring the Minister of Public Safety forward, allow for that three-hour meeting that we all agreed to off-line and allow for a trauma-informed approach with victims. Those are the three steps that allow this study to move forward and allow us to complete the work on Bill C-20.

There's no reason why we cannot move forward today.

Hon. Michelle Rempel Garner: I have just a point of clarification, Chair.

The Chair: Go ahead.

Hon. Michelle Rempel Garner: I'm just wondering if my colleague had proposed a subamendment. I was listening intently to him—

The Chair: He can't.

Mr. Peter Julian: I cannot because of the subamendment and the amendments that are on the table. I can't.

Hon. Michelle Rempel Garner: Okay.

The Chair: There can only be one subamendment alive at one time. However, if we were to vote on that subamendment, then there would be capacity to carry it forward.

Mr. Julian, do you wish to proceed?

Mr. Peter Julian: No. I've said my piece, Mr. Chair.

I ask my Conservative colleagues to allow for the vote so that we can move forward—hopefully, with a consensus on this. It's an important issue. It's not something that we should be delaying on. When we have a consensus off-line, we need to bring that to committee.

• (1220)

The Chair: Thank you, Mr. Julian.

We'll go now to Mr. Motz, who will be followed by Madame Michaud.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you, Chair.

I first want to respond to the comments of my colleague Mr. Julian about heritage and how that committee worked through, again, a very delicate situation. As I see it, these are two completely separate issues. In this circumstance, when we're dealing with the security reclassification of inmates, the decision to do that and the legislation around it, this government is solely responsible for that legislation and solely responsible for the implementation of the legislation. That's not true for Hockey Canada, which was really the focus of the conversations in the heritage committee.

I have a couple of things I want to reinforce with this new sub-amendment to the amendment to Ms. O'Connell's motion, and there are a couple of thoughts I want to get to through this process.

Mr. Bittle made reference to the Conservatives playing games on this matter. Nothing could be further from the truth. This is not a game. This is about the rights of victims. He can laugh over there all he wants, but I don't know what this government's so afraid of. If we're really talking about dealing with victims and the rights of victims' families and specifically the security reclassification of our inmates...and this is beyond this specific transfer. There are multiple examples of families being revictimized again and again in the same specific way as in this transfer. This government has a history, quite honestly, of ignoring victims. There are serious sentences, life sentences. Those who were previously dangerous offenders serving their time in maximum-security prisons are now being transferred to medium-security prisons.

Quite honestly, it really concerned me when I saw some of the stats that came out from an OPQ, an Order Paper question, with respect to this exact question. There are prisoners in our prison system who have been designated dangerous offenders and they are serving their time initially in maximum-security but now in medium-security prisons. There are 580 of them, as a matter of fact. They are previously designated or currently designated dangerous offenders and are now serving their time in medium-security prisons. There are even over 50 serving their time in minimum-security prisons. We know that the freedom of these individuals certainly varies according to the level of security in a particular facility.

This has an impact on the families who were victimized the first time around. As I was going to say earlier, Canadians are left to wonder. The Conservatives, of course, are the bad guys here now, apparently, because we are trying to stand up against a regime of transfers, reclassifications and potential transfers that has had a direct impact on families and on victims.

Why does this government refuse this study? I'm left to wonder. Canadians are wondering what they are hiding. What are they afraid of finding out? Why would they not want to ensure that the legislation that allows for the transfer and reclassification of the security of our prisoners could be examined, re-examined and tightened up so as not to revictimize families and so the impact this has on families could be talked about.

For decades of law enforcement, families have been victimized over and over again in the whole process of criminal justice, as we know. Obviously they were victimized by the original offence and the tragedy that occurred. They have to relive that during the investigation, during the trial, during sentencing and during the preparation of victim impact statements. Then they have to deal with parole hearings and potentially more impact statements.

• (1225)

Now we have this added burden and traumatization to victims of the transfers and reclassifications of prisoners. It's not just the transfers that are the issue; it's also the lack of communication from the Correctional Service and the minister's office that Canadians have experienced during this process. Such transfers have to be victim-informed. Again, the impact of trauma has to be considered when doing transfers.

Mr. Chair, I recognize that the bells will be going soon. I want to give Ms. Michaud an opportunity to speak before the bells. I would ask that I come back once she's done, if there's still time before the bells.

Thank you.

The Chair: After Madame Michaud I have Mr. Genuis. Then I'll put you on the list.

[*Translation*]

Ms. Michaud, you have the floor.

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

As I've said several times since this debate began, I think it's extremely unfortunate that we're spending several hours debating numerous motions that all point in the same direction, when the committee has an agenda to follow: we should be debating Bill C-20; some people have reminded us of how important it is to them. Indeed, we've all received emails from victims who have been harmed by the Canada Border Services Agency, and they deserve to have parliamentarians take a look at this important bill. Personally, I think it's a shame for these people. I'd even say it's disrespectful to the people who are watching the committee's work, hoping that we'll finally get around to studying this bill. It's also disrespectful to the civil servants who, let's put it this way, are wasting time here while we debate another subject.

I'm not saying this subject isn't important. Of course it's important. There are probably 50 other important topics related to public safety in Canada that we could be debating here. It's just that the timing isn't right. I think we've already wasted too much time and we should be debating Bill C-20.

That said, I think my colleague Ms. O'Connell has proposed a reasonable compromise in introducing the motion before us. It's the Conservatives' desire to debate this subject, once the study of Bill C-20 has been completed, and I agree. I would even have gone so far as to say that, since bills are this committee's priority, the debate on this subject could have been held after the study of Bill C-26. However, we agreed to consider this issue directly after the study of Bill C-20. Ms. O'Connell has proposed a reasonable motion, which I think we could all agree on.

Of course, I'm against the amendments and subamendments proposed by the Conservative Party. We've had ample opportunity to discuss and negotiate behind the scenes so we can't do it here in committee and waste a lot of people's time. The Conservatives always come up with a new proposal to stretch out debate time. They want to politicize the debate and that's really deplorable. It's no secret that they're politicizing the debate. As I've already said, I'd like to take the question even further: should we politicize this process too? The Correctional Service of Canada exists for a reason, it has specific tasks to accomplish, so I don't understand why we're bringing the minister into this.

I agree with a few things Mr. Julian mentioned about public servants, whom we once again allowed to leave after several hours of hearing us debate this.

Out of respect for the people who expect us to do our job, I'd like us to go ahead, vote on the subamendments, on the amendments and on the motion, come to a consensus and proceed with Bill C-20. There are people who have been waiting for this for a long time.

I said that some of the blame lies with the Conservatives, who are filibustering in Parliament and stretching out debate time on this issue, but it must also be said that the committee spent a lot of time studying Bill C-21 because the government had more or less done its job well. In the case of Bill C-20, this is the third time in a few years that a similar bill has come before the House of Commons. In the meantime, there has been prorogation and an election; obviously, this is coming from the Liberal side.

So I see political jousting on both sides and I find it deplorable. It's a subject that shouldn't be politicized.

I ask that we vote on the proposal before the committee at this time.

• (1230)

The Chair: Thank you, Ms. Michaud.

[*English*]

Unfortunately, we cannot get to a vote while there are people wishing to speak.

Next we have Mr. Genuis, followed by Mr. Motz.

Mr. Garnett Genuis: Thank you, Chair.

I think Mr. Motz has a few more points that he wants to put on the record, but before that, I do want to respond to a couple of things that were raised.

In terms of how a committee schedules its agenda, I think members understand that, when a motion has been put on notice, members can move that motion regardless of the agenda. I think that's an important provision, because in the absence of such a provision, if members were required to confine themselves to the agenda, then a chair could repeatedly schedule issues that were schedule one issues to avoid, let's say, dealing with another issue.

Knowing there was a strong desire among committee members to address this issue before we proceeded to Bill C-20, the chair could have, let's say, scheduled this meeting as a meeting of committee business, which is in effect what we've ended up discussing anyway. It's simply the fact that the officials were invited because the agenda said that Bill C-20 was.... Maybe, I would suggest, Chair, there was a reality in terms of what this committee needed to discuss.

The other observation I would make, though, is that it was, of course, Ms. O'Connell who moved the motion. It was a decision by her, by the government, to move the motion. Of course, our view is that this issue needed to be discussed and that it needed to be discussed with three meetings.

This is where we are. We're under the rubric of that discussion, so we are, I think in good faith, trying to put forward and also insist on our position. Our core position is that, when it comes to this transfer of Paul Bernardo from maximum security to medium security, the families have to be heard on this issue, the families have to have an opportunity to testify, ministers have to be held accountable for their actions and we need a proper investigation, a proper study of this issue. That is our position.

That will continue to be our position. Families of victims need to be heard, and we need to hold the government accountable to ensure this sort of thing doesn't happen again.

I'll leave it there.

The Chair: Thank you, Mr. Genuis.

Mr. Motz, go ahead, please.

Mr. Glen Motz: Thank you, Chair.

I would defer my comments to the regular amendment and suggest that we go ahead and vote on the subamendment, please.

The Chair: Is there any more debate on the subamendment?

I have Mr. Julian.

Mr. Peter Julian: Just very briefly, I'll be voting against the subamendment, but with the intention of reintroducing one when we come back to the main motion. I just want to be very clear so that my vote is not misinterpreted.

The Chair: Okay, Mr. Julian.

An hon. member: I would ask for a recorded division.

The Chair: We will have a recorded division, please, Mr. Clerk.
(Subamendment negatived: nays 7; yeas 4)

The Chair: We will carry on with the motion as amended by Ms. Rempel Garner, and we'll go to Mr. Julian.

Mr. Garnett Genuis: On a point of order, Chair, I think you mean the amendment, not the "motion as amended". We're on the amendment.

The Chair: That's correct. Thank you for the clarification.

We go to Ms. Rempel Garner's amendment to Ms. O'Connell's motion.

Mr. Julian, I believe you wanted the floor.

Mr. Peter Julian: Again, very briefly, Mr. Chair, I'll be voting against the amendment, though there are some elements that I would like to bring back to Ms. O'Connell's motion: first, that we hold a three-hour meeting; second, that the Minister of Public Safety be invited as soon as possible to come to the committee on public safety issues; and then, third, that we receive a briefing on trauma-informed committee hearings so that this committee will be as well informed as the Canadian heritage committee was if in the future we are looking to have victims come forward.

I also would be proposing at that time that the union of public correctional officers be brought in. I thought that was a helpful proposal from the Conservatives.

I'll be voting against the amendment, but with the intention of proposing some amendments.

Now, Mr. Chair, I believe we're going to have bells very shortly, so we may not get to that today, but I'm hoping that off-line we can finally come to a consensus so that we can move on to Bill C-20. Like Madame Michaud, I'm anxious to improve the legislation. Hopefully, we can do that at our next meeting.

● (1235)

The Chair: Are you moving the subamendment at this time?

Mr. Peter Julian: No. That would make it too confusing.

I will be voting against the amendment, and then I will be offering those amendments to Ms. O'Connell's helpful motion.

The Chair: Very well. Thank you.

I see that we do have bells. We require unanimous consent to continue.

Do we have unanimous consent to continue?

Mr. Garnett Genuis: No.

The Chair: Seeing no unanimous consent, the committee will stand adjourned at this time.

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