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Chair: Mr. Heath MacDonald



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• (1100)

[English]

The Chair (Mr. Heath MacDonald (Malpeque, Lib.)): I call this meeting to order.

Welcome to meeting number 98 of the House of Commons Standing Committee on Public Safety and National Security. 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.

I would like to make a few comments for the benefit of the members.

Please wait until I recognize you by name before speaking. Members in the room, if you wish to speak, please raise your hand. Members on Zoom, please use the "raise hand" function. The clerk and I will manage the speaking order as best we can. We appreciate your patience and understanding in this regard.

To prevent disruptive audio feedback incidents during our meeting, we kindly ask that all participants keep their earpieces away from the microphones. I will remind you that all comments should be addressed through the chair.

Pursuant to Standing Order 106(4), the committee commences consideration of the request by five members of the committee to undertake a study of the reclassification and transfer of Luka Magnotta and other federal offenders.

I will now open the floor for debate.

Mr. Caputo.

Mr. Frank Caputo (Kamloops—Thompson—Cariboo, CPC): Thank you very much, Mr. Chair.

It's an honour to be here on behalf of all Canadians and the people of Kamloops—Thompson—Cariboo.

This is what I can say in these circumstances. I think most Canadians were shocked at the transfer of Paul Bernardo, and I feel similarly that Canadians were shocked to find out that Luka Magnotta and others are not only in medium security but also in the same penitentiary.

As Conservatives, we will always stand with victims, with those seeking transparency and with those seeking the truth. It's for this reason that today we bring forward a motion to further study this in light of the significant offences that have been committed by not only these two people but others who are in medium security. It's

important that we get to the bottom of the impact of bills like Bill C-83 and other policies in place with this Liberal government.

With that, I will move my motion and read it into the record, Mr. Chair.

I move:

That, in light of the transfer of sadistic killer Luka Magnotta out of a maximum-security prison to a medium-security prison, the same facility that serial killer and rapist Paul Bernardo was transferred to last year, and given that the Minister's office was made aware of these transfers in advance, the committee:

1) immediately undertake a study in priority order, of no less than six meetings, with these meetings to begin this week, on how the decision to make this transfer was made and on the prisoner transfer process for prisoners in maximum-security facilities, and report its findings to the House; and

2) call the following witnesses to appear:

(a) the Commissioner of Correctional Service Canada, Anne Kelly;

(b) the Deputy Minister of Public Safety, Shawn Tupper;

(c) the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, the Honourable Dominic LeBlanc;

(d) the former Minister of Public Safety, the Honourable Marco Mendicino;

(e) the Chief of Staff to the Minister of Public Safety at the time;

(f) Janice Charette, former Clerk of the Privy Council;

(g) the Warden of La Macaza Institution;

(h) representatives from the Union of Canadian Correctional Officers; and

(i) Marcia Penner, Tennille Chwalczuk and Laura Murray as individuals.

Thank you, Mr. Chair.

• (1105)

The Chair: Thank you, Mr. Caputo.

Now we have Mr. Lloyd, please.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

I know we've had a number of meetings on the issue of the Bernardo transfer already, but new information has come to light that I think is shocking to Canadians. It's shocking because some people might have dismissed the transfer of Paul Bernardo as an isolated incident. I know that the Minister of Public Safety at the time said it was "shocking and incomprehensible". However, now we've learned that it's not just an isolated incident, that this is a repeated pattern under this government and that several high-profile serial killers and killers have been moved out of maximum and into medium.

Furthermore, recent ATIPs have revealed that the chief of staff of the public safety minister at the time was aware that these transfers were taking place. It's interesting because in all of our study of Paul Bernardo's transfer, the minister's officer knew all along that Luka Magnotta was being transferred in 2022 as well, yet that information was never brought to light. It was never revealed to this committee under our previous study.

That's not the only high-profile case we've seen. I think there's—

The Chair: On a point of order, we have Ms. O'Connell.

Go ahead.

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

Can we get this motion distributed?

The Chair: I'm told it has just been distributed, Ms. O'Connell. Can you confirm you received it?

Ms. Jennifer O'Connell: I'm checking.

Clerk, it's in the committee binder. Can we get it distributed with the text in both official languages? We all have to log in to our binders now.

The Chair: Check your email. The clerk is telling me it's attached to the email.

Ms. Jennifer O'Connell: Okay. I have it.

The Chair: Thank you.

Continue, Mr. Lloyd, please.

Mr. Dane Lloyd: Thank you, Mr. Chair.

I'm certainly glad that all members are getting a copy of this motion. It's a very good motion. I think it hits at the heart of the matter.

This new information we've received—that the chief of staff of the public safety minister knew, that staff in the Prime Minister's Office knew and that the Privy Council Office knew—raises very important questions that need to be further looked into. This is a question about the principle of ministerial accountability.

If there is a policy, unofficial or official, in ministers' offices or in the Prime Minister's Office that staff are not to inform ministers of hot-button, controversial issues, I think this undermines a key tenet of ministerial responsibility and ministerial accountability. If that is, indeed, a policy, I think it needs to be looked into, because ministerial accountability is one of the bedrock principles of our parliamentary system of government. We cannot allow mistakes like this, whether deliberate or from incompetence, to continue. It is a very worthwhile study for us to continue at this committee.

Also, we need to look further into Bill C-83 and other legislation that I think has been contributing to this rise in the number of transfers out of maximum-security and into medium-security prisons.

With that, I'll say I support this motion and I'll pass it on to the next speaker.

Thank you.

The Chair: Mr. Paul-Hus.

[*Translation*]

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

Right now, the public trust is being woefully undermined. I was vice-chair of the Standing Committee on Public Safety and National Security when we worked on and debated Bill C-83, which came into force in 2019 and made changes to the conditions of detention. While we are debating, and working and voting on bills, the public is not always very aware of what is going on. Today, however, we are seeing the result of all this. We see situations such as that of Paul Bernardo, who was transferred to a medium-security prison, and that of Luka Magnotta, who has already been transferred to a medium-security prison only about 10 years into his incarceration. People don't understand why, and that's to be expected.

In this regard, the proposed motion is very important. We want to understand why the Liberal government implemented this legislation in 2019 and how the process was carried out.

We have to think about the victims. We talk about victims, but we always forget that they are the main people involved. The law is clear: Victims must be kept informed. We even have the Canadian Victims Bill of Rights. It has been in effect since 2014, but this government never complies with it. Victims have a right to information, protection, participation and restitution. The rights to information and participation have not been respected. These rights were violated during the handling of the Paul Bernardo case.

Why do we always have to fight for victims to be heard and for their rights to be respected?

We're talking about Paul Bernardo and Luka Magnotta, to name just two, but surely there are others who have been transferred under the same conditions. That's what we want to know, actually. Why do murderers and criminals like them benefit from more lenient prison conditions when they are Canada's worst offenders?

• (1110)

[*English*]

The Chair: Thank you.

Ms. O'Connell.

Ms. Jennifer O'Connell: Thanks, Chair.

I'm glad we have this motion. From our perspective, we have no issue with looking further into transfers of prisoners and classifications and working with this committee to put forward reasonable, worthwhile recommendations on how we can advance victims' rights in this country and improve the system. However, I think what we learned from the last few days of the study we did on this...because it's important to note that this isn't new. This isn't something the Conservatives are bringing forward today. We, as a committee, have already held several meetings on this and heard testimony, and this would be a continuation of that.

I hope that today is not just Conservatives performing for clips and that this committee is actually serious about working together to put forward serious, legitimate policy recommendations on how we can move things forward. That's exactly what we want to do and what we did as a committee when we all came prepared to ask questions of CSC and the witnesses we had before on this very issue. Again, there's no issue. We've participated and asked tough questions, as I think all Canadians want us to.

I think it's important that we look into this. It was stated by the earlier speaker that this was somehow related to Liberal legislation or a change, and that's simply not true. In fact, some of the years with the highest number of prisoner classification changes from maximum to medium were under Harper Conservative governments. In 2012-13, there were 291 reclassifications from maximum to medium. In 2013-14, there were 319 from maximum to medium.

If there's a question of how this is happening and what policies are in place for the Correctional Service of Canada, I think that's a fulsome conversation we need to have, but putting it out there that this was somehow a change in legislation or policy is, frankly, just not accurate. It's important that Canadians understand that there are certain politicians trying to use the most heinous and horrendous crimes in this country as a fearmongering tactic to suggest that current policies are somehow different from when Conservatives have held office. I think it's important that we get this data on the table so that Canadians can see exactly how decisions are made.

If this committee wants to make recommendations to the government to make changes or to review policy, I think that's absolutely appropriate, but if there's a suggestion.... If we're starting off with a base of misinformation that there was a policy change, I've just outlined that the highest number of maximum to medium reclassifications in the Canadian justice system happened in 2013-14 under the Conservatives' so-called tough-on-crime language.

It's important that we get the facts. That's why we're very happy to continue to hold meetings on this, to make legitimate fulsome policy recommendations based on what we hear and to ensure Canadians' voices are at the table. However, as I said, I think it's incredibly important that we start from a place of truth and honesty. I hope the continuation of this meeting does that, because I think we have a number of policy insights and things that every member of this committee would want to share.

• (1115)

I'll just raise a couple of points about the motion as drafted. I want to hear from colleagues, so please add me to the list again, because I'd like to hear other opinions.

As for doing the study immediately and in six meetings, my issue is not with studying this but with whether or not we need six meetings. We're open to the idea, but based on the witnesses listed in this motion, that wouldn't equate to six meetings. I think the Conservatives are maybe being a little disingenuous in terms of what this motion says and what they hope to accomplish, but we can debate the numbers in terms of what's needed and whether it's immediate.

Based on this, the Conservatives are abandoning the auto theft study. They also don't want to complete Bill C-26, which, as we

heard from witnesses, would actually have direct impacts on Canadians' safety, for example, during a weather event when phone lines could go down and there wouldn't be protections in place to ensure that telecommunication companies or banks would have robust procedures to avoid cyber-attacks. I guess Conservatives don't care about those impacts.

This committee can determine the timing, but we had determined the sequence of meetings. Auto theft would be abandoned. Cybersecurity would be abandoned. The other studies we were looking at would be as well, given timing. I assume the minister's visit on the mandate, which was scheduled for next week, would also be abandoned if this motion passed as is.

I have concerns with some of that given the other committee priorities we've talked about, but, as I said, I'm prepared to listen to other opinions about priority and sequencing. We're not opposed to this study.

Mr. Chair, I'm going to move one amendment for now, and that is to add the following witnesses: Howard Sapers, the former correctional investigator for Canada; the John Howard Society of Canada; the Canadian Association of Elizabeth Fry Societies; Aboriginal Legal Services; the Black Legal Action Centre and the Canadian Civil Liberties Association. I'll give those names to the clerk.

I may have other amendments later, Mr. Chair, given my concerns about sequencing and the number of meetings. We're more than happy to move forward with this study, but I want to take into account other people's comments before making any additional amendments. I think it's important that we add some additional witnesses.

Thank you, Mr. Chair.

• (1120)

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

Do we have any comments on this amendment?

Mr. Lloyd.

Mr. Dane Lloyd: I don't have an issue with any of those witnesses, but I would note that at the beginning of Ms. O'Connell's statement, she was talking about how Conservatives were being disingenuous because this wouldn't take six meetings, but certainly those additional witnesses I think would take us to six meetings.

We have no problem with adding those witnesses and we look forward to having six meetings on this.

Thank you, Mr. Chair.

The Chair: Thank you.

Mr. Bittle, you're up.

Mr. Chris Bittle (St. Catharines, Lib.): Thank you so much, Mr. Chair.

I appreciate being here today, and the questions that need to be asked. I agree with Ms. O'Connell that it's important that we continue our study. Even though this is not a normally scheduled meeting, this is, I think, a continuation of what this committee has been studying.

We've heard what are, to my mind, some excellent recommendations from Mr. Danson, who's the lawyer for the French and Mahaffy families. I guess I'm a bit disappointed that we haven't had the time to sit down and make those recommendations and provide a report. Perhaps this is a good opportunity to continue those discussions, but I agree with Monsieur Paul-Hus that people don't understand the system. He's right. My worry is that certain politicians attempt to use situations like this to cloud how the system operates.

On this committee right now, there's a former police officer, who had a distinguished career of service, and a former prosecutor, who I also believe had a distinguished career of service to his community. However, they know—and are kind of not acknowledging this fact—that our legal system operates independently of elected officials, and these decisions on the reclassification of inmates are made independently of elected officials. As elected officials, we can be angry. I was very public with my extreme disappointment and shock over Mr. Bernardo's transfer. It's something that we expressed as a committee. However, these decisions are outside of our control.

Mr. Motz probably didn't arrest certain people that other individuals in his community would have wanted arrested. Mr. Caputo may have asked for a sentence that was lower than victims may have wanted. However, he and Mr. Motz were making those decisions independently. They were not popular, but they were not subject to, in Mr. Motz's case, the mayor coming in and saying this is wrong, or, in Mr. Caputo's case, the premier coming in and saying this is inappropriate.

Back when we had Commissioner Anne Kelly here, I asked her if the minister could get involved in this: Can the minister direct Correctional Services in the transfer of an inmate? Is it a legal order? Her response to my question was, "My understanding is that the minister does not have a role."

The Chair: Mr. Bittle, we have a point of order, please.

Mr. Dane Lloyd: My apologies for interrupting Mr. Bittle.

I just wanted to clarify that we are speaking on the amendment proposed by Ms. O'Connell right now. Is that correct?

The Chair: No. We're speaking in the speaking order.

Mr. Dane Lloyd: Okay, but don't we have to deal with—

The Chair: Yes. It's on the amendment.

Mr. Dane Lloyd: I'm sorry. Just to clarify, we are speaking to the amendment right now. Okay.

I would say that this is relevant to the greater study, but maybe we could be talking about the amendment put forward by Ms. O'Connell.

The Chair: Thank you.

• (1125)

Mr. Chris Bittle: Thank you.

I'll finish my point, and then I'll give up the floor. That is appropriate. I thought we were back on the general list.

I will just add Ms. Kelly's comments, give up the floor and go back on the speaking list, if that's all right. Her response was that "the minister does not have a role. It's very much an operational decision."

Mr. Chair, I'd like to go back on the list on the main motion, please.

The Chair: Thank you, Mr. Bittle.

Ms. Ferreri.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thank you, Mr. Chair.

Thank you to everyone for being here. I know that victims' families are watching at home—Marcia, Laura and Tennille—and I hope we get some resolution today for you, as I know how retraumatized you've been.

I want to read this into the record, because I think it's really important:

Everyone here, everyone in this city, everyone in this province, everyone in this country knows that you are a dangerous offender....

The behavioural restraint that you require is jail. You require it, in my view, for the rest of your natural life.... You are a sexually sadistic psychopath. The likelihood of you being treated is remote in the extreme.

That is from Justice LeSage, who sentenced Paul Bernardo. Those are his words.

When I came into this committee today, a reporter stopped me and asked me if we believe that in our justice system we should be focusing on rehabilitation rather than punishment. I asked that reporter to repeat back to me what the sentencing judge said about Bernardo. Can he ever be rehabilitated? The answer is no.

What we're here to do today is discuss what this is. I want to talk about the amendment that Ms. O'Connell has put forward. I think adding more witnesses to the list is a great idea, because the point of the motion put forward by my colleague Mr. Caputo is to figure out how and why this secret transfer of Canada's most sadistic and notorious rapist and killer happened. If we don't understand how and why, we can't fix it.

An article came out March 9 from the CBC: "Corrections chief briefed Mendicino's chief of staff weeks before Bernardo's prison transfer". In fact, the office was notified seven times.

To Ms. O'Connell's point about how in years gone by never have we seen such gross incompetence, this isn't necessarily always about policy and legislation. This is about incompetent people who didn't do their jobs. That's what we have to delve into here to make sure this never happens again.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): I have a point of order, Mr. Chair.

[English]

The Chair: Go ahead, Ms. Michaud.

[Translation]

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

I wonder if we can refocus the debate. The motion before us concerns the case of Luka Rocco Magnotta, not that of Paul Bernardo, which the member seems to be treating as the main case.

I would like us to return to the discussion on Ms. O'Connell's amendment and then to the discussion on the main motion.

[English]

The Chair: Thank you, Ms. Michaud.

Ms. Ferreri.

Ms. Michelle Ferreri: Thank you, Chair.

Actually, the motion put forward does state this: “in light of the transfer of sadistic killer Luka Magnotta out of a maximum security prison to a medium-security prison, the same facility that serial killer and rapist Paul Bernardo was transferred to last year”. Absolutely, this includes Bernardo, and it's important that we talk about that.

To go back to my point, I am here in regard to the amendment, which I think is critical. It's great to hear that Mr. Bittle is going to be supportive of this, as this directly impacts the people of his riding, who have written directly to him. I'm going to read into the record some of the comments that have been stated.

This comes from Laura, Marcia and Tennille, who were the best friends of Kristen French, whose life was taken. I asked for their response to the CBC article saying that the public safety minister's office was notified seven times. They gave me permission to read this to the committee:

Hi Michelle,

Once again we are saddened and disappointed that the Government of Canada has added to the continued emotional trauma and victimization of the many people who have been affected by this man and his brutal crimes. To know that so much communication took place about the transfer and yet no one deemed it important enough to ensure that the minister was addressed personally speaks yet again to the disregard of victims in our Criminal Justice System.

This has to change. Victims should and must come first.

Thank you for your continued effort in this.

Laura, Marcia, and Tennille

Now, the bigger question has come up here today of where this all fits in terms of operations and who the commissioner of Corrections Canada reports to—

• (1130)

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

The Chair: Go ahead.

Mr. Chris Bittle: I guess what's good for the goose is good for the gander. I think my comments were called out for not being specific to Ms. O'Connell's amendment. Although Ms. Ferreri's points are relevant to the motion at large, if we could focus on Ms. O'Connell's amendment, then we can get back to the main motion and discuss the points that are relevant.

The Chair: Thank you, Mr. Bittle.

Ms. Michelle Ferreri: I'll come back to the amendment, which is what I am speaking to, and the six meetings. Ms. O'Connell has suggested we do fewer than that and that we're moving things around. With adding those—

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): I have a point of order.

The amendment has nothing to do with the number of meetings. It's just about the number of witnesses.

I'm wondering if we could perhaps proceed to a vote on that amendment, and then we could go back to the main motion.

The Chair: We'll call a vote on the amendment.

Is it unanimous?

Ms. Jennifer O'Connell: Mr. Chair, I'd like a recorded vote.

The Chair: Let's have a recorded vote.

(Amendment agreed to: yeas 10; nays 1 [*See Minutes of Proceedings*])

The Chair: Before we go any further, Ms. Michaud, you had your hand up. I just want to make sure I didn't miss anything on the screen.

You're good. Okay.

Ms. O'Connell.

Ms. Jennifer O'Connell: On that same point, can you please update us on the speaking order for the main motion?

The Chair: Yes. It's Mr. Julian, Ms. Michaud, Mr. Motz, Ms. O'Connell and Mr. Bittle.

Ms. Jennifer O'Connell: Thank you.

The Chair: We'll go back to Ms. Ferreri.

Ms. Michelle Ferreri: Thank you, Mr. Chair.

[Translation]

Ms. Kristina Michaud: Mr. Chair, please note that I still wish to speak [*Technical difficulty—Editor*], but I will speak when [*Technical difficulty—Editor*].

There seems to be a bit of a delay for those of us on video conference.

I just want to be sure that my speaking time is preserved, because I still want to speak.

[English]

The Chair: Yes, you're on the speaking list after Mr. Julian, who is after Ms. Ferreri.

Ms. Jennifer O'Connell: On a point of order, if we're going to be sticklers on the speaking order, I believe Mr. Bittle was on the list. If Ms. Ferreri was on the list for the amendment, which has now carried, then we should go back to the general speaking list, which I believe has Mr. Bittle.

The Chair: We have just the one speaking list on this.

Ms. Jennifer O'Connell: Right, but I think there was confusion with the amendment. If Ms. Ferreri was speaking to the amendment, then you would move to the first speaker for the main motion because we just dealt with the amendment.

The Chair: Maybe that was my fault, Ms. O'Connell.

We're going to finish with Ms. Ferreri, and then we're going to move to Mr. Julian.

Ms. Jennifer O'Connell: Thanks. I just wanted a clarification.

• (1135)

Ms. Michelle Ferreri: Thank you.

Hopefully we can get through to the meat and potatoes of this, because I think what we're elected to do here is be the voice of the people who don't have one, in particular, in this case, the victims.

To the point that came earlier that it's an operational decision, who does the commissioner of Corrections Canada report to? It's the Minister of Public Safety. The commissioner of the CSC is recommended for appointment by the Prime Minister and approved by an order in council. This appointed position reports directly to the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs and is accountable to the public via Parliament. It's important to have on the record what that is.

I want to read into the record a letter that has garnered a lot of attention, and so it should. It is dated March 4, 2024, and is directed to Ms. Kelly, who is the commissioner who reports to Corrections Canada and the Minister of Public Safety.

Ms. Kelly,

As I am sure by now you are aware that the living conditions of serial rapist, psychopath, murderer and dangerous offender Paul Bernardo has been revealed. Contrary to your address, these conditions are quite the opposite to what you led us all to believe. You claimed this was a lateral move. Other than the fact that there are cells and prison guards, the difference between a maximum-security penitentiary and a medium security facility such as La Macaza, couldn't be more different.

Please help me understand how someone such as Paul Bernardo can be housed in a facility such as this. One of Canada's most notorious killers. A psychopathic serial rapist. A designated DANGEROUS OFFENDER. Does any of this mean anything? I can only imagine the prisoners remaining in maximum security penitentiaries must be asking the same question. If someone who commits the worst of the worst crimes doesn't qualify for the harshest conditions, then who does?

This monster is allowed to play pick up hockey, tennis, billiards, workout in a 5-star gym facility, and partake in a workshop with tools. Signing out tools like the ones he used to torture, sodomise, and ultimately kill his victims. Does this seem fair? Logical? Ethical? Right? And your prison staff feel safe? They certainly shouldn't.

My best friend Kristen French doesn't get to skate anymore. She was a very skilled, and talented figure skater. She could have taken her love and passion for the sport to the top. But that dream was stolen from her, as was her life. A beautiful life that was filled with so much promise. All taken away by that psychopath monster who is now living the good life.

I understand that Paul Bernardo has rights. I am not disputing that. But these should be basic rights. He took away lives in the worst way possible. There has to be life-long consequences for this. Not rewards.

Ms. Kelly, I have to assume that any human being with common sense can see that this move is nothing short of insanity. It's ok to make mistakes or revoke bad decisions. This was a very bad decision. I know you and your team claim all the criteria was met and that policies and procedures were followed. You can now see that by moving Bernardo a major mistake was made. You can right this wrong. By leaving Bernardo in medium-security you are telling everyone that what this monster did wasn't that bad. You are telling other criminals to just do

their time quietly, and you will be rewarded despite the severity of the crime you commit.

Is this the message you are wanting to give? I certainly hope not.

There are more details coming out soon with regard to living conditions at La Macaza. It's time to do the right thing for the victims, their families and all Canadian alike. Do the right thing Ms. Kelly. Move Paul Bernardo back to maximum-security where he belongs.

I would encourage this committee—in particular, somebody who sits on this committee and is from the region in which these women were raped and murdered—to further study this with six meetings and with all of these witnesses so we can make sure that this never happens again.

My point, to my colleague to my left, Mr. Paul-Hus, is that the Victims Bill of Rights be upheld, because we haven't seen that under this Liberal government.

Thank you.

The Chair: Thank you.

Mr. Julian.

[*Translation*]

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

Of course, my thoughts are with the victims today as well.

[*English*]

I support the discussion we're having. I appreciate that we've added additional witnesses. I think that is very important. Certainly, thinking of the victims today and the fact that we started this study last fall, my concern is that we have yet to report.... If the objective of our committee is to put in place recommendations that we oblige the government to follow to ensure that the concerns raised about victims and victims families, about the notification process around transfers and about how transfers are effectuated.... There are also the broad concerns that have been raised in the testimony we've heard so far in this study about correctional officers being consulted. They are the ones who know best the offenders who are in the institutions. We've heard from correctional officers that they haven't been consulted.

For all those reasons, it is important to continue this study. I would like the motion to reflect that we are continuing a study that we began last November and that what we're really doing is adding an additional six meetings for a total of no less than 11 meetings on this issue. As my Conservative colleagues have indicated, they see no distinction between the study we started last fall and the proposal to extend or continue that study we're hearing today.

I believe that we as a committee have made the decision to move ahead on clause-by-clause on Bill C-26. Cybersecurity is an issue that is of fundamental importance. I believe we can potentially wrap up the clause-by-clause study of this bill, which has been stuck out in no man's land now for two years. The reality is that we need to complete our work on that. I'm assuming that's the intent as well. We could potentially start the study this week. We would sit on clause-by-clause for cybersecurity, complete our work on that bill, which has been delayed for far too long and is far too critical for Canada's infrastructure, and then come back to this study. I have no objections to that. I believe the additional names Ms. O'Connell offered are valuable.

I have a further concern that's not reflected in the motion. I believe we need to clarify in the motion the fact that we're continuing this study. My further concern is the number of escapes we saw in previous years. I'm talking about the previous government, the Harper government. The number of escapes from federal institutions was at its highest level. In fact, the three worst years for prison escapes in recent memory were under the Harper government.

At the same time, we saw proposals to cut—to slash—funding to correctional services by \$290 million. That was proposed by the Conservatives in December. That's a total of \$290 million out of the overall Correctional Service Canada budget. I think that is a matter of some concern too. We've seen a higher level of escapes. If we're talking about public safety, it's important to keep in context that slashing the budget, as proposed and voted on in December, is not something that helps to reassure Canadians or to ensure public safety. That's an element that I think needs to be considered as part of continuing our study.

Overall, with those adjustments or changes, I think the most important element is that we proceed to hearing from witnesses, take a break around cybersecurity so we can complete the work that has been delayed for far too long and then come back and complete the study. Most importantly, I hope that we issue a report in the House of Commons that ensures victims are taken into consideration before transfers are put into place and ensures correctional officers are consulted in a meaningful way before transfers take place.

We can't defend at all the horrible, horrific, sadistic acts of Paul Bernardo and Luka Magnotta. The important thing is that the public have confidence in the correctional service and our prison system and see that they are working on their behalf. It is crucial that we get to a report and to recommendations, table them in the House, have a debate in the House of Commons and ensure that the government is being pressured to put into place the recommendations we are making.

In general, I support the motion. I think there is some tweaking required to ensure that people are aware that this is a continuation of a study we started last November. However, above all, I believe that we need to complete this study, make the recommendations and ensure that they are respected and put into place so that the concerns raised over the last few months are finally met with the response of the public safety committee.

• (1140)

Thank you.

• (1145)

Mr. Ron McKinnon: I have a point of order.

The Chair: Wait one moment, please, Mr. Kurek.

Mr. Julian, are you making an amendment? We received something here via email. I just want to clarify that, because you did talk about the ongoing study we're doing. I want to follow up and make sure we're not missing something before we move on.

Mr. Peter Julian: No. What you received you can put aside, because we've made some adjustments, I think. I wrote that up in response to the motion as tabled, but this is an evolving discussion. We have another hour or so to go, and I'm carefully listening to my colleagues from all parties to see the best way to come to a consensus on this.

I would prefer that we clarify we're continuing the study and adding six meetings for a total of 11. I think that would help clarify things. Hopefully that's something the Conservatives will accept as a friendly amendment.

As I mentioned earlier, I'm concerned about the issue of the cuts that were proposed in December and what impact those may have on correctional facilities.

The Chair: Thank you, Mr. Julian.

On a point of order, go ahead, Mr. Kurek.

Mr. Ron McKinnon: Actually, I believe that was me.

I was going to make the same point Mr. Julian just made, so I'll let it go.

The Chair: Thank you, Mr. McKinnon.

Mr. Kurek, you have your hand up. I want to go to you, because I'm not sure if you were disrupted or not.

Mr. Damien Kurek (Battle River—Crowfoot, CPC): Thanks, Mr. Chair.

I have some things to say, but I believe Mr. Motz was up before me, or at least I saw his hand up before I put mine up. I can reserve my comments until I hear from my colleague.

The Chair: Ms. Michaud, you're up.

[*Translation*]

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

I think I had my hand up before Mr. Julian, but that's okay. I let him speak before I did.

I don't agree with what he said [*Technical difficulty—Editor*]. I don't think this study should be seen as a continuation of the Paul Bernardo study that we started last fall. It's completely different.

The reason I signed the request for this emergency meeting today pursuant to Standing Order 106(4) is that there may have been some breaches—

[*English*]

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

The Chair: Ms. Michaud, I know there's a delay for you. Wait just one moment, please. We have a point of order.

Mr. Bittle, go ahead.

Mr. Chris Bittle: We're not receiving interpretation because of the poor sound quality. My apologies to Madame Michaud.

The Chair: Ms. Michaud, we're going to let you try again. You can start over, if you wish.

[*Translation*]

Ms. Kristina Michaud: I don't know if it will work, because I have a message telling me that the network connection is unstable.

I don't know whether you would prefer I continue or try to connect in another way to see if it works better. The woman from the help desk told me that I was connected to Zoom through my web browser, not through the app. I could try using the Zoom application to see if it's better.

• (1150)

[*English*]

The Chair: You were coming through at the very end. If you want to continue, we'll keep trying.

[*Translation*]

Mr. Peter Julian: I have a point of order, Mr. Chair.

[*English*]

The Chair: Go ahead, Mr. Julian.

[*Translation*]

Mr. Peter Julian: I'm worried about the interpreters. We've had a number of instances where a poor connection has led to poor sound quality, and that has serious consequences for them. Personally, I don't think the sound quality is good enough for Ms. Michaud to proceed, but you can check with the interpreters. They can tell you whether the sound quality is good enough for them to do their job safely. As you know, Mr. Chair, a number of interpreters have been injured in the past, so I'm worried.

Ms. Kristina Michaud: Can we suspend briefly, so I can reconnect through Zoom?

[*English*]

The Chair: Hang on, Ms. Michaud.

We'll suspend and check with the interpreters. The clerk is doing that now.

• (1150)

(Pause)

• (1155)

The Chair: Let's try this again.

Ms. Michaud.

[*Translation*]

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

I was saying that I signed the request made under Standing Order 106(4) allowing us to hold today's emergency meeting for the sole purpose of dealing with the specific issue of Luka Magnotta's prison transfer. The purpose wasn't to re-examine Paul Bernardo's case. We've already met a number of times on that. I more or less agree with what Mr. Julian said. This study shouldn't be a continuation of the one we've already done, in my view.

In this case, I think it's really about setting the record straight and reassuring the public. In the past few days, a lot has been said about this transfer, which took place in 2022, by the way. It didn't just happen. Luka Magnotta was transferred from a maximum-security facility to a medium-security facility a few years ago now.

As I see it, the motion is more about the process, which—may I remind the committee—is apolitical. The Correctional Service of Canada has a protocol in place for the transfer and security classification of inmates. As per the statement that came out earlier in the week, Canada's corrections system is fundamentally based on rehabilitating offenders, even if they remain incarcerated for the rest of their lives. That is the legislative mandate of the Correctional Service, which says that it regularly balances factors such as risks to public safety; safe, secure and humane treatment; and victims' rights.

The Correctional Service of Canada's policy dictates that a security classification review be completed at least every two years for inmates classified at maximum or medium-security level and that they be placed at an institution with the corresponding level of security.

Understandably, then, a whole protocol is already in place, and that's what the Correctional Service officials told us when they appeared before the committee with respect to Paul Bernardo's case. I think it's important to have the officials back so they can explain it to us again.

We also need to hear from the warden of the La Macaza Institution, so she can explain how it operates. Is it true that inmates there live more comfortably than most Canadians? Is it true that they can take part in tennis, skating and other such activities? What conditions do inmates there live in? I think we need to hear that directly from someone at the La Macaza Institution.

I don't want to make this into a big to-do. I don't see the need to hold six meetings and hear from multiple witnesses on this specific issue.

There is, however, something that bothers me about Luka Magnotta's transfer. In the past, he had asked more than once to be transferred, but his requests had always been denied. Apparently, his last request was granted because he said he was transgender. He was assessed by a team of psychologists at McGill University, and they were skeptical of his claims, but that seems to be the reason why he was granted a transfer to a medium-security facility. If we should be questioning anything about Luka Magnotta's transfer, that may be it.

As parliamentarians, we can't start meddling in the transfer of every inmate in Canada. We cannot do that, and it's not our job.

This is probably a good opportunity to have Correctional Service of Canada officials explain to us again the protocol and legislation they have to follow when assessing and transferring offenders.

For those reasons, I have a number of changes I'd like to propose to the motion. I will read the motion and flag the parts I would amend.

The beginning would stay the same, in other words, "That, in light of the transfer of sadistic killer Luka Magnotta out of a maximum security prison to a medium-security prison". I would then remove everything up to "the committee".

I would delete the word "immediately" before "undertake". I would replace "study in priority order, of no less than six meetings" with "study of one meeting". Then I would delete ", and that these meetings begin this week," but I would keep the part that says, "on how the decision to make this transfer was made, the prisoner transfer process for prisoners in maximum-security facilities, and the committee report its findings to the House".

• (1200)

The part that says that the committee "call the following witnesses to appear" would stay, as would bullet (a), "the Commissioner of Correctional Service Canada, Anne Kelly". It's important for the committee to hear what she has to say. Bullets (b), (c), (d), (e) and (f) would come out, but I would keep bullet (g)—"the Warden of La Macaza Institution"—and bullet (h)—"representatives from the Union of Canadian Correctional Officers". Bullet (i) would come out, as would the parts added further to Ms. O'Connell's amendment. Lastly, I would add a representative from the McGill medical team that examined Luka Magnotta's case to the list of witnesses to be called.

I hope my fellow members will agree with me that this isn't the time to play politics. That seems to be what some parties are trying to do, and it's wrong.

I think the way to better understand the process and reassure the public is to figure out whether Luka Magnotta's psychological or psychiatric evaluation was flawed and why he was transferred. We could certainly question his medical team about it, and we could get answers about the transfer process from the Correctional Service of Canada officials, but that's all. We cannot start challenging every prison transfer of every federal inmate. Otherwise, it will never end. As I already said, that is not our job as parliamentarians. We are talking about an apolitical process. Turning it into a political issue is wrong.

As I said, I think we should get rid of the part about the committee holding six meetings on the matter. One meeting is enough, in my view. Furthermore, this study shouldn't take priority over our other work. We are in the midst of examining Bill C-26, and we should finish that study before we meet on this issue. The same goes for our car theft study. It should take precedence over this one.

I repeat, Luka Magnotta was transferred in 2022. If Mr. Caputo hadn't visited the La Macaza Institution, we wouldn't be here today. I, myself, visited the Port-Cartier penitentiary two years ago, but I didn't make a big fuss about the individuals I saw there.

Again, the process has to remain apolitical.

I hope that my fellow members will agree with me that we need to narrow the scope of the motion to address the core issue—Luka Magnotta's transfer.

• (1205)

[*English*]

The Chair: Thank you, Ms. Michaud.

Mr. Ron McKinnon: On a point of order, I'm not clear if Madame Michaud is moving a motion. Is an amendment being moved?

[*Translation*]

Ms. Kristina Michaud: Yes, that was an amendment. I'm not sure whether the clerk took note of the changes I was proposing or whether he'd like me to send them to him in writing.

[*English*]

Ms. Jennifer O'Connell: Mr. Chair, I heard her move the motion. If we could suspend to get the exact wording, I'd appreciate it.

[*Translation*]

The Clerk of the Committee (Mr. Simon Larouche): Yes, I did write down the changes you proposed, Ms. Michaud, but I'd like to confirm them with you.

According to my notes, everything after "medium-security prison" up to, but not including, "the committee" is being removed. The part that reads, "immediately undertake a study in priority order, of no less than six meetings" is being replaced by "undertake a study of one meeting". The part that reads, "and that these meeting begin this week" is being removed, so it would say, "a study of one meeting on how the decision to make this transfer was made". The part that follows stays exactly the same up to the list of witnesses. Bullets (b), (c), (d), (e), (f) and (i) are being removed, as are all the bullets that were added further to Ms. O'Connell's amendment, which was agreed to by the committee. A bullet listing "representatives from the McGill medical team" is being added at the end of the witness list.

That's what I have in my notes, Ms. Michaud.

Ms. Kristina Michaud: That's exactly right. Thank you.

[English]

The Clerk: I have to do that in English and I can distribute it afterwards to members.

The Chair: Ms. Michaud, do you agree with that? Yes.

Ms. Jennifer O'Connell: Can we suspend for five minutes just so the clerk can put that in writing?

The Chair: Certainly. We'll suspend for five minutes.

• (1205) _____ (Pause) _____

• (1220)

The Chair: We can reconvene the meeting. The clerk has sent around the amendment. I'm going to get the clerk to read out the amendment just to make sure we're all clear on it. It's an amendment to the motion as amended.

Go ahead.

The Clerk:

That, in light of the transfer of sadistic killer Luka Magnotta out of a maximum-security prison to a medium-security prison, the committee:

- 1) undertake a study of one meeting on how the decision to make this transfer was made and on the prisoner transfer process for prisoners in maximum-security facilities, and report its findings to the House; and
- 2) call the following witnesses to appear:
 - (a) the Commissioner of Correctional Service Canada, Anne Kelly;
 - (b) the Warden of La Macaza Institution; and
 - (c) representatives from the McGill medical team.

[Translation]

This is how it would read in French:

Que, à la lumière du transfert du tueur sadique Luka Magnotta d'une prison à sécurité maximale à une prison à sécurité moyenne, le Comité :

- 1) *entreprenne une étude d'une réunion sur la façon dont la décision de faire ce transfert a été prise et sur le processus de transfert des prisonniers dans les établissements à sécurité maximale, et fasse rapport de ses conclusions à la Chambre;*
- 2) *appelle les témoins suivants à comparaître :*
 - a) *la commissaire du Service correctionnel du Canada, Anne Kelly;*
 - b) *la directrice de l'Établissement de La Macaza;*
 - c) *des représentants du Syndicat...*

Actually, I think bullet (h) is being removed. Isn't that right, Ms. Michaud?

Mr. Peter Julian: No.

I have a point of order.

[English]

The Chair: Mr. Julian, go ahead, please.

Mr. Peter Julian: I'm voting against the amendment, but there's a difference between the English version and the French version. I believe the French version is the right one in this case.

[Translation]

The list of witnesses to be called included representatives from the Union of Canadian Correctional Officers.

[English]

The Chair: Mr. Julian, are you saying paragraph (h) is stricken in French and it should be stricken in English, or are you saying the opposite?

Mr. Peter Julian: No, I'm saying it is not stricken in French and it shouldn't be stricken in English. Madame Michaud can clarify, but that's what I heard.

[Translation]

Ms. Kristina Michaud: That's correct. The union representatives are supposed to stay on the list in both the English and French versions.

[English]

The Chair: We'll make the correction. Thank you.

[Translation]

The Clerk: Okay, so “representatives from the Union of Canadian Correctional Officers”, bullet (h), is staying.

Bullet (i) is being deleted, as are the bullets added further to the previously agreed-to amendment, bullets (j) to (o).

Then, at the end of the list of witnesses, “representatives from the McGill medical team” is being added.

[English]

The Chair: We're going to move on in the speaking order to Glen Motz.

Mr. Motz.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you very much, Chair. I won't speak at this time.

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

The Chair: Just one moment.

Do you want to start a new speaking list?

• (1225)

Ms. Jennifer O'Connell: Yes, that's the point. Whenever there's an amendment, we have to start a new speaking list.

The Chair: I see Ms. Ferreri.

Mr. Julian, your hand is up, I take it, to speak.

Mr. Peter Julian: Yes.

The Chair: Then it's Mr. Motz.

Ms. Ferreri, do you want to start, please?

Mr. Ron McKinnon: On a point of order, I wonder if the reluctance to speak means we'd rather vote on the amendment and then carry on with the main motion.

The Chair: I believe, Mr. McKinnon, people want to speak to the amendment.

It will be Mr. Paul-Hus, who is switching with Ms. Ferreri.

[Translation]

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

I am extremely surprised by the Bloc Québécois member's amendment. She said that we are turning this matter into a political issue, when our job is precisely to represent our constituents. When a story like this breaks and people want to know what happened, it is our job to bring the matter before Parliament and try to get answers.

I don't understand why Ms. Michaud is treating this as though it's nothing more than an administrative issue. She doesn't see this as a big deal. She thinks that all we need is a little two-hour meeting to understand how things went down and then we can move on.

I think we need to stick to what the original motion called for. My understanding is that the Liberals even wanted to go further. I think we are pretty well unanimous about wanting to find out the reasons why scum like Luka Magnotta and Paul Bernardo wound up in a medium-security penitentiary.

It's not purely an administrative issue. It's more than that.

[English]

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

Mr. Schiefke.

Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.): Thank you very much, Chair.

I want to start off by saying that if the kind of violence we saw committed by Bernardo and Magnotta were ever to occur, God forbid, to any person in my life or any of my loved ones, I would want that person to never see the light of day.

I'll take off my political hat and my political affiliation and say this for every single member of this committee. If anything happened and if any violent crimes were committed, God forbid, against any members of your families, I would want that person to be locked up and never see the light of day.

I'm supportive of the motion that was put forward, and I'm supportive of the amendments put forward by my colleague Madame Michaud. I think the amendments put forward will allow us to focus our efforts on finding better outcomes for victims in this country. I think that's important.

Based on what I've heard so far this morning, there is an intent—and I hope it's not the case—to turn this into political theatre. Ms. Ferreri very vehemently and explicitly said we need to be a voice for those who don't have a voice—the voiceless. Mr. Paul-Hus was vehement, and forcefully held in his hand the Canadian Victims Bill of Rights. Mr. Caputo spent a significant amount of time on Twitter talking about whether or not criminals in this country have access to activities on hockey rinks, for example.

My fear is that's what's going to happen with this study. It is far too important to become political theatre.

I truly hope that doesn't happen, because if it does, as I will unfortunately state to my Conservative colleagues, I will gladly take a chainsaw to their proverbial soapbox. I'll point out, firstly, that transfers from maximum- to medium-security prisons in this country peaked under former Conservative prime minister Stephen Harper, with 291 in 2012-13 and 319 in 2013-14. They are years in which, I will point out—

The Chair: We have a point of order.

Ms. Michelle Ferreri: In terms of relevancy, I'm pretty sure we're talking about the current Liberal-NDP government's decisions, not those of former governments that are no longer here.

• (1230)

The Chair: Thank you.

Continue, Mr. Schiefke.

Mr. Peter Schiefke: I am speaking to the amendment. I understand they're going to try to use points of order to cut off my train of thought because the facts are hurtful.

The next is with regard to the hockey rink that Mr. Caputo tweeted about. My understanding is it was built decades ago.

The Conservative government had a decade in power—four years of which were as a majority government—when they could do whatever they wanted. They refused to stand on a soapbox, so where was the outrage then?

The Chair: We have a point of order.

Mr. Frank Caputo: If we're going to talk about soapboxes, perhaps we could refrain from this. Mr. Paul Bernardo was not in medium security at the time when Prime Minister Harper was in.

Let's talk about soapboxes. If we're going to talk about soapboxes, we can do that.

The Chair: Let's not debate, guys.

Mr. Peter Schiefke: I will gladly point out once again—and take a chainsaw to the soapbox made of toothpicks—that the three worst years of prison escapes were under the Conservative government. They happened during the Harper years. What I'm hoping is that we actually focus on finding solutions for victims and not on trying to paint a government as soft on crime when members of the government that had the worst record on crime are sitting right in front of me. It is the Conservatives.

I also want to say that I hope whatever we do moving forward in this study builds upon what we already know based on the testimony we received from Commissioner Anne Kelly. A question posed by my colleague Mr. Bittle was this: “Would it be a legal order for the minister to interject in the specific transfer of an individual?” She responded, “My understanding is that the minister does not have a role. It's very much an operational decision.” I hope that we build on that because we've established it. We have that testimony on record.

I hope we also build on the question that I posed to Commissioner Kelly: With the security surrounding a maximum-security prison and a medium-security prison, is one more secure than the other? Her response was no. I actually went out and visited several prisons to confirm this on my own, to witness it on my own, so that's been confirmed.

What I hope we do with the motion proposed by the Conservatives and the amendments, which I support, by my colleague Madam Michaud is build on what we've learned, actually look for solutions to have better outcomes for victims in this country and not let this become political theatre, which it looks like the Conservatives would like it to be.

Thank you, Mr. Chair.

The Chair: Thank you.

Mr. Julian.

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

I'm voting against the amendment. I want to start by saying that I think the idea of having an expanded witness list and continuing the study we started last November makes sense. I don't believe the amendment achieves that. The amendment actually restricts the kinds of questions that I think we all need to ask about victims and how they are notified and about correctional officers and how their feedback is provided around transfers. The list that we adopted of additional witnesses that Ms. O'Connell presented, I thought, made a lot of sense.

I'm also very concerned about how high escapes were under the Harper government, threatening public safety, and about the fact that Conservatives proposed in December slashing dramatically Correctional Service Canada's budget by nearly \$300 million. I don't think any of that comes out with this amendment.

I want to stress that I believe it's important that we respond to victims. In the case of this special emergency meeting, which costs tens of thousands of dollars to put on, if members of two different parties sign a letter, they should at least agree on their approach to how this emergency meeting will be held. We could have had this discussion next Monday at our regular meeting. Instead, we are spending tens of thousands of dollars having the special meeting, and it now appears that the two parties that signed the convocation for this special meeting had two dramatically different visions of how this emergency meeting would proceed. When they're spending taxpayers' money, as this meeting definitely does, I think it's incumbent on members of Parliament of all parties to at least agree on what the approach is.

I'll be voting against the amendment, but I would urge all members to not filibuster this out. If Conservatives are not in agreement with this amendment—like me—instead of talking it out so there's no vote, they should at least allow the vote to be held. I think members should have the opportunity to express their support or rejection of the amendment and the main motion, and the only way to do that is to come to a conclusion.

We only have half an hour left in this meeting, and I hope that no one filibusters this out. I hope we have the vote on the amendment and proceed from there.

Thank you.

• (1235)

The Chair: Thank you, Mr. Julian.

Ms. Ferreri.

Ms. Michelle Ferreri: Thank you, Mr. Chair.

I have a couple of points about the amendment.

I can't support this amendment because, number one, I'm not sure why we would remove Paul Bernardo from the motion. We have letters submitted to the committee. One from March 9, 2024, reads:

I am writing today to request and encourage you to undertake a study of the re-classification and transfer of Luka Magnotta and other federal offenders at the emergency meeting called on Monday March 11th, 2024.

I, along with Tennille Chwalczuk and Laura Murray are willing to be witnesses and are available Wednesday thru Friday, as well as whenever needed in the future.

The other point, which I think is very bizarre for people watching at home, is why the Liberals are bringing up what happened 10 or 15 years ago. What we're talking about is right now. What we're talking about is the most sadistic killer in Canadian history. It just doesn't make any sense.

To go back to the point of this motion and the amendment put forward by the Bloc, they want to push it down to one meeting. How in the world are you going to solve how and why this happened when we know that the minister's office was notified seven times? One meeting is certainly not enough.

To Mr. Julian's point about wasting taxpayer dollars and public safety, under the coalition that he has with the Liberals, sexual assaults are up 72%. Domestic violence is an epidemic in this country. If you want to talk about public safety, we can certainly do that. It's never been worse. People have never felt more unsafe than under this Trudeau government.

In terms of taxpayer dollars, we can also delve into that if he would like and what he's done with the Liberal government. We're servicing more debt than we are giving to health transfers because of their overspending, wasteful spending and corruption.

Mr. Peter Julian: I have a point of order.

Ms. Michelle Ferreri: Also, we have a clerk and staff who work here regardless of whether we're here.

The Chair: Go ahead, Mr. Julian.

Mr. Peter Julian: None of this is relevant. I believe this is a filibuster. I think it's important that we get to a vote in the next half-hour, prior to the committee meeting ending.

The Chair: Thank you, Mr. Julian.

Ms. Ferreri.

Ms. Michelle Ferreri: Thank you to Mr. Julian for not supporting Ms. Michaud's amendment. I thank him for that because what this amendment is doing is absolutely gutting the whole point of victims' rights. I can't stress that enough. We have this opportunity here, and to call it political theatre.... For the victims watching at home, this isn't theatre. This is their lives.

To my Liberal member across the way, this is not political theatre. This is their lives.

Mr. Peter Schiefke: Then stop treating it like political theatre, Ms. Ferreri.

Ms. Michelle Ferreri: Are you for real? You literally just said that if this was your family, you would do this.

The Chair: Excuse me, guys. Let's respect the interpreters, please.

Go ahead, Ms. Ferreri.

Ms. Michelle Ferreri: I just think it's bizarre to call it this. We are literally translating what victims want. We are literally reading verbatim what they have asked us to do. That is what we were elected to do. I'm not sure how you can call that political theatre. It makes no sense.

Mr. Chair, he's smirking. If he can explain to me how that is political theatre, I would love to hear it.

In the meantime, I'll go back to how we must get this—

Mr. Peter Schiefke: Mr. Chair, on a point of order, can I respond to the question just posed by Ms. Ferreri? She asked me to respond, so I can respond if she'd like.

The Chair: Do so very quickly, Mr. Schiefke.

An hon. member: Point of order.

• (1240)

Mr. Peter Schiefke: Let's go to the 291 transfers in 2012-13—

Mr. Damien Kurek: Point of order.

The Chair: Hold on, guys.

Mr. Peter Schiefke: —many of whom were murderers and rapists.

The Chair: Mr. Schiefke—

Mr. Peter Schiefke: Where was your outrage then? Where was Stephen Harper's outrage then? Where was your Conservative outrage when the two years with the largest numbers of transfers occurred? Where was your outrage?

Those are my facts, Ms. Ferreri.

Mr. Frank Caputo: I have a point of order.

The Chair: Mr. Caputo, go ahead, but keep it on topic.

Mr. Frank Caputo: There is a speaking list. My colleague Ms. Ferreri was speaking.

It is utter hypocrisy for the Liberal member across the way to say that we shouldn't engage in political theatre when he cuts off my colleague who is speaking and then demands to respond. He will have due time to respond to victims and other Canadians.

Mr. Peter Schiefke: I was given the floor, Mr. Caputo, by the chair.

The Chair: Okay. That's it.

Ms. Ferreri, can you continue, please?

Ms. Michelle Ferreri: Thank you.

Listen, I'm not even going to credit that with a response, because it's whack-a-mole. I mean, I was in grade 8 or whatever grade I was in. It doesn't even make any sense what he's asking me in terms of my position. What I can tell you right now about my position is that I remember being 15 years old when Paul Bernardo was a Scarborough rapist. Every woman my age, 45 years old, knows this.

To the point that I've brought up already, the judge who sentenced him said he will never be rehabilitated. He was transferred in the dead of night.

To Ms. Michaud's point about this happening in 2022 and her questioning why we're talking about it now, it's because nobody knew. That is gross incompetence on this government's part.

Mr. Ron McKinnon: On a point of order, this is not on the amendment.

Ms. Michelle Ferreri: That should be even more concerning to anyone else. How did this happen and why? That is the point of this motion. If you want to stop this from happening again, you have to study it. You have to bring forward these people, and in particular the victims.

Thank you, Mr. Chair.

The Chair: We're going to move on to Mr. Motz.

Go ahead, please.

Mr. Glen Motz: Thank you, Mr. Chair. I will speak to the amendment and would like my spot on the regular motion to be there after the vote, please.

I do not and cannot support the amendment by my Bloc colleague. As has already been indicated, victims are depending on this. Over the last eight years, through legislation and a soft-on-crime approach, a situation has developed where this has become a more common practice. I think it deserves significant study so we can understand how and why, as well as how to prevent it moving forward.

Ms. O'Connell, in her opening comments, made a statement, as did Mr. Julian and Mr. Schiefke in reference to this amendment, that the Conservative government of the past had the highest number of transfers from maximum security to medium security—or of any transfers period. I would challenge them to show us how many of those transferred were not regular offenders but the worst of the worst. That's what you have to figure out here. We're talking about the worst of the worst.

There are maximum-security prisoners who can be transferred from maximum to medium security and who are not in the same category as those with the dangerous offender designation. Dangerous offenders are designated by the courts, and we have to keep that in mind.

The other interesting comment was about the escapes and how we had the highest number of escapes under the Harper government. I would challenge Mr. Schiefke and Mr. Julian to have a look at that. How many of those escapes were from minimum-security prisons? I would ask them to come back with those numbers, because they'll find that, shockingly, the highest number were from minimum-security prisons rather than from maximum- or medium-security prisons. To try to throw the Conservatives of the past under the bus misses the point here.

As I said, we have an obligation to victims—

The Chair: There is a point of order, Mr. Motz.

Mr. Julian.

Mr. Peter Julian: I always enjoy hearing Mr. Motz, but this is not relevant to the amendment. I am concerned about a filibuster developing when we really should be proceeding to the vote.

Hopefully the amendment will be rejected and we'll move to the main motion, but I don't think a filibuster is appropriate. I think we need to move to a vote.

The Chair: Thank you, Mr. Julian.

Mr. Motz, go ahead, please.

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

Thank you, Mr. Julian.

I'm only responding to those of you—including you, Mr. Julian—who made this comment in response to Ms. Michaud's amendment. As a result, I am going to speak to it.

I agree that we need to get to a vote on this amendment and defeat it. I agree with my Liberal colleagues about adding some more witnesses and giving this the attention it deserves. I'm actually surprised that Mr. Schiefke would think otherwise.

I'll have other comments to make when we get back to the main motion with respect to some facts on Bill C-83 and the like.

Thank you for your time, Mr. Chair. Again, I cannot and will not support this Bloc amendment.

• (1245)

The Chair: Thank you.

Mr. Caputo.

Mr. Frank Caputo: Thank you, Mr. Chair.

I think it's ironic that the Liberals initially said they wanted to add witnesses and now they're in support of rejecting the very witnesses they wanted to add: Howard Sapers, the John Howard Society, Aboriginal Legal Services, the Black Legal Action Centre and the Canadian Civil Liberties Association. These are the very groups the Liberals said we should add, and now we have Mr. Schiefke saying, no, they don't want to add them; they want to go from six meetings to one meeting. That is utter hypocrisy.

Mr. Bittle, to his credit, spoke with great sincerity, I would say, when he talked about the impact on communities. Now he will be asked to vote on going from six meetings to one. Ms. O'Connell echoed similar sentiments, and now she will be asked that this go from six meetings to one, gutting the very witnesses she said should be put forward.

I'm going to wait until Mr. Schiefke gets back to his seat so he can hear this.

Mr. Peter Schiefke: On a point of order, Mr. Chair, I'm sitting right here. If Mr. Caputo needs glasses, I can provide him with some, but I'm sitting right here.

I'm literally sitting right in front of you, Mr. Caputo.

The Chair: That's enough, guys.

Mr. Peter Schiefke: Your remarks are uncalled for.

The Chair: Mr. Caputo, are you going to continue?

Mr. Frank Caputo: Yes, I am.

Mr. Chair, I would really like Mr. Schiefke to hear this. It is from one of the friends of the victims. When he reduces it from six meetings to one, including gutting the victims in paragraph (i)...

I received a message a few minutes ago that says it's important—

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

Mr. Frank Caputo: They don't want to hear that.

The Chair: Go ahead, Ms. O'Connell.

Ms. Jennifer O'Connell: Mr. Chair, if Mr. Caputo wants to read something into the record, that's fine, but he is attributing an amendment to Mr. Schiefke that didn't happen.

I think he should stick to his counterpoints instead of these pretty lame personal attacks. We've all been able to speak to our points, and he should continue to do so without the personal attacks, because he's making a fool of himself at this moment.

The Chair: Thank you.

Mr. Caputo.

Mr. Frank Caputo: If standing up for victims means making a fool of myself, Ms. O'Connell, I'll make a fool of myself each and every day. I will show up to Parliament right here, right now, today, tomorrow and the next day and make a fool of myself.

I'm going to read this into the record for the benefit of those who plan on voting with this amendment to gut it from six meetings to one. The Bloc and the Liberals are seemingly teaming up to gut the very amendment the Liberals were putting forward. The message says that it's important to hear the witnesses on the impact of these moves and that victims deserve more than one meeting.

What I'd love is for the Liberals and the Bloc to explain why, with this amendment, they are voting to gut the list of the very witnesses they said we need to hear from. Why are they choosing to side with less information instead of more, while they accuse others of getting on a soapbox when they are the ones making this political?

I would love for them to answer that question. Why? It's for the victims. They should be answering.

The Chair: Mr. Lloyd.

Mr. Dane Lloyd: Thank you, Mr. Chair. I wasn't expecting to get on the speakers list so quickly.

I'm just curious. When Mr. Schiefke said he was in support of the Bloc amendment to move this from six meetings to one meeting, was that Mr. Schiefke's personal initiative, or is it the position of the Liberal Party members on this committee to knowingly vote to reduce this from six meetings to one meeting? They know full well that they're removing the Elizabeth Fry Societies. It would be impossible for us to hear from the Black Legal Action Centre, Aboriginal Legal Services, the Elizabeth Fry Societies and the John Howard Society.

It just seems so bizarre to me that the Liberals could come forward with an amendment that was supported by three out of the four parties at this committee, yet flip-flop and turn 180° so quickly from six meetings to one meeting, cutting the number of witnesses. I find it absolutely bizarre.

I'm curious to know, whenever they're up on the speaking list, whether this is the initiative of one Liberal member of the committee or it's now the position of the entire Liberal Party at the committee that it wants to essentially gut this motion, including its own amendments.

• (1250)

The Chair: Thank you, Mr. Lloyd.

Mr. Kurek.

Mr. Damien Kurek: Thanks, Chair.

I think it's time to get to a vote.

I will not be supporting this amendment, as it silences victims and guts meetings when Canadians are demanding answers about this. To silence victims and reduce the ability of parliamentarians—us around this table—to get answers is certainly tragic at best, and at worst is unparliamentary.

I will end my comments there. I urge all members to vote against the amendment. We can then vote in favour of this study to start the process of getting answers for Canadians and for victims. Then we can start to bring at least an iota of trust back to a justice system that certainly doesn't seem like it has a whole lot of justice right now.

Let's get to a vote.

The Chair: Thank you, Mr. Kurek.

We have no one else on the speaking list. I will call for a vote on the amendment to the motion as amended.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: The amendment is approved. Now we'll go back to the original speaking order.

Mr. Motz, you're up, please.

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

I can't express my disappointment sufficiently virtually, or even in person, to comprehend the impact, the repercussions, of the vote on this amendment.

We have heard that the government should never interfere in matters of corrections. They can't. However, subsection 6(1) of the Corrections and Conditional Release Act does give the minister the power to issue directives to the Correctional Services commissioner. Paragraphs 96(b) and 96(z.6) also allow the Governor in Council to make open-ended regulations on inmate classification and prison assignment.

We heard in the last study on Bernardo, and we've heard anecdotally today, that the Liberals dispute their ability to issue directives or make regulations for individual inmates. The Minister of Public

Safety can and regularly does issue directives dealing with larger classes of inmates. For example, in 2022, then minister Mendicino issued new direction on the use of dry cells to keep inmates from bringing contraband into federal prisons. In 2018, then minister Goodale issued a directive restricting what kind of inmates could be sent to indigenous healing lodges.

We know that nothing would prevent the minister from issuing a directive or cabinet from adopting an order in council mandating that all offenders designated dangerous offenders—the worst of the worst, as said before, like Bernardo, Magnotta and others designated as such—serve their life sentences, with the types of crimes they've committed, in maximum security prisons.

One thing people have been asking me is, how is it possible that this sort of thing keeps happening? How do inmates get moved and why are they being moved, with the worst of the worst being moved at the rate they're being moved at now, especially these high-profile types of offenders? In 2019, the Liberals introduced Bill C-83. It was voted on and passed in 2019 and created a standard, in section 28 of the act, requiring prison selection to be made by the commissioner based on “the least restrictive environment for that person”. This repealed previous Conservative legislation from 2012, the Safe Streets and Communities Act.

We heard it suggested in the last study that Conservatives supported Bill C-83. Yes, we supported Bill C-83 at second reading to go to committee for amendments. We did not support it at third reading.

I think it's unfortunate that we have now gone from potentially six additional meetings to one meeting. We'll never get this resolved in one meeting, and we're going to leave victims hanging out to dry, so to speak, to continue on with the trauma they face every time a transfer occurs that has the victim impact we see with these dangerous offenders.

As legislators, as members of this committee, I feel strongly that it behooves us to serve our constituents well, and I don't believe this amendment will do that. Unfortunately, the original motion and the first amendment brought by my colleague Ms. O'Connell did serve that purpose, but they have been changed. Again, I'm at a loss to know how victims will be served in this way. We can't get to the bottom of what we're doing based on this.

Thank you, Mr. Chair.

• (1255)

Mr. Peter Julian: Mr. Chair, on a point of order, we only have a few minutes left. Despite the fact that I regret the amendment passed, I believe we have to vote on the main motion.

The Chair: Are we in agreement with that?

Some hon. members: No.

The Chair: Mr. Julian, we're going to continue with the speakers list.

Mr. Peter Julian: On a point of order, Mr. Chair, the normal hour of adjournment is in two minutes. Those of us in our ridings have other events and other commitments.

I don't give consent to continue this meeting beyond the normal adjournment time.

The Chair: Thank you, Mr. Julian.

Mr. Motz, you completed your time, so we'll move to Ms. O'Connell.

Ms. Jennifer O'Connell: Thank you, Mr. Chair.

I think it's important to note, as it's been said already, that we support continuing this study, which is exactly why we moved forward—

Ms. Michelle Ferreri: On a point of order, Mr. Chair, I just want to put on the record that we have extra resources to go longer.

The Chair: Yes, we have extra resources.

Ms. O'Connell, do you want to continue?

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

As I was saying, we have been supportive of this study. We participated in—well, this would be a continuation—the initial study that was brought forward. We put forward witnesses and we engaged in it.

Comments have been made in our work, based on what we heard in testimony, that we want to move forward with recommendations and continue based on some of the information we heard. Unfortunately, as was very clear from some of the outbursts by our Conservative colleagues, they're not actually interested in justice or safety. They were outraged, asking, "Who cares what happened when the Conservatives were in power?"

It's pretty interesting, because if they are going to sell a narrative to the public about how tough on crime they are and how only Conservatives will deliver on policies that will support victims, I think we as a committee have every right to look at their record. When we look at their record, what we see is more instances of reclassification from maximum to medium.

They can try to explain that away all they want, but that's the reality. They cut services to Correctional Services facilities. Mr. Caputo wants to suggest that he's standing up for victims over a skating rink, but he had quite the media spanking over the weekend over the misinformation he has been putting out. It's really harmful and traumatizing for victims and their families to read a political agenda that just simply isn't true.

What is true is that the very skating rink he's outraged about was actually in operation under the Conservatives. Mr. Schiefke pointed out the political theatre. The political theatre is in the fact that Conservatives are willing to say anything, even if it's not true, for the outrage and upset it might cause.

What they don't want to talk about—which is why they interject so much—is that there was no outrage about a skating rink at this facility when they were in power, a skating rink that was operational when they were in power. They don't want Canadians to see the hypocrisy they're living under.

We started this committee meeting by trying to have a very reasonable and rational conversation about how we move forward and continue this study, which is something we're supportive of doing, and how we can give Canadians the opportunity to hear about the process. Mr. Motz just read into the record that the minister does have the ability to change these classifications, but if you heard his words, he read in that the minister has authority to change directives around groups of populations, not reclassifications. His own words don't match or make sense with what Conservatives are arguing.

This is why we're supportive. Let's bring back Correctional Services Canada, which at committee testified that the minister cannot step in, just as Stephen Harper did not step in, and change the over 300 reclassifications from maximum to medium. I think we're happy to have that conversation again because Conservatives don't want to be confused by the truth.

● (1300)

We're happy to continue to put that information on the record, because they would rather say things that are deeply emotional and deeply personal, especially for victims. They're not letting those victims know about their record, while they purport to say they would do things differently when in fact we know they wouldn't. They're willing to say anything. They're willing to say anything for power. I think that's deeply sad given the topic.

Mr. Chair, given that we seem to be in a filibuster with the Conservatives now just reading into the record nothing, I'm going to move a motion to adjourn.

● (1305)

The Chair: We have a motion to adjourn.

Mr. Dane Lloyd: I have a point of order, Mr. Chair.

We would like to get to a vote on this motion—not the motion to adjourn but the motion at hand. I understand that there's a motion to adjourn, and we'll be supportive of it.

Ms. Jennifer O'Connell: Mr. Chair, I'm willing to withdraw that motion if the Conservatives have no more speakers on the list and we can vote on the main motion.

Mr. Dane Lloyd: That's guaranteed.

The Chair: Okay. We're going to move to a vote on the motion.

Ms. Jennifer O'Connell: I withdraw my adjournment motion if we're voting on the main motion, but if there are speakers on the list, then my adjournment motion would stand.

The Chair: There are no speakers.

Ms. Jennifer O'Connell: Thank you, Mr. Chair.

I'm just clarifying that it's on the main motion as amended.

The Chair: Yes, it's on the main motion as amended.

(Motion as amended agreed to: yeas 6; nays 5)

Ms. Jennifer O'Connell: Mr. Chair, I'm moving a motion to adjourn. The meeting is adjourned.

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

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