



CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



Appearance of the Commissioner before the Standing Committee on Public Safety and National Security (SECU)

**PAROLE BOARD AND THE CIRCUMSTANCES THAT LED TO A YOUNG WOMAN'S
DEATH**

JANUARY 25, 2021

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1. Opening Remarks

Speaking Notes for

Anne Kelly
Commissioner, Correctional Service of Canada

For an appearance before the
Standing Committee on Public Safety and National
Security

January 25, 2021

Introduction

Mr. Chair, I am joined today by Alain Tousignant, Senior Deputy Commissioner.

First, I would like to begin by extending, once again, my heartfelt condolences to the family, friends, and communities affected by this terrible tragedy. This is **not** an outcome **any** of us **ever** want to see and I am deeply sorry it happened.

Public safety is our business. It must be at the core of everything we do and guide every decisions we make. We take this responsibility very seriously in how we supervise approximately 9400 federal offenders in communities across the country, 2000 of which are in Quebec.

As I have previously stated in front of this Committee last year, Mr. Chair, and, while I do not want to undermine in any way the seriousness of what happened here, it is extremely rare that an offender on day parole commits a violence offence like this.

But when it does, getting to the bottom of what happened is top priority, as it has been in this case.

I would like to thank the Board of Investigation for contributing their expertise, objectivity, and hard work to this process, especially during this public health pandemic.

We have closely examined all of the Board's findings and accept their five recommendations. We have developed an action plan to implement them in their entirety.

As I committed at my last appearance on this issue, we have provided this Committee and the public with the Board of Investigation report along with a summary of the findings as well as our management action plan, detailing our concrete actions.

I want to be clear with the Committee that the community supervision strategy in this case was completely inappropriate. CSC does not condone offenders seeking sexual services.

In my 37 years with CSC, I can firmly attest to the fact that this is not something that we, as an organization, endorse in how we manage offenders. I have made this clear throughout my organization.

Immediately following this tragic incident, I ordered a nation-wide review of all community supervision strategies to ensure they are sound, appropriate, consistent with policies and legislation, and serve to protect public safety.

In terms of community supervision, Quebec has had a direct supervision model for over 40 years through which, under contract, community partners play an important role in the successful rehabilitation of offenders. They provide accommodation and support to offenders, while a small number of them, including Maison Painchaud, also directly supervise approximately 155 offenders on conditional release in the community.

We are taking steps to move to a single community supervision model for federal offenders in Canada.

By March 31, 2021, the Maison Painchaud Community Residential Facility will **no longer** supervise federal offenders. Although offenders will continue to be **housed** at the facility, CSC will take over **all** aspects of supervision for federal offenders in the community.

We will also review our **other** Community Residential Facility contracts in Quebec with a goal of returning **all** direct supervision responsibilities for federal offenders to CSC. As with Maison Painchaud, these Community Residential Facilities will continue to **house** offenders.

Building safer communities is a **complex** process and CSC **cannot** and **does not** work do this alone. While direct supervision responsibilities for federal offenders in Quebec will be assumed by CSC as is the case with the rest of the country, our community partners will continue to provide services and support to offenders and their families. These area **vital** part of an offender's safe reintegration.

Our other **key** actions include strengthening information collection. CSC is revising its policy to **clearly** specify the types of official documents required for offenders with a history of serious offences.

We are also putting in place a **formal** monitoring mechanism, to check at **regular** intervals whether the requested information has been obtained and ensure follow-up, if required.

In addition, CSC will **strengthen** community supervision policies and tools to ensure that **specific** elements, such as collateral contacts, are **regularly** discussed during **case** conferences between Parole Officers and their supervisors to help re-assess an offender's risk.

CSC will also be implementing **new**, mandatory Intimate Partner Violence training. This will complement existing training and will be required for **all** Parole Officers and their supervisors to support them in assessing and managing the risk of offenders.

I know this case had a profound impact on our employees, especially those in Quebec. These situations are extremely rare in large part because of the work our employees and our community partners do day in and day out to supervise offenders in the community.

Having said this, something went tragically wrong in this case and we owe it to Canadians to follow due process and properly examine the circumstances specific to the employees directly involved in the supervision and oversight of this case. The disciplinary process will help determine if any additional accountability measures are required.

As Commissioner of the Correctional Service of Canada, I am resolute in my commitment to working closely with our

employees, community partners, and unions to implement all of the recommendations as presented to us.

I believe this will lead to important changes in how we supervise offenders and deliver on our mandate to keep our communities safe.

In closing, I would once again like to express my sympathies to the family and friends of Marylène Levesque.

Thank you.

2. Quebec Incident

Key Messages – General

- On behalf of the Correctional Service of Canada, I would like to once again offer my condolences to Marylène Levesque's family and friends as well as to the communities affected by this tragedy.
- It is a terrible tragedy that has affected many of us. I do not want to undermine in any way the gravity of what happened, but I want to be clear that this type of incident is extremely rare.
- Understanding what happened in this case has been a priority for our organization, which is why we convened a National Joint Board of Investigation with the Parole Board of Canada.
- I would like to point out that measures were put in place following this incident, and we will implement all of the Board of Investigation's recommendations in their entirety to strengthen public safety.

Key Messages – Specific Issues

Board of Investigation

- We wanted to shed light on what happened in this case in a transparent way.
- The BOI was an arm's length process with five members, including two external co-chairs who are criminologists.
- The BOI was convened to examine the circumstances surrounding this tragic incident, including whether organizational policies and practices were followed, and to propose corrective measures to improve our operations.
- The BOI process is administrative in nature and established in policy.

Direct Supervision

- Quebec has a direct supervision model that has existed for over 40 years where community partners play an active role in the supervision and rehabilitation of offenders.
- They provide accommodation and support to offenders, while a small number of them directly supervise offenders on conditional release in the community.
- Following this incident we:
 - Clarified the responsibilities and duties of clinical workers at CRFs.
 - Increased the number of Parole Officer Supervisor positions to ensure better quality control and greater oversight of those under direct supervision by CRFs in Quebec.

- Began reviewing a monthly sampling of community strategies to ensure they are sound and to support employees in managing offenders in the community.

Responsibilities

- The BOI found that a series of factors contributed to this incident and identified shortcomings for CSC and the CRF Maison Painchaud.
- We have carefully reviewed the findings and recommendations, and immediate actions are being put in place to address all the recommendations.
- These will lead to important changes in how we do community supervision in Quebec.

Employees

- This case has had a profound impact on our employees, especially those in Quebec.
- These incidents are extremely rare in part because of the work they do day in and day out to supervise offenders in the community.
- Having said this, something went wrong in this case, and we owe it to Canadians to follow due process and properly examine the circumstances specific to the employees directly involved in the supervision of this case.
- Following this incident in 2020, the employees involved were put on other duties and have not been involved in the supervision of offenders since.
- Given the BOI results, CSC has launched employee disciplinary investigations, as per Treasury Board guidelines, to determine any further accountability measures that are required.
- It was also important to wait for the outcome of the BOI as it provides a fulsome picture of all circumstances, facts, and specific areas of non-compliance.

Investigations

- A separate criminal investigation into Ms. Levesque's murder was carried out by the Service de Police de Quebec. This led to charges of first-degree murder.
- The CSC-PBC Joint Board of Investigation was convened to conduct a file review to identify shortcomings and give recommendations.
- Given the BOI results, CSC has launched employee disciplinary investigations, as per Treasury Board guidelines, to determine any further accountability measures that are required.

Community Supervision Process

- Our mandate is to keep communities safe and prepare offenders to become law-abiding citizens.
- All offenders on conditional release are supervised by CSC. We rely on several partners to monitor their progress in the community.

- The risk of offenders is constantly reassessed. If it is determined that an offender poses a risk for the community, they will be returned to custody, and their conditional release will be reassessed.

Caseloads

- We have a tool in place to ensure appropriate allocation of resources and caseload distribution.
- Resources are allocated on an annual basis with CSC's allocations.
- We continue to work with our union partners on an ongoing basis.

Mental health Care of Offenders in the Community

- Provincial governments are accountable for the provision of health care services.
- Some CSC mental health services and supports are made available to offenders with serious mental health issues.
- The PBC may impose a condition whereby the offender is required to undergo psychological counselling while on parole.
- We have a psychologist, a social worker and a nurse at the Quebec Parole Office to provide support to offenders.

Massage Parlours

- I want to be clear: CSC does not condone offenders seeking sexual services.
- This is simply not something that we, as an organization, endorse in how we manage offenders.
- Immediately after the incident, I ordered a nation-wide review of all community supervision strategies to ensure they are sound, appropriate, consistent with legislation and policies, and serve to protect public safety. This did not reveal any similar cases.
- We are held to a high standard, as we should be, and must ensure that we take every measure possible to strengthen and protect the communities we serve.

CSC Actions

The measures that will be put in place will lead to important changes in the way we supervise offenders in the community.

Key actions include:

- Strengthening how information is collected and shared: changing CSC's Information Collection Policy to define a serious offence and develop monitoring tools and practices that support effective information collection and sharing.
- Changing Quebec's direct supervision model:

- Maison Painchaud CRF will no longer supervise offenders residing with them by March 31, 2021.
- All other contracts in the Province are being reviewed with a goal of moving responsibilities for direct supervision of federal offenders back under CSC.
- Strengthening community supervision policies and tools: this will ensure that consistent elements, such as collateral contracts (employer, family members, etc.), are regularly discussed during case conferences between parole Officers and their supervisors to help re-evaluate an offender's risk.
- Implementing new, mandatory Intimate Partner Violence training: all Parole Officers and their supervisors will be required to take this training to support them in assessing and managing the risk of offenders.

Quick Facts

- In 2019-2020, more than 99% of offenders on day parole completed their supervision periods without committing a violent offence.
- On an average day, CSC supervises approximately 9,400 offenders in the community.
- CSC supervises approximately 2,000 offenders in Quebec.
- 8 CRFs in Quebec perform direct supervision for approximately 150 offenders.

Timeline

March 26, 2019: GALLESE is first approved for parole.

September 19, 2019: GALLESE's parole is continued.

January 22, 2020: Murder occurred.

January/February 2020: Additional measures around review of community strategies, staff reassigned.

February 3, 2020: Board of Investigation is convened.

February 27, 2020: GALLESE pleads guilty to a first-degree murder charge.

March/April 2020: Board of Investigation's activities are suspended due to the pandemic.

September 8, 2020: Board of Investigation's work resumes.

December 18, 2020: Board of Investigation's report is finalized in French only.

Summary of the CSC-PBC National Joint Board of Investigation Recommendations

On January 22, 2020, Marylène Levesque was murdered in Sainte-Foy, Quebec by an offender on day parole. The offender, Eustachio Gallese, subsequently plead guilty to first-degree murder and was sentenced on February 27, 2020, to life in prison with no chance of parole for 25 years.

As a result of this incident, on February 3, 2020, the Parole Board of Canada (PBC) and the Correctional Service of Canada (CSC) convened a National Joint Board of Investigation (BOI). It was comprised of five members with the skills and expertise to carry out this investigation, including two external co-chairs, who are criminologists, independent of CSC and PBC.

They conducted interviews and examined all of the documentation and facts around the release and supervision of an offender who was on Day Parole at the time of the incident, and presented findings and recommendations that cover the following themes: information collection and sharing, community supervision, training, and the PBC decision-making process.

The BOI made five recommendations:

- That CSC revise Commissioner's Directive (CD) 705-2 – Information Collection to define a serious offence and specify the documents required, including source documents such as trial transcripts for sentenced offenders with a history of violence offences.
- That CSC revise CD 715-1 – Community Supervision to include a quality control mechanism with a network of collateral contacts.
- That CSC integrate training on domestic violence into the Parole Officer (PO) Induction Training and that this training be offered during the PO Continuous Development training.
- That CSC develop a case conference instrument that includes minimum indicators.
- That the direct supervision component set out in the contract agreement be taken away from the Maison Painchaud CRF and given back to CSC, and that CSC review the service models with all other CRF currently responsible for the direct supervision of offenders.

Summary of the CSC's Management Action Plan

The BOI report makes several recommendations to CSC, all of which CSC has thoroughly reviewed, analyzed, and accepted as part of its commitment to do everything possible to prevent such a tragedy from ever happening again. While the report does not make any recommendations to the PBC, the PBC is nonetheless taking actions as well.

In response to the report's recommendations, CSC is:

- Changing its direct supervision model in Quebec. Currently, Community Residential Facilities (CRF) provide accommodation and support to offenders, while some directly supervise a small number of offenders (approximately 155 out of 2000) on release in the community, in Quebec. By March 31, 2021, CSC will take over all aspects of community supervision from the Maison Painchaud CRF. In addition, CSC is reviewing all other contracts in Quebec with the goal of returning all direct supervision responsibilities for federal offenders back to CSC. These contractors will continue to house offenders, as is the case across the country. CSC values these partnerships, as they are essential to supporting offenders in their transition from institutions to the community.
- Strengthening community supervision policies and tools so that specific elements, such as collateral contacts of the offender (employer, family members and friends) are regularly discussed during case conferences between Parole Officers and their supervisors to help continually re-assess an offender's risk. CSC is revising its Information Collection policy to clearly define a serious offence for the purpose of information collection, specify which types of documents are required and relevant to an offender's history, and implement a formal monitoring mechanism.
- Implementing new, mandatory Intimate Partner Violence training, which will become a core component of the existing Parole Officer Continuous Development Training. It will be required for all Parole Officers and their supervisors to support them in assessing and managing the risk of offenders.

These actions by CSC are in addition to those that were taken immediately following this tragic incident last year. The supervision strategy used in this case was inappropriate and not something that CSC condones in the way it manages offenders. To this end, CSC conducted a nation-wide review to ensure that all supervision strategies are sound, appropriate, consistent with legislation and policies, and serve to protect public safety. This review found there were no similar cases.

Now that the BOI report is complete, CSC has launched disciplinary investigations, as per Treasury Board guidelines, to determine any further accountability measures required. Since this incident, employees directly involved in the supervision and oversight of this case have been assigned other duties and are not supervising offenders.

CSC-PBC Joint National Board of Investigation Hot Issue Note

Speaking Points:

- What happened in Quebec on January 22, 2020 was a terrible tragedy that should never have happened.
- Our thoughts remain with the family and friends of Ms. Lévesque for their loss.
- Following this incident, a Joint National Board of Investigation was convened by the Correctional Service of Canada and the Parole Board of Canada.
- It was co-chaired by two community members independent of the Correctional Service of Canada and the Parole Board of Canada, who are criminologists. It's objective was to examine the circumstances that led to this tragic event.
- The Board of Investigation identified a number of gaps related to how this offender was supervised. The Correctional Service of Canada is resolute in their commitment to implement the recommendations and are taking concrete actions that prevent this from happening again.
- In response to the recommendations, the Correctional Service of Canada is changing its direct supervision model in Quebec, strengthening community supervision policies and tools and implementing new, mandatory Intimate Partner Violence training.
- The Correctional Service of Canada and the Parole Board of Canada take this report and its recommendations extremely seriously, and they will continue to work hard to prevent any incident like this from ever happening again.

Background – CSC-PBC Joint National Board of Investigation Hot Issue Note

Federal offender Eustachio Gallese has been serving a life sentence since December 16, 2006. He was convicted of murdering his spouse. The index offence occurred on October 21, 2004. He was first granted Day Parole (DP) on March 26, 2019. On September 19, 2019, his DP was continued while Full Parole was denied. On January 23, 2020, his DP was suspended due to his suspected involvement in another murder. He was charged and convicted of First-Degree Murder on February 27, 2020, in the death of Marylène Lévesque. Gallese remains in federal custody.

Joint National Board of Investigation Recommendations

The Joint National Correctional Service of Canada (CSC) – Parole Board of Canada (PBC) Board of Investigation (BOI) into the events surrounding the murder of Marylène Lévesque by offender Eustachio Gallese was convened on February 3, 2020. It was comprised of five members with the skills and expertise to carry out this investigation, including two external co-chairs, who are criminologists, independent of CSC and PBC. They conducted interviews and examined all of the documentation and facts around the release and supervision of an offender who was on Day Parole at the time of the incident, and presented findings and recommendations that cover the following themes: information collection and sharing, community supervision, training, and the PBC decision-making process.

The BOI report made five recommendations:

- That CSC revise Commissioner's Directive(CD) 705-2 – Information Collection to define a serious offence and specify the documents required, including source documents such as trial transcripts for sentenced offenders with a history of violence offences.
- That CSC revise CD 715-1 – Community Supervision to include a quality control mechanism with a network of collateral contacts.
- That CSC integrate training on domestic violence into the Parole Officer (PO) Induction Training and that this training be offered during the PO Continuous Development training.
- That CSC develop a case conference instrument that includes minimum indicators.
- That the direct supervision component set out in the contract agreement be taken away from the Maison Painchaud CRF and given back to CSC, and that CSC review the service models with all other CRF currently responsible for the direct supervision of offenders.

There were no recommendations for the PBC. However, the BOI report noted the following with regard to the PBC:

- The Parole Board members who made the conditional release decisions on March 26, 2019, and September 19, 2019, met all PBC training requirements and had the level of knowledge necessary to perform their tasks.
- The PBC training plan for new Board members was well structured and complete.
- The Parole Board members correctly applied the criteria set out in the Corrections and Conditional Release Act (CCRA).
- The Parole Board members fully applied the Risk Assessment Framework set out in the PBC Decision-Making Policy Manual.
- The PBC had at its disposal all the relevant and available information for sound decision-making.

- While the September 2019 written decision did not fully reflect what occurred at the hearing, this was not identified as a factor in Ms. Levesque's death.

Importantly, the report acknowledged that the Board Members explicitly prohibited the offender from visiting massage parlours for sexual purposes.

CSC's Response to the BOI Recommendations

CSC has thoroughly reviewed, analyzed, and accepted the BOI recommendations as part of its commitment to do everything possible to prevent such a tragedy from ever happening again.

In response to the report's recommendations, CSC is:

- Changing its direct supervision model in Quebec. Currently, Community Residential Facilities (CRF) provide accommodation and support to offenders, while some directly supervise a small number of offenders (approximately 155 out of 2000) on release in the community, in Quebec. By March 31, 2021, CSC will take over all aspects of community supervision from the Maison Painchaud CRF. In addition, CSC is reviewing all other contracts in Quebec with the goal of returning all direct supervision responsibilities for federal offenders back to CSC. These contractors will continue to house offenders, as is the case across the country. CSC values these partnerships, as they are essential to supporting offenders in their transition from institutions to the community.
- Strengthening community supervision policies and tools so that specific elements, such as collateral contacts of the offender (employer, family members and friends) are regularly discussed during case conferences between Parole Officers and their supervisors to help continually re-assess an offender's risk. CSC is revising its Information Collection policy to clearly define a serious offence for the purpose of information collection, specify which types of documents are required and relevant to an offender's history, and implement a formal monitoring mechanism.
- Implementing new, mandatory Intimate Partner Violence training, which will become a core component of the existing Parole Officer Continuous Development Training. It will be required for all Parole Officers and their supervisors to support them in assessing and managing the risk of offenders.

Now that the BOI report is complete, CSC has launched disciplinary investigations, as per Treasury Board guidelines, to determine any further accountability measures required. Since this incident, employees directly involved in the supervision and oversight of this case have been assigned other duties and are not supervising offenders.

3. CSC's Hot Issues

COVID-19 Planning for Federal Corrections

Speaking Points:

- The Correctional Service of Canada is committed to protecting the health and safety of staff, inmates, and the public during these unprecedented times.
- Since the beginning of the pandemic, the Correctional Service of Canada has implemented a comprehensive and coordinated response to limit the risk of COVID-19, all in line with the Public Health Agency of Canada's advice.
- The Correctional Service of Canada has been focusing its efforts on minimizing the risk of introducing COVID-19 to Institutions, Community Correctional Centres and workplaces.
- Extensive infection prevention and control measures are in place at correctional Institutions.
- Active screening is occurring in each Institution, inmates and staff must wear masks, practice physical distancing, wash/sanitizing their hands often and there is enhanced and frequent disinfecting and cleaning at facilities. The Service is also working in lock step with public health experts and the Canadian Red Cross to make sure its response is based on the latest science and evidence.
- In areas where there are outbreaks and higher community transmission, heightened operational measures are in place. These include limiting comings and goings from Institutions, suspended visits and modified routines and movements to prevent possible spread of the virus.
- As of January 20, 2021, there are 27 active COVID-19 cases among inmates.
- Inmates who have tested positive are medically isolated and being closely monitored.
- On January 8, COVID-19 vaccines began rolling out to elderly, medically vulnerable inmates. The doses received covered approximately 600 inmates.
- The Correctional Service of Canada is working closely with the Public Health Agency of Canada (PHAC), local public health authorities and all of their labour partners and stakeholders.
- These precautions have been taken in response to instances of COVID-19 in the community, including among staff members.
- As of January 18, 2021, there are 51 active COVID-19 cases among employees.
- When an employee becomes symptomatic or tests positive for COVID-19, they are required to self-isolate at home until cleared to return to work. Contact tracing is

immediately conducted to ensure that close contacts are self-isolating, and additional testing is conducted, as needed.

- Frontline staff are also top of mind for the vaccine. Health care workers and other frontline staff work in high-risk settings. As always, these staff will be vaccinated by their home province or territory, based on National Advisory Committee on Immunization prioritization.
- The Correctional Service of Canada has been working closely with provinces to identify health care and frontline workers for prioritization. Some health care workers have already been vaccinated and the Service will continue to stay on top of this.

Background – COVID-19 Planning in Federal Corrections

The Correctional Service of Canada (CSC) has successfully implemented a number of measures to protect staff and the inmate population from COVID-19.

Current Measures

Cases among Inmates

As of January 20, there are 27 active cases of COVID-19 among inmates across Canada. In the Prairie region, Drumheller Institution has 10 cases, Bowden Institution has one case, and Saskatchewan Penitentiary has six cases. In the Ontario region, Joyceville Institution has 10 cases.

Personal Protective Equipment

CSC continues to take exceptional measures to prevent the spread of COVID-19 in all CSC institutions to limit the risk to inmates and staff, including having everyone at sites wear masks. Additional personal protective equipment is available to employees that need it, including health care staff.

Suspension of Visits to Institutions

CSC is monitoring the situation closely as it evolves and will adjust its approach in consultation with public health partners across the country. At the first sign of one case of transmission at a site, non-essential staff and visitors will no longer be allowed in that site until the outbreak is contained. The list of Institutions affected by closures can be found [here](#).

Visitors will be restricted access to Institutions if they are visiting an Institution in an area that is identified as being moderate to high risk in accordance with CSC's National COVID-19 Risk Management Framework, or where inter- and intra-provincial travel restrictions apply.

Offenders will continue to participate in on-site programming and activities that support their rehabilitation. Health services will be maintained and temporary absences for medical and compassionate reasons will continue, as needed. Offenders are encouraged to continue connecting with their families and loved ones by telephone or video visitation.

Release of Offenders

While being a full participant in the Canada-wide public health effort to fight COVID-19, CSC continues to fulfill its obligations with respect to the care and custody of inmates to prepare them for safe release into the community.

CSC and the Parole Board of Canada (PBC) continue to process eligible inmates for release in accordance with the law. A number of considerations go into release decision-making with public safety being the paramount consideration. COVID-19 and other health related issues are only one of the many considerations taken into account when releasing offenders into the community.

CSC, in consultation with PBC, has worked to streamline the case preparation process for offenders. In addition, PBC is working to ensure cases are dealt with as expeditiously as possible, while continuing to use risk- and evidence-based decision-making.

Since the beginning of March 2020, the federal custody population has declined by 1,476 inmates (as of January 19, 2021). This reduction is the result of fewer admissions from the provinces and territories coupled with continued releases into the community. This downward trend in the federal inmate population is expected to continue over the coming months.

CSC is engaging with community partners on an ongoing basis to ensure that offenders on conditional release have a safe, secure and supportive environment to which they can return. This is an important part of any safe and successful release into the community.

Reduced Staffing Due to Self-Isolating

Staff members at a number of CSC Institutions have tested positive for COVID-19. The table below outlines the number of staff with positive COVID-19 tests and the number of resolved cases at federal Institutions in each province.

CSC is collaborating with public health authorities to conduct contact tracing to ensure that close contacts are self-isolating at home and additional testing is conducted, as needed.

CSC assesses operational decisions around schedules and activities on a regular basis when taking into consideration staffing levels. Staffing levels are monitored and assessed daily and adjusted, as required. Staff on-site are showing flexibility and some have worked extended hours to meet the operational requirements of running Institutions.

COVID-19 Vaccination Program

Speaking Points:

- The Correctional Service of Canada is committed to protecting the health and safety of staff, inmates, and the public during these unprecedented times.
- The Service has worked very closely with the Public Health Agency of Canada to respond to every aspect of the pandemic, including the provision of vaccines to inmates.
- Under the Corrections and Conditional Release Act, the Correctional Service of Canada has an obligation to provide essential health care to the approximately 12,500 inmates in correctional Institutions across the country.
- The vaccination strategy follows the advice of the National Advisory Committee on Immunization. It supports the timely allocation, distribution and administration of the vaccine for those in federal care as efficiently, safely and equitably as possible.
- Elderly, medically vulnerable federal inmates offered vaccination during the first phase received their first dose by January 20 and their second doses are to be provided in the coming weeks.
- As further supply of the vaccine becomes available in phase II, it will be offered to all federal inmates based on National Advisory Committee on Immunization prioritization guidance.
- On a parallel track, employees are also top of mind. These include health care workers and other frontline staff working in high-risk settings. They keep our operations going 24/7.
- As per National Advisory Committee on Immunization guidelines, the institutional health care staff are included as priority Canadians for phase I and they will be offered vaccinations by their provincial/territorial health authorities.
- Some health care workers have already been vaccinated and the Service will continue to monitor this as the situation evolves.
- The Service continues to be vigilant in applying infection prevention and control measures, including enhanced cleaning protocols, providing staff, inmates and anyone entering the sites with masks, if necessary, continuing ongoing education about hygiene, physical distancing and monitoring symptoms, COVID-19 testing, and contact tracing.

Background – COVID-19 Vaccination Program

On January 8, 2021, the Correctional Service of Canada (CSC) began vaccinating inmates against COVID-19 in accordance with guidelines established by the National Advisory Committee on Immunization. Clinics were organized by medical staff to ensure elderly, medically vulnerable inmates were able to access the vaccine. In some cases, and when safe to do so, if an institution has one or a small number of elderly inmates who are considered a priority, these individuals will be vaccinated at a nearby institution.

It is expected that CSC will have completed its first phase of COVID-19 vaccinations in the next few days. In phase I, vaccines were administered at the following institutions:

- **Atlantic Region:** Dorchester Penitentiary, Springhill Institution and Shepody Healing Centre
- **Quebec Region:** The Regional Reception Centre, La Macaza Institution, the Federal Training Centre, Cowansville Institution, Drummond Institution, and Archambault Institution
- **Ontario Region:** Bath Institution, the Regional Treatment Centre (Bath Institution), Beaver Creek Institution, Collins Bay Institution, Grand Valley Institution for Women, Joyceville Institution, Millhaven Institution, the Regional Treatment Centre (Millhaven Institution), and Warkworth Institution
- **Prairie Region:** Drumheller Institution, Saskatchewan Penitentiary, Bowden Institution, Regional Psychiatric Centre, and Stony Mountain Institution
- **Pacific Region:** Kent Institution, William Head Institution, Matsqui Institution, Mission Institution, Kwikwèxwelhp Healing Village, Fraser Valley Institution, Mountain Institution, and Pacific Institution/Regional Treatment Centre

Procurement

CSC has received doses of the Moderna vaccine, allowing CSC to begin vaccinating elderly, medically vulnerable inmates in January 2021. CSC expects to receive more vaccines from Health Canada as they become available and will continue to vaccinate inmates in the coming months. CSC has supplies necessary for administration of the Moderna vaccine, including syringes and alcohol wipes, provided by the Public Health Agency of Canada's national inventory. CSC has monitored freezers (-20C) for COVID-19 vaccines storage at its regional pharmacies. Vaccines will be sent to health care units as necessary.

Phase I

CSC established an integrated risk management process where, on an ongoing basis, decisions about its operations are made in close collaboration with public health authorities, unions, Elders, and stakeholders to prevent and mitigate the spread of COVID-19. CSC expects to vaccinate approximately 600 inmates in phase I. In future phases, as more vaccine becomes available and based on the NACI prioritization guidelines, other inmates will be offered the

opportunity to receive a COVID-19 vaccine. Additional vaccines are expected to be delivered through the year.

CSC has a vaccination strategy that is aligned with the Government of Canada approach, following the recommendations and guidance of the National Advisory Committee on Immunization. CSC's approach is consistent with past public health situations, such as H1N1, during which a similar process was followed.

CSC is responsible for offering vaccines to all federally-incarcerated individuals. As per National Advisory Committee on Immunization (NACI) guidelines, elderly, medically vulnerable federal inmates have been offered vaccination during phase I. CSC's plan moving forward is to offer the COVID-19 vaccine to all federally-incarcerated individuals before end of year 2021. Inmates in the community will be vaccinated by the provincial and territorial health authority.

Structured Intervention Units

Speaking Points:

- On November 30, 2019, legislation eliminating the use of administrative segregation in federal correctional institutions came into effect.
- The Correctional Service of Canada established a new correctional model, which relies on Structured Intervention Units to address the needs of certain inmates under its care, when necessary.
- This is a significant transformational, new approach to address the specific needs of offenders so they can have better confinement conditions and be successfully rehabilitated and returned safely to the community.
- The legislation provides daily opportunities for meaningful human contact and time out of cell, and access to correctional programming, interventions and services to address their specific risks or behaviours that have led to the transfer.
- This includes education programs based on the education assessments, needs, and objectives. As well, all inmates continue to have access to chaplains representing all faiths and spiritual activities. Indigenous inmates continue to have access to Elders/Spiritual Advisors, Indigenous liaison officers, and traditional and spiritual practices.
- Since their implementation, Structured Intervention Units have been closely monitored by the Independent External Decision Makers to ensure transparency and accountability. Efforts are currently being made to strengthen successes and improve practices and outcomes.
- The Structure Intervention Unit Implementation Advisory Panel was created to monitor the initial implementation of the Structure Intervention Units. Based on lessons learned from the first year, the Minister is considering re-establishing the panel with an adjusted reporting structure and additional clarity around communication.
- We are working on building a new compliance tool on legislative and policy requirements.
- We are identifying resources and technological requirements so we can continue to build and invest to increase the overall effectiveness of Structure Intervention Units.
- We are working on stabilizing data related to Structured Intervention Units to so that we can be confident that we have a clear and accurate picture of how they are working.
- The Correctional Service of Canada continues to manage a complex and diverse inmate population, which has a direct impact on the safety and security of institutions.

Background – Structured Intervention Units

Structured Intervention Units (SIUs) allow inmates to be separated from the mainstream inmate population—providing the opportunity to maintain their access to rehabilitative programming and interventions. Inmates in an SIU:

- Receive interventions and programming specific to the reasons that led to the transfer;
- have an opportunity to be outside of their cell for at least four hours a day, with additional time for a shower;
- have an opportunity to interact with others for at least two hours a day; and
- receive daily visits from healthcare professionals who may recommend for health reasons that the inmate's conditions of confinement be altered or that they not remain in the unit.

SIUs are for inmates who cannot be managed safely within a mainstream inmate population. An inmate could be transferred to an SIU if they are a threat to any person or the security of the institution, their safety is in jeopardy or their placement in the mainstream population would interfere with an investigation, and there is no reasonable alternative.

Inmates in SIU's are provided with opportunities to participate in structured interventions, hobbies, leisure and physical activities as well as research-based programming to address their specific risks and needs, with the goal of facilitating their reintegration into a mainstream inmate population as soon as possible. It is expected that SIUs will enhance correctional outcomes, as well as assist in reducing the rate of institutional violent incidents, resulting in a safer environment for staff, offenders and visitors.

Visits, engagement with partner agencies, Elders, cultural and spiritual leaders and opportunities for inmate interaction are available in providing opportunities for meaningful human contact. When visits are restricted due to measures related to reducing the spread of COVID-19, alternatives are available, such as video visitation.

The opening of SIU's at men's sites has been a gradual, phased in approach with the first 10 SIUs opening as of November 30, 2019. All five women's institutions opened an SIU as of November 30, 2019. We are completing resource reviews of each SIU to evaluate if current resources meet operational needs.

Implementation Advisory Panel (IAP)

The Minister of Public Safety and Emergency Preparedness established the SIU Implementation Advisory Committee in 2019 as part of the Government's efforts to provide accountability and transparency of the operationalization of SIUs. The eight-person panel was intended to help monitor and assess the implementation of SIUs established by Bill C-83, which was adopted by Parliament in June 2019. The new SIU model requires CSC to offer opportunities for daily minimum times to be out of cell and to interact with others. The new model is subject to independent external oversight.

The Advisory Panel was intended to provide non-binding recommendations and advice to the Commissioner of the Correctional Service of Canada (CSC), and reports to the Minister on its views as to whether the SIUs are being implemented as intended by the legislation.

As of August 2020, the Advisory Panel has dissolved. Public Safety and CSC continued to engage with Dr. Anthony Doob, former Chair of the Advisory Panel, to ensure that there is an opportunity to review the data and provide findings.

Preliminary Findings

The preliminary findings (published October 26, 2020) of Dr. Doob and Dr. Spratt provide valuable insight to support CSC's ongoing work to monitor the operation of SIUs, recognize trends and make adjustments to policy, procedures, and practices. The findings will complement the continuous feedback received from the IEDM case-specific reviews and determinations. Efforts are being made to strengthen successes and improve practices and outcomes.

Among other notable elements that will need to be considered in analyzing these findings is the COVID-19 pandemic, which required operational adjustments at all CSC institutions to support the Government of Canada's mitigation measures to stop the spread of COVID-19 while ensuring inmates continue to have opportunities to spend at least four hours a day outside of their cell and to interact with others for at least two hours. The Service remains committed to deploying all the necessary efforts to coordinate the research and implementation of strategies to ensure the entitlements for inmates, while at the same time respecting public health protection measures.

Moving forward, CSC has put a project team in place to focus on three interlinked themes: fostering an operational culture of data stewardship, through engagement with frontline staff; optimizing outcomes by reviewing SIU business requirements and aligning technology solutions; and, strengthening corporate resources to support performance and compliance reporting.

Independent External Decision Makers

Independent External Decision Makers (IEDM) provide oversight related to an inmate's conditions, frequency, and duration of confinement in an SIU and review cases. As of December 31 2020, there have been over 1770 decisions and reviews completed by IEDMs.

- Of the IEDM decisions, approximately 81% have determined that the inmate should remain in an SIU.
- Of the IEDM reviews related to conditions of confinement, 80% have resulted in the determination that CSC has taken all the reasonable steps to provide inmates with opportunities for time out of cell, meaningful human contact and have been encouraged to avail themselves of those opportunities. 20% have resulted in recommendations to CSC to take additional steps.
- 2.6% of the reviews related to conditions of confinement have resulted in an order to remove an inmate from the SIU.

This external oversight contributes to the continued enhancement and shaping of SIUs.

Structured Interventions Units – Technological Services

CSC uses a technological application to enable the collection of SIU data to facilitate reporting on performance to institutional and senior management.

The “Long-Term Evolution (LTE) SIU project” creates a modern application for the management of offenders in SIUs. This application collects critical information in the daily interactions between staff members and offenders, allowing near real-time status updates on the inmates’ opportunities for interaction with others; net and total time spent in the SIU; time outside of cell; delivery of programs and interventions; leisure time; visits by correctional/intervention staff; health care review; and executive overview, among other things.

Interactions with inmates, programs referral, and decision information is also captured to ensure compliance with associated policies and legislation.

Dry Cells

Speaking Points:

- The Correctional Service of Canada is committed to safe, humane, and effective corrections for offenders in Canada.
- Under the law, the Correctional Service of Canada must have reasonable grounds to use a dry cell if they believe an inmate has ingested contraband or is carrying contraband in a body cavity.
- Dry cells are used as one of many tools to prevent the entry of contraband into institutions.
- Ingested contraband can have serious impacts on the health and safety of an individual. Dry cells allow close monitoring of inmates to ensure their safety.
- Dry cell placements are limited to what is reasonably required and used for the shortest possible time. Inmates are provided with adequate bedding, food, clothing, and toiletry articles. CSC also provides reasonable access to medical, spiritual, and psychological assistance, and a medical professional visits the inmate daily.
- The Service is looking into this situation and will consider additional safeguards and oversight measures in the use of dry cells.

Background - Dry Cells

Dry cells are used as one of many tools to prevent the entry of contraband into institutions. Ingested contraband can have serious impacts on the health and safety of an individual. Dry cells allow close monitoring of inmates that are suspected to have hidden contraband in their body cavities to ensure their safety.

As outlined in section 51 of *the Corrections and Conditional Release Act (CCRA)*, where the institutional head is satisfied that there are reasonable grounds to believe that an inmate has ingested contraband or is carrying contraband in a body cavity, they may authorize in writing the detention of an inmate in a cell without plumbing fixtures (with notice to medical staff) on the expectation that the contraband will be expelled.

Dry Cell Procedures

Dry cell procedures are followed as per Commissioner's Directive 566-7 Searching of Offenders, where every bowel movement will be searched by a correctional officer/ primary worker. Once it has been determined that the contraband may have been expelled, if any items are recovered the procedures in Commissioner's Directive 568-5 Management of Seized Items will be followed.

As soon as an offender is placed in a dry cell, they are provided the opportunity to retain and instruct legal counsel without delay. While in a dry cell, the inmate is also provided with adequate bedding, food, clothing, and toiletry articles. CSC also provides reasonable access to medical, spiritual, and psychological assistance, and a medical professional visits the inmate daily. Limited activities may be permitted as long as they do not compromise contraband recovery.

Legislation and policy do not prescribe a maximum amount of time an inmate can spend in a dry cell, but policy does prescribe that the placement must be reviewed by the Institutional Head daily, as per Annex E of Commissioner's Directive 566-7. The offender may make written representations for consideration at the daily review.

Dry Cell Enhancements

Over the years, CSC has made a number of enhancements to dry cell requirements. The June 2012 update to the policy framework (Commissioner's Directive 566-7 - Searching of Inmates) introduced national requirements for dry cell placements, which included enhanced oversight and monitoring. Procedural safeguards outlined in policy require that the Institutional Head review the placement on a daily basis. To allow for oversight by someone other than the Institutional Head, the Assistant Deputy Commissioner, Correctional Operations at Regional Headquarters is notified of any placement exceeding 72 hours. Moving forward, CSC will consider additional safeguards and oversight measures relevant to the use of dry cells.

Risk Assessment

Speaking Points:

- The Correctional Service of Canada acknowledges that Indigenous people, Black Canadians and other racialized people far too often experience systemic racism and disparate outcomes within the criminal justice system.
- They are continually working to eliminate systemic barriers in federal correctional institutions, and ensuring that all inmates have access to appropriate and effective programming and assessments.
- To ensure that risk assessment decisions of offenders are effective and appropriate, the Service is currently consulting on its assessment tools to determine if they need revisions.
- Currently, to assess the inmate security levels of individual offenders, staff receive comprehensive training on how to consider their ethnic, cultural, religious, and/or linguistic needs.
- The staff also receive mandatory training about unconscious bias and cultural-sensitivity, and they are provided resources to ensure assessments are reflective of the offender profile.
- An Ethnocultural Offender Resource Kit is also available to assist staff in responding to the needs of ethnocultural offenders, including Black and Indigenous offenders.
- The Correctional Service of Canada is committed to doing more to create an environment that is conducive to inclusion, equity and diversity – and one that is committed to self-reflection, action and continuous improvement.
- They are conducting research, in collaboration with universities and other academic partners, to better understand the experience of ethnocultural offenders.
- They also work closely with the National Indigenous Advisory Committee to discuss ideas and actions relevant to Indigenous offenders including examining the barriers faced by diverse communities in the broader criminal justice system.

Background – Risk Assessment

All offenders who enter a federal institution undergo an assessment to ensure they are placed at the appropriate security level and receive the programs and services required to address their specific needs. The assessment of an offender's security classification is conducted in accordance with the *Corrections and Conditional Release Act*, and the *Corrections and Conditional Release Regulations (CCRR)*.

The Correctional Service of Canada (CSC)'s approach to both initial security classification and security reclassification includes the use of evidence-based assessment instruments, such as the Custody Rating Scale for initial security level, the Security Reclassification Scale and the Security Reclassification Scale for Women for security classification review, together with the professional judgment of specialized staff and psychological assessments, if applicable. Section 18 of the CCRR identifies the following three domains that CSC must use to determine the inmate's security level: institutional adjustment; escape risk; and risk to the public in the event of an escape. An offender's security classification is regularly reassessed during their sentence, including after the completion of programs to ensure they continue to be placed at the appropriate security level.

Staff Training

Given the importance of carefully assessing the unique needs of each individual offender, including social and cultural factors that may impact how they respond throughout the correctional process, staff who are responsible to assess an inmate's security level receive comprehensive training on how to consider their ethnic, cultural, religious, and/or linguistic needs.

All employees are required to complete the mandatory Diversity and Cultural Competency Training, where employees are expected to demonstrate an understanding of diversity that is inclusive of everyone; identify individual places of privilege and how this connects to their work in CSC; and, identify ways to improve working with diversity and cultural competency with offenders, employees, visitors and the public.

Indigenous Offenders

CSC continues to observe an increase in the number of federally sentenced Indigenous offenders. At the end of fiscal year 2019-2020, Indigenous offenders represented 30% of the total in custody population and Indigenous women offenders represented 44% of the total in custody women population.

Since 2018, as a response to the 2014 Office of the Auditor General (OAG)'s report – Preparing Indigenous Offenders for Release, CSC has implemented in its policy that a Security Classification Review will be completed within 30 days of an Indigenous inmate's successful completion of a main program for inmates classified at maximum or medium security level. In addition, a Security Classification Review is initiated at least every six months for Indigenous inmates participating in Pre-Pathways interventions/Pathways units. In the past years, CSC has conducted several studies, and is currently undertaking additional research on some of its central classification tools. For example, CSC is working with academic partners to conduct consultations with Indigenous communities in the development of risk assessment tools for Indigenous offenders.

CSC is working to respond to the disproportionate representation of Indigenous peoples in custody, through a variety of programs such as:

- The National Indigenous Plan, which incorporates advice and guidance from the Office of the OAG and the National Indigenous Advisory Committee (NIAC), is a national framework designed to transform Indigenous case management and corrections. The Plan includes streamlining existing Indigenous resources and services to ensure that those offenders choosing to access the Indigenous Continuum of Care interventions are prioritized for placement at specific sites.
- Indigenous Interventions Centres (IICs) are a key component of regional Indigenous action plans. The IICs integrate intake, programs and interventions, and engage Indigenous communities at the start of an Indigenous offender's sentence, or at least two years before their first eligibility date. IICs provide a more focused and targeted approach to interventions through specialized case management, with the necessary support and coordination to prepare Indigenous offenders serving shorter sentences for conditional release earlier in their sentences. IICs also offer Indigenous correctional programs and interventions in order to foster timely preparation of conditional release for Indigenous offenders.
- CSC has implemented the Pathways Initiative for offenders who are committed to following an intensive traditional path of healing which includes the active involvement of Elders. The Indigenous Women's Pathways Continuum provides opportunities for Indigenous women to engage in intensive healing interventions supported by Elders through specific activities.
- The Indigenous Women Offender Correctional Programs, which includes program continuum unique to Indigenous women offenders.
- CSC has developed and implemented Indigenous and Inuit specific Correctional Programs.

Decisions with respect to sentencing are outside of CSC's control. CSC does, however, influence the time Indigenous offenders spend in custody by providing culturally responsive programs and interventions to address an Indigenous offender's risk, provide effective rehabilitation and foster successful community reintegration. There has been a significant increase in the percentage of discretionary releases for Indigenous offenders, from 23.5% in fiscal year 2013-2014 to 40.1% in Fiscal year 2019-2020.

Black Offenders

At the end of 2019-2020, 8.8% of incarcerated offenders were Black, while 7.1% of offenders supervised in the community were Black. From 2015-2016 to 2019-2020, the proportional decrease of incarcerated Caucasian offenders was 17.0%, and incarcerated Black offenders showed a decrease of 3.2% during the same period.

CSC is conducting research to better understand the experience of ethnocultural offenders under its care, including Black offenders. This multi year project has already highlighted the profile and diversity of this population and Emerging Research Results were produced in 2019.

CSC is presently looking at aspects of the in-custody experience, including participation in correctional programs, education, employment, etc. CSC will also be studying how ethnocultural offenders are reintegrating in the community, in terms of program participation, employment opportunities and successful completion of sentence. It is anticipated that the full research report will be available in the Fall of 2020.

Currently, Black offenders are offered a comprehensive level of varied interventions and services, aimed at supporting their reintegration. These initiatives include: addressing cultural employment and mentorship needs; participation in culturally relevant presentations from community members to offenders and staff; community outreach; ongoing interventions by the Project officer, Community Engagement and Ethnocultural Services; and access to culturally-relevant materials. Additionally, CSC requires mandatory training aimed at increasing the cultural competency of staff.

Although there are no specific correctional programs for Black offenders, the enrolment and completion rates of Black offenders in the Integrated Correctional Program Model and the Women Offender Correctional Programs show positive participation. Also, certain institutions benefit from the participation and activities of inmate groups composed of mostly Black offenders. Groups such as Black Inmates and Friends Assembly (BIFA), Christian groups, Rastafarian groups, and Muslim groups bring awareness, educate and develop a sense of belonging and self-esteem among the Black offender population.

Women Offenders

In November 2019, to reflect the elimination of segregation and to add time spent in a Structured Intervention Unit (SIU), the Security Reclassification Scale for Women (SRSW) was modified. The updated SRSW consists of different indicators, notably the number of convictions for serious disciplinary offences, the number of recorded incidents, the pay level, the motivation and progress in the Correctional Plan and whether the offender maintains positive family contact.

The reliability and validity of the adjusted SRSW was examined by CSC's Research Branch in September 2019, and was determined to remain valid for use with Indigenous and non-Indigenous women offenders.

2019 Fall Report of the Auditor General of Canada: Respect in the Workplace

Speaking Points:

- The Correctional Service of Canada believes that every employee deserves to work in a healthy environment free from harassment, discrimination and workplace violence.
- The Correctional Service of Canada has taken action by implementing a number of initiatives including a national comprehensive strategy on workplace wellness and employee wellbeing to continue promoting a work environment where employees are treated with respect, dignity and fairness – and one where respectful behaviour is embedded in its culture.
- Before and since the completion of the Auditor General’s report, the Service has undertaken a number of initiatives to address the problems highlighted and implement the audit recommendations.
- The first-ever National Comprehensive Strategy on Workplace Wellness and Employee Wellbeing has been launched.
- The Service is also measuring results achieved through this strategy on an annual basis through the release of an annual Workplace Climate and Employee Wellbeing report.
- This report will help to identify areas of improvement and programs that must be prioritized in the future.
- Focus groups were held with over 300 employees across the country to encourage open discussions and identify staff needs regarding mental health, civility, respect, misconduct and organizational culture.
- The Service has developed an overarching strategy for our leaders at all levels to encourage them to have honest and open discussions with employees on the importance of creating a healthy and respectful work environment.
- The Correctional Service of Canada is committed to creating and maintaining a safe, healthy, respectful, and supportive work environment for our employees, partners, and offenders.

Background – 2019 Fall Report of the Auditor General of Canada: Respect in the Workplace

The Correctional Service of Canada (CSC) is committed to creating and maintaining a safe, healthy, respectful, and supportive work environment for our employees, partners, and offenders. This is a top priority in the Commissioner's Mandate Letter.

Harassment

CSC does not tolerate harassment or violence in our organization and misconduct by staff is not acceptable under any circumstances. It is CSC's priority to address issues brought forward and ensure a positive and healthy work environment for our employees. Culture change can take time but CSC is absolutely committed to it.

In the most recent 2019 Public Service Employee Survey results, there was a six percent decrease (from 32% in 2018 to 26% in 2019) in respondents who indicated they had been the victim of harassment on the job. CSC will continue to work diligently to promote greater respect and wellness in our workplace, including:

- Implementing the first-ever National Comprehensive Strategy on Workplace Wellness and Employee Wellbeing.
- Releasing an annual Workplace Climate and Employee Wellbeing report. This report informs where improvement is needed, and, on the programs and areas that must be prioritized in the future.
- Conducting focus groups with over 300 employees across the country were held to encourage open discussions and identify staff needs regarding mental health, civility, respect, misconduct and organizational culture.
- Undertaking an audit of CSC's culture for which the planning phase has begun. To ensure its relevance, CSC's Internal Audit Sector, with the support of the Departmental Audit Committee, will engage broadly with senior management, regions and sectors, various subject matter experts from the National Advisory Committee on Ethics, external consultants, labour partners, and other federal government departments and organizations who have been undergoing changes in their organizational culture.

These initiatives provide an opportunity to examine all aspects of CSC's environment and ensure that the right approach is adopted moving forward.

Employee Misconduct

CSC employees are expected to act according to legal and ethical standards, and are required to adhere to all workplace policies, directives and rules of professional and ethical conduct and code of discipline as stated in the Commissioner's Directive 060 - Code of Discipline and the Treasury Board Secretariat's Values and Ethics Code for the Public Sector. CSC does not condone any breach of workplace policies or rules and all allegations are thoroughly investigated and addressed regardless of the source while at the same time respecting the principles of procedural fairness and natural justice. Following findings of misconduct including

those that require disciplinary investigations, disciplinary actions are taken when appropriate in order to correct the behaviour.

2018-2019 Annual Report of the Office of the Correctional Investigator

Under the provisions of the *Corrections and Conditional Release Act* (CCRA) (Part III), the Correctional Investigator (CI) serves as the Ombudsman for federal offenders. His primary responsibility is to independently investigate and facilitate resolution of offender issues.

The CCRA stipulates that the CI shall, within three months after the end of each fiscal year, submit a report to the Minister of the activities of the Office of the Correctional Investigator (OCI) during that year. The Minister is required to table the report in each House of Parliament within 30 sitting days of its receipt. The 2018-2019 Annual Report of the OCI was submitted to the Minister on June 27, 2019 and was tabled in Parliament on February 18, 2020.

In his 2018-19 AR, the CI has set out 16 recommendations directed to CSC according to the following themes:

1. Health Care in Federal Corrections (#1 and #2)
2. Deaths in custody (#3)
3. Conditions of confinement: (#4 – #7)
4. Indigenous corrections (#8 and #9)
5. Safe and timely reintegration (#10 – #14)
6. Federally sentenced women (#15 and #16)

Of these recommendations 8 are fully supported by CSC and 6 are partially supported by CSC.

Two recommendations are not supported by the CSC:

- #7 – that CSC's Food Services program should be overseen by the Health Services sector which would include the conducting of periodic audits of the nutritional content of meals and regular inspection of the food production process;
- #15 – that CSC rescind the movement levels system for women classified as maximum security. This is the second time that the CI has made this recommendation.

The recommendations are non-binding. Though there is no legislative requirement for the Minister, the Department, CSC, or other departments, to respond or take action, CSC states, in its response to the report, that it will continue to work with the OCI to address and resolve the issues of mutual concern raised in this report embracing an operating model that puts public safety at its core.

2019-2020 Annual Report Office of the Correctional Investigator

Speaking Points:

- The Correctional Service of Canada welcomes the findings and recommendations made by the Correctional Investigator of Canada in his Annual Report.
- The Office of the Correctional Investigator plays a critical role in assisting the Correctional Service of Canada in fulfilling its mandate to support offender rehabilitation and maintain public safety by identifying areas that can be improved in the federal correctional system.
- In the 2019-2020 Annual Report, the Correctional Investigator has reported on three important issues: education and vocational training for federal offenders; therapeutic ranges; and sexual coercion and violence in CSC institutions. There is also a recommendation regarding the deeply personal issue of Medical Assistance in Dying within correctional institutions.
- Each of these issues requires careful consideration and meaningful action to address the recommendations. While some work is underway already, more can and will be done.
- The Correctional Service of Canada look forward to working closely with the Office of the Correctional Investigator to ensure that we achieve enhanced results in the areas identified in this report.

Background - 2019-2020 Annual Report Office of the Correctional Investigator

Under the provisions of the *Corrections and Conditional Release Act* (CCRA) (Part III), the Correctional Investigator (CI) serves as the Ombudsman for federal offenders. His primary responsibility is to independently investigate and facilitate resolution of offender issues.

The CCRA stipulates that the CI shall, within three months after the end of each fiscal year, submit a report to the Minister of the activities of the Office of the Correctional Investigator (OCI) during that year. The Minister is required to table the report in Parliament within the first 30 sitting days following its receipt. The 2019-2020 Annual Report of the OCI was submitted to the Minister on June 26, 2020 and was tabled in Parliament on October 27, 2020.

The Annual Report for 2019 - 20 provides 13 recommendations, nine of which are directed to Correctional Service of Canada (CSC) and the remaining four are directed to the Minister of Public Safety. Recommendations are centred around three main themes: Sexual Coercion and Violence (SCV) within correctional institutions; therapeutic ranges at male maximum security institutions, and; educational and vocational training offered to offenders in institutions. There is also a recommendation on the medical ethics of access to Medical Assistance in Dying within correctional institutional settings, offender transportation, independent patient advocacy and the use of distraction devices.

Sexual Coercion and Violence (SCV) involving Inmates in Correctional Institutions

The report made four recommendations to CSC and two to the Minister of Public Safety related to SCV in institutions. The recommendations include the development of an evidence-based strategy for the prevention of SCV as well as a Commissioner's Directive; education, awareness and training programs on SCV, as well as a specific flag in OMS for perpetrators. The recommendations to the Minister were to direct CSC to designate funds for an independent national prevalence study and introduce a legislative package that endorses a zero-tolerance approach to sexual violence and establishes a public reporting mechanism.

A zero-tolerance approach to SCV is consistent with CSC's policy and is fundamental to its operations. CSC's priority is to protect the physical and mental health and overall safety of those who live and work within federal correctional institutions. CSC agrees with the OCI that it is important to gain a better understanding of SCV in Canada.

CSC has a framework in place to establish safe correctional environments, which promotes effective correctional operations and interventions through the use of dynamic security, and contributes to the safety of the public, staff, and offenders (*Commissioner's Directive (CD) 566 – Framework for Safe and Effective Correctional Environments*). Specifically, all staff who directly interact with offenders must apply dynamic security practices while carrying out their responsibilities. This includes continually enhancing their knowledge of offenders' activities and behaviours (both positive and negative) through direct observation and interactions. CSC promotes the use of dynamic security practices for the prevention of security incidents, including incidents of SCV. Cases of sexual violence, when made known to staff, must immediately be reported and investigated.

In the case of a sexual assault or an allegation of a sexual assault, the Correctional Manager, Operational Desk, must notify the police force of primary jurisdiction, as per *CD 568- 4 –*

Preservation of Crime Scene and Evidence. As well, any staff member made aware of a sexual assault must report it under *CD 568-1 – Recording and Reporting of Security Incidents*; sexual assaults also require a Warden’s Situation Report under *CD 041 – Incident Investigations*. This would require the site to collect all the relevant facts surrounding the assault/allegations in order to have the Warden’s report completed.

A survey on SCV in federal corrections is being led by Public Safety and will be conducted by external, fully independent experts. The survey will be collecting information that will help inform correctional policy and practice in responding to sexual violence in federal institutions. The research will collect information and data in order to identify gaps in knowledge. The research will consider the unique challenges faced by vulnerable populations, including inmates with prior trauma, LGBTQ2+, women, and those with mental health issues. An interim report on the work undertaken is set to be developed by Spring 2021 and will help inform future actions required to detect, prevent, and respond to sexual violence in correctional institutions.

Moreover, given the serious nature of the issue, the Minister of Public Safety has agreed to write to the Standing Committee on Public Safety and National Security requesting that consideration be given to undertaking an independent study, along with a report on their findings, on SCV in federal corrections.

Therapeutic Ranges

The report recommends that CSC conduct an external review of its Therapeutic Range resourcing model, and to ensure that bed capacity and staffing reflects the needs of Mental Health Services.

CSC is committed to conducting a thorough review of Therapeutic Ranges by the end of 2022. The review will draw on the knowledge of external experts and will be led by our National Senior Psychologist. This review will also consider recommendations put forward in an external review completed for CSC on the integration of traditional and Western healing and options for implementation on Therapeutic Ranges. The purpose of the review will be to ensure that a therapeutic environment has been implemented and that opportunities for treatment interventions and work with Elders and Indigenous services staff are maximized.

CSC will continue reviewing infrastructure and staffing requirements to support a therapeutic environment, including optimal placement for observation cells and Pinel Restraint System beds.

Addressing the mental health needs of offenders through timely assessment, effective management, appropriate intervention, relevant staff training and rigorous oversight is a corporate priority for CSC. The Correctional Service of Canada has an integrated Mental Health Strategy and a mental health service delivery model to ensure essential mental health care services match the needs of the offender population. Offenders have access to mental health care provided by qualified mental health professionals and are based on an individual’s need assessment.

Educational and Vocational training

The report recommends that the Minister of PS establish an expert working group to guide implementation of the OCI’s current and past recommendations on education and vocational training in federal corrections.

Reintegration outcomes for federal offenders can be improved through access to opportunities that contribute to rehabilitation such as education and vocational training. In line with its mandate to support reintegration of offenders, CSC has committed to continuing to modernize its education and employment programs.

CSC will review and consider all recommendations made by external and internal partners and stakeholders to improve employment training and education for those in federal correctional facilities.

There are currently a number of initiatives in progress that are planned to be implemented, evaluated and reported on, therefore an expert working group, as recommended by the CI, will not be introduced at this time. It may be considered later, once the current initiatives have been evaluated and, where appropriate, implemented. The Commissioner will provide an update to the Minister of Public Safety on progress in June 2021.

CSC agrees that digital literacy is a critical element of a modern education and has begun work toward improving it. For example, CSC will be implementing the Digital Education pilot project at Bath Institution by the end of this fiscal year. This digital Learning Management System will enable offenders to obtain specific high school credits through restricted internet connectivity to approved sites via a Virtual Private Network (VPN). CSC will review the pilot project and use what it learns to explore possible further expansion of online educational and training activities for offenders. Future improvements will be balanced with security requirements and are dependent on resource availability.

It should be noted that CSC has already developed and implemented comprehensive programs, intervention, educational and employment strategies so that offenders can acquire tools and skills they need to safely transition into the community. More specifically, institutional and community employment initiatives across the country have been enhanced for women offenders to meet their employment needs. A great example of this includes CSC continuing work with Indigenous communities and partners at the national, regional and local levels to respond to the needs of Indigenous offenders. The Indigenous Offender Employment Initiative continues to build on its successes since implementation commenced in 2017.

The relaunch of CSC's farm agriculture programs at Collins Bay and Joyceville institutions is another great example of supporting programs to enhance offender skills.

Medical Assistance in Dying (MAID)

The report recommends that the Minister of PS, jointly with the Minister of Justice and Attorney General of Canada, create an expert Committee to deliberate on the ethical and practical matter of MAID in all places of detention.

The Minister is aware that the Department of Justice has recently reviewed the federal MAID legislation, in consultation with Canadians, experts, practitioners, stakeholders, Indigenous groups, as well as provinces and territories.

CSC is solely responsible for any matters related to the implementation of the MAID legislation in federal penitentiaries, and CSC and the PBC share responsibility for various release options for offenders related to their choice to access MAID. However, it is also recognized that the

assistance of medical ethics and other experts reviewing this complex and deeply personal issue will be beneficial to inform MAID in a correctional institution setting.

The Minister of Public Safety has committed to conducting a review of the medical ethics of MAID in correctional settings by the end of 2021 to better understand and address any outstanding issues.

4. Key Facts and Figures on COVID-19

The Offender Population

At the end of calendar year 2020, CSC was responsible for 21,996 offenders: 12,588 were in custody and 9,408 were supervised in the community. Of the offenders in the community, offenders on day parole represented 17%; offenders on full parole represented 48%; offenders on statutory release represented 30%; and offenders with long term supervision orders represented 5%.

(Source: Corporate Reporting System-Modernized - Data Warehouse. Data current up to 2020-12-27)

Operational Environment

CSC is responsible nationally for the management of 43 institutions (six maximum security, nine medium security, five minimum security, 12 multilevel security and 11 clustered institutions), 14 community correctional centres and 92 parole offices and sub-parole offices. CSC is also responsible for managing four healing lodges (included in the 43 institutions) and works in partnership with Indigenous communities to support the reintegration of Indigenous offenders back into the community.

CSC Workforce

CSC employs approximately 18,261 staff from a vast number of fields. As of January 21, 2021, CSC's front-line staff workforce included:

- 6,308 Correctional Officers;
- 448 Primary Workers;
- 1,252 Parole Officers;
- 473 Correctional Program Officers;
- 122 Indigenous Liaison Officers;
- 101 Indigenous Correctional Program Officers;
- 122 Social Program Officers;
- 893 Nurses; and
- 227 Psychology Staff.

CSC Results

At year-end 2019-2020, the following are results in a number of different areas:

- CSC is continuing to see a decline in the overall federal custody population, from 14,886 at year-end in 2014-2015 to 13,720 in 2019-2020, a decrease of 8%. CSC is also seeing an increase in the number of offenders being managed in the community, from 8,075 at year-end in 2014-2015 to 9,382 in 2019-2020. This represents an increase of 16%.
- CSC is showing an increase in the number of offenders being released on day parole over the past six years, from 1,975 in 2014-2015 to 2,542 in 2019-2020, an increase of 29%. The number of offenders who were released on day parole decreased in the past year, from 2,683 in 2018-2019 to 2,542 in 2019-2020, a decrease of 5%.
- CSC is showing a decline in the number of revocations of conditional release over the past six years, from 2,503 in 2014-2015 to 2,285 in 2019-2020, a decrease of 9%. However, the number of revocations of conditional release have been increasing since 2017-2018, when they were at a six-year low of 2,131.
- CSC is also seeing a decrease in the number of revocations with an offence over the past six years, from 496 in 2014-2015 to 455 in 2019-2020, a decrease of 8%. The numbers of revocations with an offence have fluctuated over the past six years, with a low of 412 in 2016-2017.

5. Previous Committee Summary Reports

SECU Meeting – Main Estimates 2020-21 and Supplementary Estimates (B) 2020-21 on November 25, 2020

Opening Remarks

In his opening remarks, Minister Blair spoke about the COVID-19 Pandemic and the hard work being done by front-line workers at the borders and in correctional institutions. He went on to give a broad overview of the Main and Supplementary Estimates including funding for protection against violence, including gun and gang, human trafficking, child sexual exploitation, and cyber security. He also outlined the funding for First Nations Policing, the Assessment and Revenue Project at CBSA, improving air security, Contract Policing, and correctional transformation.

Foreign Interference

In response to questions regarding foreign interference, Minister Blair explained that it is defined in legislation as being any threat to Canada by foreign entities, that espionage remains a threat to Canada and that Public Safety works closely with law enforcement and individual Canadians to ensure threats are dealt with. Although the Minister was unable to speak to specific elements of certain cases, he did assure the Committee that the approach to dealing with foreign interference has changed with law enforcement and CSIS.

Minister Blair indicated that Public Safety is responsible for looking at misrepresentation, fraud, mischief and forgery when it comes to foreign consultants. All other regulations fall under IRCC.

Ms. Tessier indicated that CSIS is concerned about the theft of intellectual property. She explained that CSIS works with organizations and universities to ensure they are aware of the risks and protect themselves. CSIS also provides advice on threat levels to CBSA and IRCC. CSIS does threat assessments and CBSA and IRCC do the final determinations.

Ms. Stubbs asked a series of questions regarding ongoing investigations into foreign individuals who have been incarcerated in Canada and being given statutory releases. The Minister indicated that he is aware of certain cases but could not comment as they are ongoing. He did however explain that listings are informed by the RCMP and intelligence services who provide advice on law and evidence. He also mentioned that the Parole Board make independent determinations about statutory release and have rules that govern release.

Flood Insurance and Mitigation

The Minister indicated that the Prime Minister has mandated him to take a more resilient approach on flooding issues. He explained that a task force has been stood up to look at option and viability of a national flood insurance. He also explained that Public Safety will be working with First Nations communities and other jurisdictions to provide greater resiliency and to find mitigation solutions to flooding before it happens.

COVID-19

The Minister explained that we have a duty of care to protect inmates. The first wave of COVID was handled very well. Some of the many measures taken to protect inmates and staff have included health and safety audits and distribution of PPE equipment. With the rise of the second wave, there are 95 inmates across the country who are being treated for COVID. He suggested that the CSC model used to fight COVID would work well in provincial and municipal facilities.

The Minister indicated that GAC is advising Canadians to stay home but that there is no authority that exists to make people stay home. Unlike the US, Canada has placed restrictions on people entering Canada by any means, however, if Canadians return to Canada from the US, they are legally obligated to quarantine for 14 days. People are urged to stay home but if they do travel, they should ensure that they have good travel insurance and access to medical care.

Minister Blair provided examples of exemptions that he has provided to persons who came to Canada for specific reasons such as funerals and court appearances. He indicated that the government works with public health authorities to ensure measures are put in place in order to enter the country safely, including supplying PPE and housing as necessary.

CBSA

Mr. Ossowski gave an overview of the funding for dealing with cases of fraudulent consultants. He indicated that there are currently 376 cases in backlog and the extra funds will help them deal with it.

Mr. Ossowski indicated that the CBSA is committed to doing better when it comes to providing service in French. They follow-up on complaints and remind their officers that they must strive to be better in this regard.

RCMP

Minister Blair indicated that he is aware of the report by retired Justice Bastarache on the culture of the RCMP. He agreed that his recommendations are very important and explained that as stated in the Throne Speech, he and the RCMP are committed to bringing reforms.

He went on to explain Bill C-3 will be reintroduced and will include additional resources to deal with the backlog of complaints against the RCMP. He stated that oversight and accountability need to be strong in legislation and that tools must be provided to ensure this. He engaged to take additional measures to do what is required to ensure timelines are met.

Commissioner Lucki explained that she is expecting to receive the report on Colten Bushey by December 4 and that it would then be sent back to the CRCC. She agreed that the RCMP needs to improve on responses to complaints and that the RCMP has created an MOU that provides service standards for more timely answers as hired extra staff to deal with the backlog.

With regard to contract policing, Commissioner Lucki indicated that when properly funded the model is strong and that contract police can move quickly and bring specialization to deal with issues such as flooding and fires. A review of contract policing and how it works with federal policing is being undertaken.

Firearms

Minister Blair assured the Committee that the cost of the buy-back program for firearms would be included in legislation and that measures are being looked at to ensure that we fill our responsibility to legitimate gun owners. He explained that the guns that have recently been prohibited are guns that have been used too often to murder Canadians in order to keep public and police safe.

Minister Blair gave an overview of five year funding and how it is being spent to keep guns off the streets. These include strengthening gun laws, making investments in kids and communities, and reducing the supply of guns.

Minister Blair indicated that work is being done to deal with red flag law that will deal with domestic violence. The goal is to empower women those who support them to remove firearms from homes and provide tools to disarm individuals who engage in online hate.

Systemic Racism and Sexual Violence

Minister Blair shared his concern regarding systemic racism in correctional institutions and explained that a committee has been identified to address the issue broadly across the public safety community. He explained that legislation will be introduced to deal the issues that affect systemic racism.

Commissioner Lucki indicated that she is committed to making change in the RCMP with respect to sexual harassment and outlined the changes that are being made including, an independent centre for harassment resolution and gender parity beyond the executive level.

Minister Blair indicated that the study that SECU is doing on this issue will help inform the way forward and add to what was set out in the Throne Speech but that a timeline set out by a MP Anandasangaree might not be feasible.

Illegal Drugs

Minister Blair and Commissioner Lucki explained the measures that are being taken at borders to fight against transnational crime such as illegal drugs, including providing supports to border agents and having additional people for the RCMP to help with these crimes. It was explained that while investigations are complex, this is a priority for the RCMP and they work in partnership with CBSA and Five Eyes partners to exchange information.

Commissioner Lucki explained that the RCMP is working closely with communities to restore harm reduction to the national strategy on drugs and with government to ensure a comprehensive approach to the opioid crisis. In the past there has been an emphasis on law enforcement but now there is a need to look at community supports as well.

Money Laundering

Minister Blair indicated that the government has invested \$300M in FINTRAC, the RCMP and CBSA to fight this issue and that recently \$98M was approved for investigative teams in BC, Alberta, Ontario and Quebec.

Rural Crime

Commissioner Lucki indicated that there are rural crime programs in all provinces and that crime reduction teams across the country have been successful in their work. The RCMP gathers intelligence and targets those individuals who perpetrate the crimes.

Corrections

Minister Blair explained the importance of CSC responding to recommendations from the Corrections Investigator and takes action. He indicated that the funding for additional staff is for the implementation of SIUs.

Minister Blair indicated that he has spoken to Dr. Zinger regarding his recommendations and that Public Safety is actively working to pursue the agenda that he laid out while always taking into account the barriers created by COVID-19.

Public Safety

In answer to a question by Mr. Motts, Minister Blair indicated that the government is trying to rebuild following cuts made by the previous government by rebuilding capacity.

Indigenous Policing

Minister Blair outlined the area of that will be covered by the \$275M that is allocated in the estimates for Indigenous policing which include \$167.5M for First Nations policing programs for 2020-21 and \$88.5M for policing facilities in First Nations communities. He explained that work is being done with the Assembly of First Nations to provide additional resources to allow them to engage with Public Safety on the co-production of a legislative framework that will make First Nations policing an essential service.

Votes on Main Estimates and Supplementary Estimates (B)

The votes on the Estimates were carried on division and the Chair was given leave to report them back to the House of Commons.

Follow-up Items

Mr. Tousignant undertook to provide the Committee with results of the FASB pilot project

Minister Blair undertook to provide the Committee with the status of funding for First Nations Policing

SECU Meeting – Minister’s Mandate Letter on November 2, 2020

Opening remarks

In his opening remarks, Minister Blair gave an overview of actions being taken by PS with regard to the Pandemic with respect to border protection. He went on to outline the upcoming firearms, and Civilian Review and Complaints Commission’s review powers legislation. He also indicated that he is looking forward to co-developing a legislative framework for First Nations policing that will take action to address systemic inequities in all phases of the criminal justice system. Other issues that PS is looking at are threats against Canada by hostile foreign entities and combatting systemic racism.

Questions

CPC

Minister Blair indicated that following the tragedy in Nova Scotia, he reached out to the provincial government. He knew that people would need answers and the Government wanted to be sure that people received a fulsome answer to their concerns. He explained that the Government has agreed to examine everything that happened in Nova Scotia and to make recommendations at the Provincial and Federal level. He stressed that he knows that families have concerns and has heard that they were not satisfied with the review, and that a public enquiry has been empowered to work on the issue.

Furthermore, the Minister indicated that he has been working with the Parole Board and that on November 9 and 23 an initiative to have victims be part of parole hearings will be in place.

Minister Blair explained the steps the Government is taking to deal with gang violence including: financing police, strengthening gun control and removal of unlawful firearms, new firearms legislation, investment in the RCMP to help more effectively stop firearms smuggling.

Minister Blair indicated that the Government has taken an aggressive stance on the issue of the Pandemic.

In response to exemptions being given to CEOs to cross into Canada, Minister Blair indicated that exemptions have been very effective and border agents have been working effectively.

Minister Blair indicated that activity by hostile state actors is constantly monitored, including in the area of syphoning of medical equipment to China. Director Vigneault explained that CSIS is aware and investigates these actions and takes measures to stop these threats.

Minister Blair outlined the support that the Government is getting in response to the ban of assault rifles and that he is taking the necessary action to strengthen gun control.

Minister Blair indicated that he agrees with the OCI’s recommendation to cease MAID in correctional facilities.

Minister Blair indicated that no billionaires are being given carte-blanche to cross borders. He explained that national interest exemptions are given for many reasons and there is a regime to ensure that Canadians are not put at risk.

Minister Blair indicated that the Government has been reinvesting in the RCMP laboratory capacity.

LIB

The Minister indicated that the pandemic has brought to light the significant issues faced by low income people and that there he will look at all systemic issues. He stressed that there must be a reform of criminal records, looking at sentencing issues and ways to make pardons more accessible.

Minister Blair outlined measures taken by PS to limit the spread of Covid-19 in correctional institutions.

When asked if the Minister would update his mandate letter to refine timelines and add targets with regard to issues such as employment training for inmates, the Minister indicated that there needs to be transparency. He explained that he has worked closely with Dr. Zinger and that the OCI reports are very helpful. He agreed that timelines need to be clearly defined and that Commissioners want to be effective.

Commissioner Lucki explained that time is needed to study the finding on the Colin Bushi case and that the report would be ready before the end of Fall this year.

Minister Blair explained that he has been working closely with the commissioner of the RCMP to deal with systemic racism. Commissioner Lucki provided an overview of the initiatives that are being taken to address this issue, including but not limited to:

- updating de-escalation training and yearly recertification training
- working with police chiefs on an intervention framework and wellness calls and best ways to deal with the calls
- providing stats on the RCMP website including physical interventions, employee diversity
- Anti-racism training
- Mandatory cultural and humility training
- Looking at race-based data
- Looking at body worn cameras by testing them in Nunavut
- Increase the use of restorative justice
- Improving cadet program
- Missing persons module added to the cadet training manual

Minister Blair indicated that Canada has now returned to 2019 levels of commercial traffic and that restrictions for non-essential travel have been effective in slowing the incidence of Covid.

Minister Blair indicated that the Government is seized with ensuring hostile state actors are not hurting Canadians. He pointed out the NSICOP report that identified the growing risk of activities of certain countries and specifically China that could be contrary to Canadians and assured the Committee that the Government is working to protect Canadians against undue influence

Commissioner Lucki indicated that with regard to systemic racism, the RCMP is looking at the organization as a whole and looking at policies and procedures, including their recruiting process, to ensure that they are reflective of the communities they serve.

Commissioner Kelly explained that education/vocational training and employment are key factors for the success of offenders. When looking at 2017-18, there has been significant increases in training. She went on to provide stats on the 2019-20 results on vocational certifications of all kinds. She explained that CSC is moving toward digital services.

BLOC

Minister Blair indicated that PS reached out to the American government to discuss restricting non-essential travel while ensuring the movement of required goods and that this was done with great speed in order to make it happen. He also explained that borders will remain closed as long as necessary. He ensured the Bloc that he is in constant contact with the Union representing Border personnel and that he engages regularly with Quebec counterparts as well as those across Canada. He explained that borders will be closed for as long as it is necessary to protect Canadians.

Minister Blair indicated that the movement of irregular migrants have been restricted as part of Covid measures resulting in a significant decrease. He explained that the Justice Department is seeking clarity from the Courts on the safe third party agreement and that Canada and the US are working closely to modernize the agreement.

Minister Blair explained that business executives are not given exemptions to cross the border unless they are engaged in essential work and only then can the border agent make a decision. He explained that processes have been established which are managed by IRCC and PHAC.

Minister Blair indicated that body cameras are not a panacea and that the best evidence of their efficacy is interaction with the public. He stressed the need for accountability. He explained that video evidence is compelling and the basis of strong reform. He further explained that body cameras are just one measure being taken to reduce incidents and that the Government continues to make changes to policing models.

Minister Blair explained that he believes the measures being taken to crack down on firearms have been very effective and have stopped the market for those firearms. He indicated that the legislation will look at establishing an evergreen process to identify at risk weapons in order to keep Canadians safe.

NDP

Minister Blair explained that with regard to the tragedy in Nova Scotia, there was no intention to hide anything from the public and that steps have been taken to do a public enquiry.

He went on to explain police jurisdiction is a matter of the province of Nova Scotia with regard to the incidents with fishermen being attacked. He explained that charges have been laid and investigations are ongoing.

Commissioner Lucki explained that she has learned a lot about systemic racism in the RCMP and has been listening, learning and consulting with many different groups. She has led the development of an action plan with a range of stakeholders and has 17 initiatives that are being looked at and implemented. She indicated that these initiatives are currently listed on the RCMP website.

Minister Blair indicated that Anthony Doob has been brought in to assist the Government with the implementation of SIUs in correctional facilities and that legislation to help reduce the risk to Black and Indigenous populations in the prison system will be implemented.

The Minister indicated that he thought the committee would be interested in participating in the decision making process with regard to CSC legislation. He stressed that he is committed to doing everything necessary to improve outcomes for people in correctional facilities.

GP

Minister Blair agreed that there is no place for systemic racism and hate groups in police organizations.

Follow-up Items

The Minister agreed to provide the Committee with a breakdown of the percentage of rail cars are inspected when crossing the Canadian border.

Commissioner Kelly committed to providing a breakdown of infrastructure spending for SIUs.

SECU Meeting – Briefing on the Office of the Correctional Investigator Annual Report 2019-2020 on November 2, 2020

Opening Remarks

In his opening remarks Dr. Zinger explained that sexual victimization is a pervasive and unreported problem in correctional institutions. Inmates are afraid to report for fear of retribution or of not being taken seriously. He indicated that the Government of Canada and CSC have issued public statements and take issues seriously but in conducting their investigation they found no evidence that CSC has adopted a zero tolerance policy. He explained that silence and indifference exists, that CSC has never conducted studies and that there is no stand-alone policy to provide guidance and assistance in this area.

In light of there being no specific national program initiative aimed at stemming sexual perversion and violence, most incidents are not investigated by CSC and rarely or never reach the courts. With no coordinated or centralized approach, alleged perpetrators are shuffled around or moved to other institutions.

Dr. Zinger recommends that legislation be created to provide mandatory reporting of incidents, that there be funding of national prevalence studies and that CSC proactively provide staff with guidance on how to deal with incidents of sexual assault and coercion

He indicated that he hopes that committee will accept the Minister's request and produce a public report for eradication of sexual abuse in prison system.

He also reiterated his recommendation that there be an Investigation into access to educational and vocational skills training and explained that there has been little movement to implement previous recommendations. He suggests that an independent working groups be established to guide CSC through recommendations.

CPC

Dr. Zinger indicated that the role of the Correctional Investigator is largely that of an Ombudsman and as such, his authority is limited. He can issue annual, special and public interest reports, as well as speak to the media but he has no authority to force the Government to implement recommendations. He noted that the Victim's Ombudsman has reached out to his office and that she intends to speak to her soon.

With regard to the introduction of legislations, the Minister has responded appropriately in requesting the SECU do a study and provide recommendations for legislations.

Dr. Zinger indicated that a moratorium on euthanasia is to be limited with respect to carrying out the practice in the institution and recommends that decisions in this regard should be made in the community when the offender is on parole and not in correctional facilities.

Dr. Zinger recommended two amendments to the medical assistance in dying legislation: that MAID should never be carried out in a penitentiary and that CSC should investigate inmate MAID requests and cases.

Dr. Zinger indicated that generally the response to recommendations by the OIC to CSC has been dismissive and unresponsive and that there is a long track records of taking that stand. He postulated that perhaps the problem is no longer at the political level but at the level Public Service level. He suggested that a look should be taken into whether the Public Service is actually moving forward with implementing recommendations.

Dr. Zinger explained that education for inmates has been an ongoing recommendation and that CSC has made little progress. He suggested that access to more modern methods of learning (i.e. tablets for inmates) would be ideal.

LIB

Dr, Zinger agreed that it would be useful to set targets and public reporting on the overrepresentation of Indigenous and Black individuals in the corrections system. He explained that the recommendations in his reports have been widely endorsed by many organizations including the Truth and Reconciliation Commission, the OAG report, and the MMIWF report.

In order to facilitate the implementation of recommendations, one of the best practices is to issue a mandate letter to the CSC Commissioner with deliverable dates and clear guidance. Dr. Zinger explained that he is hopeful that the Committee will initiate the study and that recommendations will be acted upon quickly.

Dr. Zinger suggested that the creation of an environment where it is not difficult to report incidents of sexual assault. He explained that incidents are currently grossly underreported and that research suggests that only about 5% of sexual assaults are reported. He suggested that staff and inmates must be educated in this area, that a projection strategy needs to be put in place, that there be education for staff and inmates, that there must be training, and that a strategy also be created to ensure that predators do not get shuffled around. He also suggested that incidents be tracked by conducting regular inmate surveys. He stressed that CSC has not done their homework to find out what the prevalence is. Dr. Zinger indicated that European and Scandinavian countries are having success in these areas.

Dr. Zinger explained that CSC says that education is a matter of money and suggested that partnerships and pilots need to be developed. Practices are outdated and there is no leadership on the world stage. He would like to see performance indicators match the money that is being spent in correctional facilities.

Dr. Zinger outlined that during the 10 years of the Conservative government, there was a lot of tough on crime legislation and corrections asked and received a lot of resources. However, the result was that nothing changed and the inmate population stayed the same because CSC protected its salary envelope and cut services and programs to inmates instead.

BLOC

Dr. Zinger indicated that he would have preferred to see the Minister move forward with legislation rather than taking on another study.

Dr. Zinger explained that it is clear that the response to the report is not satisfactory and acknowledged that the Pandemic has made things very difficult. He stressed that not everything can be put aside, especially given that the report highlights security and safety

issues in correctional facilities. He further indicated that if there are not enough rehabilitation and educational programs, there will be an impact on public safety.

Dr. Zinger indicated that CSC is aware of the US Prison Rape Elimination Act but that few inmates report incidence of sexual assault. He explained that the US has responded with a very strong legislative measure and that Canada should look at this as an option. In the legislation, the US Justice department has an obligation to ensure oversight (US) and Canada could adopt this model. The US has had positive results.

Dr. Zinger provided stats on the reporting of incidents of sexual assault and how CSC has responded to those over the years. He indicated that there about 12 incidents reported every year for a prison population of between 14 and 20 thousand inmates. Of those, CSC investigated about ½ and that few led to charges. In 2007 CSC conducted a survey that asked a question on sexual activity without asking if it was consensual.

New Democratic Party

While Dr. Zinger agrees that he would have preferred to have Justice go straight to drafting legislations, many of the recommendations go back a long way. In the absence of immediate legislation, the study should move forward.

In order to create prevention measures, strong policies must be put in place. There must be more awareness, education and training. He suggested that investigations should be mandatory and that disclosure should be easier. CSC must make disclosure easier and staff need to engage.

Dr. Zinger spoke to the issue of therapeutic ranges and indicated that the current government provided funding, looked at them and found that many were not operating at full capacity, that infrastructure was deficient, that some inmates were in the old segregation ranges, that yards were inadequate, that the care being provided did not match what was originally planned. He stressed the need to do a better job at implementing what they put down on paper.

Follow-up Items

Dr. Zinger agreed to provide the Committee with a breakdown of the number of Indigenous women in the prison system by province and region.

SECU Meeting – Parole Board and the Circumstances that Led to a Young Woman’s Death on March 3, 2020

Overview

On March 12, 2020, the Standing Committee on Public Safety and National Security (SECU) held their second meeting regarding their study on the Parole Board and the Circumstances that Led to a Young Woman’s Death.

In their opening remarks, Mr. Bensimon outlined a brief history of the Parole Board of Canada (PBC). He noted that, in his opinion, the offender should have never served his Day Parole in a provincially-run halfway house. Mr. Blackburn spoke to his professional experience as a former PBC member as well as recent changes to the PBC appointment process which, he argued, played a factor in the circumstances leading to the incident being studied. He called for an independent study of Canada’s parole system, which takes in to account how other countries administer parole. Ms. Latimer spoke to her experience working with offenders in the community—noting that incidents similar to the one being studied are incredibly rare. She expressed support for [Private Member’s Bill C-228](#) (*An Act to establish a federal framework to reduce recidivism*).

Highlights of the Hearing Relevant to CSC

In response to the inquiries from MP Paul-Hus (CPC), MP Shipley (CPC), MP Damoff (LPC), MP Lightbound (LPC) and Mr. Sikand (LPC), Mr. Blackburn expressed concerns regarding recent changes to the PBC appointment process. He argued that the change led to many members no longer working for the PBC, leading to a loss of experience in the organization. He referenced a letter that he and a group of former colleagues had sent to the Prime Minister’s Office in 2017 to express these concerns. MP Paul-Hus requested that said letter be shared with the Committee. Mr. Blackburn continued that, although he has not read the relevant case files, the decisions made by the PBC in reference to this case were due to a lack of experience and judgement.

Mr. Bensimon, in response to MP Paul-Hus, MP Morrison (CPC), MP Michaud (BQ), MP Trudel (BQ) and MP Harris (NDP), argued that the offender associated with this incident should not have been released to a provincially-run halfway house. Instead, he argued, the offender should have been released to a federally-run halfway house, which he felt could have offered a greater level of supervision. He noted that the decision regarding where the offender was released to could have been due to cost concerns. He also testified that CSC should hire more Community Parole Officers to ease case loads and, in turn, provide better supervision.

MP Michaud, MP Harris, MP Paul-Hus and MP Dalton (CPC) asked questions regarding CSC risk assessments. In response, Mr. Bensimon spoke to his experience in the field. He noted that it is an inexact science and can never be fully accurate. Ms. Latimer agreed with this and reiterated the rarity of cases similar to the one being studied. Mr. Bensimon took issue with reoffending statistics cited by CSC Commissioner Kelly and PBC Chairperson Oades, noting that according to his experience, an average of eight murders are committed every year by offenders in the community.

SECU Meeting – Parole Board and the Circumstances that Led to a Young Woman’s Death on March 10, 2020

In her opening remarks, Jennifer Oades gave an overview of the Parole Board of Canada’s (PBC) involvement in the circumstances that led to a young woman’s death in Quebec. This included the fact that the PBC categorically rejected the release condition in question but the rest of the proposed plan was approved and the offender’s Day Parole was continued. She then outlined the different responsibilities of the PBC and the Correctional Service of Canada (CSC), as they pertain to the supervision of offenders in the community. She went on to explained the successes of the PBC, the diversity of their members, the training the members receive, the independence of their decision-making and the Board of Investigation (BOI) that is underway regarding the incident in question.

In Anne Kelly’s opening remarks, she outlined that both a BOI and a criminal investigation, being carried out by the Quebec City Police, are underway. She explained that CSC does not condone offenders soliciting sexual services and that she has ordered a review of all community strategies imposed on offenders in the community. She then explained the successes of community supervision and outlined why community releases are an important component of the criminal justice system. She also explained how CSC provides information to the PBC regarding the offender’s criminal history, their involvement in programs and interventions, their release plan and release suitability and ultimately makes a recommendation to the Parole Board, including a recommendation for conditions of release. In addition, community agencies, police, victims and others provide input about an offender’s ability to reintegrate successfully. This information is given to assist the Board in determining whether an offender should be released and under what conditions.

In answer to questions from Committee Members, the officials said the following:

Offender Supervision Conditions

- There is a BOI and a criminal investigation currently underway. It is inappropriate to draw conclusions before these are complete.
- PBC decision are independent decisions.
- CSC does not condone offenders soliciting sexual services.
- PBC ordered a change of the offender’s release conditions once it became aware of a condition, which they found troublesome.
- The offender had a condition to report all relationships, whether sexual or not, to their parole officer.
- The CSC Commissioner was not aware of this case, prior to the incident.
- The CSC has partnerships in the Quebec region with third parties to aid in the administration of community supervision.
- PBC members may temporarily adjourn proceedings before making decisions in order to consult PBC staff for insights into relevant policies and/or legislation.
- The PBC members responsible for this decision were experienced members, as evidenced by the number of decisions which they have rendered over their time with the PBC.
- The Commissioner of CSC has never seen a case where an offender was granted a similar condition.
- The Parole Officer responsible for this case is not currently supervising any offenders. Appropriate disciplinary measures may be considered, if appropriate, once the BOI is complete.

PBC Member Appointment Process

- 60% of community releases are Statutory Release. The PBC makes decisions to grant community release for the other 40%.
- Whenever there is a change in government, the makeup of the PBC changes drastically.
- PBC membership is constantly in flux, due to the finite nature of appointment mandates.
- Years of service is not necessarily indicative of experience. Instead, one should consider how many decisions a member has made.
- 21 PBC member appointments are slated to expire this year.
- New PBC members will observe hearings. Experts on various relevant topics will teach members about different aspects (e.g., Indigenous corrections).
- New PBC members undergo intensive 5-6 week training periods when they are first appointed. The Regional Vice-Chair will then decide which kinds of cases the new members may participate in. They will be paired with experienced members. They will then be granted the right to hear more complicated cases, as appropriate.
- There is an annual intensive week-long training session for all members.
- The Regional Vice-Chair may modify any responsibilities given to PBC members, as appropriate.
- The PBC would like to be given more time to make decisions, due to an increasing number of offenders with life sentences, whose files take a long time to review.

CSC Programs

- CSC offers correctional programs targeted to various populations, including Indigenous and women offenders. CSC also offers programs that target certain risk factors, including violence, substance abuse and domestic abuse.
- Offenders who enroll in correctional programs have lower rates of reoffending.

PBC Decision-Making

- The PBC takes in to account all available information when making decisions regarding offenders, including psychiatric assessments, judges' comments and police reports.
- PBC members are evaluated on an annual basis. This may include Regional Vice-Chairs attending hearings to observe PBC members.
- The factors that the PBC considers when making decisions are outlined in the *Corrections and Conditional Release Act*.

Alleged Staff Shortages

- The PBC does not have a staffing shortage.
- CSC no longer provides Community Corrections Liaison Officers. CSC has introduced Security Intelligence Officers to the community.
- CSC community funding is based on a funding formula.

Board of Investigation

- The BOI is co-chaired by two members who have not worked for the PBC nor CSC. They are criminologists. Two members are CSC staff and one is PBC staff.
- Every stage that led to this incident will be analyzed by the BOI.

- CSC is committed to completing the BOI in two months but sharing the information may be delayed, due to the ongoing criminal investigation.
- The Senior Deputy Commissioner of CSC spoke to the Chief of the Quebec City Policy yesterday regarding the criminal investigation.
- In 2014, a BOI was conducted for a similar case. CSC took the resulting recommendations seriously and conducted follow-ups in response.

Community Strategy Review




- The Commissioner of CSC has ordered a review of all community strategies for offenders in the community. It is not yet complete.
- The Commissioner of CSC has ordered all Parole Officers to meet with senior staff to discuss case management standards.




Community Supervision




- In Fiscal Year 2018-2019, 99.9% of offenders on day parole successfully completed their release without a revocation for a violent offence.
- Offenders serving life sentences will, on average, spend seven years in an institution after their first release eligibility date before they are granted a conditional release.
- 11.3% of CSC's budget is devoted towards community supervision.
- Statistics regarding violent reoffending take in to account sexual assault.


6. Committee Overview


Committee Membership Profile


Liberal Party of Canada		
Name	John McKay	
Other Role(s)	Chair of SECU	
Riding	Scarborough—Guildwood	
Province	Ontario	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	1997	
Past Profession	Canadian Lawyer and Politician	
Statements on the Issue	<ul style="list-style-type: none"> Interests related to Indigenous people in the federal correctional system 	
Name	Pam Damoff	
Other Role(s)	Parliamentary Secretary to the Minister of Indigenous Services	
Riding	Oakville North—Burlington	
Province	Ontario	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2015	
Past Profession	Former Real Estate Developer	
Statements on the Issue	<ul style="list-style-type: none"> Shows a lot of interest in topics related to Correctional Services Recently spoke in favor of a study on how to rehabilitate people in prison to ensure offender don't reoffend Showed interest in Indigenous women offender Recently spoke out on rising numbers of Indigenous and Black Canadians in prison Recently showed interest in programming (FASD) 	
Name	Angelo Iacono	
Other Role(s)	Member of Library of Parliament	
Riding	Alfred—Pellan	
Province	Quebec	
Preferred Language	French/English	
CSC Facilities in Riding	Federal Training Centre	
Year First Elected	2011	
Past Profession	Former Lawyer	
Statements on the Issue	<ul style="list-style-type: none"> Recently asked a question pertaining to COVID-19 measures in prisons 	

Name	Kamal Khera	
Other Role(s)	Parliamentary Secretary of the Minister of International Development	
Riding	Brampton West	
Province	Ontario	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2015	
Past Profession	Former registered nurse	
Statements on the Issue	<ul style="list-style-type: none"> • Defended the current appointment process of PBC members • Recently showed interest in systemic racism and use of force in prison 	
Name	Joël Lightbound	
Other Role(s)	Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness	
Riding	Louis-Hébert	
Province	Quebec	
Preferred Language	French/English	
CSC Facilities in Riding	Nil	
Year First Elected	2015	
Past Profession		
Statements on the Issue	<ul style="list-style-type: none"> • Shown interest in issues related to women in federal institutions • Has asked questions on the prison needle exchange program • Inquired on the benefits of parole, rehabilitation and reintegration of inmates • Recently asked a question related to educational programs in prisons 	
Name	Gagan Sikand	
Other Role(s)	Member of Library of Parliament	
Riding	Mississauga — Streetsville	
Province	Ontario	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2015	
Past Profession	Former Lawyer	
Statements on the Issue	Nil	

Conservative Party of Canada		
Name	Shannon Stubbs	
Other Role(s)	Vice-Chair of SECU	
Riding	Lakeland	
Province	Alberta	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2015	
Past Profession	Senior Consultant for a public relations company	
Statements on the Issue	<ul style="list-style-type: none"> Recently spoke out to move the motion to reconvene the study on the circumstances that led to a young women's death Recently asked a question pertaining to euthanasia in prisons 	
Name	Damien C. Kurek	
Other Role(s)	Member of Access to Information, Privacy and Ethics	
Riding	Battle River - Crowfoot	
Province	Alberta	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2019	
Past Profession	Farmer	
Statements on the Issue	<ul style="list-style-type: none"> Showed interest in the Prison Needle Exchange Program 	
Name	Glen Motz	
Other Role(s)	Member of the National Security and Intelligence Committee of Parliamentarians	
Riding	Medicine Hat – Cardston - Warner	
Province	Alberta	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2016	
Past Profession	Inspector	
Statements on the Issue	<ul style="list-style-type: none"> Recently spoke out on the Quebec incident Showed interest in systemic racism Inquired about release of offenders during COVID-19 Inquired about measure in place in prisons to prevent the spread of COVID-19 Recently asked questions related to sexual violence and euthanasia in prisons 	
Name	Tako Van Popta	
Other Role(s)	Nil	

Riding	Langley - Aldergrove	
Province	British Columbia	
Preferred Language	English	
CSC Facilities in Riding	Nil	
Year First Elected	2019	
Past Profession	Lawyer	
Statements on the Issue	<ul style="list-style-type: none"> • Recently spoke in favor of mandatory training for parole officers and members of the Parole Board of Canada • Recently asked questions pertaining to sexual violence in prisons 	

Bloc Québécois		
Name	Kristina Michaud	
Other Role(s)	Vice-Chair SECU	
Riding	Avignon—La Mitis—Matane—Matapédia	
Province	Quebec	
Preferred Language	French	
CSC Facilities in Riding	Nil	
Year First Elected	2019	
Past Profession	Former communications professional	
Statements on the Issue	<ul style="list-style-type: none"> • Recently spoke out on the Quebec Incident • Recently spoke in favor of mandatory training for parole officers and members of the Parole Board of Canada • Recently asked questions on sexual violence in prisons 	

New Democratic Party		
Name	Jack Harris	
Other Role(s)	Vice-Chair of Canada-China Relations	
Riding	St. John's East	
Province	Newfoundland and Labrador	
Preferred Language	English	
CSC Facilities in Riding	Newfoundland Area Office - Newfoundland and Labrador Community Correctional Centre	
Year First Elected	2008	
Past Profession	Canadian Lawyer and Politician	

Statements on the Issue	<ul style="list-style-type: none">• Spoke out on the Quebec Incident and community supervision• Asked a question pertaining to treatment for addictions in federal prisons• Asked for statistics on prisoners affected by mental health problems• Recently showed interest in systemic racism in prisons• Recently asked questions related to sexual coercive violence in prisons
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