

## ENGLISH COURTESY VERSION

### BY EMAIL

Québec, February 4, 2026

Mr. Sébastien Schneeberger  
Chair of the Commission de l'aménagement du territoire  
Hôtel du Parlement  
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**Subject:        *Bill 13 – An Act to promote the population's safety and sense of security and to amend various provisions***

Mr. Chair,

Part of the Protecteur du citoyen's mandate is to review all acts and regulations submitted to the Assemblée nationale or published in the *Gazette officielle du Québec*. Where it deems it necessary, it intervenes under section 27.3 of the *Public Protector Act*,<sup>1</sup> which gives it the power to call to the attention of the chief executive officer of a public body or to the attention of the Government the necessity of such legislative, regulatory or administrative reform as it deems to be in the public interest. In addition, since 2021, the Protecteur du citoyen is responsible for monitoring the implementation of the calls for action of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress (CERP in French).<sup>2</sup>

It was with this in mind that I reviewed Bill 13, *An Act to promote the population's safety and sense of security and to amend various provisions*, introduced by Mr. Ian Lafrenière, Minister of Public Security and Minister Responsible for Relations with the First Nations and the Inuit, on December 10, 2025.

I acknowledge the main objectives of this omnibus bill regarding public safety. After reviewing the bill in its entirety, there are certain issues that I would like to bring to the attention of the members of the Commission with a view to improving the bill.

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<sup>1</sup> *Public Protector Act*, CQLR, c. P-32.

<sup>2</sup> [\*Rapport final de la Commission d'enquête sur les relations entre les Autochtones et certains services publics au Québec : écoute, réconciliation et progrès\*](#), September 2019 (the "CERP Report").

## 1. *An Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending*

Section 1 of Bill 13 enacts the *Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending* (the “Act”).

I acknowledge that the Act is part of the government’s commitment to enhancing public safety by allowing the public disclosure of information concerning certain sex offenders who are about to be released and who pose a high risk of reoffending.

### 1.1. Definition of “sex offender”

In this context, it goes without saying that the concept of “sex offender” is central to the Act and must be clearly and uniformly defined to ensure that the legislature’s intentions are fairly applied.

As drafted, the Act sets out three criteria narrowing down the persons covered: sex offenders, who are about to be released after having served their sentence, and who are deemed by correctional services to be at high risk of reoffending.

However, it should be noted that section 10 of the Act provides that the term “sex offender” shall be defined by regulation. This leads me to conclude that this definition, which is crucial to the application of the Act, would be established—and possibly amended—without being reviewed by parliamentarians.

Given the significant impact this Act could have on the rights of individuals identified as sex offenders, I believe the definition of “sex offender” should be the subject of public debate in the National Assembly.

My view is that the definition of “sex offender” should be enshrined in the Act and not left to be set out in a future regulation.

#### **In light of the above, the Protecteur du citoyen recommends:**

**R-1** That section 10 of the *Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending*, enacted by section 1 of the bill, be amended to include the definition of “sex offender.”

If Bill 13 is passed, regardless of the outcome of this recommendation, the Protecteur du citoyen will closely monitor any regulations enacted under the *Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending*.

## 2. Provisions relating to police

Chapter III of Bill 13 proposes amendments to the *Police Act*,<sup>3</sup> including provisions to authorize the sharing of police services between police forces. Specifically—and this is where I would like to make a few comments—section 4 of the bill provides for the insertion

<sup>3</sup> *Public Protector Act*, CQLR, c. P-13.1.

of a section on the constitution of Indigenous police management boards for the establishment and management of a joint police force.

### **2.1. Creation of Indigenous police management boards**

I welcome Bill 13's proposal for the creation of Indigenous police management boards. This proposal is in line with the CERP Call for Action No. 28.<sup>4</sup>

This proposal partly addresses concerns raised during the CERP hearings regarding the pooling of resources,<sup>5</sup> which would enable, among other things:

- Alliances between communities to ensure the safety of their populations when they would not have the resources to do so individually
- Group purchasing of equipment allowing for more attractive flat rates
- The reduction of conflicts of interest, including by allowing police officers to work in a community other than the one in which they reside.

That said, taken on its own, without the rest of the CERP calls for action, the proposal to create Indigenous police management boards may be difficult to implement optimally without also addressing the other CERP calls for action concerning Indigenous policing.

### **2.2. Acknowledgement of the existence and status of Indigenous police forces**

The CERP has highlighted several challenges faced by Indigenous police forces that hinder their ability to fulfill their mission and provide quality services. Some of the main obstacles identified were the legal status of Indigenous police forces and the conditions under which they operate and intervene.

First, it is important to note that Indigenous police forces do not have the same status as municipal police forces and the Sûreté du Québec. The existence, status, mission and jurisdiction of the latter are defined by the *Police Act*.<sup>6</sup> The creation and maintenance of each Indigenous police force require a tripartite agreement between an Indigenous community and both levels of government, provincial and federal.<sup>7</sup>

This differentiated status, dependent on "individual" agreements, raises, in my opinion, equity issues between different communities, which do not all have the same means and resources. As a result, the availability and quality of this essential service are, in a sense, dependent on the circumstances of the community and the progress of negotiations. This also raises the issue of the continuity of negotiated conditions and related funding for Indigenous police services, since agreements must be renegotiated every three years, and sometimes even annually.<sup>8</sup>

<sup>4</sup> CERP Call for Action No. 28: "Explore the possibility of setting up regional Indigenous police forces." , CERP Report, supra, note 2, p. 281.

<sup>5</sup> CERP Report, supra, note 2, pp. 271–281.

<sup>6</sup> *Police Act*, sections 50–68 for Sûreté du Québec and 69–89 for municipal police forces.

<sup>7</sup> *Police Act*, section 90. There are exceptions for nations that have signed agreements: the Nunavik Police Service (formerly the Kativik Regional Police Force) for the Inuit, the Eeyou Eenuu Police Force of the Cree Nation Government and the Naskapi Police Force of the Naskapi Nation.

<sup>8</sup> CERP Report, supra, note 2, p. 291.

Therefore, as stated above, before the proposal to create Indigenous police management boards can achieve its intended purpose and be effectively implemented, the existence and status of Indigenous police forces must be legally acknowledged as being similar to those of other police forces in Québec.

**In light of the above, the Protecteur du citoyen recommends:**

**R-2** That Chapter III of Bill 13 be amended to include, in accordance with the wording of CERP Call for Action No. 34, the amendment to section 90 of the *Police Act* to “readily acknowledge the existence and status of Indigenous police forces as being similar to those of other police organizations in Québec.”

**2.3. Implementation of other CERP calls for action concerning Indigenous police services**

In closing, I would like to draw the attention of the members of the Commission to other factors which, although they do not require any amendments to the provisions of Bill 13, are relevant to a proper understanding of the context in which I am making this recommendation. Beyond the pressing need to gain official recognition, Indigenous police services have long been known to be chronically underfunded, and this is well documented.<sup>9</sup> This is a major problem that has far-reaching impacts on Indigenous police forces. Some of the underfunding issues documented by the CERP include:<sup>10</sup>

- Very high training costs: Indigenous police recruits pay up to three times more for their training than others.
- Unavailability of English-language training: Some specialized training courses developed by the École nationale de police (ENPQ), such as training on the Registre national des délinquants sexuels (National Sex Offender Registry), are not available in English, making them inaccessible to many Indigenous police recruits.
- Staff shortages: Many Indigenous police services are understaffed. This affects the working conditions of police officers (e.g., working alone, working evenings and nights, using resources specialized in substance abuse, violence or other areas to manage emergency situations) and, consequently, the quality of services provided to the communities served.
- Significant disparity in the compensation of Indigenous police officers: In almost all Indigenous police forces, the pay gap with other police forces in the province can be as high as 40% or 50%.
- Inadequate or outdated infrastructure (police stations and cells) and equipment (vehicles, bulletproof vests and technological devices) complicate the work of police officers and, in some cases, can pose a threat to personal safety.

<sup>9</sup> In this regard, in addition to the CERP Report, *supra*, note 2, p. 284, see inter alia: Royal Commission on Aboriginal Peoples, *Bridging the cultural divide: a report on Aboriginal people and criminal justice in Canada*, 1996, and the Supreme Court judgment in *Québec (Attorney General) v. Pekuakamiulnuatsh Takuhikan*, 2024 SCC 39.

<sup>10</sup> The CERP has extensively documented these problems, and Calls for Action Nos. 29, 30, 35 and 36 offer possible solutions to remedy them. CERP Report, *supra*, note 2, pp. 282–294.

In light of these findings, I believe that, in addition to officially recognizing the services provided by Indigenous police forces, there is also a need to rectify their chronic underfunding and enable them to operate under conditions that are generally on par with those of other police services in Québec. In my opinion, this issue is inextricably linked to any proposal aimed at improving the services provided to the public by Indigenous police forces.

In closing, I would like to reiterate that the feedback and recommendations I am submitting today to the Commission de l'aménagement du territoire are intended to improve Bill 13, make it clearer and reduce any potential negative impact on citizens.

Sincerely,

The Québec Ombudsperson

Marc-André Dowd

- c.c. Ian Lafrenière, Minister of Public Security and Minister Responsible for Relations with the First Nations and the Inuit
- Mr. Simon Jolin-Barrette, Government House Leader
- Mr. Monsef Derraji, Official Opposition House Leader
- Mr. Guillaume Cliche-Rivard, House Leader of the Second Opposition Group
- Mr. Paul St-Pierre Plamondon, Leader of the Third Opposition Group
- Mr. Patrick Dubé, Deputy Minister of Public Security
- Mr. Patrick Lahaie, Associate Secretary General, Secrétariat aux relations avec les Premières Nations et les Inuit
- Mr. Boris Venon, Secretary, Commission de l'aménagement du territoire
- Ms. Roxanne Guévin, Secretary, Commission des institutions