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# **Standing Committee on Justice and Human Rights**

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**EVIDENCE**

**Tuesday, March 13, 2012**

**Chair**

**Mr. Dave MacKenzie**



## Standing Committee on Justice and Human Rights

Tuesday, March 13, 2012

• (1105)

[English]

**The Chair (Mr. Dave MacKenzie (Oxford, CPC)):** We'll bring the meeting to order.

This is meeting number 26 of the Standing Committee on Justice and Human Rights, pursuant to Standing Order 81.(4), dealing with the main estimates for 2012-13, votes 1, 5, 10, 15, 20, 25, 30, 35, and 50 under Justice, referred to the committee on Tuesday, February 28.

Before us today we have the Honourable Rob Nicholson, the Minister of Justice, and department officials with him, Ms. Kane, Mr. Kirvan and Mr. Côté. I believe the minister probably has an opening address.

**Hon. Rob Nicholson (Minister of Justice):** Thank you very much, Mr. Chairman. You're quite correct.

I'm pleased to be here with Myles Kirvan, the deputy minister; Yves Côté, associate deputy minister; and Catherine Kane, senior general counsel.

I'm appearing here today to answer questions regarding the main estimates and supplementary estimates (C) in areas that fall under my jurisdiction as Minister of Justice and Attorney General of Canada.

Mr. Chair, the Department of Justice plays an important role in maintaining the integrity of the justice system so that it meets the expectations of Canadians. At the same time, it must also use taxpayers' hard-earned dollars responsibly and prudently. To meet our responsibility, as the committee may recall, the Department of Justice requested financial resources through main estimates tabled last month in the amount of \$694.6 million for the fiscal year 2012-13.

Mr. Chairman, since we were first elected, we've been committed to protecting Canadian families across this country, and as you know, the presence of illicit drugs is a significant source of harm in our communities. Over the last five years, the Government of Canada has allocated \$232 million in new funding through the national anti-drug strategy to prevent illicit drug use, treat illicit drug dependency, and combat the production and distribution of illicit drugs.

Funding for certain components of NADS—or the national anti-drug strategy—will be sunset after the current year, and there will be a \$130,000 decrease in the funding transferred from Health Canada to support the department's role in policy development, communications, and evaluation. Nevertheless, the Department of

Justice will continue to support national anti-drug strategy activities internally, and therefore there will be no impact to the elimination of the Health Canada transfer of funds.

Mr. Chair, over the last 20 years, the aboriginal justice strategy has been an effective and culturally relevant alternative to the mainstream justice system for aboriginal offenders delivered in cooperation with police, judges, and counsel. The strategy both effectively reduces crime and provides alternatives to incarceration for less serious crimes in appropriate circumstances. We recognize that these programs do make a difference in helping to steer aboriginal people away from a lifestyle of crime and help to put an end to a cycle of violence. Research shows offenders who participate in the aboriginal justice strategy programs are less likely to re-offend than those who do not participate, and that this positive impact on recidivism endures over time.

The strategy has operated on a cost-shared basis with the provinces and territories and has been renewed every five years. Budget 2007 renewed and enhanced the strategy, bringing the federal investment to approximately \$17.5 million per year over five years, of which \$12.5 million is related to transfer payments. A portion of this funding, \$12.3 million per year, is scheduled to sunset on March 31, 2012. These resources, as you might expect given with my previous comments, are currently under consideration for renewal in the upcoming fiscal year.

Mr. Chairman, legal aid is also an important component of our justice system. While we recognize that the administration of justice, including legal aid, is a provincial responsibility, we believe that working in collaboration with our provincial and territorial partners is important to ensure a strong justice system. Funding for certain activities related to legal aid, including immigration and refugee legal aid, court-ordered counsel and federal prosecutions, and program operations, will sunset at the end of this month. Therefore, the 2012-13 estimates do not reflect approximately \$14 million in this area. Again, these resources are currently under consideration for renewal in the upcoming fiscal year of 2012-13.

Mr. Chair, as for the supplementary estimates (C), there was a total net decrease of just over \$1.4 million, a portion of which was a transfer to the Canadian Human Rights Tribunal to support operational requirements. This decrease also represents the transfer of funds to the Office of the Director of Public Prosecutions to provide crown witness coordinators and to implement a national website to combat organized crime.

•(1110)

To conclude, I'd like to express my appreciation and thanks to you and your committee members for the important work you do. The funding that the justice portfolio has received has brought results for Canadians, and I will do my utmost to ensure that these funds continue to be spent wisely.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, Minister.

It's my understanding that you and your officials have to leave the committee by noon.

Mr. Harris, you're beginning the round.

**Mr. Jack Harris (St. John's East, NDP):** Thank you, Mr. Chair.

I'm disappointed to hear that. I knew the minister had other plans at noon, but I was hoping we'd have the officials join us so we could go into more detail on this important aspect of the budget and the spending of government. I think we all understand that the question of parliamentary oversight of budgetary matters is now under active consideration.

An hour to deal with a question of \$694 million of expenditures and possible changes in a lot of programs is not an adequate role for parliamentarians. Nevertheless, we will make use of the time we have.

I'll start, Mr. Minister, by asking about one of the programs you mentioned in your opening remarks, and that is the aboriginal justice strategy. Last year, by the last figures that are available, there were 144 programs involved in this aboriginal justice strategy serving approximately 400 communities. As you noted, the five-year funding is expiring at the end of March.

You've indicated very positive comments about the value of this program. I guess what you're saying is to wait and see what's in the budget.

**Hon. Rob Nicholson:** Again, you're quite correct, Mr. Harris.

I am a big fan of this particular program. In fact, you may have underestimated slightly the number of communities it serves—about 673 aboriginal communities across this country. The strategy provides funding to 275 community-based justice programs, along with 48 capacity-building projects.

What I have liked about this program is that it works. The advice I have received over the years and the feedback I have received with respect to the aboriginal justice strategy is that it is of considerable assistance in providing culturally appropriate services to the individuals who do get involved with the criminal justice system. At the same time, by working with these individuals we've seen a decrease in their recidivism, and this is something that all of us can support.

**Mr. Jack Harris:** We all support it. I'm asking if you're saying to wait and see what's in the budget. If that's the case, would you be willing to come back to talk to that, Minister?

**Hon. Rob Nicholson:** Exactly. It was a five-year program and it sunsets in another couple of weeks. Again, this will be part of the budgetary process.

**Mr. Jack Harris:** We all understand that. We have very limited time here. I'm just wondering if you're willing to come back after the budget is down so that we can talk some more about what the government actually commits to on these programs in the budget.

**Hon. Rob Nicholson:** I'm always open to...whenever I can accommodate the committee here. I'll certainly do my best, as I have in the past.

**Mr. Jack Harris:** I'm sorry for underestimating the number of programs. I was going by figures released by the Department of Justice. If it's actually more than that, I'm happy to hear it and would look forward to their increasing. I know that many aboriginal communities and northern communities are concerned about the consequences of potential loss of these programs.

There's another program that's similarly placed, and that's the youth justice fund, which provides for projects addressing youth-specific issues, such as fetal alcohol spectrum disorder, mental health issues, substance abuse, and gang involvement.

The program, according to the documents we have, was reduced by \$2.5 million in the last year. Are there any plans to continue that particular program? I have it here as the youth justice fund, which was desirable to...a program that started in 1999-2000 and is considered an ongoing program. The budget amount seems to have dropped from \$5 million spent in 2010-11 down to \$2.5 million.

Is that a program you would like to see continue at the former funding level?

•(1115)

**Hon. Rob Nicholson:** I would like to see it continue. Actually, the \$5 million is constant funding, and it will continue. The challenge we have, as you know from when I appeared here before on supplementary estimates, is that the budgetary process in this country doesn't provide all of the funding all at once, so again, it's a little uneven, but the \$5 million is there and is continuing.

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

Mr. Goguen.

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Thank you, Mr. Chair.

Thank you for attending, Minister.

Thank you to the officials for coming here today.

Mr. Harris talked about the programs for the young offenders. I'm wondering if you could advise us, Minister, of what the government has done in the areas of prevention and rehabilitation and which programs are available for youth under these.

**Hon. Rob Nicholson:** Well, we just touched on it briefly. That's the \$5 million to the youth justice fund, which supports the prevention of continued youth involvement and contact with the justice system by focusing on rehabilitation and reintegration. This is part of what we are doing. There is a major contribution by the federal government every year to the provinces under the youth justice services funding. It's \$177 million per year.

Again, one of the other programs that doesn't get as much publicity as it might is the intensive rehabilitative custody and supervision program. We provide \$11 million per year to ensure that young people get the specialized resources, the assessment, and the treatment they might require.

While much of this is done by the provinces, we have a role to play as well. It's part of the national crime prevention strategy. I think that's at \$45 million per year. All of these are part of our initiatives to work with our provincial colleagues to assist young people, but again, we have extensive involvement in making sure that young people get the treatment they need and are encouraged to stay out of the criminal justice system. There are a number of different initiatives, and I'm pleased that those are going to continue.

**Mr. Robert Goguen:** Am I done?

**The Chair:** Go ahead.

**Mr. Robert Goguen:** I understand that you recently attended, with Minister Toews, the provincial and territorial meeting with the federal government. It was agreed, I understand, that there would be some sort of program that would develop best practices for rehabilitation and treatment in the case of not only mental health.... Could you perhaps expand on that, Minister?

**Hon. Rob Nicholson:** Yes. Again, we all have a stake in these issues, as you know. As I indicated in my opening remarks, for the most part, the administration of justice falls within a provincial jurisdiction. That being said, we all have a stake in ensuring that individuals who get caught up in the criminal justice system get the appropriate treatment and the assistance they need.

You're quite correct, there are a number of initiatives that involve the federal and the provincial and territorial partners in regard to developing best practices and evaluating the initiatives that have been undertaken to suggest new ways of approaching these issues. Ultimately, we all have a stake in making sure that the criminal justice system works, and that we get people the assistance they need and deserve.

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

**Mr. Robert Goguen:** This would, of course, deal also with the issue of mental health, which was canvassed quite at length by the CBA, etc. There was much concern with regard to dealing with the individuals who go through the court process and who are dealing with mental health. This was, of course, discussed with the provincial counterparts in the context of best practices, Minister?

• (1120)

**Hon. Rob Nicholson:** Yes, exactly. As you know, there were provisions even in the most recent bill we had before Parliament to help address the programs that are in place. These go hand in hand with our initiatives with respect to drug treatment courts and this sort of thing, with respect to getting people some type of help outside of the criminal justice system, whether it be for mental health reasons or for addiction problems.

Again, we all want to be supportive of that, and certainly I have been supportive over the years, because to the extent that you get some individual who gets this kind of help, again, you're assisting that individual in not reoffending and not being involved with the criminal justice system, and that works on every level, from a human

level in assisting an individual who's in a bit of trouble to making sure the criminal justice system works.

These are the issues that I'm pleased to discuss with my provincial counterparts. Again, we all have a stake in making sure they work.

Thank you.

**Mr. Robert Goguen:** Thank you.

**The Chair:** Mr. Cotler.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Thank you, Mr. Chairman.

I have a question on the matter of the aboriginal justice strategy and, if time permits, on legal aid.

On the aboriginal justice strategy, Minister, I recall that when I was minister regarding that strategy, we had seven "Rs". One of them had to do with representation. We were concerned about two things. One was the over-representation of aboriginal people in prisons and the under-representation of aboriginal people as judges, law enforcement people, and the like.

Now, I recently met with a representative of the Canadian Association of Police Boards, who stated to me that there's been a disproportionate increase in the number of aboriginal people in prison; among the figures, 34% of aboriginal women were in prison.

I have to say that their data only went up to 2005, so it does not implicate your government, and that's why I've—

**Hon. Rob Nicholson:** Things have gotten much better since then.

**Voices:** Oh, oh!

**Hon. Irwin Cotler:** That was my whole point, Minister: have things in fact improved since then? Do you have the data with respect to whether there continues to be a disproportionate presence, if not increase, of aboriginal people in prison, particularly aboriginal women, and with respect to the other side of it, the under-representation of aboriginal people in law enforcement, the judicial system, and the like?

**Hon. Rob Nicholson:** I'll get you whatever statistical analysis of this.... I think you're quite correct that aboriginal Canadians are over-represented, and more so in a number of provinces than in other provinces.

That said, one of the reasons why I have always been a fan of the aboriginal justice strategy is that it seems to me it's a hands-on approach to try to assist individuals who get caught up in the system. One program I haven't mentioned is the court worker program, but that's another one. Getting people the kind of information and assistance they need is very important.

I mean, even in the territories, you'll remember, in the last budget we included.... A couple of new judges are from Nunavut. Again, it's to make sure that the justice system is there, if people get caught up in it, but more importantly it's to make sure that the resources are in place to assist these individuals at all levels, from the judges to the court workers and through the aboriginal justice strategy.

So we all have a stake in this. Again, whatever statistics in terms of the percentages....

But I agree with you that, regardless of whether the statistics have been updated since 2005, that's the information I have: they're over-represented in a number of provinces, particularly in western Canada. This is one of the reasons why I've been so supportive of this. When I became justice minister, I had a look at this strategy. The fact that it works, that there are statistics showing that there is less recidivism.... It's something I immediately bought into, and I've been pleased to support it over the years.

**Hon. Irwin Cotler:** No, I do believe the strategy works, and you did mention the recidivism. I'm also concerned about not only the reoffending and the lesser rate of recidivism, but also what we can do to prevent aboriginal people from falling into the justice system and imprisonment to begin with.

That's why I'm hoping that maybe we not only will be able to maintain the budget that has been sunsetted, but also, given the success of the program, as you indicated regarding recidivism, maybe we might be able to find an increase that will address the overall generic question of over-representation of aboriginal people in the justice system.

• (1125)

**Hon. Rob Nicholson:** I appreciate your comments on that, and I thank you for your representation.

I failed to mention that from my discussions with my provincial and territorial counterparts, the increased reliance on and assistance of on-reserve policing is, they tell me, an effective way of dealing with a number of the issues. Having people who are culturally sensitive, or perhaps residents of the reserve, getting involved with law enforcement and policing is another component of this. The information and the feedback I get from that is that this is another way of sensitizing everyone to some of the challenges we face. So this has to be a part of it as well.

**The Chair:** The first nations policing program?

**Hon. Rob Nicholson:** The first nations policing program is the actual name of it. Again, it comes under Public Safety, and we work with our provincial counterparts; nonetheless it's an important component of this.

**The Chair:** Ms. Findlay.

**Ms. Kerry-Lynne D. Findlay (Delta—Richmond East, CPC):** Thank you, Mr. Chair.

Thank you for being here today, Minister and officials. We appreciate it very much.

I have some questions myself on the addressing of aboriginal issues. But in listening to some of the comments, I think you may agree with me, Minister, that first nations people are often victims as well. We seem to talk a lot about first nations people who are caught

up in the system due to criminal acts, but they are also victims in this country. Perhaps you could just make a comment about how we stand up for them as well as other victims.

**Hon. Rob Nicholson:** Again, that's a very good point. This is also the other information that is conveyed to me on a regular basis, that aboriginal Canadians, and particularly aboriginal women, are over-represented as victims in this country.

You'll remember the government's strategy and allocations with respect to missing and murdered aboriginal women. This is a recognition of the fact that many times aboriginal women have become victimized. Coordinating all the different efforts to bring those who have victimized these people to justice is part of what that strategy is all about, having better communications between all levels of law enforcement in this country, and to make sure that the message gets out in terms of what has happened to some of these individuals.

We all want to see progress in this particular area, but as I say, you're quite correct that aboriginal Canadians are over-represented as victims in this country. Again, so much of the focus of what we have done as a government is directly related to protecting victims and making sure their interests are protected within the criminal justice system. So there is the victims fund and all the other programs we have in this area, and the federal ombudsman for victims of crime. All of these things assist all Canadians. But as you quite correctly pointed out, aboriginal Canadians can find themselves victims as well, so they need to be part of this.

**Ms. Kerry-Lynne D. Findlay:** You mentioned the victims ombudsman. Could you just comment on that role and how that came into being?

**Hon. Rob Nicholson:** It seemed to me that there were groups or individuals assigned the task of representing every possible interest in this town, but you could ask the question, what exactly is there or who was there for victims? I appreciate that at the provincial level there are a number of different individuals and offices that deal with victims rights, but it seemed to me appropriate that we have a federal ombudsman for victims of crime.

As you have intimated by your question, we instituted that a number of years ago. To have a clearing house for somebody who can deal with the issues that affect victims in this country I think is very important. The individual who takes on that responsibility has a great responsibility, and they exercise their responsibilities in raising certain issues, and certainly I've appreciated that over the years. But it's one more component, it's one more aspect, of what we are doing to make sure victims are heard.

Even in legislation as diverse as the white collar crime...we've been making it a little easier for victims to have their matter heard before the court. Increasing funding for the victims fund to assist people who become victims overseas is another aspect, to make sure that those funds are available to these individuals. These are all part of what it is we are trying to do. As you are aware, because of your role, reducing victimization is another important component of the job we face as parliamentarians.

I've made the point on a number of occasions by, for instance, getting rid of the faint hope clause. A legitimate question asked to me by a reporter was, does this mean people aren't going to commit first degree murder because they won't be eligible for possible parole after 15 years? I said again I had no idea what would possess somebody to commit a first degree murder, but I know it will reduce victimization, because the families who have been victimized by these murderers tell me they're victimized all over again. Starting at 15 years...and then of course it's not done then; it's 17 years, 19 years. They relive it over and over again.

So ours has been a comprehensive approach to assist victims in this country, everything from a federal ombudsman for victims of crime to making sure the legislation we present before Parliament takes their rights, their interests, into consideration. I've been very proud of that, and I thank you and all those who have been so supportive of that over the years.

● (1130)

**The Chair:** Thank you, Minister.

Madame Boivin.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Thank you, Mr. Chair.

My thanks to the witnesses for being here.

Like my colleague Mr. Harris, I find it a shame that we only have one hour. This department, after all, is an extremely important one in the lives of Canadians.

I am going to pick up on what Ms. Findlay was saying about victims. Mr. Minister, all through the study on Bill C-10, we have heard a lot about the fact that victims are not particularly well considered, either during a trial or afterwards. We heard that from the ombudsman for victims of crime. We go to considerable lengths to deal with the crimes, and so on, but the victims of the crimes are sort of left to their own devices.

Are you satisfied with the extent to which your budget will meet the needs of victims in Canada, in terms of the offences and everything else? The main estimates we are considering set aside \$2.85 million for the victims of crime initiative. That amount does not seem very helpful to me.

[English]

**Hon. Rob Nicholson:** It's part of our comprehensive approach on different aspects, and I mentioned a number of them. I can tell you that victims groups, victims advocates, have been very supportive of what we are doing. The role of the federal ombudsman for victims of crime is to keep raising issues; there's no question about it. Every time we might bring in legislation.... I mentioned getting rid of the faint hope clause. If you're an advocate for victims rights, you're

looking for other areas, and I think that's very appropriate. We have responded over the years. I touched on a couple of the different pieces of legislation we have had. We have gone a long way toward accommodating victims.

One of the examples I touched on a moment ago with my colleague, the parliamentary secretary, is the whole area of white collar crime, which has been a huge issue in Quebec and elsewhere in Canada. When we brought in that legislation, I liked the idea of having a form right in the act so that individuals who had been victimized could fill it out and have it before the court. I had people ask me legitimately if we were trying to take over provincial jurisdiction. People can sue in courts. That's accommodated by the provinces here, and we're not trying to move into that area. But it seems to me that having a more user-friendly way of individuals putting their losses before the courts was an appropriate way to act.

You may look at that and ask why that form is there. It's to make it a little easier. Victims have no connection with the criminal justice system, and that's part of being a victim. But making it easier for them to have their matter heard before a court serves everyone.

**Ms. Françoise Boivin:** I absolutely agree, but you have to agree that it's still not enough; there's still more to be done. If I understand correctly, now there's no federal support for criminal injuries compensation.

● (1135)

**Hon. Rob Nicholson:** Criminal injuries compensation boards have been operated by the provinces across this country. Indeed, I remember as a lawyer appearing before them myself. That being said, as you know, when there have been wrongful convictions the federal government has made contributions. I agree with you in your initial statement that we have to do more, and I can promise you we'll continue to do more.

I've talked about the issue of elder abuse, for instance. That's something we talked about in the last election. We're talking about seniors becoming victimized. Should we do more about elder abuse? I'm on board with that one as well, so we'll continue.

I agree with you we have to continue to keep looking for other ways to assist victims in this country.

[Translation]

**Ms. Françoise Boivin:** I think that is important. We have heard people say that the punishment helped them recover from the event they had been the victim of. But, at the same time, restitution has to mean more than just punishing the criminal.

On another matter, legal aid, I have a hard time understanding why there is a reduction in funding of \$14.42 million. After all, access to the justice system is not the easiest thing in the world at the moment. You know that as well as I do because you are a lawyer too. The bars in most provinces and territories are having difficulty making justice more accessible. So it seems to me that cutting legal aid is not necessarily the greatest idea.

[English]

**Hon. Rob Nicholson:** Again, this is part of the ongoing budgetary process. As you may remember, sometimes I'm here on the estimates and you say, why isn't it in the main estimates?

I think the Government of Canada has an important role to play in legal aid with respect to the provinces, and particularly with respect to the territories. We have an expanded role within the territories, and it's one, certainly, that I have supported. There is support of over \$108 million to the provinces that's ongoing. But again, a number of these are part of the ongoing budgetary process.

As I say, your colleague, Mr. Harris, was good enough to invite me at some future date to discuss those, and again, as always, I try to be accommodating to this committee.

**The Chair:** Thank you.

Mr. Jean.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Thank you, Mr. Chair, and thank you, Minister and deputy ministers, for attending today.

Minister, you must be exhausted. I came here almost eight years ago and one of our major pillars, of course, in getting elected at that time for most of the members in the party was crime legislation. Now, after hundreds of written briefs, hundreds of hours of testimony from experts, and more than five years of attempts to try to pass this in the House, we finally have Bill C-10, an omnibus bill that speaks up for victims.

I had some Twitter feeds this morning from constituents who were very pleased with the vote last night, but they wanted to know what was next for our government in terms of standing up for victims and whether or not we're going to continue to do exactly that.

**Hon. Rob Nicholson:** Thank you very much, Mr. Jean, for your comments.

I don't consider it exhausting; I consider it inspirational, exhilarating, to assist and stand up for victims in this country. When I've met them over the years.... Just in the last week I had conversations with Sheldon Kennedy, the Wambach family. When I discuss this with victims who are very interested and concerned and supportive of the initiatives we have, believe me, it is exhilarating. I'm so pleased to be able to play a small part in this, and I thank you and others who have worked on these issues.

But as you quite correctly point out, we have to continue to move forward. I touched on the issue, for instance, of elder abuse. I've heard more about this, and I don't think it's just a function of the aging of Canadian society. A number of these issues are coming to public attention; perhaps people are talking about them more, perhaps there's more awareness. I know the Government of Canada puts out a number of ads, which you may have seen on television, that focus people's attention on the potential abuse of seniors in this country, so this has to be a part of it.

And this committee has dealt with the bill with respect to citizen's arrest, clarifying after almost 172 years the rules with respect to self-defence.

Some of these were long overdue, in my opinion, and I'm pleased that we're moving forward on them.

We don't rest in the Department of Justice. We continue to move forward with initiatives that better reflect the interests of victims and law-abiding Canadians, and certainly that's what we're going to continue to do.

But thank you for the question.

● (1140)

**Mr. Brian Jean:** In fact, the bill passed yesterday by the House has been described as one of the most important measures for victims in 100 years.

Mr. Minister, what impresses me the most out of all of this is that out of the \$694 million, we are actually looking at a projected reduction of \$43 million in the budgetary expenditures in this calendar year from last calendar year. So not only are we passing a tremendous amount of legislation to keep victims safe, we're also being much more efficient with our dollars and our spending of those dollars for Canadians.

**Hon. Rob Nicholson:** That's fair enough, and to be fair to you, don't go spending the money yet. As I indicated to your colleagues across the aisle, there are a number of important programs that, because of the funding process and cycle, are sunsetting at the end of this month. So like all Canadians, I will be looking forward to the budget presented by our colleague, the Minister of Finance.

I recognize and understand the point you're making, that we have to be very careful with the public funds. In the overall scheme of government, the Department of Justice represents a fairly small percentage of the overall expenditures in this country, but it's a very important one. It's a department that gives assistance to other areas; they find themselves in court thousands of times. On the Attorney General's side, the public prosecutor has a vital role in prosecuting drug crimes in this country. But we all have a stake in making sure the spending of the hard-earned money of Canadian taxpayers is done wisely and appropriately and conservatively.

**Mr. Brian Jean:** Thank you very much, Minister, and thank you for all your hard work and that of your officials and for protecting victims across the country.

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

Mr. Jacob.

[Translation]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Good morning, Mr. Minister.

The main estimates show a reduction of \$9.74 million in funding related to the management of immigration cases involving classified information under division 9 of the Immigration and Refugee Protection Act. The role of special advocates in confidential hearings related to the issuance of security certificates is to protect the interests of permanent residents or foreign nationals in their absence.

Will that reduction of \$9.74 million result in a decrease in the number of special advocates and thereby make new victims of the permanent residents and foreign nationals? Will this cut affect the rights of permanent residents and foreign nationals who are subject to a security certificate application?

[English]

**Hon. Rob Nicholson:** I appreciate that. Again, you've highlighted the role the Government of Canada has with respect to immigration and refugee issues in this country. You've identified \$9.74 million. Again, that is one of those programs, and this is the business we're in. Certain programs sunset and have to be reconsidered. So this will be up for consideration for renewal in the fiscal year. Again, I would urge you and all our colleagues to stay tuned to the national budget that will be presented in the next couple of weeks.

[Translation]

**Mr. Pierre Jacob:** Let me ask my question again—

[English]

**Hon. Rob Nicholson:** Pardon me. I guess I didn't address one of the things, which was special advocates. This is a very interesting program we have with respect to special advocates. Interestingly enough, in my conversations with attorneys general outside of Canada, particularly in Australia, the United States, and Britain, they were particularly interested in the special advocates program. I appreciate that everybody has a slightly different take on these and a slightly different program.

I thought I'd highlight for you that it was of interest to me that this program, and how we deal with some of these very sensitive issues of national security, was raised with me when I sat down with other attorneys general as a possible model for other countries to have a look at.

● (1145)

[Translation]

**Mr. Pierre Jacob:** My second question is for the Minister of Justice as well.

I notice that the main estimates show a \$333,000 reduction in contributions to the Access to Justice in Both Official Languages Support Fund.

What is the purpose of that fund? Why did you decide to make cuts to the program and what will be the consequences?

[English]

**Hon. Rob Nicholson:** Again, this is one of those programs I have been very supportive of. I'll tell you what it does. It works for both the provincial and federal governments, particularly outside the provinces of Quebec and New Brunswick. They have facilities in both official languages for whatever contact a person has with the justice system for any federal violation, not necessarily just in the criminal area. They accommodate both languages. It's less certain in other parts of the country.

What we have is this program to assist, for instance, in the prosecution of federal offences to make sure that the individual who appears within a provincial context or in a provincial court or at a provincial facility has it in both languages. There's no decrease in this.

What happened was that here was \$1 million three years ago that was going to lapse, because the program was just getting going. What we did was spread that money out over three years, at \$333,000 per year, in a sense to get the program up and running and get it accommodated.

The original allocation for that will continue. I'm supportive of that. Because of the timing of getting it going, we were in danger several years ago of losing that \$1 million, and we wanted to get the program up and running.

Again, it comes down to the Contraventions Act. Again, this is part of what we do just to make sure that somebody, no matter where he or she is in this country, is accommodated in both official languages if provincial resources are being used for any sort of federal contravention.

**The Chair:** Thank you, Minister.

Mr. Wilks.

**Mr. David Wilks (Kootenay—Columbia, CPC):** Thanks, Chair.

Thanks, Mr. Minister, for being here today with regard to the main estimates and the supplementary estimates.

With regard to Bill C-10, the comprehensive bill that had many issues in it, I was particularly happy to see that the drug provisions in Bill C-10 have finally been adopted. I believe they are balanced and focused. Can you please provide me with further information on the government's balanced approach to drugs in this country?

**Hon. Rob Nicholson:** I've touched on a couple of the different issues. Certainly one of them is my and the government's support of drug treatment courts. That was recognized and accommodated within Bill C-10. The drug treatment courts help those individuals who unfortunately have become addicted. They get involved with the criminal justice system, and this gives them an opportunity to get the rehabilitation they need and avoid the consequences of a criminal conviction.

As you know, this is part of an ongoing program we have, the national anti-drug strategy. A part of that program is to try to educate people to get the message out that drugs are dangerous and this is not an area individuals should involve themselves in, and if they get involved with it, they should get treatment. But certainly the drug treatment courts are a part of that.

The bill you raised, Bill C-10, which was passed last night and is on its way for royal assent very quickly, is also focused on the gangs, the organized crime, the people who are in the business of trafficking. For instance, it makes specific references to people who bring drugs into Canada. Many times these people are importing death into this country. For instance, we know of the deaths caused by the individuals who bring ecstasy into this country, particularly out in western Canada—British Columbia and Alberta. We all know examples of individuals who have brought these drugs into Canada, and this has resulted in the unfortunate deaths of a number of individuals.

That being said, what I have been told over the years by law enforcement agencies is that the people who bring drugs into Canada are not the individuals I identify who could benefit from drug treatment court or the individuals who were experimenting. They tell me this is organized crime; these are gangs that bring these drugs into Canada. These are not one-offs. These are sophisticated operatives. So the provisions of Bill C-10 target those types of individuals who are involved with this kind of activity, and it sends a message to them that if they are bringing drugs into Canada they will be facing jail time. That is what they're going to get if they get caught. I want that message to get out. I hope the message that they shouldn't do this gets to them, that they should get out of this kind of activity.

That being said, if you do bring drugs into Canada, there are serious consequences. As you say, that is captured in Bill C-10, but Bill C-10 goes beyond that. As I said in my opening remarks to you, it does accommodate the drug courts, which I support. Again, we want to help that individual who has unfortunately become addicted, but at the same time we want to send a clear message to drug traffickers that this is not to be tolerated in Canada.

● (1150)

**Mr. David Wilks:** Thank you, Mr. Minister.

You alluded to drug courts. I wonder if there are any plans to establish these courts in remote communities. As you are aware, they are in six communities across Canada right now.

**Hon. Rob Nicholson:** Again, we work with our provincial counterparts, and again, they are not just limited to those that are supported by the federal government. I know my provincial and territorial counterparts are very involved with making sure that people get the treatment and the help they need. But again, we are continuing to support the drug treatment courts, and again, that was accommodated in Bill C-10.

**Mr. David Wilks:** Thanks very much.

**The Chair:** You have a little time left.

**Mr. David Wilks:** Mr. Minister, as you know, my background with the RCMP was in drugs, so I am very happy that Bill C-10 is moving forward with regard to that.

I wonder if you could speak a little more on the importation of drugs into this country and how it is affecting our youth.

**Hon. Rob Nicholson:** I never sit down with people in the law enforcement business without their raising, at some point, the issues of drugs and drug trafficking. They tell me that, for instance, quite apart from how dangerous grow op facilities are to the neighbours and to the community, the pot that these traffickers or these people who are in the business of selling this product grow very often becomes the currency for some of the other drugs that come into this country, like heroin and cocaine and ecstasy. It is part of the transaction that takes place. So we all have a stake in getting the message out.

I mentioned the national anti-drug strategy. If we have a careful look at the messages delivered through that program, they are to encourage people not to get involved with this kind of activity. They are to educate people, including parents, to recognize what may be happening to their child before it's too late.

The bill is very specific. It goes after drug traffickers, who are very often the individuals involved with organized crime, and these are sophisticated operations. Our laws have to stay up to date in this area, and that's what that bill does. And I can't let the opportunity go by without thanking you for all the encouragement you have given and all the support you have given to moving forward—

**The Chair:** Thank you, Minister.

Go ahead, Madame Borg.

[Translation]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Thank you for joining us today, Mr. Minister.

My first question will also be on drug treatment courts. We have heard about the problems of accessibility to those courts and about their effectiveness; there has been a lot of discussion about it.

I am also concerned that, given the new measures in Bill C-10, there will likely be more people charged with drug-related offences. But we see no additional funds for those courts, simply the same amount.

Mr. Minister, do you feel that it will be enough to deal with all the new charges we are going to get as a result of Bill C-10?

● (1155)

[English]

**Hon. Rob Nicholson:** I think the drug treatment courts are part of our overall strategy and the initiatives we have taken. I have been informed by those close to a number of these issues that many times you're getting the same individuals. Again, these individuals are involved with organized crime and the drug trafficking is not just something that somebody came up with one day when they decided they were going to sell a few drugs. No, they tell me this covers individuals who have been involved with this activity many times or for quite some time. While these individuals from time to time do get caught up in the criminal justice system, many times we're dealing with the same individuals.

One common denominator is that they tell me the people who get involved with this kind of activity are part of organized crime. These individuals who get involved with this kind of activity are professionals. As you quite correctly point out, the drug treatment courts are one part of this. I know the provinces have a number of different programs that will work with this. When I talk about a national anti-drug strategy, I don't mean to indicate that it's just the federal government. When I get together with my provincial and territorial counterparts, they are very vocal about what they are doing to assist those who get involved with the drug business in this country.

I say to them and I say to you that we all have a stake in this. While the federal government is part of that and part of the initiatives you've seen me outline here today—and I've talked many times before—we're part of an overall larger scheme to try to assist people to get off drugs, to stay away from drugs, but also to go after those individuals who are in the business of supplying them with these sometimes lethal items.

[Translation]

**Ms. Charmaine Borg:** Thank you.

My second question deals with the fact that federal payments to provinces for youth justice services will not increase at all in the 2012-2013 main estimates, according to the figures we have before us today.

Why is the government not planning to increase those contributions that are so important in helping to reduce youth crime rates, planning instead to send the bill for prisons and the justice system under Bill C-10 to the provinces?

[English]

**Hon. Rob Nicholson:** Again, we do actually contribute more to the provinces each year. In last year's budget, the increase to the provinces over and above what we've given was \$2.4 billion. There have been considerable increases over the six-plus years in which we have been in government, and again, that's one of the items—what we are transferring to the provinces—that I for one always have a look at on budget day. Again, it's \$2.4 billion at a time when there are restraints, and as they say, money doesn't grow on trees.

I was pleased to see the increase to the provinces last year, and again, we'll have to wait for this budget.

● (1200)

[Translation]

**Ms. Charmaine Borg:** I would like to speak more specifically about young people. I understand that you always have to evaluate

the transfers, but there are going to be changes that will have consequences for the courts. In fact, changes have been made to the youth justice system.

That was a choice. Since the government imposed those changes, why did it not choose instead to help the provinces?

[English]

**Hon. Rob Nicholson:** Well, I do believe we assist them.

With respect to young people, the bill we had before us last night, which was voted on in the House of Commons, targets a relatively small group of out-of-control and dangerous young people who are often a danger not just to the public but to themselves. Again, we work with our provincial counterparts at all different levels of this, and again, we have increased the contributions that the provinces can spend on young people, adults, and seniors. I believe it's quite substantial—\$2.4 billion in the last year alone.

I won't speak for this budget here. That would be beyond my mandate, but certainly all of us look forward to the budget coming up in the next couple of weeks.

**The Chair:** Thank you, Minister.

I thank your officials for being here.

We do understand you need to be somewhere else, so we will suspend briefly and go in camera.

[Proceedings continue in camera]

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