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

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**EVIDENCE**

**Tuesday, November 29, 2011**

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**Chair**

**Mr. Dave MacKenzie**



## Standing Committee on Justice and Human Rights

Tuesday, November 29, 2011

• (0845)

[English]

**The Chair (Mr. Dave MacKenzie (Oxford, CPC)):** I'll call the meeting to order. This is meeting number 16. Pursuant to Standing Order 81(5), we're on the supplementary estimates (B) for 2011-12, with votes on 30b and 35b under the Department of Justice, referred to the committee on Thursday, November 3, 2011.

We're pleased to have the Honourable Rob Nicholson, the Minister of Justice, with us, and Mr. Saunders, as the director of public prosecutions.

I understand, Minister, that you may have an opening address that you wish to deliver. We'd be happy to hear it.

**Hon. Rob Nicholson (Minister of Justice):** Thank you very much.

And thank you to the committee members.

I'm here to answer questions regarding the supplementary estimates (B) in areas that fall under my jurisdiction as Attorney General of Canada.

Mr. Chairman, among my responsibilities is ensuring that our justice system operates in a transparent and efficient manner. As the committee is aware, the Department of Justice did not submit any items to be tabled under supplementary estimates (B).

Today I will speak to those items tabled in supplementary estimates (B) by the Public Prosecution Service of Canada, or PPSC, and the Courts Administration Service, or CAS, in my role as Attorney General. And I'm pleased in that regard to have Mr. Brian Saunders, the director of the Public Prosecution Service of Canada, with me on this occasion.

Before I get into those estimates, I'd like to just reference the other areas in my portfolio, which are organizations with distinct mandates and different relationships to the minister and linkages with the department.

The Human Rights Commission was established in 1978 to administer the Canadian Human Rights Act, which promotes equality of opportunity and protects individuals from discrimination based on race, national ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or conviction for an offence for which a pardon has been granted.

The Canadian Human Rights Tribunal is a quasi-judicial body created by statute, and it has operated independently of the Canadian Human Rights Commission except for certain administrative

functions. Legislative changes in 1998 further separated the tribunal from the commission to confirm its independence and impartiality. The tribunal ensures that Canadians' right to equality, equal opportunity, fair treatment, and an environment free of discrimination is not violated by federally regulated employers and suppliers of goods, services, facilities, and accommodation, including the government itself.

The Office of the Commissioner for Federal Judicial Affairs was established in 1978 under the Judges Act to safeguard the independence of the judiciary and to place federally appointed judges at arm's length in administrative terms from the Department of Justice. The office allocates statutory funding for federally appointed judges' salaries, allowances, annuities, and their surviving beneficiaries' benefits, voted appropriations to support the administrative activities of the Office of the Commissioner, and separately voted appropriations that fund the administration activities of the Canadian Judicial Council. My portfolio also includes the Office of the Information Commissioner and the Office of the Privacy Commissioner, of course, as well as the Supreme Court of Canada.

As I indicated earlier, and as you're aware, I'm here to discuss those items tabled in supplementary estimates (B) by the Public Prosecution Service of Canada and the Courts Administration Service.

The Public Prosecution Service of Canada was created in 2006 to separate the federal prosecution function from the Department of Justice. It is headed by the director of public prosecutions, who reports directly to the Attorney General, and again, I'm pleased to have Brian Saunders here with me today. The PPSC supports the Attorney General by prosecuting all federal, non-criminal offences as well as certain criminal offences—organized crime, terrorism, fraud, and federal offences in the three territories. The PPSC plays a crucial role in the effective enforcement of federal legislation, including, of course, drug offences and in maintaining public confidence in the integrity of the criminal justice system. It plays an important role in pre-charged support for complex crimes.

The supplementary estimates before you include a request for approximately \$4.9 million for the PPSC. This funding will help in the fight against the laundering of proceeds of crime and the financing of terrorist activities. It will support the appointment of crown witness coordinators under the victims of crime initiative to provide court-based victim witness support in the territories, help with the eventual relocation of headquarters offices, and support a national website for combatting organized crime.

•(0850)

Mr. Chairman, my portfolio also includes the Courts Administration Service. The Courts Administration Service was established in 2003 by the Courts Administration Service Act to provide registry, judicial, and corporate services to four federal courts. They are the Federal Court of Appeal, the Federal Court, the Tax Court, and the Court Martial Appeal Court. The CAS enables the courts to function, to hear and resolve cases in a fair, expeditious, and efficient manner. It also provides a full range of services relating to court hearings, processes court documents, records hearings, maintains court records, and makes information available to the judiciary and all those others who need it, including the public.

The funding request for the CAS is approximately \$2.5 million. This is intended to address issues of program integrity. More specifically, the funding will help CAS meet its ongoing obligations to support the positions of prothonotaries, or judicial officers, who assist in managing complex cases, thereby promoting efficient court operations and conserving scarce judicial resources.

Mr. Chairman, the CAS would also use this funding to enhance court security. The enhanced funding will, among other things, be used to support the development of a security framework, strengthen the security perimeter in courtrooms and offices, help introduce fully trained court security officers, and enhance central monitoring and response functions.

To conclude, I'd again like to express my appreciation and thanks to you, Mr. Chair, and to your committee members for the important work you do on behalf of this country. The funding that the justice portfolio has received has brought results for Canadians, and I will certainly do my utmost to see that the funding requests brought in today will be spent wisely.

Thank you very much. If you have any questions, I'd be pleased to answer.

•(0855)

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

Mr. Harris, you have five minutes.

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

Welcome, Minister, to our committee this morning.

Your presentation included issues in relation to victim services and the crown witness program in the north. We often hear your government talk about the victims of crime and their issues, but we heard during our hearings, for example, that criminal injuries compensation in this country is sadly lacking. We had a woman whose daughter was murdered, and she had a tremendous number of expenses related to trying to look after her granddaughter and deal with the legal issues resulting from that.

We do know that criminal injuries compensation boards across the country have in many cases been disbanded. There are some victim services, however, replacing that, and I know you're talking about witness support in the north. Is your government considering reviving the support for victim services across the country? We recognize there are jurisdictional issues, but the whole criminal injuries compensation plan in this country, which was developed

with the support of the federal government, was flourishing for a while. I used it quite regularly in the 1990s to assist victims of sexual assault in the Mount Cashel cases, but since then, with some exceptions, it's been largely disbanded. Do you see this as a priority, Mr. Nicholson, for your government, or are you going to stick with the court witness support issues?

**Hon. Rob Nicholson:** We're going to be continuing to support all the different areas that we're doing with respect to victims. As you know, criminal injuries compensation boards are provided by each province in this country. Again, I believe they have been helpful.

With respect to the whole question of victims, I'm sure you'll note that in the years before we formed the government, the average support for victims was a little less than \$9 million. Since 2007 we've increased that by an additional \$13 million.

I'm very pleased with the programs we have done. In the child advocacy centres, for the first time the federal government is involved with building a sensitive environment for children who have been victims of crime, to assist them. I'm very pleased about that. Of course, we're very pleased about the additional funding that has now been put into missing and murdered aboriginal women. We'll be involved shortly with the victims of crime awareness week. I'm pleased that we are moving forward. In effect, the creation of a federal ombudsman for victims of crime is something I had the honour to announce, I guess almost five years ago now.

All these things are steps in the right direction, but of course we need the support of our colleagues across the country, and certainly you've identified one of them.

**Mr. Jack Harris:** I guess that means you're not—

**Hon. Rob Nicholson:** We're not taking over criminal injuries.

**Mr. Jack Harris:** You're not interested in bolstering that across the country.

**Hon. Rob Nicholson:** I'm interested in anything to do with the support of victims, but we will not be financing those programs that are currently financed by the provinces.

**Mr. Jack Harris:** In the area of prosecutions in relation to drugs, we had, for example, in Bill C-10, a reference to the drug courts that provide for an opportunity for avoiding minimum mandatory sentences, and there's reference to drug courts and drug programs approved by the Attorney General. Yet across this country the vast majority of the population who might be affected by this don't have access to a drug court. There are only several in the country—

**Ms. Kerry-Lynne D. Findlay (Delta—Richmond East, CPC):** I have a point of order, Mr. Chair.

It's my understanding that we're here to speak to these estimates, not turn this into an inquiry on Bill C-10. The honourable member asked for the minister to be here. He is here. The estimates are tabled, we're here to discuss them, but these questions are going way off the topic of these estimates.

● (0900)

**Mr. Jack Harris:** On the point of order, Mr. Chairman, it's traditional that estimates are broadly interpreted, and we're talking about the administration of justice and the courts here, and the question—if I have an opportunity to get to it—is what kind of funding is available from the government in terms of the administration of justice with respect to drug courts and the opportunities that might be available.

This seems to be very relevant to the director of public prosecutions, to the court administration. If we're talking about drug courts and programs related to that approved by the Attorney General, this seems entirely relevant to the Minister of Justice portfolio and to the matters before us.

**The Chair:** I think you're right, Mr. Harris, except that this is not on accounts; it's on supplementary estimates. That's what the questions should be directed to, the supplementary estimates.

When we did the accounts back in June...if you will, that's more fair game on the whole thing, but in this case, we've asked the minister to appear on the supplementary estimates. I've read through it, and I don't see anything where—

**Mr. Jack Harris:** Can I ask him why he's not asking for more money to implement this program? We're talking about additional costs associated with that.

**Ms. Kerry-Lynne D. Findlay:** I have a point of order, Mr. Chair.

This is not a main estimates discussion. As you have just pointed out, we are here to discuss these supplementary estimates. That's what we're here to deal with. These questions are going far outside of that range.

**Mr. Jack Harris:** Let me approach it another way, then, Mr. Chairman.

I realize the government doesn't want to see probing questions asked of the minister, but I'm sure the minister himself would have no hesitation in answering. He's getting protected by his flankers. When we're dealing with—

**The Chair:** There is a point of order, Mr. Harris. Sorry.

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** On a point of order, I just think it's an affront to my privileges as a parliamentarian to have that kind of a motive imputed to me. My impression is that generally as parliamentarians we don't impute untoward motives. Quite frankly, we're always pressed for time. My intention would be that we simply hold ourselves to relevant questions, and that doesn't seem to me to be untoward.

I call on the member to not only withdraw his remark but to apologize for it.

**Mr. Jack Harris:** We've had evidence from the crown prosecutors association that they're going to be overburdened as a result of the changes in Bill C-10. Why is there no additional money being required to bolster the prosecution services?

**Hon. Rob Nicholson:** Again, within the supplementary estimates that you have before you, Mr. Chair, I've indicated that there will be an additional \$4.9 million requested by the director of public prosecutions. Some of that money—and I know Mr. Saunders can speak for himself—is to bolster the combat against the laundering of

proceeds of crime, the financing of terrorist activities. There will be additional money to support crown witness coordinators under the victims of crime initiative. There will be some consolidations that are made in relocations.

Again, part of what they're doing—and I'm very interested in this as well—is that some of the money is going to the implementation of crimorg.ca, which is a secure website that allows organized crime police and prosecutors to share information and consult with one another. This is actually something that I've heard about over the years, Mr. Chair, how important it is that information be shared among law enforcement agencies. We all have the same goal, which is to better protect Canadians and to intercept and interfere with those who have other plans for this country. So when I see an initiative like that and a request for additional funds, I'm very pleased to see that.

Again, I don't know if you have any comments you'd like to make, Mr. Saunders, but—

**The Chair:** We're out of time, but maybe we'll someone else will give the opportunity to complete that.

Mr. Goguen, for five minutes, and we're dealing with the supplementary estimates.

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

Thank you, Minister.

Under the Courts Administration Service—\$2.5 million—it's my understanding that's for existing judicial appointments and essential security to complement that for the Federal Court. Can you explain the amounts requested? How much goes towards the judicial appointments and how much in fact will be spent on security to bolster their security?

● (0905)

**Hon. Rob Nicholson:** Again, thank you for the question.

As you may know, the Courts Administration Service has no permanent funding for many of its activities, including the costs of the four prothonotaries and the equivalent three deputy judges currently used by the Federal Court.

These expenses will be related to the judicial appointments for their prothonotary salaries, their associated benefits, deputy judges' fees, and support for these appointments, including hearing-related costs, court reporting, and transcript and translation services. In addition, there is appropriation, of course, for court security inasmuch as there's a heightened awareness of the challenges with respect to security and the heightened threats against individuals who serve and work with our courts. It's a fairly modest sum in terms of the importance of what they do, but the \$2.4 million will go towards those objectives.

Again, it's important that we are very careful you don't—the head of the CAS is here. We are very careful in terms of our relationship with the courts and the independence of those individuals who serve the courts. Our analysis of that request for those functions that I've just indicated look very reasonable. So I felt it was very appropriate to include this as part of supplementary estimates (B).

Thank you again for the question.

**Mr. Robert Goguen:** It would appear that any one judicial appointment has quite a complement—an infrastructure, if you wish—that sort of follows through with this, whether it be support staff, stenography, or security.

We know of the two recent appointments to the Supreme Court of Canada. Would the expenses entailed with these two appointments be included in that \$2.5 million?

**Hon. Rob Nicholson:** They wouldn't. It's confined to the four courts besides the Supreme Court. Again, you're looking at the Federal Court, the Federal Court of Appeal, the Court Martial Appeal Court, as well as the Tax Court. Again, this separate administration service was set up some time ago to assist and concentrate on those courts and to be a support to them.

Very often, as opposed to the Supreme Court of Canada, these courts and judges are on the road. They're not confined to Ottawa or to any other particular city, so there are challenges and resulting expenses that come from having a court that operates across the country.

It has particular needs, and again, it's a good system. In analyzing what we have here—and as Canadians I think we can be proud of that—there are financial needs, of course, so our analysis believes that these are reasonable requests.

**Mr. Robert Goguen:** I know, for instance, that the Tax Court is an itinerant court, and obviously when the court displays itself there'd be particular demands upon security. Of course, many of these judges are called upon to make very difficult decisions, some that are not favourable to people who would otherwise be peaceful.

Can you give us examples of the types of security measures that have been put in place to protect the judiciary?

**Hon. Rob Nicholson:** Yes. A number of different aspects are involved in this. I think you hit the nail on the head when you indicate there are security concerns, as there are with all our courts. But the decisions that are made by those courts that come within the jurisdiction of the Courts Administration Service can have a huge impact on individuals. So what is done here is to make sure that all those involved with security see that it is well coordinated and focused. Again, the Courts Administration Service, like all federal agencies, works with our provincial and local partners in this.

I indicated to you, with respect to the public prosecution, the crimorg.ca website, that I'm always very interested in any move like that that helps increase the communication, the cooperation, that exists. That's what takes place within the Courts Administration Service. Their job is to coordinate to make sure there is a focus, that the steps are in place. Very often, in my analysis of this, they don't give you all the details of exactly what they're doing on specific cases with respect to security because that goes to the whole idea of what security is all about. Nonetheless, we know there are increased

concerns and increased risks, so appropriate measures are taken. Again, I'm pleased with the request they have made. It seems to me very reasonable.

• (0910)

**The Chair:** Mr. Cotler, you have five minutes, and we're dealing with the supplementary estimates.

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

Together with my colleagues, I want to welcome you as well, Minister.

I'd like to ask a question about the issue of prosecutions. In 1987, the Mulroney government, and you were part of that, announced a policy to ensure that Canada would not serve as a haven or sanctuary for war criminals. In 1998, the war crimes program was set up under the Department of Justice and given an annual budget of \$15.6 million. In 2000, we enacted the Crimes Against Humanity and War Crimes Act, which effectively enhanced the capacity for war crimes prosecution and then became a state party to the International Criminal Court, which further imposed certain obligations.

That budget of \$15.6 million remained frozen. I have to say that when I was minister I tried to see it increased, mainly because if you take inflation and new corporate support costs and increased salaries, etc., the value was eroding. Now, apparently, in 2011 it's gone down to \$8.5 million. Why would we be reducing the amount for war crimes prosecution precisely at a time when the need for such war crimes prosecution has become greater?

**Mr. Stephen Woodworth:** A point of order, Mr. Chair.

I'm wondering if Mr. Cotler could tell us where he's referring in these estimates. I don't see the relevance of it to the estimates, but perhaps it's in here somewhere, so could he direct our attention to it?

**Hon. Irwin Cotler:** I have a copy here. I might add that when I appeared before this committee on supplementary estimates, that question was put to me. I'm just putting this same question to the minister. It's within the framework of prosecutions, and there is reference here with regard to the heading of the Office of the Director of Public Prosecutions. I'm speaking about a specific program, which is the war crimes program, and it is an essential prosecutorial responsibility. I think the minister or Mr. Saunders might be willing to respond to that question.

**Hon. Rob Nicholson:** First, the budget is within the Department of Justice, and I appreciate that. The program works, not just within the budget of the Department of Justice but with the Canada Border Services Agency—

**Hon. Irwin Cotler:** The RCMP. I understand that.

**Hon. Rob Nicholson:** —the RCMP, so it's spread across a number of agencies, not contained within this, and it's a call we make each year in terms of the demand. There aren't that many prosecutions, as you would know, Mr. Cotler.

I'll ask the director of public prosecutions, who assists on these, but again, the budget is responsive to the demand that takes place.

**Mr. Brian J. Saunders (Director of Public Prosecutions, Public Prosecution Service of Canada):** To date there have been two prosecutions under the modern war crimes legislation. There was one completed in Montreal, which was the case of Munyaneza. There is also one ongoing here in Ottawa. It is expected to go to trial in April 2013.

We find these prosecutions very expensive prosecutions to conduct, because there's a need for commission evidence. Our prosecutors typically fly around the world. These two cases we've been engaged in to date have involved alleged offences—or proven offences, in the case of one, in Rwanda—that made the requirement to take not only the prosecutors but the court, including defence counsel.... In one case, they went to Belgium and to Rwanda. That has increased the costs.

**Hon. Irwin Cotler:** I understand that, Mr. Saunders. I know it costs \$4 million per prosecution, on average. I know myself, because I initiated the first prosecution, that it was \$4 million, and people came to me and said, "That's it. We can't do any more."

That's precisely my point. There is, I believe, still a compelling need, and because our responsibility is enhanced because of our enactment of the Crimes Against Humanity and War Crimes Act, I think maybe we need more than the \$8.5 million. Even \$15.6 million, in my view, did not suffice, I felt, when I was minister. I don't think the demand is any less. It may even be more. Yet we've reduced the amount available. Could we not seek more rather than have the budgetary allocation halved, in effect?

•(0915)

**Hon. Rob Nicholson:** If you're making a representation with respect to the next budget, I appreciate that, Mr. Cotler. And I will certainly take that under consideration. Again, when we put these together, as with all these budgets, we get an analysis from those who assist us on this. But I'll take that as a representation for the main estimates.

**Hon. Irwin Cotler:** That's fine.

**The Chair:** Go ahead, Ms. Boivin.

[*Translation*]

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

[*English*]

**The Chair:** Oh, I'm sorry. It is Ms. Findlay.

**Ms. Kerry-Lynne D. Findlay:** Good morning, Minister.

Mr. Saunders, thank you for being with us today.

My questions are on the additional funding for the Courts Administration Service, Minister.

I noted with interest that part of that is a request for further crown witness coordinators. It's my understanding that they operate primarily in the north. I believe they are based in Yellowknife, Inuvik, Whitehorse, and Iqaluit, but they often travel with the circuit court.

I'm just wondering if you could tell us what the work is they do and why they're important to the prosecution and to the witnesses and victims of crimes.

**Hon. Rob Nicholson:** As you know, Ms. Findlay, the Government of Canada has a special responsibility with respect to justice in the territories. Again, as part of that, the coordination and the facilitation of trials, the calling of witnesses, and the facilitation of getting witnesses before the court is a big challenge.

I hear this in my discussions with my territorial counterparts in terms of all aspects of the judicial system, whether they're judicial hearings.... There are great travel costs, for instance, in terms of moving judges and court officials and for coordinating witnesses. It seems to me that we have a responsibility, in terms of facilitating the administration of justice, to be sensitive to that and to recognize the particular challenges that exist within our territories. It's important for the administration of justice that justice be available in a way that facilitates the fair hearing of a case. This is what takes place.

Inevitably it costs more money than if you're talking about a court appearance here in downtown Ottawa. That being said, it's important that we do that. So when I see requests from the Courts Administration Service with respect to costs for court reporting, transcripts, and translation services, I'm very empathetic to that, because I know this is an important aspect of that.

With respect to the supplementary estimates, there are the four courts I've identified. But of course the issue is much greater than that, because this, too, is part of facilitating justice across this country. Again, we have a particular responsibility with respect to the territories, so we take that very seriously.

What you have before you here is a very reasonable and, in my opinion, modest request for additional sums under the supplementary estimates (B). I hope it will get the support of this committee.

**Ms. Kerry-Lynne D. Findlay:** Thank you.

I also understand that under those requests there's an area against money laundering of proceeds of crime and the financing of terrorist activities. Of course, I know that disrupting the enterprise of organized crime is of importance to this government. In looking at the background materials, I see that our anti-money-laundering regime was established in 2000, and then the anti-terrorist financing was added in 2001. There seem to be a number of partners involved in this. I'm wondering if you could just explain a little more to us why this is important and how it is that these various agencies and organizations work together on this difficult issue.

•(0920)

**Hon. Rob Nicholson:** As I have made the case before this committee, these types of prosecutions are sophisticated, and they're becoming more sophisticated. It's absolutely vital that all those elements within the criminal justice system for law enforcement cooperate, that there is communication between all those involved with this.

Now, part of what the Public Prosecution Service does is coordinate, assist, and advise with respect to these complex crimes. It seems to me that this is only reasonable in terms of what we see as the development within criminal organizations. I have pointed out many times in the past that many of these crimes are not one-offs, not one individual who has decided to do something. They are sophisticated operations, part of organized crime. So the measures taken against those organizations have to be developing. They have to be sophisticated as well. So there is a role to play with respect to the public prosecutions in the assistance and the advice of that. One aspect of that, and it is contained within these, is the website that will help coordinate this activity.

We know that the criminal organizations are using sophisticated communication systems, and we can't be on the outside looking in. We have to be a part of this as well. So when I see a request for something like that, as I've indicated, it definitely has my attention, and it gets my support because it makes sense that we have to do what we can. We can't have law enforcement agencies anywhere in this country operating in what they used to call silos. They have to work with each other, because ultimately we all have a stake in ensuring that the individuals who get involved with this type of crime are brought to justice and that there is better security for Canadians.

Again, that is one of the aspects of the supplementary (B)s, and I hope this gets the support of all the members of the committee.

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

We have Ms. Boivin now.

[*Translation*]

**Ms. Françoise Boivin:** Thank you for being here, Mr. Minister and Mr. Saunders.

In the same vein as Ms. Findlay, I have a single question with regard to that specific point. Why were these expenditures not factored in before the tabling of the 2011-2012 main estimates? What happened that made you come back to ask for an additional million dollars to combat the money laundering of the proceeds of crime and the financing of terrorist activities? The question is all the more relevant since other partner organizations like FINTRAC, the CBSA or the RCMP all came to ask for additional funding as well. What happened all of a sudden to justify asking for these sums that are starting to be rather large?

[*English*]

**Hon. Rob Nicholson:** Again, if we cut back spending, sometimes we get criticism for that. If it goes up, we sometimes get criticized for that as well. In our parliamentary system, the best, most reasonable estimates of what these programs and initiatives will cost are tabled and are part of the budgetary process. That has been the case since long before I became an MP in 1984 or Mr. Harris did in 1987. There is a process by which all government departments look at what their needs are and determine where adjustments have to be made.

Your job, as you're aware, is to analyze these to see if they are reasonable requests. I ask those questions myself, because it seems to me I would like to get them all within the initial estimates. You'll notice that the Department of Justice, which has by far the largest

budget coming within my portfolio.... We are not here making a request, but again, I don't close the door for supplementary estimates (C), because they analyze these things on a regular basis. When these requests are made by the agencies that come within my portfolio—and that is the Public Prosecution Service—we have a look at them if it's reasonable.

I could ask Mr. Saunders why there are specific changes, if you'd like. Overall, I think they're rather modest in terms of the overall budgets that come within this area.

That being said, Mr. Saunders, is there anything you want to add about why there have been changes?

● (0925)

[*Translation*]

**Mr. Brian J. Saunders:** I think that the program was assessed during the year. Following that assessment, we received more money. Our department is not the only one to receive funds. In fact, I believe eight departments participate in the program to combat money laundering.

**Ms. Françoise Boivin:** Thank you.

Minister, in your presentation, you referred to aboriginal women who have disappeared or were assassinated. I know that in the 2010 budget, you had set aside \$10 million over two years to look into the issue of the high number of aboriginal women who have disappeared or been murdered. I think this matter is of concern to every member of Parliament, and to all parties. Concrete measures were to be taken to see to it that law enforcement agencies and the justice system would meet the needs of aboriginal women and their families.

I see nothing in your additional funding requests concerning this specific point. We were all told these past few weeks by these agencies and groups that the amounts needed to try to come to grips with this problem would be much higher. I am trying to understand why this is not included in the additional funds that are being requested.

[*English*]

**Hon. Rob Nicholson:** That's not specifically with respect to missing and murdered aboriginal women, nor indeed with respect to the aboriginal justice strategy, which are already part of the estimates and the budgetary process. We're not requesting today any change. Indeed none of the areas within the Department of Justice are asking for any changes other than the amounts that were requested in the initial budgetary process.

That being said, these continue to have great importance to the government and to my colleagues, who are very much involved with both of these strategies with respect to aboriginal justice and missing and murdered aboriginal women. That funding will continue. It's guaranteed, and again, no changes have been requested, because again, it is not the Department of Justice estimates that are being questioned here today.

**Ms. Françoise Boivin:** So I'm understanding that you consider what has been budgeted to be enough?



**Hon. Rob Nicholson:** I think it's reasonable, and again, the money is being well spent and well allocated. As I indicated to Mr. Cotler, when we put together another budget for the upcoming year, we always analyze these things and make sure the appropriate funds are allocated and expended.

**The Chair:** Mr. Seeback, five minutes.

**Mr. Kyle Seeback (Brampton West, CPC):** Minister, I'm looking at the entry under the Office of the Director of Public Prosecutions, and I see that the director of public prosecutions is requesting an additional \$3 million for transition of ongoing corporate resources. Can you explain to me what transition exactly is being referred to there?

**Hon. Rob Nicholson:** I might ask the director of public prosecutions. This is an ongoing process, as you know. The Public Prosecution Service was, for most of its existence, part of the Department of Justice. Separating that out and having it as its own separate identity involves many administrative challenges and expenses. Doing so is an ongoing process, and one that I think ultimately is in the best interests of Canadians.

I remember when we did this, and it's not a question of, for instance, political interference or departmental interference in prosecutions. It's to make sure that the appearance, among other things, is appropriate, that this is independent, and that there isn't any attempt to interfere with legitimate prosecutions across this country. It's an ongoing process, and I'd ask Mr. Saunders to supplement that if he likes.

**Mr. Brian J. Saunders:** When we were established in December of 2006, Budget 2006 set aside \$15.6 million on a one-time basis to allow us to achieve the separation the minister just described.

We couldn't have immediately gone out to end the leases across the country; that would have been too expensive. So what we did was take immediate measures to ensure there was a separation of our organization from that of Justice, and as leases have expired we've moved into new premises. Therefore, that \$15.6 million hasn't been used in the first year; we've been using it prudently over the years.

The \$3 million that you see in the estimates is money we've asked to be reprofiled into the new year so we can pay for a consolidation of our headquarters. At present our headquarters staff are located in four buildings in downtown Ottawa. We share space with the Department of Justice in three other locations. The goal of that money is to be able to show Public Works that we can pay for the reallocation to one central building.

• (0930)

**Mr. Kyle Seeback:** Do you have any idea what the costs might be going forward—additional costs, in that same vein?

**Mr. Brian J. Saunders:** As I mentioned, we received \$15.6 million at the outset, in 2006, as one-time funding. To date we have spent \$6.6 million, leaving a balance of \$9 million, and we're seeking \$3 million in these supplementary estimates.

**The Chair:** Mr. Jean, we have two minutes.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Certainly, if that's all right—

**Mr. Kyle Seeback:** Absolutely.

**Mr. Brian Jean:** Thank you, Minister, and thank you, Mr. Saunders.

I've had an opportunity to look at the supplementals that are being asked for and I find them to be totally in order, but I'm wondering about the efficiency of current programs and some of the programs that have been utilized by governments in the past.

Mr. Minister, has your department reviewed programs and looked at efficiencies and effectiveness of these programs, for instance, elimination of duplication that has been found? Is this an ongoing process, or is it a process that you do on a periodic basis?

**Hon. Rob Nicholson:** Well, I think there is a responsibility within all departments of Justice to ensure that funds are well spent and that there isn't a duplication of services. Very often there is cooperation and coordination between various agencies and departments of government, and that takes place on a regular basis. The Department of Justice, as you know, provides legal advice to all departments.

Again, I'm very interested in any measures to decrease duplication, to reduce waste, and to be careful with the expenditure of public funds. We owe that to the public and we owe that to all those individuals who have sent us here.

With respect to Public Prosecutions, for instance, again, we have separated that from the Department of Justice over the last...I suppose it's almost six years now that this has taken place. I've been very pleased with the progress. This has not increased duplication. It seems to me that it's very focused on what it is we have a responsibility to do.

We have a responsibility, as you know, with respect to prosecutions under many of the federal statutes. This is becoming a more sophisticated business, so there are challenges they have to meet. I'm satisfied that the program is working well.

Again, it's incumbent upon all of us who have been given responsibilities to make sure that the money is well spent and that there's not waste. That's an ongoing challenge for everyone in government.

**Mr. Brian Jean:** Mr. Minister, I'd just like to add that the provincial crown in Alberta is very happy with the cooperation from the government.

**Hon. Rob Nicholson:** I'm pleased to hear that.

**The Chair:** I'm sorry, we're out of time, Mr. Jean.

Mr. Jacob.

[*Translation*]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Minister, the Office of the Director of Public Prosecutions is asking for almost \$1 million in additional funds to bolster the combat against money laundering of the proceeds of crime and the financing of terrorist activities. Will these additional amounts be used to call on the services of outside experts or consultants? If so, what types of services or expertise does the federal government lack?

In his report on the Air India tragedy, Mr. Justice Major made a number of recommendations to crack down more effectively on the financing of terrorist activity, including changing the manner in which financing for terrorism is investigated, which at the moment closely follows the methods used to investigate money laundering. Will these additional amounts be used to implement the recommendations made by Mr. Justice Major?

● (0935)

[English]

**Hon. Rob Nicholson:** We are proceeding on a number of different fronts. You would be aware of legislation already brought in by the government. Again, money laundering is an ongoing problem. When I saw a request for increased funds from the Public Prosecution Service specifically directed at this challenge, I was very interested, because as you say, as was identified in the major report, as well as in other information we have received, this is becoming a sophisticated, difficult problem.

One of the things impressed upon you in this job is that these crimes have no borders. It's not 30 years ago, when much of the crime originated, was contained, and effects were felt within the borders of this country. More often, this is an international problem. You remember the bill I had before this committee on auto theft. Auto theft is not just something that takes place and begins and ends. There are sophisticated operations moving these vehicles in and out of the country.

Very often in the legislation we bring forward there is this international aspect. This is why I, among others—as the public safety minister is—am a great supporter of Interpol and other organizations that help coordinate this international activity. Indeed, many of the laws we bring in, whether they are laws with respect to cyber crime or others...many times, it's to coordinate our laws with the laws of countries around the world so that we're all on the same page and that we adhere to certain standards.

As your question points out, it is becoming more sophisticated. So with respect to the estimates here, I'm very interested when the Public Prosecution Service says they need additional funds to meet those challenges. They're playing to a very receptive audience, because this is what I hear when I discuss with my international counterparts that this is becoming more of a problem.

Did you have anything else you wanted to add to that?

[Translation]

**Mr. Brian J. Saunders:** I would like to describe our mandate, which is very simple. We do not investigate: we provide legal advice to investigators and we institute legal proceedings. That is what the money we will be receiving will be used for.

**Mr. Pierre Jacob:** Thank you.

Minister, I would like to know whether prevention programs are included in the supplementary estimates, as requested by Mr. Dale McFee, president of the Canadian Association of Chiefs of Police.

[English]

**Hon. Rob Nicholson:** Most of the victims of crime initiatives fall within the purview of the Department of Justice. The Courts Administrative Services doesn't get into that, other than in

coordinating and assisting individuals appearing before the courts. The Public Prosecution Service doesn't have direct responsibility with respect to the victims funds. As I indicated, I think to Mr. Harris in his initial question, there are allocations within the Department of Justice with respect to victims. I've been pleased over the years that that has increased. It's becoming more sophisticated and more extensive. Again, these are specifically with respect to the Public Prosecution Service. In and of itself, it is not related to victims of crime and their funding.

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

Mr. Woodworth.

**Mr. Stephen Woodworth:** Thank you very much, Mr. Chair.

Thank you, Minister and Mr. Saunders, for attending today regarding these supplementary estimates.

With respect to the Office of the Director of Public Prosecutions, one of the items is a transfer from Public Safety and Emergency Preparedness regarding crimorg.ca. I understand from the estimates that this is a national website for combatting organized crime. As you know, our committee in the past has spent considerable time studying the problem of organized crime and how to respond to it.

I just want to find out a little bit about that transfer. Perhaps I'll begin by asking either the minister or Mr. Saunders to give us a description of that website. What are the objectives? What does it have in it? Who is it accessible to? Then explain to me why this money is being transferred from Public Safety to the director of public prosecutions.

● (0940)

**Hon. Rob Nicholson:** I've mentioned crimorg.ca three times. I appreciate the question, Mr. Woodworth. As far as I'm concerned, better coordinating law enforcement agencies across the country is a priority, but with respect to some of the specifics on the details, I'd ask Mr. Saunders to respond.

**Mr. Brian J. Saunders:** I will start with giving a bit of history on the crimorg.ca site. It was a proposal that was raised at the Federal-Provincial-Territorial Heads of Prosecutions Committee, of which all prosecutors in Canada are members. It was Manitoba that came forth with the idea. They suggested we create this website that would be secure and available to all prosecutors involved in organized crime prosecutions across the country. It would enable them to keep up to date on the latest developments in the law, to have access to each other in the form of chat rooms, and also to make it available to internationally based experts in the area.

That was the goal. When it came to financing it they looked to the heads of prosecution who worked at the federal level. They looked to the federal government to see whether money could be made available to set up the website. Public Safety indicated that it had a program where money was available for this type of initiative, and it was agreed that it would make more sense that if they had the money, it would be run out of the Public Prosecution Service, so they provided us with the money to hire the people necessary to run the website.

That said, the website has been up and running for about the last year. There are close to 200 registered users, and they would be prosecutors from our federal prosecution services and from the prosecution services of the provinces.

**Mr. Stephen Woodworth:** Does your department now have full responsibility for running the website?

**Mr. Brian J. Saunders:** Yes.

**Mr. Stephen Woodworth:** The other question I wanted to ask about also involves the director of public prosecutions, and it is in relation to the money that is going to go to the crown witness coordinators in the territories and to victim coordinators. Because it's a significant amount of money, about \$823,000, could you give us an explanation of why this additional money is being directed to the territories at this time?

**Mr. Brian J. Saunders:** We have 13 crown witness coordinators on staff at present. We're in the process of hiring a 14th. They are all based in the three territories, and the reason for that is the nature of our practice differs in the territories from the provinces.

In the provinces, the majority of our prosecutions are either drug prosecutions or regulatory prosecutions, and typically the witnesses in those prosecutions are either police officers or investigators from government departments. In the north we do the Criminal Code prosecutions, and as a result, most of the witnesses in those prosecutions are citizens who have been the victim of a crime.

In order to assist those individuals...first of all, we locate those individuals, because you will recall that we're dealing with the three territories, with communities spread all across them. We explain the court process to them. Often, for example, in Nunavut they don't understand English, so our crown witness coordinators, who speak Inuktitut, and assist the prosecutors in communicating with the witnesses.

This goes back to a question that was asked earlier. They will also refer the victims, the witnesses, to appropriate territorial services for assistance, when such services exist.

We deal with the individuals as witnesses, not as victims, because our role is to prosecute the cases. That's why there are territorial services available to deal with them in terms of being victims. We turn it over to them.

**The Chair:** Very good. Thank you very much.

Our time is up. Now we do need to have two votes.

Just before we do that, Minister, I would like to thank you and Mr. Saunders for being here today. But I would equally say, Minister, because your estimates originally were so good, there is not much in the supplementary estimates; it made it difficult for our members to access this.

So thank you very much. We appreciate it.

We do need to vote on the matter, so I will call that vote now.

Shall votes 30b and 35b under the Department of Justice carry?

JUSTICE

Courts Administration Service

Vote 30b—Program expenditures.....\$2,481,139

Office of the Director of Public Prosecutions

Vote 35b—Program expenditures.....\$4,738,905

(Votes 30b and 35b agreed to)

● (0945)

**Mr. Jack Harris:** Chairman, I would like the record to show that we voted in support of that, so when we hear on the other side that we don't support victims and we don't support core services and all of that, I don't want to hear anything about these estimates.

**The Chair:** I still have one more vote.

Shall the chair report votes number 30(b) and 35(b) under the Department of Justice to the House?

**Some hon. members:** Agreed.

**The Chair:** It was unanimous again. Thank you.

We'll adjourn.





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