



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# Standing Committee on Justice and Human Rights

---

JUST • NUMBER 023 • 2nd SESSION • 41st PARLIAMENT

---

EVIDENCE

**Thursday, May 8, 2014**

—  
**Chair**

**Mr. Mike Wallace**



## Standing Committee on Justice and Human Rights

Thursday, May 8, 2014

• (1100)

[English]

**The Chair (Mr. Mike Wallace (Burlington, CPC)):** I call this meeting to order.

If the cameras could leave that would be excellent. It is a televised event. You guys can go watch it on TV if you really want to. Thank you.

As the committee knows, the bells will be going in about 25 minutes or so. We'll have the minister give his opening statement, and then we'll get at least one round of questioning to the minister before we have to go back to vote.

Minister, the floor is yours.

[Translation]

**Hon. Peter MacKay (Minister of Justice and Attorney General of Canada):** Thank you, Mr. Chair.

Colleagues, I am delighted to be here with you this morning.

[English]

I'm pleased to appear before this committee to answer your questions regarding items in the main estimates. I note this is my 45th appearance before a parliamentary committee, which is a very important part of our parliamentary accountability process.

Mr. Chair, joining me today eventually will be Brian Saunders, George Dolhai, of course my deputy minister, William Pentney, and Marie-Josée Thivierge.

Chair, in my role as Minister of Justice and Attorney General of Canada I'm responsible for helping and in some cases shepherding our justice system through various iterations of our efforts to remain relevant, fair, accessible, and of course, to support Canadians in many ways. Justice must not only be done but be seen to be done, as the old well-worn legal maximum says. This is what Canadians expect.

The items that the Department of Justice has submitted to be tabled under main estimates will further our work to ensure just that—that our justice system continues to evolve, to be fairer and more inclusive, and enhances the personal safety and security and confidence of Canadians through our criminal laws, policies, and programs.

To turn to the numbers, the Department of Justice is estimating net budgetary expenditures of \$630.6 million in the year 2014-15. Of these slightly more than half is allocated to grants and contributions,

38% is allocated to operating expenditures, while the remainder is allocated to statutory expenditures.

This spending will support the wide-ranging and important services that the government provides to all of government. That is to suggest that the Department of Justice provides those legal services across many departments, which includes a large number with respect to litigation, legislation, and advisory services.

These figures also represent a net spending decrease of \$26.9 million from the 2013-14 main estimates. The decrease I can note is mainly attributable to the cost savings found through the strategic operating review as well as sunseting of several initiatives.

Mr. Chair, while the choices that facilitated the cost saving required the prioritization of programs, it illustrates the department's commitment to supporting the government's economic action plan and to achieving savings for Canadians, where possible, through innovation and modernization to ensure that we better meet the needs of today, never losing sight of the importance of providing meaningful support and access to justice for Canadians.

One important area of expenditure, representing an increase of \$1.4 million, enhances the victims fund and expands the reach of the federal victims strategy, specifically for time-limited operational funding to non-governmental organizations serving victims of crime and in particular the child advocacy centres. These centres, which now span the country, are one of the most innovative, compassionate, and important contributions that I have seen in my time as both a practising lawyer and as Minister of Justice. These centres provide crucial services to young victims of abuse and their families. I believe their contribution is offering front-line services day to day that make a real difference in the lives of youth.

[Translation]

Mr. Chair, there has also been an increase of \$3.98 million, in addition to the initial funding of \$40.17 million under the Roadmap for Canada's Linguistic Duality 2013-2018 for Access to Justice in Both Official Languages.

The initiatives described earlier will enable the Minister of Justice to build a justice system that is more equitable, that will improve access to justice in both official languages and that will meet the ever-changing needs of Canadians across the country.

In addition to our current success, the future is promising. The Government of Canada has taken action with respect to a number of criminal justice priorities in order to guarantee rights and make communities safer for us to live in, thrive and raise our families.

[English]

Mr. Chair, on April 3 of this year, the Prime Minister and my predecessor, Mr. Nicholson, announced historic legislation that would transform the way victims of crime are treated in our country's justice system. After extensive cross-country consultation with numerous individuals and stakeholder groups, I had the honour to table in the House of Commons the victims bill of rights.

This is intended to establish statutory rights for information, protection, participation, and restitution, and to ensure that a complaint process is in place to deal with breaches of these rights. This legislation would entrench the rights of victims of crime at the federal level. Protecting victims and providing them with a more effective voice in our justice system is a key priority for our government. Victims of crime deserve to be treated with courtesy, compassion, inclusion, and respect—basic rights, in my view, necessary for public confidence and trust in our justice system.

Chair, colleagues, above all Canadians expect that their justice system will keep them safe. Public safety is a fundamental and foremost responsibility of any government. The government understands this expectation and is committed to protecting Canadians from individuals who pose a high risk to public safety. Our laws and current legislation reflect our commitment to this responsibility.

To that end, the government introduced Bill C-14, Not Criminally Responsible Reform Act, which received royal assent on April 10, 2014. The bill helps protect Canadians from persons who are found to be not criminally responsible on account of mental disorder, and who pose a higher risk of committing violence if released. This, I should note, is a very small percentage of individuals who are actually deemed not criminally responsible, and is somewhat akin to the dangerous offender applications and findings in our Criminal Code.

The legislation enhances the safety and confidence of victims specifically by considering them when decisions are being made about mentally disordered accused persons, making sure victims are notified when accused are being discharged, and where they intend to reside, if the victim desires, and allowing for non-communication orders between the accused and the victim.

In addition, Mr. Chair, our government will continue to take action to protect the most vulnerable through the tougher penalties for child predators act, as well as Bill C-13, the cyber bill. We are working to maintain the safety and security of our communities and our streets by ensuring that legislation responds to the evolution that naturally occurs, and that includes, of course, the Supreme Court's ruling in Bedford, which struck down Criminal Code sanctions as they pertain to prostitution.

So to conclude, Mr. Chair, our government is committed to maintaining the integrity of our criminal justice system. We are strengthening that commitment with the level of funding that the Department of Justice portfolio has received, and the funding that Justice has received delivers concrete results for Canadians. I'll continue to do my best to see that those taxpayer funds are spent wisely, while ensuring that Canadians have a fair, relevant, and accessible justice system.

I want to thank you and the committee members for the essential work that you do for providing our department with the opportunity to make these comments and to interact in a way that I hope is meaningful for all.

I thank you, Mr. Chair.

• (1105)

**The Chair:** Thank you, Minister. Thank you for coming in to answer questions about the main estimates.

Our first questioner is Madame Boivin from the New Democratic Party.

[Translation]

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

Minister, unfortunately, we will not have a full hour with you. While we would like to be able to discuss a bit more in depth the major issues we are studying, the members in the House are debating another time allocation motion on a democratic reform bill. That is more than 60 time allocation motions introduced by the government.

It is quite a strange process. We are studying the main estimates, which are quite voluminous, and there are some aspects that fall under your responsibility since they concern the Office of the Director of Public Prosecutions, the Commissioner for Federal Judicial Affairs, the Canadian Human Rights Commission, the Supreme Court of Canada, the Department of Justice's entire budget, the courts administration service and the Canadian Human Rights Tribunal. However, we have to study all that with only five minutes for questions each.

I will try to be brief and I would like the answers to be brief as well.

My first question has to do with the budget of the Supreme Court. Are we to understand that you are going to appoint someone to the Quebec position that is still vacant? Is that part of your main estimates? When are you going to start spending those funds? In other words, are you going to proceed with the appointment as soon as possible?

I have a second question for you.

In these estimates, the Department of Justice funding for transfers to provinces for legal aid services drops significantly. That funding comes from t. We know that the provinces are asking for a bit more funding in that area because the needs are huge. I don't understand why savings are being made at the expense of legal aid.

Here is my third question.

Bill C-31 is creating a new administrative tribunals support service as an act. Do you expect this service to involve spending? I am not sure your estimates list the financial impact of the 11 tribunals that will fall under this service. Do you expect to save money with this service? Or do you expect to have a period of transition?

I would have liked to have more than five minutes to have an intelligent discussion. I doubt I will be able to have answers to all those questions. Perhaps you can promise to provide us with the answers later, if you don't have time to answer all my questions.

I assume that I will have to ask your colleague, the Director of Public Prosecutions, about his mandate, as described in the main estimates, and about his role in the RCMP. I will come back to that later.

Mr. Chair, are we going to come back to committee after the vote?

• (1110)

**The Chair:** We will come back tomorrow.

[English]

After the vote the plan is to come back here.

**Ms. Françoise Boivin:** Excellent, so I'll reserve my Director of Public Prosecutions questions. I have some questions for Mr. Saunders when he'll be here.

So go ahead, Minister, about the nomination for the Quebec judge on the Supreme Court.

**Hon. Peter MacKay:** Thank you very much Madame Boivin. I'll try to answer your questions in the order that you presented them.

With regard to the Supreme Court budget, of course that money is there. It is allocated. That money will be there to cover the salary of an eventual replacement for Mr. Justice Fish, so there is every intention of course to fill that post and to do so in an expedited way. I've now had the opportunity to speak with my new counterpart from Quebec, someone well known to you, Madame Vallée, so we had a face-to-face meeting this week in Ottawa. I intend to move as expeditiously as possible to fill that post.

With respect to legal aid, you would know that in the face of all departments making difficult decisions and in reductions in many areas we did not reduce the budget with respect to legal aid, so that money remained stable while at the same time provincial transfers did increase to provinces like Quebec and others across the country, in some cases as high as 25% in the province of Nova Scotia. So increase in transfers and no decrease—

**Ms. Françoise Boivin:** Maybe I'm not reading well but when I see [Translation]

Under "Listing of the 2014-15 Transfer Payments", there is something I don't understand. It says: "Contributions to the provinces to assist in the operation of legal aid systems".

For the main estimates 2012-13, the amount is \$119 million, whereas for 2014-15, it is \$108 million. I see that as a drop, but perhaps I am missing something in the documents provided to parliamentarians.

[English]

**Hon. Peter MacKay:** Yes, Madam Boivin, you will know that there is a sunset provision that applies across provincial transfers. These transfers, with respect to legal aid, have remained consistent. They were not decreased. When supplementary estimates receive approval, then that money will flow. I've already signalled that in writing to all of the provinces and provincial attorneys general—

**Ms. Françoise Boivin:** What we see in the main estimates is one thing, but through supplementaries, it's always

[Translation]

in separate sections; that is how we do this wonderful exercise of managing public funds.

**Hon. Peter MacKay:** You are correct.

[English]

With respect to administrative tribunals—

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

**Hon. Peter MacKay:** Okay, but the bill hasn't passed yet with respect to administrative tribunals, so again this will reflect future funding with respect to administrative tribunals.

**The Chair:** Thank you, Madam Boivin. If you have further questions, feel free to send them through us and we would be happy to send them to the department and to the minister to get a response for you.

Our next questioner is from the Conservative Party, Monsieur Goguen.

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Thank you, Minister, and I thank the officials for coming today to what will be a shortened event, but we'll certainly plod through it.

Minister, I'd like to talk to you about Bill C-13, the cyberbullying bill. I know this is something that's close to your heart with the Rehtaeh Parsons issue in your home province.

We've seen an increase in criminal activities on the Internet and we know that youth are especially vulnerable to online exploitation. Their search for acceptance, their perception of anonymity, and the privacy online can also lower their inhibitions, and of course, this leaves them open to manipulation by others. In a recent review of case law involving the offence of online luring of child victims who did report concerns, 75% of the children had already been sexually abused or exploited prior to coming forward.

Canadian parents, we know, do not want their children victims of crime on the Internet or to fall into the hands of some predators. How does this bill balance the need to gather information regarding criminal activity with the need to protect the personal privacy of Canadians?

• (1115)

**Hon. Peter MacKay:** Thank you very much, Mr. Goguen. I know that you've also had a long-standing interest in this particular area, as does Mr. Dechert. This bill, we believe, does strike the proper balance, but to be clear, what we're attempting to do here is not to in any way create a new protection for criminal or civil liability for those who voluntarily assist law enforcement. What we are very much attempting to do here, obviously, first and foremost, is to protect people from online criminal activity.

You highlighted, as would I, the importance of protecting children. We know there has been a massive proliferation of hand-held devices and online activity, which, quite frankly, leaves children vulnerable. We've seen extremely insidious behaviour, including luring of children, including the type of very detrimental behaviour that led to the incredible tragic circumstances around the loss of life of Rehtaeh Parsons, Amanda Todd, Todd Loik, and other youth across the country who have suffered tremendous distress, to the point where they took their own lives. I've met with a number of those family members, as I know you have, and the ramifications for this are still being felt certainly in those families and communities.

We've introduced this bill, which is now in a place where it will receive rigorous examination. We have done so after tremendous consultation, not the least of which included a report from my provincial counterparts. We heard quite definitively from our provincial and territorial counterparts about the need to move in this direction.

Again, I want to stress that the provisions here provide protection for those who participate in the provision of information and do so voluntarily, but still they must do so in a way that is consistent with other Criminal Code provisions and other provisions with respect to the handling of information. PIPEDA plays a very important role in determining whether those provisions have been followed to the letter of the law.

Again, I would suggest to you that persons who disclose personal information without a warrant have to do so in accordance with the law. This does not create new protections or in any way afford some sort of blanket protection for individuals to provide private information. That is not the intent of this bill. The intent is to, in fact, buttress the protection for those who may fall prey or may fall victim to online criminality.

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

By and large, it's safe to say that all parties appear to have accepted the necessity of curbing Internet crime, and of course, sexual abuse online. A number of parties and a rather wide spectrum have backed the government up on this bill. For instance, according to Lianna McDonald from the Centre for Child Protection, Bill C-13:

...will assist in stopping the misuse of technology and help numerous young people impacted and devastated by this type of [crime].

You mentioned Amanda Todd. Carol Todd, the mother of Amanda, who was a victim, declared to Canada AM on November 22, 2013:

I see this as a good step forward because there has to be consequences for actions and instead of this being a grey area; it's more black and white.

David Butt, counsel for the Kids Internet Safety Alliance, in *The Globe and Mail*, November 21, 2013, said:

...the new bill is a great improvement over trying to fit the round peg of this particular problem into the square hole of our existing child pornography laws.

This is from Wayne MacKay of Dalhousie's law school:

The Criminal Code is our biggest sanction and making it an offence sends a clear signal.

Allan Hubley, Ottawa city councillor and father of a bullied teen who took his own life, said on Canada AM:

When we were younger, you always knew who your bully was, you could do something about it. Now, up until the time this legislation gets enacted, they can hide behind that.

They have the anonymity. He continues:

Not only does it start to take the mask off of them, through this legislation there is serious consequences for their actions.

So victims are saying it's time for this law to be enacted, and of course, there has been some fear that there would be intrusion into privacy. How is this act and the ability to gather information and evidence on Internet crime balanced with the need to protect privacy?

• (1120)

**The Chair:** In thirty seconds....

**Hon. Peter MacKay:** Thank you, Mr. Goguen.

All of those people that you've mentioned are tremendous advocates and very articulate spokespersons for this holistic effort that we've undertaken to protect children generally, but anyone from bullying.

I must say that Lianna MacDonald in the work that she does with the Centre for Child Protection is just an extraordinary individual with an extraordinary organization. So we are working in collaboration with many groups and individuals. There are efforts through the government's Get Cyber Safe campaign. You should also be aware of the NeedHelpNow.ca website that provides direct instruction and help to individuals and families who may be experiencing bullying.

But to your point, we are very much working in partnership with the public and private sectors. We're also, of course, working very closely with police to ensure that we get this balance right, that we do not step over the line, if you will, when it comes to the protection, and the need, the very real need, to protect personal privacy. So tracking individuals with the proper judicial oversight is really no different than the efforts that were made years ago to provide warrants to aid police in their investigations for physical evidence. We're now looking at trying to garner the necessary protections to collect the Internet information and Internet evidence that can be used to forward prosecutions and protect people who need protection.

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

Our final questioner, likely before the bells, is Mr. Casey from the Liberal party.

**Mr. Sean Casey (Charlottetown, Lib.):** Thank you, Mr. Chair.

Mr. Minister, we're going to be interrupted by the bells. Will you be prepared to come back to complete your hour after the vote is done?

**Hon. Peter MacKay:** I do have appointments after 12 noon, but I will endeavour to come back, yes.

**Mr. Sean Casey:** Can you shed any light on the request that was made of Justice Nadon to resign from the court and join the Quebec bar?

**Hon. Peter MacKay:** What do you mean?

**Mr. Sean Casey:** You read the media. You would have read the reports that indicated—

**Mr. Robert Goguen:** Point of order, Mr. Chair...

How does this relate to the supplementals?

**The Chair:** Well, the supplementary estimates include the Supreme Court. So if he can refer to the spending that the Supreme Court is asking for under vote 1, it's certainly allowed. If the minister chooses to answer, as it relates to the spending for that vote, it is in order here on the table. Thank you.

**Mr. Robert Goguen:** That's fair enough.

**The Chair:** Do you want to relate it somehow, as to the opening at the Supreme Court and how the spending is going?

**Mr. Sean Casey:** Mr. Minister, you have undoubtedly read reports in the media that Justice Nadon was asked to resign to join the Quebec bar in order to make his appointment eligible, or in order, I presume, to cleanse his appointment.

Can you shed any more light on that, sir?

**Hon. Peter MacKay:** That was not a request that was made by me, Mr. Casey. I've read media reports of speculation around this issue, but I can tell you that's not something that I personally encouraged him to do.

**Mr. Sean Casey:** When did you first become aware of this?

**Hon. Peter MacKay:** When did I first become aware of what?

**Mr. Sean Casey:** Of a request made to have Justice Nadon resign from the Federal Court...

**Hon. Peter MacKay:** What I can tell you is that when I became Minister of Justice back this past summer, this process, of which you were a part, was already well under way.

With regard to the appointment process itself, as you know, there was a great deal of anticipation as to who was going to replace Mr. Justice Fish. There was a vetting process, of which you were a part, and a list was produced. We now know, of course, that this list included Mr. Justice Nadon's name. That process, again, I say for emphasis, was well under way when I became Minister of Justice.

**The Chair:** The bells are ringing, and the minister has offered to come back to finish your round, Mr. Casey.

We have about two and a half minutes left, so if you could come back after the bells, after we vote, you'll have two and a half minutes left.

• (1125)

**Hon. Peter MacKay:** Sure.

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

This will be suspended until after the votes. Thank you.

•

\_\_\_\_\_ (Pause) \_\_\_\_\_

•

• (1210)

**The Chair:** Okay. Our friends from the media can leave. Thank you very much. It has been great having you here for 30 seconds.

Thank you, Minister, for joining us.

I know you have other appointments at noon, so we're going to finish up with the Liberal question section. They have two and a half

minutes left, and then you'll be excused and we'll go to the second panel.

**Hon. Peter MacKay:** Mr. Chair, I just want to clarify. I had indicated in an earlier question to Mr. Casey that he was part of that process. I stand corrected. It was actually Dominic LeBlanc who was the member of that committee.

**The Chair:** Thank you for that clarification.

Mr. Casey, the floor is yours.

**Mr. Sean Casey:** I thank you for that clarification as well, Minister.

Back in March, I asked you about the use of the notwithstanding clause, and at that time you used the word "scuttlebutt", and then when it was raised in the House, you alleged that it was the Liberal Party that had used it.

In light of the losing streak that the government's on in front of the Supreme Court of Canada, do you stand by your statement that you have not asked your officials to contemplate the use of the notwithstanding clause?

**Hon. Peter MacKay:** Well, I'm glad to get the opportunity to clarify that because, you know, what I should have said was that it was the Liberal Party that invented the notwithstanding clause, that brought it into being and it was, I believe, Prime Minister Paul Martin who threatened to use it. I mistakenly referred to it as having been used, but he did not actually use it. He spoke. He mused publicly, about invoking the notwithstanding clause, I believe, on a contentious debate item that involved same-sex marriage at the time. He didn't use it, but he talked about using it on an open-line show.

To answer your question, with respect to every bill, every piece of legislation, every justice item that comes across my desk, there is always a view to the potential of charter implications. In fact, we have lawyers at the Department of Justice specifically tasked, as you would expect, to examine legislation particularly for charter compatibility, to ensure that we are putting forward legislation, just as judges, that we believe are in compliance with existing legislation, and that it would withstand a charter challenge.

**The Chair:** You have the floor, Mr. Casey.

**Mr. Sean Casey:** Is that a yes or a no? Have you or have you not instructed Justice officials to assess or contemplate the use of the notwithstanding clause?

**Hon. Peter MacKay:** No.

**Mr. Sean Casey:** You say you have not?

**Hon. Peter MacKay:** No.

**Mr. Sean Casey:** Thank you.

**The Chair:** You have one more minute, if you want it.

**Mr. Sean Casey:** The last time you came before committee, we were talking about Bill C-13. You and your officials were either reluctant or outright refused to talk about the interaction between Bill C-13 and Bill S-4. I trust that you've had an opportunity to review the testimony of a fellow Nova Scotian, David Fraser, on this topic.

Is it still your position, Mr. Minister, that there is no relationship between the bill that's presently before the Senate with respect to online privacy and Bill C-13, the so-called cyberbullying legislation?

• (1215)

**Hon. Peter MacKay:** My position is the consistent one, which is that I can only speak to legislation for which I have responsibility, particularly a bill like Bill S-4 that has not passed into law. But is there an interaction? Is there a causal connection? By all means.

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

Thank you for coming back, Minister. Thank you for those answers.

Again, colleagues, members of the committee, if you have specific questions that you didn't get time to ask because of the voting situation in the House, send them through our office and we'll give them to the minister's office and you'll get a response.

I'm going to suspend for a minute while the minister and his staff leave.

**Hon. Peter MacKay:** Chair, thank you very much, and to committee members, I realize that you have a very busy justice agenda with more legislation in the pipeline. I commend you and the good work of this committee, for your work and your cooperation. I look forward to appearing before you again.

**The Chair:** I'm sure you will. Thank you, Minister.

I want to welcome everyone to the Standing Committee on Justice and Human Rights. We were tight on time, so I didn't announce the meeting properly at the beginning because we wanted to get to questions of the minister and his statement as soon as possible.

This is meeting number 23 and it is televised. The orders of the day are regarding the main estimates of the Canadian Human Rights Commission, the Canadian Human Rights Tribunal, the Commissioner for Federal Judicial Affairs, the Courts Administration Service, the Justice department itself, the Director of Public Prosecutions, and the Supreme Court of Canada.

We've had the minister for, unfortunately, a broken-up first hour, but the second hour we're treating as a second panel. It is the officials—I'm getting it right now instead of calling them staff—the officials from the department coming to answer any questions. We're going to start the process all over again as if it's a new panel.

Do you have any opening statements? Do you want to introduce anybody, Mr. Pentney?

**Mr. William F. Pentney (Deputy Minister of Justice and Deputy Attorney General of Canada, Department of Justice):** I'm William Pentney, deputy minister of justice. I'm here with Marie-Josée Thivierge, who is our assistant deputy minister responsible for the management sector and chief financial officer; Carole Morency, senior general counsel and director general of criminal law policy; and Barbara Merriam, director general of our programs branch.

**The Chair:** Mr. Saunders.

**Mr. Brian J. Saunders (Director of Public Prosecutions, Office of the Director of Public Prosecutions, Public Prosecution Service of Canada):** I'm Brian Saunders, Director of Public

Prosecutions. I'm here with George Dolhai, who is one of our two deputy directors.

**The Chair:** Thank you all for joining us. I know there's potential for other staff to join us if required.

With that, Madame Boivin, the time is yours.

[Translation]

**Ms. Françoise Boivin:** My thanks to all the witnesses for being with us today.

Clearly, as the chair of the committee said, we are here to look at the main estimates a little. As I was saying to the minister just now, this exercise is sort of phoney to some degree because of the short time we have and the amounts you have in your budgets, whether at the Department of Justice or the Office of the Director of Public Prosecutions.

I am going to look at some items that are of interest to me regardless of the numbers. The figures will probably be readjusted three times over the year anyway. That is what I was told about the legal aid.

My first question will be a bit more general and it is for the officials from the Department of Justice. That is part of your role.

I was looking at the main estimates 2014-15 and each of your categories that are being studied. When I look at what the Department of Justice needs to do, a large part of its role is to provide legal advice to the minister in terms of his responsibilities to ensure legislation is consistent with the Charter and constitutional, and so on. It also has a role to play for other departments.

We know that the issue of appointments to the Supreme Court of Canada is making the headlines a lot. Legal opinions from outside have also been requested. However, Mr. Pentney, have your services also been used by the department to issue specific legal opinions on eligibility?

My second question is for the Director of Public Prosecutions. A particular matter has caused a stir in the House of Commons. It has to do with the rather large sum of money paid by an employee of the Prime Minister's Office to reimburse the perhaps questionable expenses incurred by a senator. An investigation was conducted on the issue.

One of the roles of the Office of the Director of Public Prosecutions is to advise investigators of what is happening. Let me read what it says in the document attached to the main estimates:

Where required, the ODPP also provides prosecution-related advice to investigators for all types of prosecutions. Such advice continues to be crucial to ensure that investigative techniques and procedures are consistent with evolving rules of evidence and protections under the Canadian Charter of Rights and Freedoms. The advantage of early prosecutorial advice is that it reduces the risk that operational decisions, such as those about methods of obtaining evidence, will detrimentally affect the admissibility of evidence at trial or the constitutional rights of Canadians.



In short, that is what we usually see with crown prosecutors in trials other than yours. In those cases, the police is in constant contact to see if there are grounds for prosecutions.

Is it safe to say that your services have not been contacted at all so that you can express an opinion on the matter of laying charges in a given context, such as Mr. Wright's case?

• (1220)

[English]

**Mr. Bob Dechert (Mississauga—Erindale, CPC):** I have a point of order, Mr. Chair.

[Translation]

**Ms. Françoise Boivin:** Have you been contacted?

[English]

**The Chair:** Mr. Dechert.

**Mr. Bob Dechert:** The other part of my point of order, Mr. Chair, is that I didn't hear at least thus far any question regarding the estimates.

**The Chair:** She's reading from the document that refers to the plans and priorities of that department, which relates to their activity and the question and the plans and priorities documents are part of the estimates process, so it is in order. The question was whether those plans and priorities had anything to do with the recent investigation and did they have any involvement. I think it's a yes or no answer myself, but it's up to them to answer.

[Translation]

**Mr. Brian J. Saunders:** My answer has two parts.

First, the RCMP, or any other investigation agency, is not required to consult us during an investigation. It is up to them to decide whether they need a legal opinion or not.

Second, we do not give confirmation on whether an investigation agency communicated with us during an investigation. We consider that to be an issue of solicitor-client privilege.

**Ms. Françoise Boivin:** In other words, if you are asked, you cannot say whether, yes or no, you were contacted to—

**Mr. Brian J. Saunders:** No. We cannot confirm or deny that.

**Ms. Françoise Boivin:** Wow.

What about the Department of Justice?

[English]

**Mr. William F. Pentney:** For obvious reasons I can't speak to advice that is or is not given to the minister. I can say that in terms of judicial appointments, the Office of the Commissioner for Federal Judicial Affairs was established in part to administer the process for application and consideration, and it supports the process that has now been established for dealing with the Supreme Court of Canada nominations. Within the department, within our policy sector, we do look at policy questions and legal questions associated with the Judges Act, the framework and process. But I can't speak to, for obvious reasons, whether advice was given or not.

**The Chair:** One last question, Madame....

**Ms. Françoise Boivin:** I'm just trying to understand. I'm not asking you to give me the content of the so-called legal advice. We

could argue till death do us part on if it breached some professional secrecy or whatever. But was there anything? Were your services approached to furnish...or it just went outside because you often, at your service, instead of doing it in-house, can hire somebody outside? So was it hiring outside so that the service inside didn't do it, or it was done also and something else happened at that...?

**Mr. William F. Pentney:** I believe statements have been made by either the minister or the Prime Minister indicating that advice was sought both inside and from outside experts.

**Ms. Françoise Boivin:** Thank you.

**The Chair:** Thank you.

Thank you for those questions.

Our next organization is the Conservative Party. Does somebody want to take the slot, or do you want me to take the slot?

**Mr. Bob Dechert:** I believe you were going to.

**The Chair:** No, I think Monsieur Goguen has some questions.

Monsieur Goguen.

• (1225)

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

I want to talk to you about the road map to Canada's linguistic duality. I wonder if you could talk to us about the increased funding from 2014 to 2015, from 2016 to 2018, regarding the road map for Canada's official languages, 2013-2018? Could you explain to us how these resources will be used to support official language minority communities? Do you have examples of projects funded, please?

**Mr. William F. Pentney:** I will lead off, and then others will join.

The government is obviously committed to reinforcing and doing what it can within its jurisdiction for the importance of both official languages and the importance of the capacity of those who are involved in the justice system one way or another, whether as judges, as defendants who come before the courts, or obviously as crown attorneys, whether on the public prosecution side or on the civil justice side, to ensure that we're respecting official language rights.

The road map is a continuation of a reasonably long-standing program that's looking at doing a couple of different things. One is providing practical support, and we can speak more in detail, if you'd like, about the support, for example, that's provided to allow judges to increase their linguistic capacity to manage proceedings in both official languages and also to support communities and community outreach, especially community information. Here I'd underline two specific things.

[Translation]

Sometimes, it is difficult for them to understand technical terms, be they in English or in French. However, we use those terms a great deal. We have supported programs aimed at helping lawyers and the public understand and use the correct terms, in both English and French.

[English]

So we have directed some program resources to support that sort of building of tool kits, if you like, that aid lawyers, judges, or others in the community to use the proper terms.

The other aspect of funding has gone to try to support the sharing of best practices and what is working and what can work better.

So, practically speaking, these are resources to ensure that there can be an enhanced respect for the use of both official languages in the court systems. A significant amount of the resources go to supporting judicial training or other kinds of training to provide the practical tools on the ground to enable that to become a reality. The resources that we're administering are largely program resources that are out the door. We have a small team in the department that administers that and coordinates with other experts, provincially and territorially, to try to ensure that we're understanding what the needs are. But the vast bulk of those resources, I think it's fair to say, is money out the door to communities' programs, and a part of it goes to judicial training.

Barb, is there anything we should add?

**Ms. Barbara Merriam (Director General, Programs Branch, Department of Justice):** No, I don't think so. I think you've covered everything.

**Mr. Robert Goguen:** I just have more of a comment than a question.

When we did the official languages review under the Criminal Code, one thing that became apparent was that there seemed to be a certain lack of training in the level of translators and transcribers. I just pass that on as a reference.

That's all. Thank you.

**Mr. William F. Pentney:** Yes. I won't speak for

[Translation]

the translators who work here. There are very few trained people who are able to translate in such formal, important and serious proceedings as criminal cases. There are sometimes not enough people to do the work.

**Mr. Robert Goguen:** The fact is that legal terminology is different from everyday language.

**Mr. William F. Pentney:** Yes, exactly.

[English]

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

**The Chair:** Thank you for those questions and answers.

Our next questioner is Mr. Casey from the Liberal Party.

**Mr. Sean Casey:** Thank you, Mr. Chair.

Witnesses, as you know, we presently have before this committee Bill C-13. One of the most troublesome aspects of that bill is the non-consensual, warrantless, but lawful, disclosure on a voluntary basis by Internet service providers. It has come to light that there are a million requests a year for information from Internet service providers and that in some instances the Government of Canada pays for this information.

How much money are we being asked to approve for payment to Internet service providers for non-consensual, warrantless, but lawful, disclosure of information?

**Mr. William F. Pentney:** Mr. Chairman, to my knowledge, that would be zero from the Department of Justice, from these appropriations. I could come back and confirm it. I won't speak for any of the portfolio agencies or DPP, but from the Department of Justice, subject to confirmation....

• (1230)

**Mr. Sean Casey:** So the government—sorry?

**The Chair:** Would you like to answer that?

**Ms. Carole Morency (Director General and Senior General Counsel, Criminal Law Policy Section, Department of Justice):** In terms of the reference to Bill C-13, the explanation that has been provided to the committee is that the bill would enable law enforcement to ask for material that can be disclosed voluntarily now, that's not prohibited, for example, by PIPEDA.

**Mr. Sean Casey:** Right.

**Ms. Carole Morency:** There are no costs associated with that. But as the deputy has suggested, we can verify.

**Mr. William F. Pentney:** I suppose it is possible. We will confirm whether or not any of the cases that we handle involve a requirement to seek voluntary information from service providers, and if so, whether any of that's paid for. But to my knowledge, in terms of the main estimates that are before the committee, I will confirm that and I will undertake to come back to the committee with confirmation.

**Mr. Sean Casey:** Do the witnesses from the prosecution service care to respond to that?

**Mr. Brian J. Saunders:** The answer is that we don't spent any money in that area.

**Mr. Sean Casey:** Okay.

We know that the government pays for this information, but the envelope that it comes from isn't Justice and it isn't prosecutions, as best we can determine. Is that what I should take from this?

**Mr. William F. Pentney:** In terms of the role of the Department of Justice, we are not in the investigation business, other than, for example, in terms of international assistance or mutual legal assistance where there are those kinds of activities. Our business is providing legal and policy support to the minister and legal advice to government departments. In those roles, since we're not an investigative agency, in that context we're not needing that information.

As I say, the one area that I want to confirm is whether or not our international assistance group, in carrying out requests either from foreign countries or from provinces and territories or prosecution agencies seeking extradition or mutual legal assistance, makes any contacts. But for us that would be the only area that I can think of that might involve those sorts of requests.

**Mr. Sean Casey:** The victims bill of rights was something that was referenced by the minister in his remarks. This bill provides for an avenue for parties to obtain information, provides for a complaint mechanism, apparently provides for programs.

Can you tell us, within the estimates, what new money has been identified as a result of the introduction of the victims bill of rights?

**Mr. William F. Pentney:** I don't believe in these estimates that any new resources have specifically been identified. There are resources allocated to the victims fund. There are obviously staff resources that have been allocated to the development of the victims bill of rights that would be devoted to supporting its effective implementation, by training and communicating with those who will be implementing it, if and when the bill is passed. But since the bill has not been passed, we're not now before Parliament seeking approval for an appropriation in respect of it.

I think the government has been clear that there will be some resources associated with implementing the victims bill of rights, but in these main estimates we're not before Parliament asking for approval for funding for a bill that's not yet been passed.

**The Chair:** Make it a very quick question, if you have one.

**Mr. Sean Casey:** Is it the same with the prosecution services as well, that there are no funds earmarked as a result of the victims bill of rights?

**Mr. Brian J. Saunders:** There are not any in these main estimates.

**The Chair:** I'm going to take the next turn, if my colleagues don't mind. It is a Conservative section.

First of all, I thank you for that.

I'm going to start with a little bit on the process piece. With the main estimates, as we all know or should know, you've submitted those numbers long before any legislation hit the House of Commons. It hasn't even been passed, just introduced. So it would be illegal for you to have money allocated for any bill or legislation that hasn't been passed in the House of Commons. Would that not be an accurate statement?

**Mr. William F. Pentney:** I think it would be accurate. I guess the only nuance that could be added is that in terms of implementing new legislation, it can result in a new request or it can result in a request for a reallocation of existing resources, but in terms of asking for new money as the process unfolds—

•(1235)

**The Chair:** That's what supplementary estimates are for. Is that not correct?

**Mr. William F. Pentney:** Yes.

**The Chair:** Speaking of supplementary estimates, I actually want to follow up on Madame Boivin's.... It was one of my questions that I was getting to. Just for better understanding for members of Parliament, we have sunset programs, which I completely understand. You cannot put in that we are refunding them until you get approval from the department and through the House of Commons to actually ask for funds for them, which I completely understand. But you don't know that at the time when you submit these numbers for the mains and so on.

Do you think it would be possible—I don't want you to do it on your own but I might approach Treasury Board about it—that for people to understand better that these are sunset programs and that these had been funded in the past through supplementary

estimates, there might be some way for members of Parliament maybe to understand better that these aren't necessarily part of the mains but still have potential to be refunded through the supplementary estimates process as the program expires? Or do you think putting a footnote to that would be a problem?

**Mr. William F. Pentney:** That's a very interesting question and obviously one that is best answered in full by Treasury Board. I would say that in the cycle, with apologies for the confusion, over the course of three or four years or several years, something that is funded in supplementary estimates may then be reflected in the next set of mains. So to say that there's a footnote that says this was....

I guess, Mr. Chairman, to maybe turn the question back to you, is it that it is anticipated that funding would be sought?

**The Chair:** No, I wouldn't say sought.

**Mr. William F. Pentney:** If you look backwards, the funding may have been in mains or supps, simply depending on the time of cabinet approval and Parliamentary approval.

**The Chair:** That's often what happens with sunset programs. They sunset mid-cycle, so you have to put them in the supps.

**Mr. William F. Pentney:** Yes.

**The Chair:** I'm just looking at a way to better inform members of Parliament, so that they don't ask questions about stuff that may get refunded in supps and so that members would be looking for it to be refunded if they want it to be refunded.

**Mr. William F. Pentney:** I understand the—

**The Chair:** I'm going to move on a little bit. I appreciate that answer.

On page 9 of your plans and priorities document, you have a risk analysis. One of your risks that I don't understand is to “maintain ongoing dialogue with partners and stakeholders”—federal departments, provincial governments, and non-government organizations, police, and so on. Why is that a risk? I don't understand why maintaining dialogue with our partners is a risk. How would you like to try to explain that one for me?

**Mr. William F. Pentney:** Let me start and then others can pick up.

It's obviously the way we've expressed it. As an example, we're here before you seeking approval for \$630 million, and we're seeking approval in addition for net vote authority of \$296 million. I have lawyers on salary today who have families and jobs and mortgages, whose ability to be paid through the next year depends on our capacity to cost recover from client departments who are themselves subject to reductions, shifts, operating budget freezes, and otherwise. So unlike other departments, I as a deputy face the question of managing a place where a significant amount of salary for existing employees is dependent on bills and depends, therefore, on understanding the needs and opportunities and capacities of other departments.

We manage a very effective and fruitful relationship with provinces and territories, but they are also subject to their own processes and constraints as well. Our plans going forward depend on...and we do. So maybe it's the way we've expressed the risk. There always is for us the twofold risk of—

**The Chair:** I understand it better now.

**Mr. William F. Pentney:** —whether departments will have the resources.... We're pretty sure many of them will have the need. The question is whether they will have the resources to pay at current levels or whether we have to start adjusting, looking forward. Concerning the provinces, the question is whether there's a shift that we will need to consider in our future planning.

**The Chair:** I have time for one quick question in this round, although I have a few more questions.

On page 31, I do not understand the target of “2” in the performance measurement section.

I know it's hard to believe that I read them.

**Mr. William F. Pentney:** No, I very much appreciate that—

**The Chair:** Is that two more or 2%? What is that “2”? I don't understand what the “2” is.

This is for “Victims of crime access information” in “Program Expected Results”. The target for the year-over-year percentage increase of client contacts shows as “2”. Are you hoping to have 2% more people or two people, or...? I don't get that.

• (1240)

**Mr. William F. Pentney:** No, as it is expressed as a percentage, I believe it would be a percentage, but I will undertake to confirm.

**The Chair:** So is it 2% more than what the previous percentage was? I don't know what the previous percentage was.

**Mr. William F. Pentney:** We can provide that information. Sitting before you, I don't either.

We can provide it, Mr. Chairman.

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

Our next questioner, from the New Democratic Party, is Madame Péclet.

[*Translation*]

**Ms. Ève Péclet (La Pointe-de-l'Île, NDP):** Thank you, Mr. Chair.

The raison d'être of the Office of the Director of Public Prosecutions is specifically to provide legal advice to investigative agencies and federal departments. You don't need me to tell you what your role is. In some relatively complex cases, the RCMP can consult your service to determine whether the evidence is sufficient to take someone to court.

In a letter to the RCMP, my colleague said: “I was quite surprised to read in a statement to the media from the Office of the DPP that said they had not been party to discussions on this case [of charging Nigel Wright]”.

Can you confirm this statement?

**Mr. Brian J. Saunders:** I have not seen the letter you are referring to.

**Ms. Ève Péclet:** In a statement, the Office of the Director of Public Prosecutions said that it was not consulted on the RCMP's decision not to lay charges against Nigel Wright. Can you confirm that statement?

**Mr. Brian J. Saunders:** You are saying that the RCMP said that it did not consult the Director of Public Prosecutions. Did I understand your question correctly?

**Ms. Ève Péclet:** No. What I meant is that the Office of the Director of Public Prosecutions was not consulted.

**Mr. Brian J. Saunders:** The media contacted us twice. First, they asked us whether we participated in the investigation. We said no, because we are not an investigative body. The second time, they asked us whether we provided a legal opinion. I think the answer the spokesperson gave was the same as the one I gave at the start of this meeting. We said that our policy was neither to confirm nor deny whether we gave a legal opinion to the investigators, because that violates the solicitor-client privilege.

**Ms. Ève Péclet:** We were not talking about the content. We simply wanted a yes or no answer. Your answer is clear.

My second question has to do with the Canadian victims bill of rights.

As Mr. Wallace and my colleague said earlier, the budget will probably be revised later. There is an increase of \$1.4 million in funding for the victims fund. Will the money be earmarked for enforcing this piece of legislation or for the national registry for missing persons? Could you tell us what the breakdown is?

**Mr. William F. Pentney:** Thank you for your question. Ms. Merriam will provide you with the details on this.

[*English*]

**Ms. Barbara Merriam:** Of the \$1.4 million that you're talking about, \$1 million will go to increase a component in the victims fund for child advocacy centres, and \$400,000 is for victim-serving organizations. It's time-limited, operational funding, and it's another component of the victims fund. This is what the amounts are for.

[*Translation*]

**Ms. Ève Péclet:** Has the department conducted a study to determine how those surcharges will help enforce the victims bill of rights or increase the victims fund? Has this money simply been identified by the department?

• (1245)

**Mr. William F. Pentney:** For now, we have a victims fund and programs that support other activities, including youth centres.

Clearly, if Parliament passes the victims bill of rights, the already existing funding will be used to support the application of this bill. We have also looked at other needs and opportunities, whether it be the initial implementation, the transition to a new piece of legislation or other programs. This study is still in progress. We are waiting for the legislation to be passed and for the details of the funding. The next steps will depend on whether the bill of rights is passed as it stands.

[*English*]

**The Chair:** You have 30 seconds.

**Ms. Ève Péclet:** Thank you, Chair.

**The Chair:** Thank you very much. Thank you for those questions and those answers.

I'm going to take the next round, if that's okay with my Conservative colleagues. I'm going to ask the deputy minister about this.

Page 16 at the bottom, under "Program Expected Results", says, "Justice laws and policies promote a fair, accessible and relevant justice system in Canada", which is beautiful. Then under "Performance Indicator" we read "Canada's international ranking with respect to fairness of the justice system", and our goal is "10th".

That doesn't seem too high to me. I don't know why our goal is to be 10th. What does that actually mean?

**Mr. William F. Pentney:** It means that we would aim to have Canada ranked among the top 10 nations in the world in terms of this. It certainly in no way represents, in a sense, an end goal or a desired state, but it does represent a realistic assessment of what we think, within the resources, within the context.

As you know, some of the countries being ranked are unitary states. Some have very different kinds of legal systems and in a sense may be more hands on, more levers to control the administration of justice. As you well know, the administration of justice in Canada and our capacity to achieve our goal is very much dependent on a network of partners.

So this represents a target against which we're—

**The Chair:** So if the target is to be in the top 10, where are we now?

**Mr. William F. Pentney:** That's a question that I will have to get back to you on, unless it's—

**The Chair:** Well, you let me know.

**Mr. William F. Pentney:** I will, absolutely.

**The Chair:** The next question I have for you relates to page 18 of the document. It again is a program for Canadians to "have confidence in Canada's criminal and family laws". The performance indicator is the "Percentage of Canadians who rate their level of confidence in adult criminal law as 6.0 or greater on a 10-point scale".

Is this a goal, to be at 60%? If my kid comes home with 60%, I'm not that happy with it. Should we not be aiming higher than six out of 10?

Now, if I had gotten that, I'd be happy, but not my kid—sorry.

**Mr. William F. Pentney:** I think it's fair to say that perceptions about the effectiveness and efficiency of the criminal justice system are formed by a variety of factors, starting with one's general underlying trust of one's neighbour; second, the kind of perception formed from local coverage of what's going on in local communities—and crime is measured nationally in many ways but is experienced locally—and then by other potentially high-profile instances, such as the extent to which there has been recent coverage of a wrongful conviction or something, although it may be one case out of 400,000. All of those would be factors that we know, just from research, affect Canadians' perceptions.

So again—

**The Chair:** It's a realistic number.

**Mr. William F. Pentney:** Well, six out of 10.... We would hope that 100% of Canadians would have 100% confidence.

People who are accused of a crime, people who are victims of crime, crimes that aren't solved, people who perceive that crime is high in their neighbourhood, people who perceive there is wrongdoing or inefficiency in the system generally.... There are a lot of factors that we don't completely control.

**The Chair:** I appreciate that.

I found it interesting on page 10. I thought the amount of documentation that's now available electronically might make the administration of justice more efficient—maybe not more effective but more efficient—because things could be moved around faster and so on.

**Mr. William F. Pentney:** Yes.

**The Chair:** But based on what I'm reading here you think it increases the demand. It sounds like it makes it more difficult. I'm just wondering, the last paragraph talks about the growth of files because they can do it electronically now instead of by paper. I would just like to have an understanding of why that's not making us more efficient.

• (1250)

**Mr. William F. Pentney:** Thank you for the question, Mr. Chairman. It's a very good question.

I sit before you with a giant binder that wasn't typed and photocopied. It was input into a system, other documents were reformatted, and then it was printed. If you or I go back to our office and look at an existing file we will find the draft, the final draft, the final final final draft of some documents. Most of us are not operating with systems that regularly purge drafts.

If you look at the number of emails that you received this morning that have a cc on them in terms of document disclosure, what we're seeing—and corporate Canada and private lawyers are seeing—is an absolute explosion. The first task in dealing with that avalanche of documents is what's affectionately known in our line of work as deduping. So how many duplicate emails do you need to go through to get to the final one that represents the email train?

Given the nature of disclosure rule, that has led to an exponential increase because of document management, because of the ways in which information is generated and the need to look at electronic information and paper information. The fact is that the court system has not made the transition that other systems have made to go online, neither federally nor provincially.

So we are working very hard to look at document management within government and document management within our own department and then using more electronic sources to do an initial screen so that we can get to the final email in that chain, because that's the one we need to focus on. It's not the 27 emails that lead to it. Unfortunately right now a lot of that is being done in the affectionate term "handraulically".

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

That's my time.

Madam Boivin from the New Democratic Party.

[*Translation*]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

I just want to say that it is fortunate that we do not do our household budgets the same way the government does its budget. I honestly think that we would all end up bankrupt. I personally like to have a budget. It helps me see where I am going and what I am going to spend money on.

Over the past few years, we have been led to review the main estimates. The government starts by tabling a budget and then the main estimates are revised three times. At the end of the year, we look at what happened. It is not easy to ensure consistency.

I don't know how each of you manage to do a good job in your departments with the funding you receive and to conduct your activities in line with bills that might change the situation in midstream.

As you so well said, Mr. Pentney, if the Canadian victims bill of rights is passed, it will clearly have a financial impact. If a number of other pieces of legislation are passed, there will be consequences, which will force us to make changes, without forgetting about the existing programs already in place. Think about the people who deal with the Minister of Justice and are making requests for those programs.

I have met with groups that do an outstanding job on the ground to help victims. Here are some of the issues they are dealing with:

[*English*]

human trafficking, supporting victims and survivors, Inuit women and girls who have been trafficked in Canada, Justice Canada's victims fund, denied; understanding the vulnerabilities of Inuit women and girls to violence, Justice Canada's access to justice fund, submitted for 2014-15, denied.

[*Translation*]

I do not know how we go about coming to an arrangement with the department on this.

Yesterday in the House, I asked the minister a question about the Winnipeg Drug Treatment Court. Basically, the minister's reply was that he believed in it, but, as for all programs, the government was in the process of reviewing it.

How long will you be in this review process? How are you conducting the review? Let's say that you decide to continue, where is the budget to do so? I do not see it anywhere.

I am a little concerned about how you find money and how you say no to groups. We need some general clarification about this. How long are you going to think about it before you renew budgets as a result?

**Mr. William F. Pentney:** Thank you for that question.

The first part of the question deals with the planning process and the parliamentary process that approves funds. To fully understand the whole, you have to read certain documents together.

We tabled a report on plans and priorities in the House; it lists the expenditures planned for the next three years. We do the planning to the best of our knowledge and we work with professionals like Ms. Thivierge and her team so that we can properly manage our resources internally. We forecast our expenditures for the next three years, we establish our priorities, and we make sure that we can fulfill our commitments and meet our priorities with the resources at our disposal. That is the burden of financial management.

● (1255)

We have a lot of interaction with external people. We have websites that contain a lot of information and we work with experts. We work closely with the provinces and their experts so that there is good dialogue with various groups.

Some programs, like the program for victims, depend on good applications. We work closely with people, but, ultimately, funds are limited and choices have to be made from among the various requests. But I can assure you that we work closely with the provinces, their experts and with community organizations in order to help them better understand the terms, conditions and technical aspects when the time comes to submit an application. The goal is to know what they want to achieve with the funds they will be allotted. There is give and take, but...

[*English*]

Barb could speak to the applications that have been approved and the amount of money that's been approved for worthwhile programs in communities to support victims, to support efforts in communities to address the problem of murdered and missing aboriginal women, and all of those other things that are approved.

[*Translation*]

But some applications just cannot be approved.

[*English*]

**Ms. Françoise Boivin:** [*Inaudible — Editor*] could change mid-year. I know you plan three years ahead—

**The Chair:** A very quick answer to that question...

**Ms. Françoise Boivin:** —but am I right to say that if the victims bill of rights is adopted, it has an implication. There's a need for money, you'll have to play with your budget somehow, so what we're doing here might be moot at some point in time.

**Mr. William F. Pentney:** Governments govern, parliaments vote, and bureaucrats adapt is sort of the...

[*Translation*]

It is true that expenditures vary from year to year, but there are no major changes except during the financial crisis or the budget cuts.

[*English*]

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

Thank you for those questions.

Our final questioner today, for three minutes, is Mr. Seeback from the Conservative party.

**Mr. Kyle Seeback (Brampton West, CPC):** Thank you, Mr. Chair.

I don't think I need three minutes. I want to talk about one of the increases, \$1.4 million in the victims fund. Is that anticipated to be used to open new child advocacy centres and if so, what are the plans? How many do you anticipate being opened? I know you can't answer this, so I would also say, are you going to open one in Brampton and Mississauga? You don't have to answer that one.

**Voices:** Oh, oh!

**Mr. William F. Pentney:** Barb Merriam will answer that.

**Ms. Barbara Merriam:** Yes, we originally had about \$1 million a year for child advocacy centres. Now we hope to have a second million so that will allow us to contribute to new child advocacy centres. Our funding is not permanent funding so we might try to help the set-up of an organization but we wouldn't be funding for five years and the amounts of money differ.

**Mr. Kyle Seeback:** Do you have any idea how much will be used in this fiscal year?

**Ms. Barbara Merriam:** I can get back to you on that because we have a listing of the ones that have been funded. We have a listing of the ones that are interested in funding and then we have to juggle.

**Mr. Kyle Seeback:** That's it.

Thank you.

**The Chair:** Thank you very much for coming this afternoon and waiting for us to come back. I appreciate the answers.

I know some of the questions were tough—

● (1300)

**Mr. William F. Pentney:** Yes.

**The Chair:** —but personally I actually like to see a discussion on estimates and plans and priorities happening. I think that's important for us to understand where we're headed as a country.

I want to thank you for all your efforts.

With that, the meeting is adjourned.

---







Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>