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Chair

Mr. Anthony Housefather

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• (0830)

[English]

The Chair (Mr. Anthony Housefather (Mount Royal, Lib.)): I'd like to call to order this meeting of the Standing Committee on Justice and Human Rights. We are studying the main estimates today.

I am delighted that we are joined by our Minister of Justice, Jody Wilson-Raybould. Thank you for coming, Minister Wilson-Raybould.

We are also joined by William Pentney, the deputy minister of justice and deputy attorney general. Welcome, Mr. Pentney.

Also here is Donald Piragoff, the senior assistant deputy minister in the policy sector. Welcome, Mr. Piragoff.

I know that each of you is getting very familiar with coming before our committee. You're probably enjoying it more and more each time, and we're delighted about that.

I will turn the floor over to Minister Wilson-Raybould for her opening statement.

Hon. Jody Wilson-Raybould (Minister of Justice): Thank you, Mr. Chair, and good morning everyone. *Gilakas'la*.

I want to start by acknowledging the territory of the Algonquin people. Certainly, I want to thank all members of the justice and human rights committee for the work that you have undertaken thus far and the agenda that you have in front of you.

I also want to acknowledge parliamentary secretaries Sean Casey and Bill Blair, who have been very helpful in assisting with respect to our mandate commitments and moving forward with them.

I am pleased to appear before the committee this morning to answer questions about the 2016-17 main estimates. As you indicated, Mr. Chair, I'm joined by Bill Pentney and Don Piragoff, who will also be able to answer the questions of committee members.

This past March, as you know, deputy minister Pentney attended a meeting of this very committee and discussed the supplementary estimates. I understand that at that meeting he provided an overview of the history and the mandates of the Department of Justice. Given that you are now already familiar with the business lines of the department, today I would like to talk to you about what I hope to accomplish in my role, and my vision for how the Department of Justice will help contribute to the vision of an improved justice system with funds presented in these 2016-17 main estimates.

Through the 2016-17 main estimates, the department requested a total budgetary authority of \$678.9 million. This represents an increase of \$4.99 million over the 2015-16 main estimates. Of this total authority, \$400.5 million will be dedicated to ensuring a fair, relevant, and accessible Canadian justice system, one of the department's strategic outcomes.

Most of this funding is directed to the provinces and territories in support of the stewardship of the Canadian legal framework. In addition, as the primary legal services provider for the government, the department is seeking \$199.6 million to continue to effectively support government programs.

Mr. Chairman, one of my primary roles is to ensure that there is respect for the rule of law and that the Charter of Rights and Freedoms is upheld. This was a key part of my mandate letter from the Prime Minister.

Equally important to me is ensuring that all Canadians have access to a fair, modern, and efficient justice system. On March 21 the government revealed its spending plan for 2016-17, which contains measures that will help Canadians assert their rights and provide disadvantaged Canadians with access to our justice system.

To accomplish this, budget 2016 proposes to provide an additional \$4 million per year to the aboriginal court worker program, which assists indigenous people moving through the criminal justice system to better understand their rights and the nature of the charges against them.

It also helps those involved in administering the criminal justice system to overcome language and cultural barriers when dealing with indigenous peoples and to better appreciate the socio-economic circumstances that they face.

In addition, the government plans to reinstate the court challenges program, which I know this committee is studying, and provide \$12 million over five years in financial assistance to individuals and groups that wish to clarify their language and equality rights in Canada's courts. When combined with the existing federal investments, total funding would be \$5 million annually.

Budget 2016 also provides \$88 million over five years to increase funding in support of the provision of criminal legal aid in Canada, as well as \$7.9 million over five years for the courts administration service to invest in information technology infrastructure upgrades to safeguard the efficiency of the federal court system.

Mr. Chairman, improving partnerships with provincial, territorial, and municipal governments, as stated in my mandate letter, is essential to deliver the real positive change that we promised Canadians. To that end, I met with my provincial and territorial justice and public safety colleagues in January of this year. I believe that that meeting has allowed us to establish the partnerships we will draw on over the coming months and years in order to create a meaningful difference in the lives of Canadians.

● (0835)

Canada's continued success absolutely depends on including multiple voices as we re-evaluate our approach to important legislative matters, such as marijuana legalization and regulation, reform of our criminal justice system, and, most recently, legislation to ensure that dying patients who are suffering intolerably from a serious medical condition would have the choice of medical assistance in death.

This work requires true partnership between the federal government and the provinces and territories, which can be achieved only by sitting down together and engaging in open and continuous dialogue, sharing our knowledge, and bringing a range of perspectives to the table.

However, perhaps the most challenging but most necessary area we need to focus on is rebuilding the nation-to-nation relationship that lies at the heart of Canada. The importance of this relationship to me and to this nation with respect to indigenous peoples cannot be overstated. As you know, this is a priority of our government, and we are working to find long-term solutions in full partnership with indigenous peoples as we develop a new framework for reconciliation based on recognition and respect.

Mr. Chairman, in Canada there is an unacceptable overrepresentation of indigenous women and girls who go missing or who have become victims of violence. In line with our commitment to launch a national inquiry into this matter, budget 2016 would allocate \$40 million over two years to support this important work. Along with working with my colleagues on this inquiry, the Department of Justice, through its main estimates allocations for 2016-17, would be allocating \$1.98 million to the government's action plan to address family violence and violent crimes against indigenous women and girls, as stated in the main estimates. By providing important support for projects to break cycles of violence and for culturally responsive victims services, this program will help make Canada more just and inclusive for indigenous peoples.

As a steward of Canada's justice system, I take my responsibilities and accountabilities in this role very seriously. As a government, we have begun to re-examine what we do, why we do it, and how we can measure success. We are identifying what is working, what is not working, and how we can best change it. The government intends to work in an open and transparent way with all of its partners to create an environment that will position us to achieve the best possible solutions on these and other issues that affect the lives of all Canadians. For example, as mentioned in budget 2016, there are plans for consultations on a framework for the legalization of marijuana, with special emphasis on how to keep marijuana out of the hands of children and youth.

My mandate letter also tasks me to review Canada's litigation strategy. As part of this review, we have already either discontinued appeals or are reconsidering the crown's position in many cases. This will ensure that the government's litigation positions are evidence- and principle-based, as well as consistent with the Charter of Rights and Freedoms, our commitments, and our values as Canadians.

Mr. Chairman, just to return to the subject of the 2016-17 main estimates, this funding will help our department continue to provide the funding to programs such as the victims Fund, the youth justice fund, and the aboriginal justice strategy, which fulfill our mandate to ensure a fair and accessible justice system for all Canadians.

Finally, the Department of Justice is investigating ways to be more efficient. This includes constantly reviewing the effectiveness of our own business practices and systems. I am pleased to report today that, through our ongoing legal services review, we have decreased our budgetary requests this year by \$3.36 million.

Mr. Chairman, as I stated earlier, I am truly honoured to be Minister of Justice and Attorney General of Canada in this incredibly important period in our history and to do my part to give back to our country through public service.

● (0840)

By continuing to report on our progress and to demonstrate openness and transparency in this matter and others, my department is helping to contribute to improving our justice system. We believe this will lead to better collaboration, better government, and great success for Canada and Canadians.

I would like to conclude where I started, by thanking the members of this committee, recognizing that each member has expertise in particular areas and will contribute substantively to the discussion that takes place at this committee.

I would invite any questions or comments the committee members may have.

Thank you, Mr. Chair.

The Chair: Thank you very much, Minister, for your very clear overview.

We will go to the question period, and we'll start with the only person at the table who has been in your chair, Mr. Nicholson.

Hon. Rob Nicholson (Niagara Falls, CPC): Does that mean to put pressure on me, Mr. Chairman?

The Chair: It was for exactly that reason—

Hon. Rob Nicholson: I'm just checking, but—

The Chair: —or empathy, one of the two.

Hon. Rob Nicholson: That's right.

I'd like to welcome the minister.

Thank you for your opening comments. I know you will be well served by the Department of Justice. Like me and previous ministers here, you get great support in that role. They play a great part in assisting this country on so many different issues.

Welcome to the committee, and thank you as well, for talking in your opening remarks about the aboriginal court worker program. I raised this matter before. It was one of those programs that seemed to me to be of great value to people getting involved with the court system, in having people who have some insight into the challenges that some of these individuals have. I'm pleased that, I think you said, there's an increase of \$4 million for that program. I know I've asked this before, and it's one of those that I hope you will continue to have, because the feedback on it is that it has been very helpful.

I'd like to raise one or two issues with you. You said in your opening comments that there will be an allocation accompanying the legalization of marijuana. I wonder whether you could clarify that. It's not the same thing, of course, as decriminalizing. I've heard comments that marijuana will be decriminalized, which means it could still be unlawful to have, but legalization is something slightly different.

I wonder whether you could clarify: is marijuana going to be legalized in this country, or just decriminalized?

Hon. Jody Wilson-Raybould: Well, thank you for the questions. I would like to acknowledge you also, as the predecessor in this role.

To the first point, acknowledging the work that the native court workers across the country continue to undertake, the \$4 million a year is a top-up acknowledging the work that they do in assisting aboriginal access to justice.

I have a note here with respect to the court worker program. There are 176 court workers providing services to approximately 64,330 indigenous clients in 435 communities.

To your point with respect to our commitment on legalization of marijuana and strictly regulating access to marijuana, we are committed to ensuring that we take a comprehensive approach to the legalization, which would ensure that we decriminalize the use of marijuana while at the same time ensuring that we keep to our ultimate objective, which is to keep it out of the hands of children and keep the proceeds out of the hands of criminals.

I'm working with my colleagues, the Ministers of Health and Public Safety, and Parliamentary Secretary Blair, to ensure that we put in place a comprehensive framework that will provide the regulatory framework to ensure that we achieve our objectives.

These will go hand in hand. We are very much looking forward to launching a task force of experts, who will be engaged in providing recommendations around legalization and putting in place a regulatory framework with respect to marijuana. Those experts will include experts in the area of health, public safety, law enforcement, and justice.

• (0845)

Hon. Rob Nicholson: Thank you very much, and my best wishes to Parliamentary Secretary Blair for taking on this role. Thank you, sir, for that.

There is a program that has been in place since about 2009, the supporting families experiencing separation and divorce initiative. There's a decrease in its budget, and it appears it may be sunsetted.

It was one of those programs concerning which those of us who followed this had good reports. What has been the advice that you've been getting on it? Have you found that it's no longer effective? Why at this point in time would we be sunsetting something that up to now, I feel, has been very helpful?

Hon. Jody Wilson-Raybould: In terms of funding the supporting families experiencing separation and divorce initiative, the Department of Justice continues to provide legal policy advice, litigation support, and family enforcement for these services with the funds currently available.

For example, as you likely know, with federal funding the government has been able to garnish \$188 million in federal moneys to help satisfy family support obligations in 2015-16, all of this money ending up in the hands of families.

We feel strongly that Canadians living through separation and divorce need to continue to be supported, and we will be working to ensure that we find ways to continue this work and find ways to best meet the needs of families who are experiencing separation and divorce.

Hon. Rob Nicholson: Again, the feedback on this is that it was helpful and answered some of the challenges we hear from people.

Those are my questions, Mr. Chairman.

The Chair: I congratulate you, because you finished at exactly 5:59 on your six minutes.

Hon. Rob Nicholson: Well, you kept giving me the cut-off motion, so I was assuming that was telling me—

Some hon. members: Oh, oh!

The Chair: Never, never.

Mr. Bittle.

Mr. Chris Bittle (St. Catharines, Lib.): Thank you, Minister, for taking the time to answer some questions today.

The Federal Court has recently ruled that the current manner in which the department applies section 4.1 of the Department of Justice Act is constitutional, notwithstanding that the government has the right to revise the standard under which the section is applied.

Do you foresee any change in this respect?

Hon. Jody Wilson-Raybould: I think you're referencing the Schmidt case, which came down.

As all ministers of justice do, I take my responsibilities under section 4.1 of the Department of Justice Act very seriously in terms of providing reports on whether or not legislation that is introduced is in compliance with the Charter of Rights and Freedoms, and we will continue to meet our reporting obligations.

In addition to that, I'll say as minister that when introducing government legislation, we have provided and will continue to provide an analysis or an explanatory paper about how legislation has been developed—as we have with respect to medical assistance in dying.

What I've instructed and what we are going to continue to do is ensure that as much as possible we provide explanations to Canadians about the thinking and considerations that have gone into legislation, as well as the considerations or risks in terms of the charter that may or may not exist with respect to a piece of legislation, and to invite parliamentarians certainly and Canadians into the conversation about public policy decisions and the reasons explaining why public policy decisions have been made.

That's a commitment we will continue to move forward on, not only with medical assistance in dying, but with other legislation that is going to be introduced in the very near future.

Mr. Chris Bittle: How do you see restorative justice fitting into the criminal justice system review?

Hon. Jody Wilson-Raybould: As all members know, I have been tasked by the Prime Minister to do a comprehensive review of the criminal justice system, including sentencing reform. We have been planning and continue to plan all aspects of that review.

Restorative justice is something that is a key priority for our department and for me, looking at ways in which we can take different approaches to the justice system and look at developing programs or support programs that are more successful in doing as much as we can.

One, for example, is reducing the overrepresentation of indigenous peoples in the criminal justice system. Another is looking at measures, such as drug treatment courts and community courts, that seek to limit what becomes, in many circumstances, a revolving door of people who present themselves into the criminal justice system, so as to develop off-ramps for people in the hope of ensuring that their first encounter with the criminal justice system is their last.

This is a community approach that we need to take. This is an approach we're committed to undertaking with the provinces, territories, and communities to ensure that we support innovative projects and measures that will look to restorative justice, but also initiatives that are preventative.

• (0850)

Mr. Chris Bittle: The previous government introduced a number of mandatory minimum penalties in the Criminal Code and the Controlled Drugs and Substances Act. The legal community and the courts have been vocal in their opposition to these changes, and I saw as a lawyer the delays that then permeated through the entire justice system.

What is your position on these types of penalties, and will you be looking at reversing some of these mandatory minimums? Will we see action on this?

Hon. Jody Wilson-Raybould: The short answer is, yes.

A review of sentencing over the past 10 years is a key part of my mandate in the broader criminal justice system review. We will be looking at the mandatory minimum penalties that are in place in the Criminal Code. I will say that our government is not opposed to mandatory minimum penalties for the more serious crimes, but our review will ensure that we respect the decisions of the Supreme Court of Canada and that we ensure that sentencing provisions are in compliance with the Charter of Rights and Freedoms.

This is an undertaking that is going to take a bit of time, but we are looking at being able to approach mandatory minimums potentially in incremental ways, so we can see some changes as we proceed through the course of our mandate.

The Chair: Mr. Rankin.

Mr. Murray Rankin (Victoria, NDP): Thank you to Minister Wilson-Raybould. Thanks for coming back with your officials.

I want to ask about two or three things in the time available.

First, on marijuana possession, and building on Mr. Nicholson's question, we heard testimony on March 10 from the Public Prosecution Service that the government plans to spend \$3 million to \$4 million each year prosecuting charges of simple possession of marijuana. That's 2% to 3% of what the PPSC plans to spend overall for its program on the prosecution of drugs, the Criminal Code, and terrorism in the coming year.

At the same time, Justice Selkirk of the Ontario Court of Justice, in a case called *Racine*, refused to accept a guilty plea for the possession of marijuana. He said:

I recall distinctly the Prime Minister in the House of Commons saying it's going to be legalized. I'm not going to be the last judge in this country to convict somebody of simple possession of marijuana... You can't have the Prime Minister announcing it's going to be legalized and then stand up and prosecute it. It just can't happen. It's a ludicrous situation, ludicrous.

Given these costs, the concerns expressed by our judges, and your government's intention to legalize marijuana, have you as a minister considered calling a halt to further prosecutions for simple possession of marijuana?

Hon. Jody Wilson-Raybould: Marijuana generally and its legalization have been subject of much conversation right across the country, including within the walls of this place.

As I said earlier, our government is committed to the legalization of marijuana and strictly regulating access to marijuana, with the ultimate objective of keeping it out of the hands of children and the proceeds out of the hands of criminals. With respect to decriminalizing marijuana right now, I think our Prime Minister has spoken very clearly about this, and doing so would not achieve our ultimate objectives, as I just described.

What we are committed to doing, in working with Parliamentary Secretary Blair, is taking our time to put in place the complex framework that is required; engaging with experts on a task force to provide recommendations; engaging with Canadians in this discussion, knowing that until such time as marijuana is legalized the current laws will continue to apply; and looking to law enforcement agencies to do—and I certainly respect what they do—the jobs they need to do in their various jurisdictions.

• (0855)

Mr. Murray Rankin: The consequence of that is kids will still get criminal records, or records that will affect their employment and their ability to travel and so forth, before your government gets its consultations completed. Their lives will continue to be dramatically affected by something that will be perfectly legal a year from now. That's the consequence of what you're saying.

Hon. Jody Wilson-Raybould: The reality is that we need to ensure that we take consideration of all issues that come before us, in terms of ensuring the safety of products that are available and ensuring that we work on the health-related aspects and public safety aspects. Your questioning and other questioning highlight the need to ensure that we move as quickly as we can on this and to ensure that we as parliamentarians and as a government move forward and put this complex regime in place, and that we do it right.

Mr. Murray Rankin: Right.

Minister, on April 28 I was in Edmonton. I met the president and CEO of Legal Aid Alberta. She said that the situation for funding is desperate. She told me that the federal funding of \$10.4 million, of their total \$68.5-million budget, has been static for eight or nine years despite the increasing population in that very young province, despite the urban indigenous population growth, and despite the Daniels case and its impact. They're calling out desperately for federal help.

I note that you also have under way an evaluation of the legal aid program. It started in 2015 and is expected to be completed in October 2016. A particular irritant is that they only get \$0.5 million a year for immigration, an area of exclusive federal jurisdiction. They spend way more of their own funds for that.

We're talking about access to justice in this committee. Can you give any comfort to Legal Aid Alberta and other legal aid plans that help is on the way?

Hon. Jody Wilson-Raybould: Without question, provinces and territories have not seen an increase in legal aid funding since 2003. I'm very pleased that in our budget, \$88 million has been allocated to support legal aid. I have met with my counterparts in the provinces and territories, and understand the need in each of those provinces and territories, including Alberta.

We are in the process of working with the provinces and territories to see how the monies can be best allocated, having regard to the increase in population, as you mentioned, but also, and this has come out very loudly and clearly from provinces and territories who have, with limited monies for legal aid, become very innovative in terms of their programming—and that's not to say there isn't a need for additional monies—ensuring that we are working with the provinces and territories on these innovations that they have, and ensuring that

we provide the necessary resources to the provinces and territories, including Alberta.

• (0900)

Mr. Murray Rankin: Do I have more time, Chair?

The Chair: You're out of time, Mr. Rankin, but you'll get another round.

Mr. Murray Rankin: Thank you.

The Chair: By the way, we are doing a review of legal aid after we finish our court challenges study and the access to justice study. We'll have a chance to talk about that.

Mr. McKinnon.

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Minister, thank you for coming.

I'd like to talk about the overrepresentation of indigenous peoples in our corrections system. Given that the government has indicated its intent to extend the aboriginal justice strategy, can you tell me the ways in which the department is committed to ensuring that the Gladue provisions are effectively applied?

Hon. Jody Wilson-Raybould: In terms of our review of all of our programming and finding and identifying measurables to see if we're being successful, I think that the overrepresentation of indigenous peoples in the criminal justice system is a key measurable. Obviously the objective is to reduce that number. We will be looking at real representation of indigenous peoples and their interaction with the criminal justice system in our broad review of that system, including sentencing.

In terms of the aboriginal justice strategy, we are supporting many initiatives under that strategy. Just in terms of some statistics, with respect to the aboriginal justice strategy, 89% of the program participants successfully completed the aboriginal justice strategy program and therefore were not incarcerated for the offence. Of the program participants, 68% had not re-offended eight years following participation in the aboriginal justice strategy.

I think there are many initiatives in indigenous communities in various areas of the country that have presented substantive options for restorative justice, for preventative justice, for indigenous peoples in the country. All of these initiatives will be included in our broad review of the criminal justice system. At the same time, initiatives like the native court worker program will also assist in this regard.

Broadly speaking our government is committed to a nation-to-nation relationship with indigenous peoples and looking at various mechanisms and means to embark on, or go down a path of, true reconciliation. All of this together will contribute to improving, ultimately, the lives of indigenous Canadians and working in partnership with them on solutions that work. That includes ensuring that the Gladue principles are applied when an indigenous person is sentenced, that those measures are in place, and that we ensure that we continue to support initiatives that reflect the realities of an individual's circumstances, and cultural appropriateness for indigenous offenders.

Mr. Ron McKinnon: I should have asked this first. Thirteen years after Gladue in *R. v. Ipeelee*, the Supreme Court of Canada revisited the decision and found that the statistics indicate that the overrepresentation and alienation of aboriginal peoples in the criminal justice system has only worsened. Do you have any thoughts on why that might be? Is it because the Gladue principle is not being applied effectively or are there other factors at play here?

Hon. Jody Wilson-Raybould: I think there are many reasons why the number of indigenous people in the criminal justice system is not decreasing. Our government is committed to ensuring that we build and foster a substantial new relationship with indigenous peoples that's based on a nation-to-nation relationship, and that we identify and build a reconciliation framework that takes into account all of the various tools that would assist in defining our relationship with indigenous peoples. We support those initiatives that specifically involve working in partnership whereby indigenous peoples put forward solutions to assist in moving forward with jurisdiction or moving forward with programs and services to ultimately improve their communities.

I think in terms of looking at the criminal justice system, there are ways that we can improve the criminal justice system as it respects or engages with indigenous peoples. This speaks to the work we're doing on the inquiry into murdered and missing indigenous women. It speaks to the need for us to work more broadly to look at the root causes of the situation of indigenous people. For indigenous people, and I think in general, there are many reasons people find themselves in the criminal justice system, root causes such as marginalization, poverty, lack of housing, or lack of education. We need to ensure that we're addressing the root causes of the existence of the situation. With respect to indigenous peoples, we are committed to working in partnership to address those issues.

• (0905)

The Chair: We're now going to go to the second round of questions. We have another 25 minutes with the minister, because she has to leave at 9:30. For the second round I would ask everyone to take five minutes instead of six minutes. The second round goes Liberal, Conservative, Liberal, Conservative, NDP.

We'll go to Ms. Khalid.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): Thank you, Minister, for coming today. It's definitely appreciated.

I have a couple of questions. The first pertains to your mandate letter. Last month I did a night shift ride with the police in my riding. One thing I realized over the course of the night was that one in three calls for 911 in the local area dealt mainly with mental illness. I see

in your mandate letter that you are seized with doing something about the problem that we have with mental illness, specifically with respect to our justice system. I wonder if you could shed some light on what kind of initiatives the Department of Justice will be taking in that respect.

Hon. Jody Wilson-Raybould: I'm glad to hear that you went on a ride-along. It's an important learning experience for many people.

In terms of mental illness, I'm working with the Minister of Public Safety, looking at the recommendations that came out of the inquest into Ashley Smith's death. Certainly this deals with solitary confinement, but it also speaks to mental illness. We are working jointly to look at those particular recommendations.

It also speaks to the varying reasons why people present themselves in the criminal justice system generally, whether it be for poverty or marginalization, as we talked about, or people who are suffering from addictions or mental illness. We have to better identify the reasons why people are in this situation and to work with my colleagues across the provinces and territories to ensure that we identify those reasons. We also have to work in a community approach to develop or create and encourage those off-ramps so that we can ensure that we're addressing the specific circumstances of why an individual comes into the justice system—and so, in the case of mental illness, that we provide the necessary supports and services. That is definitely something that we're committed to moving forward on, and I'm working with my ministerial colleagues who are directly impacted and have responsibilities in these areas.

Ms. Iqra Khalid: Thank you for that. I'm looking forward to those solutions.

As you may know, over the past many weeks, we've been hearing witness testimony about the court challenges program and seeing how we can use the \$5 million per year budget that has been allotted for this program. We will be coming up with recommendations very soon. We're hoping that you and the department will take our recommendations into account when you develop this program. I wonder if you could commit to reviewing our recommendations.

• (0910)

Hon. Jody Wilson-Raybould: As you pointed out, this was a commitment in both my mandate letter and that of the Minister of Canadian Heritage. We're working collaboratively on the court challenges program. I know that officials from our department appeared before this committee, and I would commend the study that this committee is undertaking with respect to that program.

I live by the philosophy that to achieve those commitments and to do the best job we can in doing so, we need to embrace the expertise and diversity of opinions that exist around this committee table and across the country. I very much look forward to the recommendations this committee will bring on the court challenges program and how we can ensure that the monies that are being allocated to that program are used most effectively. I welcome those recommendations as well as other recommendations and studies the committee wants to undertake.

The Chair: Mr. Cooper.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you, Minister, and welcome back to the committee. I appreciated your presentation this morning.

I have a couple of questions. The first issue I want to raise is one I have raised before in the House of Commons, and that is judges. Our courts face a serious backlog. That's not new, but I think there would be agreement that it is has worsened as a result of the large number of judicial vacancies. At this time it looks as if there are at least 46 vacancies across Canada, and yet not one judge has been appointed.

Yesterday in response to a question that I asked you in the House of Commons, you referred to short-term procedures that were in place to deal with this. I was wondering what those short-term procedures are.

Hon. Jody Wilson-Raybould: Thank you for the question, Mr. Cooper. I know that you will continue to ask me questions about judges until judges are in place.

As I said yesterday and will say today, and as you point out, there are a substantial number of vacancies across the country in our courts. In terms of a comprehensive review of how judges are appointed, we will ensure in my review of the appointment process that we not only look to merit but also at diversity, which is part of the broader process of appointments that I am committed to undertaking. That work is under way.

In terms of the shorter appointment process—and I'm not sure "appointment process" is necessarily accurate.... I may have said that yesterday in the House, but I know in speaking with chief justices across the country that there are urgencies. All appointments are urgent, but there are some that need to be filled sooner than those in the broader appointment process. In terms of that shorter appointment process, again, I am engaged and have spoken to chief justices across the country. I know there are lists of potential justices that can be drawn from, and we're reviewing those lists very closely, ensuring that we reach out to and engage with stakeholders, including the judiciary, to fill those more urgent positions in the short term.

Those appointments will be coming as soon as possible, ensuring that we have done our due diligence in reviewing those names.

● (0915)

Mr. Michael Cooper: Thank you, Minister. It certainly seems that it has become quite urgent when we see, for example, in Alberta a serious fraud case thrown out. It looks as if this week perhaps two sexual assault cases may be thrown out for delay, so I would reiterate that the appointments are urgently needed now, but I appreciate the answer.

Turning to a different topic with the remaining time I have, the June 6 deadline that the Supreme Court issued to the stay on the declaration of constitutional invalidity is coming up. Obviously, Bill C-14 is moving forward in the House of Commons, but in conversations I have had with Senate colleagues, there seems to be a general consensus that the legislation may not get through the Senate by the June 6 deadline.

In that scenario, what steps is the federal government going to take? What are you going to do as minister? Would you, for example, consider bringing forward an application to the Supreme Court for a short-term extension to allow sufficient time to make sure

that legislation can get passed before we end up in a situation where there could be a vacuum with no law and no certainty for physicians, for patients, and no safeguards for the vulnerable?

Hon. Jody Wilson-Raybould: Again, I would look around the table and thank all members of this committee for the substantive discussions that have been had around Bill C-14 on medical assistance in dying.

To your question, the June 6 deadline of the Supreme Court of Canada is incredibly important, and our government is committed to doing everything we can to meet that deadline, recognizing where the proposed legislation is within the House of Commons, acknowledging the substantive work that senators have done in their pre-study phase, and recognizing the work that they will continue to do in considering Bill C-14. I would stress, again, the importance of meeting the June 6 deadline. We are doing everything we can to ensure that is the case. Not meeting the June 6 deadline, as you rightfully point out, would leave a vacuum in terms of the law, in terms of the application of medical assistance in dying in this country, with regard to eligibility. The court application process for exemptions would no longer exist. There would be no safeguards in place. Medical practitioners would have uncertainty around how the Carter ruling would be applied, and I think, further to that, in terms of patients who want to access medical assistance in dying, they would be limited in doing so, given the uncertainty that would exist. As you know, in this country, the only jurisdiction that has a law around assistance in dying is Quebec, so I am very committed to ensuring that we do everything we can to meet that June 6 deadline.

The Chair: Thank you very much.

Mr. Hussen.

Mr. Ahmed Hussen (York South—Weston, Lib.): Good morning, Minister. I want to thank you for coming and addressing the committee.

My question has to do with bail, with remand custody. There has been an increase in the number of individuals in remand custody over the years. The numbers have gone up and I can attest to that in my practice as a criminal defence lawyer over the years. Indeed, the numbers presented to the committee in the beginning by the Department of Justice officials showed an increase in the percentage of individuals who are in custody.

What are the department's plans to address that, and has any money been set aside to address the increasing numbers of people who are in remand custody?

● (0920)

Hon. Jody Wilson-Raybould: Certainly, reviewing bail and the regime will be part of our overall review of the criminal justice system. We are in the process of and will continue undertaking a comprehensive review of the realities in terms of remand, in terms of bail. A broad review has not been done since 1972, and we're committed to engaging with the provinces and the territories on this.

We would look to members of this committee, but also to experts and impacted persons in the defence bar with respect to crown counsel, to understand the issues and to respond accordingly and to renovate the bail system in this country. That's a commitment we've made.

Mr. Ahmed Hussien: My other question has to do with the legal aid program. Again, this is an area in which a lot of the provinces are seeking leadership and help from the federal government. The Department of Justice's report on plans and priorities for 2016-17 aims for 270,000 approved applications for criminal legal aid in the provinces between March 2016 and March 2017.

How would this goal of covering 270,000 applications in this fiscal year compare to performance indicators in previous years?

Mr. William F. Pentney (Deputy Minister of Justice and Deputy Attorney General of Canada, Department of Justice): Maybe I'll answer that question, Mr. Chair.

The first thing it points to is that we are trying to determine real live outcomes for Canadians in terms of the programs that we're delivering, and that is one metric. I should say that that metric was delivered before the budget decisions had been announced, and so it does not take account of the additional funding that will flow over the coming years. Frankly, we will be looking to adjust the metric in terms of number of approved applications and other outcomes that we can measure with the additional resources.

So it would be comparable, I believe, to prior years in terms of what we were trying to achieve with the resources.

We will be reviewing all of that in light of the additional money. We haven't had new legal aid money to consider since 2003, so we'll need to adapt in terms of what we're planning to achieve with the additional resources, and we're in discussions right now with provinces and territories to try to determine both how the money is allocated and what we can expect to achieve with it.

Mr. Ahmed Hussien: Do I have time?

The Chair: You have time for a short question.

Mr. Ahmed Hussien: I have a short question on the departmental review from 2013-14. Could you quickly give us an idea of the results of that review.

Mr. William F. Pentney: You mean the legal services review?

Mr. Ahmed Hussien: Yes.

Mr. William F. Pentney: In light of continuing pressures, increasing litigation loads, increasing legal risks, the department looked at the future where continued growth didn't seem like the best solution. Like the rest of the legal industry, realizing that there are opportunities to use technology better, we undertook a review to try to see the ways in which we could manage pressures within our existing envelope. We've tried to achieve efficiencies in a number of ways, and I'll give you one very concrete example that will resonate with all of you.

If you were to get involved in a lawsuit today and a request were made for you to disclose all your electronic records related to that matter, you would look in your emails and find "final draft" and also a whole series of "reply all" discussions around a particular case, and

very soon you would end up with tens of thousands of electronic records that needed to be sorted.

We work in government, and that's what we do. We're familiar with government systems. We've developed an electronic tool that we funded and developed internally and a team of paralegals who have become much more efficient at going to the end of that email chain, eliminating all the duplications, grouping like materials together, so that we're now doing document review and disclosures in a way that is between eight and ten times more efficient than before, simply by better use of technology, better harnessing of people, and being sensible about it. We're asking our lawyers to devote more of their working time to delivering legal services for clients.

We're looking at trying to make sure that when a legal issue touches four departments, we don't have four lawyers working on it, but one. It's those kinds of efficiency measures we're looking at. We're trying to look to the outside to see what the private sector is doing, and to apply it internally, and drive efficiencies in how we deliver services.

I'm proud to say that with the work of great professionals from coast to coast to coast, we have found significant ways of delivering more efficient legal services and still delivering outstanding outcomes for Canadians.

● (0925)

The Chair: Mr. Nicholson.

Hon. Rob Nicholson: I want to raise an earlier comment. We'll probably be able to get into this when the Public Prosecution Service is here, and Brian Saunders can answer it.

My colleague in the NDP said that he was concerned about the Public Prosecution Service prosecuting kids for possession of marijuana. Just to be clear, with any changes the government does bring forward on this, it's still going to be illegal for children to have marijuana. Is that correct, Minister?

Hon. Jody Wilson-Raybould: Correct.

Hon. Rob Nicholson: Thank you very much.

With respect to the questions that my colleague asked on judicial appointments, you would have, in your office, dozens, if not hundreds of individuals who have been cleared by the judicial advisory committees, and these judicial advisory committees in every province are made up of representatives from the bar association, appointed by the province. They have a wide range of people.

Wouldn't it be possible for you to make a number of appointments of people who have been recommended by the judicial advisory committees? Ultimately, it is the prerogative of the crown to make these appointments until such time as you come up with another system. You've been in office now about seven months—and perhaps to some of us, it seems longer than it might otherwise be. That said, wouldn't it be possible for you to make a number of these appointments, particularly in some of these provinces, such as Alberta, as my colleague pointed out, until such time as you come up with another system?

Hon. Jody Wilson-Raybould: I appreciate the first clarification with respect to marijuana and children. To your point about seven months going by slowly, it's gone by quickly from my perspective.

Hon. Rob Nicholson: Fair enough.

Hon. Jody Wilson-Raybould: Having said that, I take very seriously the concerns raised by members here with respect to judicial appointments. We do have lists of persons who have been recommended by the JACs. They are very considerate in reviewing those lists and ensuring that we engage stakeholders, including the judiciary, in making substantive decisions around the shorter-term appointments that will be made. I take the point and recognize that we have resources at our disposal in terms of suggested lists.

The Chair: Mr. Falk, you have another two minutes.

Mr. Ted Falk (Provencher, CPC): Thank you, Minister, for your attendance and presentation here this morning.

The Prime Minister committed that your government would avoid any appearance of conflict of interest. In fact, he said that was a standard he would maintain. There have been some accusations in the past that perhaps that standard hasn't been adhered to. I'd like your comments on what that means to you, and what that would look like in your role as Minister of Justice.

Hon. Jody Wilson-Raybould: I can obviously only speak for myself. As the Minister of Justice and the Attorney General, as well as a member of Parliament, I take my responsibilities in meeting conflict of interest and ethics standards and hold those standards very high. I am committed to ensuring that I meet my commitments on an ongoing basis with respect to those standards. As such, in all activity that I undertake as the minister, I ensure that I continue to work very closely with the Conflict of Interest and Ethics Commissioner concerning my activity, ensuring that I follow her direction very closely.

I would assure this committee, as I would assure all Canadians, that I take these responsibilities incredibly seriously and would not seek to do anything that would undermine the position I hold and ensure that all matters and necessary procedures are followed to ensure that I am abiding by all rules.

The Chair: You may have a final question, Mr. Rankin, and then we'll let you go, Minister, but we have one more round.

Mr. Murray Rankin: It's just one question.

Thank you to Mr. Nicholson for allowing me to clarify this. When I said kids in that question, of course I didn't mean to suggest anything to the contrary. Of course, children will still be subject to marijuana laws.

When saying what I did, I guess I was reacting to young Canadians, because I get letters from parents all the time about the injustice of the situation we're currently facing—what Mr. Justice Selkirk called the “ludicrous situation” that exists. Thank you for letting me clarify that.

Concerning Bill C-51, I want to ask you to comment on the scale of your department's spending in relation to implementing Bill C-51. The estimates for Justice Canada include an additional \$6.8 million for activities relating to division 9 of the Immigration and Refugee Protection Act, which is of course the security certificates part. More

than half of the \$8.4 million increase over last year's main estimates for the court administration service relates to these proceedings.

First, I just want to know what impact Bill C-51 has had on the number and cost of these proceedings. More broadly, could you comment on your spending in relation to Bill C-51's implementation?

● (0930)

Hon. Jody Wilson-Raybould: I would like to refer that question to the deputy minister.

Mr. Murray Rankin: Sure.

Mr. William F. Pentney: The spending, as the question indicates, is in respect of division 9 on security certificates and related closed proceedings. It does not relate to the administration of Bill C-51. Security certificates have been a part of the regime and have been evolved in accordance with Supreme Court decisions and practice over a number of years.

Part of that evolution required the appointment of special advocates to advocate and challenge in these closed hearings. That's what this money relates to; it relates to legal advice and litigation support for Immigration and Canada Border Services Agency. It also relates in part to spending for special advocates.

Mr. Murray Rankin: Yes, but also, according to your report on plans and priorities, you're going to be providing legal services in support of Bill C-51. Generally, how much is that going to cost?

Mr. William F. Pentney: I'm sorry, I don't have that particular figure. That will depend on the demand for legal services involving various activities related to Bill C-51. We have been allocating some resources, for example, to training both departmental officials and others around the rules and guidelines and procedures that the law requires in respect of information sharing.

We will be able to report next year on how much we spent in implementing Bill C-51, but right now it's in a sense anticipatory.

Mr. Murray Rankin: Thank you, Chair.

The Chair: Thank you very much, Minister Wilson-Raybould, for joining us this morning. We much appreciate it.

Hon. Jody Wilson-Raybould: Thank you very much.

The Chair: We'll suspend while we wait for the next panel to come up.

● (0930)

_____ (Pause) _____

● (0935)

The Chair: I'd like to thank and welcome our next round of witnesses.

I note that we've been joined by Elizabeth Hendy, the director general of the programs branch in the policy sector of the Department of Justice, and Brian Saunders.

Brian, I can't remember for the life of me what your title is.

Mr. Brian Saunders (Director of Public Prosecutions, Office of the Director of Public Prosecutions, Public Prosecution Service of Canada): I am director of public prosecutions.

The Chair: Thank you.

George, I can't remember your title either.

Mr. George Dolhai (Deputy Director of Public Prosecutions, Office of the Director of Public Prosecutions, Public Prosecution Service of Canada): I am the deputy director.

The Chair: Thank you.

And Kathleen...?

Ms. Kathleen Roussel (Deputy Director of Public Prosecutions, Office of the Director of Public Prosecutions, Public Prosecution Service of Canada): I am the other deputy director.

The Chair: Excellent. I prefer "the other deputy director". That's an excellent way to explain it.

Ladies and gentlemen, given the circumstances, at 10 o'clock both Mr. Cooper and Mr. Rankin need to be in the House, so what I thought we would try to do is to hold one round of questions and see whether that is sufficient for everyone, and then vote on the estimates so that we can get our members to the House on time.

The first round here goes to the Conservatives. I'm not sure who will be asking the questions.

Mr. Falk?

Mr. Ted Falk: No, I wasn't anticipating them quite so quickly.

The Chair: I'm sorry.

Mr. Cooper?

Mr. Michael Cooper: I don't have a question at this time.

The Chair: You don't have any questions?

Let's go to the Liberals.

Mr. Fraser.

Mr. Colin Fraser (West Nova, Lib.): I don't have any questions.

The Chair: Let me just ask whether there are members present who have questions, and I'll just go to you.

Mr. Rankin.

Mr. Murray Rankin: Thank you. I always have questions.

The Chair: You always do.

Mr. Murray Rankin: Not very good ones, but...

You were here, I know, when Mr. Cooper asked questions about the judicial appointment crisis facing some of our jurisdictions. I want to ask about a different problem; that is the specific claims tribunal and the administrative tribunal support service.

We've been hearing from the Assembly of First Nations that tribunals such as the specific claims tribunal are suffering from a shortage of judges, just like so many of our superior courts across the country, and yet the voted estimates for the administrative tribunal support services show a \$3.4 million decrease due to the sunset of funds for that very tribunal.

Are the measures we see in these estimates sufficient to solve the current problems with judicial appointments, and if not, what other action are you taking to correct these issues?

Mr. William F. Pentney: Mr. Chairman, I believe Marie-France Pelletier, from ATSSC, will be able to answer that question.

Ms. Marie-France Pelletier (Chief Administrator, Administrative Tribunals Support Service of Canada): In relation to the funding decrease for the Administrative Tribunal Support Service of Canada, or ATSSC as we call it for short, there is a decrease in funding that is related to sunset of funds for the specific claims tribunal.

However, the supplementary estimates (A) were recently tabled, and they contain the amount to secure the funding for this fiscal year, so in the supplementary estimates (A) you will see the amounts for the funding for the specific claims tribunal.

●(0940)

Mr. Murray Rankin: In light of what you've just said about the supplemental estimates, there is a \$3.4 million decrease of funds for the specific claims tribunal, and the AFN has been very concerned about the lack of judges.

I don't have that number in front of me, but you're saying that the supplementals are going to address that perceived problem, are you?

Ms. Marie-France Pelletier: They will address the issue of funding for this fiscal year for the specific claims tribunal, at a level similar to or the same as before.

Now, in relation to judicial appointments for that tribunal, the ATSSC is not directly involved in the judicial appointment process or in any appointment process to any of our tribunals; however, this funding, should appointments come forward, ought to allow us to properly address it.

Mr. William F. Pentney: Just briefly, I can say on behalf of the minister that in respect to the earlier question on judicial appointments—as you know, the appointments to the specific claims tribunal are a bit different because they are of sitting judges—the minister is equally seized with the importance of ensuring that the specific claims tribunal vacancies are addressed and has taken steps to try to ensure that.

Mr. Murray Rankin: All right.

May I have another question?

The Chair: You have time for another question, yes.

Mr. Murray Rankin: The biggest increase over last year in the main estimates for PPSC is an increase of \$11 million to pay anticipated commissions to private collection agencies for the collection of federal fines.

Should these commissions not be offset by more efficient fine collection? Also, in terms of the actual, not expected, effect of outsourcing collection, can you show a net benefit?

Mr. Brian Saunders: We changed the model of collecting federal fines a few years ago. We used to collect the fines using members of staff at the PPSC. We decided that our ability to collect fines was limited by the number of staff we could dedicate to that task and decided therefore to try using a private collection agency, which has been used in some provinces to collect outstanding fines.

We went through a process whereby a private agency was selected, and to fund the commissions that the agency will collect.... That's the \$11 million that you just referred to in the budget. It was \$11 million last year. I believe it goes down to \$8 million this coming year and stays at that level for a few years.

That money is flow-through money. It's not money in our budget; it's money to pay the private collection agency for collecting federal fines. They get 12% of every fine they collect.

The idea is that we'll see whether this will enhance our ability to collect the outstanding federal fines.

Mr. Murray Rankin: My question therefore would be, are you doing a cost-benefit analysis? Will you be able to determine whether that expenditure is actually producing a positive effect or not?

Ms. Kathleen Roussel: If I may, we've issued a two-year contract at the moment. Towards the end of that two-year period, we'll be in a position to assess whether the private service provider is able to collect more than we were. We'll have something to compare with.

I think that even by the end of the first year of operation—we started in April of this year—we'll have a sense of how it's going, and it will give us a chance to look at what model we want to adopt going forward.

Certainly the expectation is that a private service provider is going to be able to recover more than our staff could, but if that's not the case, then we'll give ourselves probably a year to re-examine it.

Mr. Murray Rankin: Was the private service provider chosen after a typical RFQ type of process?

Ms. Kathleen Roussel: It was, yes.

Mr. Murray Rankin: Thank you. That's all.

The Chair: Next we have Ms. Khalid and Mr. Falk, and then I don't have anybody else. You'll let me know, if you want to ask anything after that.

In terms of the order in which I saw the hands, it's Ms. Khalid and then Mr. Falk.

Ms. Iqra Khalid: Thank you, Chair. Thank you, Mr. Falk, for the generosity.

My question is for the Public Prosecution Service. The 2016-17 main estimates provide for expenditures of \$135.1 million for the drug, Criminal Code, and terrorism prosecution program.

I'm wondering whether you can provide us with a breakdown of the amounts allocated to each.

• (0945)

Mr. Brian Saunders: I'll ask Mr. Dolhai to answer that question, as he is in charge of that particular branch of our organization.

Mr. George Dolhai: As you indicated, approximately \$135 million is the total amount for that branch. It includes the three portions.

For the national security portion, this year we will have spent in excess of \$4.3 million with respect to those matters. They include both terrorism prosecutions and prosecutions under such acts as the Security of Information Act. Then with respect to the north we have on the order of 55 prosecutors in the north. That budget is approximately \$10 million to \$11 million, I believe. The remainder is for the drugs segment.

Pardon me, it's \$20 million for the north.

Ms. Iqra Khalid: Just as a follow-up, do you have any statistics with respect to the terrorism-related work, such as the number of hearings we've had, the number of convictions, and the number of prosecutions?

Mr. George Dolhai: Yes, we have.

With respect to the number of accused who have been charged with terrorism-related offences since the act came into place in December 2001, we've had 52 accused, 20 have been convicted, one has been acquitted, and we've had stays or withdrawals of eight, some of which have resulted then in peace bonds being imposed.

We have proceeded to trial, both completed or under way, including guilty pleas, and 21 have been completed to date; we have two under way right now; we have nine accused for whom warrants are outstanding.

In addition, we have the peace bonds. Peace bond applications have been made in respect of 19 accused. Ten have entered into peace bonds to date, three were withdrawn, and six are pending.

Some of those that are pending relate to persons who are charged, because in a number of instances it began with a peace bond, and there's then a charge under the act that is the subject of a prosecution, and the application for the peace bond hasn't been withdrawn at this point. It would depend in part on what the result is during the course of the trial, including the assessment of the evidence by the trier of fact and our assessment afterwards.

Ms. Iqra Khalid: As one last question along that line, do you think the funding that has been allocated is enough, specifically for the terrorism-related offences?

Mr. Brian Saunders: The answer is yes.

The Chair: Thank you very much.

Mr. Falk.

Mr. Ted Falk: I just want to ask one question about the Victims Bill of Rights. Can you tell me what the role of the ombudsman for the victims of crime would be?

Mr. William F. Pentney: Don, or Elizabeth?

Mr. Donald Piragoff (Senior Assistant Deputy Minister, Policy Sector, Department of Justice): Thank you. With regard to the role of the ombudsman and the Victims Bill of Rights, when the government was developing the legislation, she was consulted. She had a number of proposals with respect to the legislation. The government considered those, and Parliament considered them.

With respect to implementation of the Victims Bill of Rights, there is allocated in the budget \$8.79 million. Most of that money is going to the provinces, and some as well to police for training, and also to inform Canadians about their rights under the bill of rights.

There's also training with respect to police officers so they understand the Victims Bill of Rights, because quite often the police are a victim's first contact with the justice system. It's important that the justice system actors understand that the Victims Bill of Rights really is a cultural change and that it requires a lot of culture change by the actors—the police, the prosecutors, and judges—with respect to recognizing that Parliament has provided legal rights to victims they have never had before in relation to provisional information, protection, services, etc.

With respect to the Victims Bill of Rights, the ombudsperson will continue to have the mandate to hear complaints from victims and other individuals with respect to any federal government service, such as the RCMP or the Public Prosecution Service, regarding any alleged violation of the Victims Bill of Rights or other concerns.

Her role, then, continues as it was before, but it has increased, of course, because now there's a new piece of legislation that needs to be implemented.

• (0950)

Hon. Rob Nicholson: Thank you very much, Mr. Saunders.

Part of the challenge you have had over the years in running your section of the department is staffing and hanging on to prosecutors. There are a number of reasons why there have been some issues there.

Could you give us an update on the staffing within the Public Prosecution Service with respect to the actual prosecutors on the ground? Are you holding on to them? Are they staying? What are the challenges you've had?

Mr. Brian Saunders: You're referring to the problems we faced in some regions when you were in office due to the fact that the salaries paid to federal prosecutors fell behind those paid to the provinces, and that in some regions we were losing prosecutors to provincial prosecution services.

A few years ago, a collective agreement was entered into between the association representing federal prosecutors and the Treasury Board, which provided for an increase that brought federal prosecutors up to a level consistent with that being offered by the major provinces.

Since that time, I think it's fair to say that we've been fairly successful in retaining our experienced prosecutors.

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

On the question of grow-ops, I used to hear for years, from the prosecutors and from police, that the proceeds from grow-ops

weren't just to supply the domestic market; that in many cases this was the currency being used to bring more serious drugs into this country—the heroin, the cocaine, and others.

What have you heard? Does this continue to be the case?

Mr. George Dolhai: Mr. Nicholson, I'm happy to answer.

With respect to the use of the marijuana, there is still an exchange component to it for other drugs. There has historically also been, in certain parts of the country, an exchange for firearms in the United States. The firearms are cheaper there and the marijuana is more expensive, and so it is being used as a currency in that respect.

Hon. Rob Nicholson: So it's the currency for hard drugs and firearms.

Presumably the customers of the grow-ops would be pretty pleased about the new legislation coming in that will be legalizing this and expanding the supply in Canada.

Maybe you are not in a position to answer that point.

Mr. George Dolhai: I'm not.

Hon. Rob Nicholson: We'll maybe take that as a comment.

Some hon. members: Oh, oh!

Hon. Rob Nicholson: Thank you very much for all the work you do.

Thank you, Mr. Chairman.

The Chair: Mr. Fraser wanted to ask a quick question.

Mr. Colin Fraser: I'm not sure to whose competency this question with regard to the administrative tribunals best falls—Madame Pelletier's?

Concerning the Social Security Tribunal of Canada, the Auditor General in 2015 identified that there was quite a backlog of cases pending appeal. That started, I guess, when the Social Security Tribunal was set up in 2012, effectively doubling the number of appeals that were in the system backlogged.

I'm wondering what steps have been taken since this was identified by the Auditor General and what comment you would have with regard to fixing that problem.

Ms. Marie-France Pelletier: We recently appeared before the public accounts committee along with the department and the tribunal to address the report of the Auditor General and its findings.

What I can say is that even since the Auditor General's study concluded, which was back in May 2015, there has been a tremendous amount of progress in reducing that backlog. Indeed, the historical backlog, meaning the cases that had been transferred by the legacy tribunal on day one of the operations of the Social Security Tribunal, has all but been eliminated. I think that as of a few weeks ago, they were down to about 25 cases that were left but were also in progress. It's possible that number has moved even further since then.

The efforts now, of course, are to ensure that there are always improvements to reducing the case load inventory for that tribunal, and they're very much engaged in that as well as in responding to the recommendations of the Auditor General.

Of course, as a support service we are hand in hand with the tribunal to assist them in making progress on those fronts.

• (0955)

The Chair: Is there anybody else who has any questions for the panel?

[*Translation*]

Mr. Rankin already asked his questions before leaving.

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Okay, thank you.

The Chair: Welcome, Ms. Laverdière. This is the first time you are sitting on our committee. It's a pleasure to have you with us.

Ms. Hélène Laverdière: Thank you, Mr. Chair.

The Chair: I want to thank all the witnesses. We were extremely pleased to have you.

[*English*]

Now, before our colleagues get up, we have the votes on the main estimates.

ADMINISTRATIVE TRIBUNALS SUPPORT SERVICE OF CANADA

Vote 1—Program expenditures.....\$48,879,363

(Vote 1 agreed to on division)

CANADIAN HUMAN RIGHTS COMMISSION

Vote 1—Program expenditures.....\$19,307,335

(Vote 1 agreed to on division)

COURTS ADMINISTRATION SERVICE

Vote 1—Program expenditures.....\$65,199,516

(Vote 1 agreed to on division)

JUSTICE

Vote 1—Operating expenditures.....\$234,999,799

Vote 5—Grants and contributions.....\$365,233,777

(Votes 1 and 5 agreed to on division)

COMMISSIONER FOR FEDERAL JUDICIAL AFFAIRS

Vote 1—Operating expenditures.....\$7,833,778

[*Translation*]

Vote 5—Canadian Judicial Council—Operating expenditures..... \$1,513,611

(Votes 1 and 5 agreed to on division)

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Vote 1—Program expenditures..... \$163,791,495

(Vote 1 agreed to on division)

[*English*]

SUPREME COURT OF CANADA

Vote 1—Program expenditures.....\$23,362,704

(Vote 1 agreed to on division)

The Chair: May I report the main estimates 2016-17 to the House?

Some hon. members: Agreed,

An hon. member: On division.

The Chair: That's also on division? Okay.

Thank you very much, colleagues. I very much appreciate your attendance.

The meeting is adjourned.

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