

**Standing Committee on the Status of
Women**



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

**Comité permanent de la condition
féminine**

June 22, 2017

The Honourable Jody Wilson-Raybould
Minister of Justice and Attorney General of Canada
Department of Justice
284 Wellington Street
Room EMB 5240
Ottawa, ON
K1A 0H8

Subject: Bill C-337, An Act to Amend the Judges Act and the Criminal code (sexual assault)

On May 12, 2017, the House of Commons' Standing Committee on the Status of Women reported Bill C-337, *An Act to Amend the Judges Act and the Criminal Code (sexual assault)* to the House of Commons with amendments. The House subsequently approved the Bill and sent it to the Senate on May 15. The bill seeks to:

- restrict eligibility for judicial appointment to individuals who have completed comprehensive education in respect of matters related to sexual assault law and social context;
- require that this training in sexual assault law be developed in consultation with sexual assault survivors, as well as with groups and organizations that support them;
- require the Canadian Judicial Council to report on continuing education seminars in matters related to sexual assault law and;
- require that, in proceedings before a judge without a jury, oral or written reasons provided by a judge in sexual assault decisions be entered in the record of the proceedings or be in writing.

Based on the testimony heard during the study of the bill, the Committee encourages the Minister of Justice and Attorney General of Canada to express to her provincial and territorial counterparts the need to make training in sexual assault law and social context more broadly available. Witnesses appearing before the Committee have highlighted the importance of training for all persons who play a role in the administration of criminal justice and who are involved in sexual assault cases, including, but not limited to: superior and provincial court judges, Crown prosecutors, defence attorneys and police forces.

Additionally, the Committee wishes for the Minister of Justice and Attorney General of Canada to strongly encourage provincial and territorial governments to make the transcripts of the proceedings of sexual assault cases for all courts under their jurisdictions available online in a searchable database, so that anyone with an internet connection can access the decisions that are currently recorded but not

reported. The Committee heard from Professor Elaine Craig, Associate Professor in the Faculty of Law at Dalhousie University, that “it’s inarguable that written decisions provide a degree of transparency and public accountability that's not available with oral decisions.”

The Committee requests that the Minister of Justice and Attorney General of Canada inform and advise the Committee at the earliest opportunity of the results and outcomes of these discussions with her provincial and territorial counterparts.

The text of Bill C-337 can be found at <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-337/third-reading>

Details of the study of Bill C-337 by the Standing Committee on the Status of Women can be found at <http://www.ourcommons.ca/Committees/en/FEWO/StudyActivity?studyActivityId=9426165>

For more information, please contact Marie-Hélène Sauvé Clerk of the Committee, at: (613) 995-9116 or fewo@parl.gc.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Marilyn Gladu', is positioned above the typed name.

Marilyn Gladu
Chair of the Standing Committee on the Status of Women
House of Commons