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Chair

Mr. Art Hanger

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• (1530)

[English]

The Chair (Mr. Art Hanger (Calgary Northeast, CPC)): I'd like to call to order the meeting of the Standing Committee on Justice and Human Rights.

At this particular meeting we'll have the privilege of hearing from our justice minister, Minister Toews. Minister Toews has a presentation to make, and I would ask him to begin his presentation.

Hon. Vic Toews (Minister of Justice): Thank you very much, Mr. Chairman.

I'm pleased to meet with the members of the justice committee to discuss the main spending estimates of the Department of Justice. My deputy minister, John Sims, is joining me today.

The Department of Justice plays a vital role in Canadian society. It promotes Canada's rights, freedoms, and laws; it provides high-quality legal counsel to the Government of Canada; and it ensures that Canada's system of justice is accessible, efficient, and fair. The work we do at the justice department has a very real impact on the lives of individual Canadians. Through our work on policies and legislation, we strive to create safer and healthier communities that benefit us all.

As Canadians we have always taken pride in our democratic society, our traditionally low crime rates, and our safe communities. I'm sure that most of us remember a time when we left our homes unlocked and felt safe letting our kids play outside unattended. Over the generations, our society has changed. Today we lock our doors, and we are more watchful over our children. We recognize the dangers they face, dangers such as swarming, gangs, and drugs.

While Canada's justice system has evolved over the years, its evolution has not kept pace with Canadian society. It is now facing increased pressure to adapt to the needs of 21st century Canada. That is why Canadians voted for change. Canada's justice system needs new solutions to our modern challenges.

The new government has laid out its agenda for change through five key priorities: passing the Federal Accountability Act; cutting the GST; making our communities safer by cracking down on gang, gun, and drug crime; giving parents a choice in child care; and establishing a guarantee for patient wait times.

As Minister of Justice and Attorney General, I will be working closely with my colleague Stockwell Day, the Minister of Public Safety, to deliver on the new government's priority of making our streets and communities safer by tackling crime.

Today I'd like to discuss some of our new government's priorities for strengthening our justice system. I'm confident that the actions we take to achieve these priorities will result in reforms that will mean everyone, particularly the most vulnerable members of society, can feel safe and secure in their communities.

The first thing we need to change is the way we deal with serious offenders. It is time for Canada to get tough on violent crime. This is an issue that Canadians want addressed, and the new government is committed to ensuring serious consequences for serious crime. But tougher penalties for criminals are only part of the solution.

We also recognize that the most effective way to reduce crime and victimization is to prevent it from ever happening. That is why we are also committed to supporting crime prevention initiatives that will strike at the root causes of criminal behaviour. We will give young people the knowledge and tools to make good decisions so that they can avoid the factors that place them at risk of coming into contact with the criminal justice system.

Mr. Chairman, I am pleased to say that we have already begun to take action on our commitment to strengthen Canada's justice system. Earlier this month I tabled two bills in the House of Commons that will reform our laws so that serious crimes are met with significant consequences.

One bill deals with sentencing and will put an end to the use of conditional sentences, including house arrest, for serious and violent offences. The reforms in this bill will tighten up the law, removing the option for serious, violent, and sexual offenders to receive a conditional sentence. The reforms will ensure a cautious and more appropriate use of conditional sentences, reserving them for less serious offences that pose a lower risk to community safety.

The other bill we introduced will toughen sentences for crimes involving firearms by enhancing the mandatory minimum penalty provisions of the Criminal Code. Under the proposed legislation, serious offences involving firearms will be subject to very tough sentences. If an offence is gang-related or if a restricted or prohibited firearm such as a handgun is used, the minimum penalty will be five years on a first offence, seven years if the accused has one prior conviction for a firearm-related offence, and ten years if the accused has more than one prior conviction for firearm-related offences. Other firearm-related offences, such as firearm trafficking and smuggling or the new offence of robbery where a firearm is stolen, will also be subject to higher escalating minimum penalties.

● (1535)

With these two bills, the new government is meeting its commitment to protect Canadian families and communities by tackling gun, gang, and drug violence. We will be better equipped to fight organized crime and to keep dangerous offenders off our streets.

In addition to these sentencing reform bills, later this spring we will undertake the first step in our plan to protect children. We will table a bill that will raise the age of consent for sexual relations from 14 to 16 years of age and rename it as the "age of protection". This change will bring us in line with most of the world. It is long overdue, and it is particularly important in the age of the Internet, when young people are targeted by cyber-predators.

These are bold first steps in reform of the law. In addition to this and other legislation, we are developing enhanced strategies for law enforcement, crime prevention, and correctional services as we address key justice issues that are of serious concern to Canadians.

One of these issues is drugs. The number of marijuana grow operations has increased dramatically in Canada, spreading into suburban and rural communities. The production and distribution of drugs such as crack cocaine, crystal meth, and ecstasy have increased as well.

The time has come to make more serious efforts to clean up our streets by tackling drug crime. We must work to ensure the safety and health of our young people by helping them make the right choices to stay away from illegal drugs. In this vein, we have made it clear that we have no intention of decriminalizing drugs, because we want to send the right message to young people about their dangers.

The sentencing reforms I mentioned earlier will play an important role in tackling major drug crime. In addition, we will look to make precursor chemicals of crystal meth, such as pseudoephedrine, harder to get; introduce a national drug strategy, with particular emphasis on youth, that will encompass all drugs in implementing a nationwide awareness campaign to dissuade young people from using drugs; expedite deportation of non-citizens convicted of drug trafficking, drug importation, or running grow ops; and restore the Canada ports police.

Another crime that we need to deal with is street racing. Our cities are not racetracks, and the time has come to get rid of the racers who pose a threat to the safety of our citizens. Through criminal justice reform, we will send a strong message that racing will no longer be tolerated on Canadian streets. Despite the prospect of serious bodily

harm, or death, this dangerous phenomenon continues in Canada. It is clear that people who engage in street racing have no regard for their own safety or the safety of others. The stories are tragic. Over the past few years, there have been a number of highly publicized incidents where drivers, their passengers, and innocent victims have been killed. Since January alone, three men in Vancouver, one in Edmonton, and a Toronto taxicab driver have all allegedly been killed because of street racing.

The Government of Canada will work to keep these criminals off our streets. We are committed to combatting this dangerous activity by getting tough on those offenders who so recklessly endanger human life.

In addition to tackling these crime issues, we will also reform the law with respect to our parole and bail processes. Parole must be a privilege to be earned, not a right to be demanded. We will examine a number of options on this front, including creating a presumption of dangerous offender designation for anyone convicted and sentenced to federal custody for three violent or sexual offences; repealing section 745.6 of the Criminal Code, the so-called faint hope clause, that allows a criminal serving a life sentence to apply for early parole; replacing statutory release, the law entitling a prisoner to parole after serving two-thirds of his sentence, with earned parole; toughening parole provisions once you have been convicted of committing a crime while on parole, eliminating parole for life after the third such conviction; preventing courts from giving extra credit for pre-trial custody for persons denied bail because of their past criminal record or for violating bail; and creating a reverse onus for bail hearings for anyone charged with an indictable firearms offence.

● (1540)

For all of these initiatives, I look forward to working with Parliament, law enforcement, corrections, prosecutors, and my provincial counterparts to develop effective new policies.

One last key issue I wish to discuss is crime prevention. Our government, as I have discussed, is focused on tackling the pressing issues of gun crime, criminal gains, and drugs, but this government also recognizes that it is equally important to prevent criminal behaviour before it has taken root. We will address the root causes of crime by supporting communities and families with effective social programs and sound economic policies. Such efforts will include working with the provinces, municipalities, police, and community leaders in areas threatened by gun and gang violence to support programs that reach out to young people. We must help them recognize the dangers of violence in their schools and communities so that they reject gang and gun violence.

The efforts will include supporting results-oriented, community-based initiatives for addictions treatment, training, and rehabilitation of those in trouble with the law, and investing in community-based educational, sporting, cultural, and vocational opportunities for young people at risk. By working with the provinces, territories, and other partners, this government will support solutions that will help end the cycle of violence that can lead to broken communities and broken lives.

I am pleased to note, Mr. Chairman, that Budget 2006 reflects the Government of Canada's commitment to crack down on crime. Highlights from the budget include \$161 million for 1,000 more RCMP officers and federal prosecutors to focus on such law enforcement priorities as drugs and border security, including gun smuggling; \$37 million for the RCMP to expand its national training academy at Depot to accommodate these new officers and build the capacity to train more officers in the future; funds set aside to expand Canada's correctional facilities to house the expected increase in inmates as a result of changes in sentencing rules; \$20 million for communities to prevent youth crime, with a focus on guns, gangs, and drugs; and \$26 million to give victims a more effective voice in the federal corrections and justice system and to give victims greater access to services, such as travel to appear at parole hearings.

Budget 2006 presents a balanced approach to law and order spending. I believe these investments will help to strengthen our justice system so that it better meets the needs of our modern Canadian society.

In closing, Mr. Chairman, I wish to thank you and your committee members for the important work that you do. It's an honour for me to take part in this process as Canada's newest justice minister. As I mentioned at the onset, Canada's system of justice contributes to the well-being of Canadians in many ways, but it also faces many challenges. I believe these initiatives, which we will pursue over the coming months, will help to modernize Canada's justice system by getting tough on crime as well as addressing root causes of crime. We will make Canada a safer place to live.

I welcome your questions and look forward to your feedback.

Thank you very much.

• (1545)

The Chair: Thank you very much, Minister.

The rotation for questioning is Liberals for seven minutes, NDP for seven, and the Bloc for seven minutes, and then our party, the Conservative Party, will have their opportunity.

We're starting with Ms. Barnes.

Hon. Sue Barnes (London West, Lib.): Thank you very much. We welcome you to the committee.

It won't be the first time you'll be here. We'll go into the legislative agenda of this government at committee when the bills are before the committee, but these are the estimates and it's about spending.

What we need to understand, first of all, is that all parties are concerned with an effective criminal justice system, and we're all concerned with accessibility to that justice system. We know that many people, more and more people, don't have access to legal aid.

I'd like to point you to the transfer payments. I see there are items not required. The contributions in support of legal aid pilot projects seem to be ending, from \$955,000. But what is most interesting to me is that we have criminal legal aid, and I know there is a concern about civil legal aid, Minister.

The contributions to provinces to assist in the operation of legal aid systems: first of all, our main estimates for 2005-06 were about \$119,827,000. They seem to have gone down to \$79,827,000. What you've put on the table is a legislative agenda that's going to potentially put more people into prisons, and what you've just talked about is your responsibility, as minister, to make sure the system is fair and just and accessible.

I'd like to understand where you are with your discussions with your provincial counterparts, both on the need for more legal aid, or potentially even more than we have currently—why this figure has gone down. Perhaps Mr. Sims can help you with the detail, because it is the detail that I'd like to....

Hon. Vic Toews: Yes. Thank you.

I'm glad to hear you affirm you are concerned about our criminal justice system. I don't think anyone...and certainly nothing in my remarks would indicate other parties aren't concerned about access to criminal justice or the effective running of our justice system. As well, legal aid in Canada is a key component of the ability to access justice.

As you are aware, funding for legal aid ended a few months ago. When we took over the government, we realized we had a problem on our hands in terms of ensuring there was no break in the service or funding of legal aid. What I did was extend, through our government, legal aid funding for a period of one year, which will then give me an opportunity to examine the issues surrounding legal aid, including some of the issues you have mentioned.

The extension for one year was carried over on the same basis as last year's funding. It was simply extended for one year. What happened, as I understand it, and I'm not an accountant, is this doesn't show up in the main estimates, but it does show up in the fall supplementary estimates. So there has been no decrease in legal aid. I think there may be a couple of other examples throughout the estimates that will indicate a similar situation. But I can say we extended it for one year while discussion with the provinces and territories continue.

• (1550)

Hon. Sue Barnes: I'd like to go on with some of the youth issues. Again, I'll take you to transfer payments, the youth justice renewal fund, again last year...I acknowledge the accounting situations you're talking about, but still there's a story to be told here when we see drops from \$1.1 million to approximately \$565,000 in youth justice renewal funds.

We've also seen situations where you've got decreases to provinces and territories in support of youth justice services: the intensive rehabilitation custody and supervision program, down from \$11 million to \$6,900,000. These are the numbers you've got there.

What we have to understand, Minister, is where is the strategy going with your trying to create the environment where we have good sentencing principles at play? You have done nothing in any of the legislation thus far tabled that would change section 718 of our code, the sentencing principles, which include crime prevention, rehabilitation, and all the other principles of sentencing. What's going on here with respect to the youth criminal justice contributions inside your department, and the provinces concerned?

Hon. Vic Toews: Thank you again for the question.

The federal government financially assists the provinces and territories in the provision of services to young offenders under the Youth Criminal Justice Act. The last round of five-year funding agreements that supported the early implementation of the act was extended by one year, until March 31, 2007. In effect, as I understand it from the deputy minister, the funding has again not gone down and we've extended it for one year.

I would point out that many of these were related to the implementation of the act. As you will recall, the former government said there were some start-up costs that would be needed, but those costs would not continue beyond a certain point. We've now extended it by one year, and this will give me an opportunity to in fact examine what is necessary in terms of funding. That will take place with the provinces and the territories.

There is an interesting trend as a result of the Youth Criminal Justice Act in which there was an indication that custody was down about 30%, if my figures are correct. In any event, it was a substantial reduction in custody. It doesn't necessarily say that the act is working or that youth are less involved in crime; it simply says there are 30% fewer youths in custody.

If that is in fact the case, then one has to ask this question: where is the money that the federal government has brought forward to support youth programs going, and is that money then being used in other capacities? It's a discussion I need to have with the provinces.

The Chair: Mr. Ménard.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Welcome, Minister, to the committee.

I hope we have an opportunity to discuss the crime rate with you in the coming days, in particular the violent crime rate. We get the distinct impression on listening to you speak that you are disconnected from the statistics that we have had an opportunity to review here in committee.

All crime indicators, particularly violent crime indicators, are on the decline. However, that's not what I wanted to talk to you about.

The draft legislation that you are planning to introduce has raised some concerns, particularly the detention provisions for sentences of less than two years. The cost of this detention will have to be assumed by the provinces. Perhaps I may have misinterpreted various budget items, but frankly, I got the impression that the provinces would not be receiving any additional funding, if they eventually had to take up the slack, further to changes to sentencing provisions. When the committee met with departmental officials to discuss Bills C-9 and C-10, we were told that one third of people may no longer be eligible for a conditional sentence.

Have you planned to give the provinces any kind of financial break?

• (1555)

[*English*]

Hon. Vic Toews: Thank you for the question.

I want to correct this impression that is being advanced that somehow crime rates are dropping. I think we have to put that into some kind of perspective.

I can deal specifically with gun crime rates that are substantially up in certain areas. If we put it into context and look at generations, for example, what has happened to crime rates in Canada from 1970 to 2004, a generation or more? The overall crime rate in that time period has increased 57%, and violent crime rates have increased 100%. Those are Stats Canada figures.

[*Translation*]

Mr. Réal Ménard: Since when?

[*English*]

Hon. Vic Toews: This is right out of Stats Canada. Homicide rates in the last few years have increased, and robbery rates have increased 60% from 1970 to 2004. The idea that crime rates have somehow gone down is simply incorrect.

If you go to Stats Canada and simply look at them, in effect—

[Translation]

Mr. Réal Ménard: Could you give your figures to the clerk? All of the indicators that we have do not point to that conclusion. We will be discussing Bills C-9 and C-10 with you. I believe the figures that you're quoting are a decade old and that you're reading something into them that isn't there.

I have another question for you concerning human rights. Therefore, I'd appreciate a quick answer from you to my question about available funding for the provinces. Try not to be overly ideological, please.

[English]

Hon. Vic Toews: I simply want to correct for the record the impression that the crime rates are going down, especially in areas like Toronto, where handgun crimes and robberies are now moving up dramatically. So if you want to put things on the record, I can dispute that simply by referring to Statistics Canada.

When we look at crime statistics, I would suggest that the member should not look at simply a five-year period or a ten-year period. Look at a generation and see what has happened in our cities, especially with gun crime.

I will in fact table these statistics.

Now, in respect of the cost of the justice platform, my colleague Minister Flaherty has already indicated in our budget that we are going to operate under a basic principle of fiscal responsibility. My officials are working very closely with the ministries of finance and public safety to anticipate any cost related to our platform commitment. Our 2006 budget-committed funds respond to our anticipated cost for Corrections Canada, for RCMP officers, and to provide money for victims of crime. We believe these measures are worthwhile in reducing the crime cost and associated cost to Canadians.

[Translation]

Mr. Réal Ménard: Yesterday on the train, I read the report of the Canadian Human Rights Commission. I was somewhat taken aback to see that the Commission's budget is being cut back. I have two questions for you regarding this decision.

The Commission has made major strides in its efforts to clear up its backlog of cases. Forty-four per cent of cases have been settled. Do you intend to draw inspiration from Justice La Forest's report tabled several years ago, with a view to including social condition in the Canadian Human Rights Act? It's time to dust the cobwebs off this act. Do you want to go down in history as the minister who accomplished this feat? That's my first question.

Secondly, can you tell me why the budget of the Canadian Human Rights Commission is being cut back?

[English]

Hon. Vic Toews: On the specific issue with respect to the commission, I will take a look at the recommendations of Justice La Forest in his report. I can indicate that it is not on our priority list, but I'm willing to look forward to having any discussion on that particular issue.

Thank you.

[Translation]

Mr. Réal Ménard: I hope to convince you to make a historical contribution by dusting the cobwebs off this legislation. We both are passionate about human rights.

Could you possibly provide the committee with a document detailing specifically how the government intends to allocate the \$20 million earmarked for communities to help them fight youth crime? This appears to be a welcomed initiative, but I would like more information about how the funds will be divided among the provinces and about what this initiative means for Quebec and for the Quebec model. It's a positive initiative and it comes at an opportune moment.

• (1600)

[English]

Hon. Vic Toews: I appreciate the fact that Quebec has worked very hard in this area. In fact, I had the opportunity to meet with the Minister of Justice for Quebec on Friday. We had a very good discussion, and I think we had a frank discussion in terms of what we would both like to see happen in our justice system. It was an introductory meeting, but no firm commitments were made by anyone in respect of any programming.

On the \$20 million, I want to work together with my provincial and territorial counterparts to ensure that the money is spent wisely.

I recall from the days when I was a provincial minister of justice the importance of alternative sentencing, including youth initiatives—for example, youth justice committees, on which Manitoba was a leader in terms of finding alternative ways to deal with youth who weren't serious criminals but did need the opportunity and the help to stay out of crime. So I'm very favourable to those kinds of committees. In fact, under our provincial government, when I was the attorney general, we were the first to introduce actual funding of any substantial amount to help those youth justice committees. I don't know what the funding of that is at this time, but I thought it was an important aspect to look at.

The Chair: Thank you, Mr. Minister.

Mr. Comartin of the NDP.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Thank you, Mr. Chairman.

Thank you, Mr. Minister, for being here. Let me start by challenging you on your statistics. I'm looking at figures taken from a briefing from the Canada Firearms Centre showing robberies using firearms have decreased by 50% since 1974. On the murder rate, the use of firearms in 1975 was 1.26 per 100,000 population. In 2003 it was .51. I'm sure you'll tell me it went up slightly in 2004 and 2005, and you would be correct in that, but it was in the range of a 2% increase.

The actual number of homicides in 1975 as a result of firearms were 292. Obviously, on a population basis it's substantially smaller than in 2003, when there were 161 homicides.

Mr. Minister, those are by way of comments to repudiate your comments about the increase of violence in our society. But let me ask you some questions.

First of all, with regard to the \$20 million for programming, that \$20 million is actually for two years, is it not? Is it \$10 million a year?

Hon. Vic Toews: Yes, it is.

Mr. Joe Comartin: As to the programming, has any of that been developed at this point?

Hon. Vic Toews: No, it has not, not that I'm aware of.

Mr. Joe Comartin: Is it realistic to expect that the first \$10 million will be spent in this budget period?

Hon. Vic Toews: I haven't had those discussions yet with my counterparts. I'm not ruling out the possibility that some of that may well be spent, but some of it may not be spent. But we are committed to implementing those, in the same way that the effects of the legislation we are bringing forward may not take effect for one or two or three years.

Mr. Joe Comartin: You are here, really, so we can ask you about the estimates. Mr. Minister, in that regard, Bill C-9 and Bill C-10 will clearly result, in both cases, in substantially increased incarceration at both the provincial level, under Bill C-9, with the changes you're proposing to make on condition of sentences, and in Bill C-10 at the federal level because of mandatory minimums.

I know I'm going over what Mr. Ménard has raised, but when your department briefed us they indicated that we presently have about 15,500 conditional sentences in the country and that the conditional sentences provisions contained in Bill C-9 would reduce that by roughly a third, a little more than 4,500 to 5,000. Those people, in the vast majority of cases, at least two-thirds, if not three-quarters of them, will end up in provincial jails. My calculation is—and I've gotten this from two different ministers at the provincial level—that it's costing about \$125 a day to keep somebody incarcerated in one of our provincial jails. If you do the mathematics, I think it works out to \$51,000 or \$52,000 a year. If you multiply that by the 4,000 to 5,000, just those changes will cost the provinces in the range of \$200 million to \$250 million. Has that been taken into account, either by yourself or by the Minister of Finance, in terms of assisting the provinces to respond to this increased demand for incarceration?

•(1605)

Hon. Vic Toews: Thank you, and I do want to respond to your earlier comments about the crime rates. I will file these statistics because these are all Canadian stats.

The proportion of violent crimes involving firearms has increased about 10% in the last few years. It is particularly critical for handgun crimes. Handgun homicides have increased about 25% since the late 1990s. Increases in the use of handguns are also reported by the police in robberies, extortion, and miscellaneous violent crimes. In 1993, victims of gang-related homicides as a portion of all victims of homicides made up 2.1%. They now account for 15.3%. These are just some of the statistics. So handgun violence and gang-related violence are clearly on the rise.

I can repeat the statistics that I gave earlier with respect to sexual assault, for example. Here are some interesting statistics. Sexual

assault rates increased significantly after the legislative changes in 1983. From 1983 to 1993, sexual assault rates increased 158%, averaging an increase of 10% per year. In 2004, 98% of all sexual assaults were classified as minor sexual assaults. I don't understand what a minor sexual assault is. I would consider a sexual assault to be a sexual assault. For the whole 35-year period—that is 1970 to 2004—rates of sexual assault increased 45%. That's 1.1% per year. So, again, statistics have not shown that these crimes are going down. The numbers of violent and serious offences keep on rising.

I just want to put that on record, and I'm willing to dispute those bold assertions that somehow crime is dropping. Ask people in downtown Winnipeg, north end Winnipeg, what they think about crime 20 years ago, 10 years ago, and today. Ask people in downtown Toronto whether the crime situation with respect to violence is getting better. It's in fact getting worse.

I was very pleased to see the NDP come on board during the federal election with mandatory minimum gun sentences of four years, and to hear your own comments stating that sentences between five and seven years were constitutionally acceptable for violent gun crimes. So I'm very pleased that I could bring forward legislation that corresponds to some of your comments. Certainly, by the third time someone is convicted of a youth gun crime, 10 years is not an inappropriate sentence. Imagine a person being caught with a firearm in a violent crime three times in a row and 10 years not being a sufficient penalty. I'm pleased to see that you're supportive of that direction, if not the specifics of the legislation.

With respect to the two bills, Bill C-9 and Bill C-10, I'm very pleased that in my conversations with provincial attorneys general, while we haven't had a discussion regarding any particular impact of those bills, they have generally been supportive. In fact, the NDP attorney general in Manitoba has been calling for exactly these measures for years in order to deal with the gang problem that is spiralling out of control in areas like Winnipeg and Toronto and moving into other cities.

•(1610)

Mr. Joe Comartin: *[Inaudible—Editor]*

The Chair: Thank you, Mr. Comartin and Mr. Minister.

Mr. Thompson of the Conservative Party.

Mr. Myron Thompson (Wild Rose, CPC): Thank you very much.

May I say to the minister, not only is it a pleasure to see you here, but I wish you well in your new appointment. I'm going to miss you sitting beside me, but I'm sure you won't miss me. You will be hearing from me. And you'll be glad to hear that I will be very gentle to the new minister in comparison to the past.

There are some things I would like to mention. I think it's great that you are looking at the stats going back to 1970 and that you're looking at the bigger picture of where we're at in this country in terms of serious crime. I really hope we can look at that avenue as being very effective.

I want to mention how pleased I am to see the age of consent being mentioned in your talk. I think you know what that means to me personally, and only this last week, with 14- and 15-year-olds being taken out of the sex trade in Calgary. It's just really good news. We have to start doing something about these children who get caught up in these kinds of messes.

And I'm pleased to hear your comments and views on section 745. I appreciate that.

I'll make this comment. I believe that Bills C-9 and C-10 are a step in a direction that could create a great deal of deterrence, and when you deter crime, then of course you're going to have less crime. I think that's the object of any government: what we can do to have less crime.

The two points I would like you to comment on before any others are two that have bugged the devil out of me for a long time. Number one, having worked with Paul Gillespie and other police forces across the country with regard to child pornography, I am so pleased with their efforts. And I'm extremely pleased to hear that Bill Gates and software companies are coming aboard and formulating international ideas to deal with this evil multi-billion-dollar industry.

I would like your comments on where we're going with child pornography. And may I suggest mandatory minimums should be considered for offenders using child pornography.

Second, one of the things that has bugged me the most is the amount of money we spend on courts. For example—and this is one example of many I've had—about seven or eight years ago, a fellow by the name of Christopher Goodstone had a head-on collision that killed four young people from Saskatoon, Saskatchewan. At his initial trial he pled guilty. He was driving drunk. That was the start of it. Five years and eighteen court cases later, they finally came to the sentencing of Christopher Goodstone. For the life of me, I cannot understand what causes these lengthy court trials, particularly in these most obvious cases. Yet there are many of them. Could you address that?

Hon. Vic Toews: I can try to answer some of those questions, Mr. Thompson. I certainly appreciate your unflagging support in the protection of children and the work you have done in that regard over the years. I appreciate that very much. I know that if we fail to address those issues to your satisfaction, I'll be the first one to know directly from you. So I certainly appreciate it. And I appreciate the work that Paul Gillespie and the squad there in Toronto have been doing so diligently over the last number of years. This unit is a shining example of what dedicated police officers can do on behalf of the children of Canada, and indeed of our society. To see him

working in such a difficult area... I can only imagine seeing that day in and day out. Some of us who have been involved in prosecutions and the like only see glimpses of what these individuals see on a daily basis. It truly is horrendous.

I also wanted simply to mention the issue of raising the age of protection to age 16. We believe this is very important. As you know, our goal is not to criminalize consensual sex between youth. We would be proposing some kind of close-in-age exemption. Some of the child protection groups have lobbied for a five-year close-in-age exemption so there wouldn't be prosecutions where the age difference between them was less than five years. We would retain, however, the two-year close-in-age exemption for those under age 14.

The problem with the existing exploitation of youth section in the Criminal Code is that it essentially puts the burden on the child on the stand to say that, yes, I'm a 14-year-old child and I think there was consensual sex with this 40- or 50- or 60-year-old individual. The children should not be placed in a situation where they are grilled as to whether there was consent at that age. It is reprehensible that it continues in our courts today. We need to change that. That is why we want to raise the age of consent and the age of protection to age 16, so that where these adult predators are taking advantage of our children, our children aren't put on trial. It's the predator who is put on trial. So we are committed to working with respect to those kinds of issues.

The other issue you mentioned is the one of delay in terms of courts. It is a significant problem, and I think we have to work in partnership with the courts in order to resolve those issues. But there are things the government can do. As a result, for example, of Supreme Court of Canada decisions on *R. v. Stinchcombe*, there is a requirement to deliver, essentially, every shred of paper to the defence in order that a full and proper defence can be mounted on behalf of someone charged with a crime.

We have to then look at the situation. If we are already providing this paper documentation, essentially by way of a preliminary hearing, why do we continue with the existing preliminary hearings? Why do we subject witnesses to two grillings by defence lawyers when in fact there should be one trial? There is no constitutional requirement for preliminary hearings. Indeed, in many serious crimes now, especially in those crimes where there are significant drug deals, or in gang-related situations where you don't want your witnesses intimidated in the interim, you can go by way of direct indictment and move the matter more quickly to trial—so there's a fully, constitutionally sanctioned trial on the merits—and have that one hearing.

Those are things that I think we should be looking at. You as a justice committee should be looking at ways of trying to improve it. So as the courts have moved our justice system along to ensure that constitutional rights are protected, other things that are not constitutionally required are now being essentially duplicated. And one has to wonder whether they are, in fact, otherwise required.

•(1615)

The Chair: Thank you, Minister.

Mr. Ignatieff, please.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Thank you.

Minister, we need to be tough on crime, no question about that, but we also need to be smart about crime, and if we're going to propose new criminal justice measures they have to be evidence-based.

You're citing some Stats Canada stuff, but I'm looking at the Stats Canada report that says Canada's crime rate, based on data reported by police services, fell 1% last year. Violent crimes fell. Robberies with a firearm continue to decline. I don't want to get into a futile exchange of statistics, but let me just say that you can't come back to this committee with Bill C-9 and Bill C-10 unless you have an evidence-based case that justifies it. This side of the House is unconvinced by your numbers, with due respect. Also, we can't base public policy on the basis of perception. We have to have some evidence base to justify the measures you propose. The case, with respect, is simply not proven on the basis of the Statistics Canada stuff I've got.

The second issue I'd raise is that my constituents in Etobicoke—Lakeshore are as concerned about crime as your constituents in Winnipeg, but they want a balanced approach, Minister, and I'm questioning whether there is balance here. Is there enough real investment in crime prevention? Is there enough investment in youth justice programs that avoid incarceration wherever possible?

What I see in this basic strategy is an excessive emphasis on incarceration. So there are two questions. Number one, do you have, in discussion with the public safety minister, some clear numbers about what are the financial implications of the necessary expansion in correctional services that are going to be required? I don't think we've heard a clear answer to that question. What is this going to cost, Minister? Number two, can you assure that we've got balance here? You seem to be relying almost exclusively on incarceration.

If I could introduce one personal note, I spent three years in a maximum security prison every Tuesday night doing volunteer work. The conclusion I drew from being in a maximum security prison—and no one is less soft on crime than me—is that an exclusive reliance on incarceration makes almost everybody who goes through the system worse. You're going to have to convince the public that an exclusive reliance on increased incarceration is actually going to solve the problem you want to solve. And on the evidence that I've seen, the case is just not proven.

•(1620)

Hon. Vic Toews: Well, in response, I can simply suggest to look at it in a generational context. Don't look at it simply in one year or two years. Quite frankly, a 100% increase in some areas of violent or dangerous crime is simply not acceptable, whether it's in a generation or 10 years.

What concerns us, and what specifically drives these bills, for example, is the percentage of handgun homicides that we are now

seeing, the increase of about 25% since the late 1990s. And there are others.

I would invite you to ask the chiefs of police to come and talk about the gang activity that is going on in your city. I've received briefings about the sophistication of gangs and how gangs are now controlling the streets. And they're not simply isolated pockets of street gangs, but they work together now with the more mature gangs, if I can use that word, in order to advance criminal enterprises.

So what these bills do, and specifically the one on mandatory minimum penalties, is focus on gun crime and ensure that those gang- and gun-related issues are dealt with.

Mayor Giuliani has an impressive track record. He just recently spoke to an audience in Winnipeg, and I got reports back from that. Essentially, he would agree with you, I think, that you need to have all of these preventative programs in place. They're very important. But what he also made clear is that if you don't deal with the crime on the street, the money spent on social programs simply will not work. You need to deal in a very forceful way with crime on the streets. And his track record is one to be envied. The murder rate now in New York City is lower than it was in 1963. In the mid-1990s, 2,200 people a year were being murdered in New York City. Now the number is somewhere around 550. Now, 550 people is a lot of people, but when we look at the measures he took with respect to being firm with crime, 1,500 more people are living in a year than before.

To me, when you talk about a balanced approach, what could be more balanced than saving 1,500 lives? To me, that is important.

When I talk to an aboriginal man or woman in the north end of Winnipeg, where the streets are ravaged by gangs and owned by gangs.... What is balanced about being frightened to come out, not just at night but in the evenings and during the day? What's balanced about that? The gunmen and the drug dealers need to be off the streets. And I can tell you, the social programs, the economic programs, and the community programs will work in that case.

Mr. Michael Ignatieff: Minister, we don't need to get into a competition here. One of my constituents lost their nephew to gun crime before Christmas, so I've looked into the eyes of people who've lost their children to gun crime. We don't need to get into a competition about this.

But balance needs to be proven in the estimates. What I'm saying to you is there is a focus on incarceration here that needs to be balanced with a lot of other things. You're going to have to prove to me that throwing a lot of kids into double-bunk penitentiaries is actually going to reduce the rates.

Everybody wants the same result, sir. We all want to get crime down. But you're going to have to come to us with a better evidence-based approach to prove that increasing incarceration rates is going to get you where we want to go. That's my point.

•(1625)

Hon. Vic Toews: What we know, sir, is that the strategy that has been adopted to this point has not worked. The crime statistics, the gang statistics—

Mr. Michael Ignatieff: What evidence do you have here? We have clear StatsCan evidence over the last 15 years that the chief determinant of crime rates has been rising prosperity, rising opportunity for youth, rising opportunity in youth employment. Those are crucial determinants of the crime rate, and I'm sure you'd agree.

So you can't come to the committee claiming that it's all been a disaster for the last 13 years. It's simply not factually correct.

Hon. Vic Toews: Well, I can go back to the Canadian stats that say handgun homicides have increased about 25% since the late 1990s. To me, that is not evidence of success. That's evidence of failure. My constituents are concerned about these crime rates; your constituents are concerned.

And when we talk about balance, it's not simply saying, "Well, if we spend \$250 million on prisons, then we have to spend \$250 million on crime prevention". That isn't balance. What is balanced is effective programming, and if you want to leave the gunmen and the drug dealers on the street, I don't care if you put a billion dollars into social programs in downtown Toronto, it's not going to work.

The Chair: Thank you, Minister.

Ms. Freeman.

[*Translation*]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Good day, Minister. Thank you for being here today.

My first question concerns the judicial appointment process. On February 27 last, you chaired the special committee that reviewed the appointment of Justice Rothstein to the Supreme Court. Despite the apprehensions of some observers, including the Chief Justice, the exercise turned out to be a very positive one and highly educational from a public standpoint. Did the department do an in-depth analysis of the review exercise after the fact? Would you be so kind as to share your thoughts on this exercise with us?

I also have a question for you concerning Supreme Court justices. As we all know, barring exceptional circumstances, there is a mandatory retirement age in place for judges. Our feeling is that this requirement gives the court a certain measure of stability. Given that fact, do you think it would be wise to use this stability to our advantage and continue to reflect on the judicial appointment process, or do you think last February's exercise should become a permanent one?

Furthermore, during the 38th Parliament, you were actively involved in the work of the justice committee's Subcommittee on the process for appointment to the Federal Judiciary. Do you still feel this subcommittee should pursue its work? Would you be willing to formally ask the committee to examine the appointment process?

Given the positive feedback from the review of Justice Rothstein's appointment by the special committee that you personally chaired, do you think it would be a good idea to put a similar structure in

place for reviewing appointments to lower levels of the federal judiciary?

[*English*]

Hon. Vic Toews: Those are very good questions, and I don't have all the answers to them.

Did I find the process with respect to the picking of the Supreme Court nominee and the eventual appointment of Justice Rothstein to be a good one? Absolutely. We worked very cooperatively with all parties, including your former colleague, Mr. Marceau, from the Bloc, who was on that committee. In fact, he chaired the committee looking at the issue of appointments to the lower courts, below the Supreme Court of Canada.

On the issue of the Supreme Court of Canada appointment and whether we should continue with that, certainly the Prime Minister has indicated that he is in favour of that. He would like to see that carried on. Certainly, at least at a minimum, what we did should be carried on. I can disclose to you that there has been a request that the committee reconvene in order to talk about the process, because we haven't had that opportunity yet to talk about what we learned from the process and perhaps what suggestions or recommendations we can give to the Prime Minister in terms of future hearings.

With respect to the lower courts—and I don't mean that in a derogatory way, but the courts that are all answerable to the Supreme Court of Canada, if I can say it that way—I'm not sure whether the same process is appropriate, given the numbers of judgeships that become vacant. We do have a process we examined, and the report did identify certain concerns about the way judges have been appointed.

There are a number of provincial bodies that consider provincial appointments, for example, and I think there's a lot to be learned from some of those provincial committees that recommend appointments to the provincial bench. Certainly I'm more familiar with the Manitoba situation, but I believe Ontario's situation is very similar to that.

The important point that I think we want to make in the appointment of judges, especially to the Supreme Court of Canada, is to introduce these individuals to the Canadian population. That's what I kept hearing after that hearing process, that people understood that these individuals—and particularly Justice Rothstein, who's the only one we've had that kind of process with—are flesh and blood. They are human beings, very much so. People really appreciated it. They felt that they had a significant understanding of who the individual was. I think knowing the judges in that way will also result in a better acceptance of their decisions. When you know the decision-maker, it is easier to accept the decision. So in terms of the credibility of the courts, it's an important step to take, but I'm willing to work with the committee on those kinds of recommendations.

•(1630)

[*Translation*]

Mrs. Carole Freeman: Thank you.

My other question has to do with access to justice in both official languages.

Judge Rothstein is a unilingual anglophone. In 2003, the Justice Department established the Access to Justice in Both Official Languages Support Fund, a component of the previous government's Action Plan for Official Languages.

Under departmental transfer payments, or more specifically, under the heading of Grants under the Access to Justice in Both Official Languages Support Fund, we see that funding has been slashed by 75 per cent compared to the previous year. Therefore, for the current year, the amount allocated to the Fund is being cut from \$200,000 to \$50,000. However, under departmental contributions to the fund, I note an increase equivalent to the grant reduction.

In what way do these changes affect the department's performance and do they represent a change for the better? I'd simply like you to clarify for me the department's strategy and aims, as far as the Fund is concerned.

[English]

Hon. Vic Toews: I'm going to have one of my departmental experts come here, introduce himself, and talk a little bit about that particular issue.

The Chair: Would you mind identifying yourself?

[Translation]

Mr. Michel Bouchard (Associate Deputy Minister, Department of Justice): My name is Michel Bouchard and I am the Associate Deputy Minister at the Department of Justice and the person responsible for official languages within the department.

Your question is highly relevant. Official Languages Commissioner Adam made some rather favourable comments on the subject in her last report, *Taking on the New Challenge* which focussed among other things on access to justice in both official languages.

The figures that you quoted do not necessarily mean that funding to stakeholders responsible for promoting the country's two official languages has been cut.

In her last report, Ms. Adam had some positive things to say about the way in which Justice Canada proceeded to consult with minority communities across Canada. The department is even held out as an example to be followed. Therefore, in terms of access to justice, rather extraordinary work is being done within both anglophone and francophone minority communities to promote access to justice in minority languages in all parts of Canada. We have no intention of scaling back the efforts made in recent months. In fact, we plan to work even harder to ensure that minority communities in Canada not only feel welcomed within our Canadian justice system, but are also better informed and better equipped to manage. Promoting access to justice across Canada in the language of the minority community is an important goal of this government.

• (1635)

Mrs. Carole Freeman: I was under the impression that there had been a 75 per cent reduction in one area, and an increase in another. I simply wanted an explanation of the budget situation.

Mr. Michel Bouchard: I'll rectify matters this afternoon if I'm mistaken, but I don't believe there have been any budget cuts. There may have been...

Mrs. Carole Freeman: It's set out in your strategy, which I'd like to understand. On the one hand, funding is being cut by 75 per cent, whereas elsewhere, you're increasing the department's contribution to the Fund. I'd like to understand the strategy that you're employing.

Mr. Michel Bouchard: Madam, I'm confused about your reference to a funding reduction. I don't see where... You have some figures that I have not had a chance to look at yet, but I don't believe funding has been slashed by 75 per cent.

Mrs. Carole Freeman: Funding is being reduced from \$200,000 to \$50,000. At the same time, the department will be contributing more to the Fund. That's what I'm trying to understand.

Mr. Michel Bouchard: Perhaps we can provide you with a more detailed response to your question, but I wasn't informed of any reduction. I don't believe funding has been cut. If you give me a moment, I'll verify the facts.

Mrs. Carole Freeman: Fine then.

Mr. Michel Bouchard: If you have no objections, we'll check into the situation so that we can answer your question fully before the end of the meeting.

Mrs. Carole Freeman: All right.

May I ask another question?

[English]

The Chair: Madam, that's enough. Your time is up. I'm sorry.

I would like to go to Mrs. Smith from the Conservative Party.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Thank you.

I would like to thank the justice minister for this very insightful presentation today. I've heard from my constituency, and from people all across Canada in different places where I've been, how people now have an environment of hope that the streets will be safe.

I do have a question, but as background, I would like to say that I am the mother of a police officer in the Royal Canadian Mounted Police. I was the justice critic for the province of Manitoba.

I would like to ask a question centred around the stats that we have discussed today. The minister has very rightfully brought up the fact that handgun homicides have increased by 25% and sexual assault by 158%. On the street, when the Youth Criminal Justice Act was brought in, it was touted as being soft on crime for youth. A lot of things happened following that. I know, from the perspective of working with police and being on the ground, that many of the stats are not available because young offenders are never charged. Whether they have handguns or whether they have anything else, often those crimes are not reflected in the stats simply because they're not incarcerated and they're not charged. So I think, looking at the stats from that point of view, and having talked to many police officers who have worked with these people, there are many things missing from Canadian stats.

Clearly, people do not feel safe, and since the announcements about being tough on crime, people have started to have renewed faith in the Canadian justice system. I give you credit for that, and I give members around this table who have worked on these initiatives credit for that, because in a democratic society, Canadians should have the privilege of being safe on their streets. We're talking about neighbourhoods that are traditionally safe.

Having said that, when we talk about incarceration and the fact that we have to be balanced, people out there are feeling that the justice system in the past has not been balanced because there have been no consequences for crimes perpetrated against them.

Another statistic that we don't have is the cost of crime. What does it cost when cars are smashed at random? What does it cost when people's homes are broken into? What does it cost to a family when someone has been sexually assaulted? The cost is so great that it will not be reflected in those kinds of stats, because there are so many other variables.

I would expect, Mr. Minister, that indeed we will have an increase in incarcerations. One point you made was that you have to deal with the crime first, get it cleaned up off the streets, and then put programs in that support and enhance youth so that they can be redirected. Often young people—and I've talked to many of them—have been forced into crime through having a family that is not supportive at home or through peer pressure. Swarming incidents are increasing in our schoolyards.

Could you please comment on the fact that incarceration is really not reflected in the stats to date because there are many people who have not been charged even though they've committed crimes?

• (1640)

Hon. Vic Toews: Certainly we saw exactly that with the coming in of the Youth Criminal Justice Act. Many police officers no longer bother even taking reports or filing charges. So it wouldn't surprise me that in many respects crime stats are going down, but the incidence of crime continues to climb.

On one very recent example out of Vancouver, the new Mayor of Vancouver has just re-announced—I heard this about two months ago—that they are now actually going to send out police officers to investigate break and enters. If you were broken into before, you just phoned it in and that was the end of the investigation. Now these stats that were previously kept out will continue to be reflected. Because no one was following up, there were no official stats.

Just speaking on a common-sense basis, people know that the condition of our streets in terms of crime is nowhere near what it was 20 years ago. You're in northeast Winnipeg, an area where I grew up, and I know that changes have occurred there. There are robberies, break and enters, and auto thefts, where those were unheard of 25 or 30 years ago.

I note your hard work with community organizations in that respect and your support of the police. Your son is not only an RCMP officer who just joined the RCMP, but he was a Brandon city police officer for many years. With his very close connection to the aboriginal community in Manitoba, he has a very strong and good insight into what is actually happening on our streets and in our aboriginal communities, which are so plagued by rising crime rates.

We are concerned about support for crime prevention. My department, together with the Department of Health, is managing the drug treatment court funding program. Under this program we are providing contribution to six drug treatment courts: Toronto, Ottawa, Winnipeg, Edmonton, Regina, and Vancouver. There are other justice funding programs that will continue—the youth justice renewal fund. The justice partnership and innovation program is always willing to consider proposals that aim to prevent and reduce crime. We work in close collaboration in the Department of Justice with other departments, such as public safety, and there are strong programs on crime prevention.

The Chair: Mr. Bagnell.

Hon. Larry Bagnell (Yukon, Lib.): Thank you, Mr. Chair.

I'm going to ask my questions on the Human Rights Commission. While you're looking for that, I just want to make an opening comment.

I'm glad you talked about prevention, because it's obvious in recent years that tremendous efforts on crime prevention have worked. There's no reputable statistician that wouldn't say that in recent years—and I don't care what happened a generation ago, because I want to know what's happening now—the majority of crimes have been going down. So I'm glad you're focusing on that, because in the past—the press just needs to look at our early Afghanistan debates—there were Conservative members who just boo-hoed root causes and said they had no effect and shouldn't be dealt with.

You mentioned the two bills coming forward. I agree with my colleague on the evidence-based.... You're certainly going to have a hard case to make there, because no reputable criminologist I know would ever suggest that large increases in mandatory minimums, or a dramatic reduction in conditional sentencing to cover a whole bunch of non-violent crimes, would ever work, especially when such changes are prejudicial to aboriginal people.

Do you or Mr. Sims have any idea what the backlog or the average condition of the Human Rights Commission is right now? Are they totally caught up with their work, or do they have a lot of work waiting?

• (1645)

Hon. Vic Toews: Let's get back to your opening comments, because I simply can't accept that you indicate somehow that crime rates are declining with respect to these violent gun crimes.

Hon. Larry Bagnell: I didn't say violent gun crimes; I said in the majority of crimes in general.

Hon. Vic Toews: Now you're stating it's the majority of crimes in general. You can see what the legislation is focused on: it's focused on gun crimes and gang activity. As a prosecutor recently said in Windsor, Ontario, following a specific incident, the connection between drugs and guns is very clear.

It's no surprise to see the violence in Toronto. The police chief in Toronto supports these initiatives. Indeed, the Premier of Ontario supports these initiatives. That's why we're moving in a targeted way, with respect to mandatory minimum prison sentences.

I find it ironic that as a member—

Hon. Larry Bagnell: Could you answer my question on human rights?

Hon. Vic Toews: Well, just a minute. As a member of a government that supported the long gun registry for ten years and poured \$1 billion into a registry that had absolutely no basis in any fact—

Hon. Larry Bagnell: Could you answer my question? We only have five minutes. I asked about human rights.

Hon. Vic Toews: I will get to the human rights, but if you want to put false statements on the record, I have the right to correct them. That's what I'm doing.

Here's a member of a government who supported the long-gun registry for ten years, and we've spent \$1 billion on that registry with no impact on crime. That's the impact of the gun registry. Now you're saying, please bring me evidence to show that mandatory minimum prison sentences for gun crimes don't work. I can indicate—

Hon. Larry Bagnell: Can you answer my question now?

Hon. Vic Toews: We will get the statistics, but it's wrong to simply say that.

Now, with respect to the Human Rights Commission, Mr. Sims will answer that.

Hon. Larry Bagnell: So you make a speech, and the one question I ask you, you have to get the bureaucrat to answer.

Hon. Vic Toews: Did you want the answer or not?

Hon. Larry Bagnell: Go ahead.

Mr. John Sims (Deputy Minister and Deputy Attorney General, Department of Justice): The outgoing Chief Commissioner of the Canadian Human Rights Commission, Mary Gusella, made it an enormous priority during her tenure to try to reduce the serious backlog. My understanding is she made enormous strides, putting particular emphasis on the use of mediation.

Given the arm's-length relationship between the commission and the minister, it might be appropriate to invite Ms. Gusella or her successor to give the statistics on her behalf. But I think it's a good story that they would be able to tell.

Hon. Larry Bagnell: What measures is the minister taking with regard to discrimination prevention? Will the Canadian Human Rights Commission be given adequate resources to assist in this effort? The reason I'm asking this is because in her 2005-06 report, she says they may not have enough money to do research and preventative programs, which the minister is supporting—and I'm

glad he did. If their cases have been rising for the fourth year in a row, why would the minister be giving a \$1.4 million decrease in funding for the Human Rights Commission?

Mr. John Sims: We'll have to come back with a detailed explanation. Or perhaps we could invite the commissioner to come again and explain how she proposes to operate with her budget.

● (1650)

Hon. Larry Bagnell: One of the reasons—

The Chair: Thank you, Mr. Bagnell.

Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): Thank you, Mr. Chair.

Thank you, Mr. Minister, for being here.

I found the use of and support for statistics interesting. My background is with the Insurance Corporation of British Columbia, and there was a great deal of frustration within a number of communities when the RCMP made a decision not to attend motor vehicle crashes if there was no injury. Statistically it appeared that the crashes went down, but it was because they did not attend any more.

I was born in 1950 and grew up in the 1960s and 1970s. We did not have swarmings and stompings when I grew up. We did not have home invasions, grow ops in almost every neighbourhood in Canada, the gang and the gun violence, or the bank robberies. We did not have Internet luring when I grew up. Mr. Chair, we did not have the—

An hon. member: There was no Internet.

The Chair: Mr. Lee, if you would, the member would like to ask his questions.

Mr. Mark Warawa: Mr. Chair, the point I was making is that statistics can be a guide; they can be a tool. But we have to be very careful that we base good policy...and it was a Liberal member who asked if we have a balance. I think it's a good question. When I've knocked on doors, when I've met families face to face, on the question of whether we have balance in Canada right now, the message I get loud and clear is that we do not have a balance.

Canadians want Canada to be safer. They demand it. The question that I've heard time and time again is, what does it cost? The member beside me, Mrs. Smith, asked that question: what does it cost families? You cannot put dollars and cents on what it costs a family and what it could cost a community to leave a high-risk offender in the community. I think that is a very important question, and it's a hard one to answer, but there is a price that communities want to have addressed. We want to have dangerous offenders incarcerated.

Mr. Chair, I support the plan and the mandate of the government, particularly on the age of consent. I served on the last justice committee, and we heard from a number of witnesses that our age of consent is one of the lowest in the world. Our children are being lured through the Internet. So I do support where we're going.

Mr. Chair, will the age of consent for sexual activity be the same as the age of responsibility for criminal activity, and if not, why not?

Hon. Vic Toews: At this time we haven't examined the Youth Criminal Justice Act. I know there were various commitments made by various parties in the last election in terms of reducing the age of criminal responsibility for certain types of offences. My department is presently examining aspects of the Youth Criminal Justice Act, and we have not yet developed any particular strategy in respect of that act. But I might say that Attorney General Scott of Nova Scotia came to see me, and he was very concerned about the issue of pre-trial release of young offenders. He felt that was an issue that needed to be addressed. The Mayor of Toronto, for example, talked about a reverse onus when it came to gun crimes.

I think we need to examine whether it's an adult or a youth when we talk about the conditions upon which release is provided, and that's something that needs to be done.

We will examine all of the platform commitments that my party made in the last election, as well as some of the commitments made, I believe, by the New Democratic Party in respect of those same issues.

I think there is room to move. In a minority Parliament, of course, you have to move where and when you can, and that's one of the reasons why, for example, we brought forward the mandatory minimum prison sentences on gun crime—something that was supported by the Liberal Party and the NDP during the last election. That was one of the reasons we moved as quickly as we did, and we will hold, and indeed the Canadian people will hold, parties accountable if they don't carry out the promises they made during the election.

I will just say this in closing about the point you made in terms of the cost, what is the cost to society. I was addressing the Surrey Chamber of Commerce some time ago, and they estimated at that time that the cost of a crack addict on the street is about \$1,000 in stolen product every day—every day. That's 365 days a year; that's \$365,000 a year. Not everybody pays for it, but the business people certainly pay for that. There is a tremendous cost in that \$365,000 that one crack addict is stealing in the course of a year. That's a cost that often goes unnoticed. That's a financial cost.

But the cost to someone whose house is invaded.... For an old man, for example, whose house is invaded and who is beaten senseless by individuals who want to steal a few hundred dollars, what's the cost to that individual? Where's the balance? Where's the balance when we start talking about that kind of cost and those who would perpetrate those kinds of crimes against the most vulnerable people in our society?

• (1655)

The Chair: Thank you, Mr. Warawa.

Mr. Lee.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Thank you.

Mr. Toews, I don't have much choice now, listening to you and your colleagues—and I'm sorry I have to do this—but I have to accuse you of engaging in the politics of fear. You know what that is, of course. If you can make Canadians feel really unsafe and then

hold out for them a fake solution you can pass along that you'll throw all the bad guys in jail and everything will be okay again.... I can't help but see that this is what is happening now as you give your remarks today, focused on your department's spending estimates... and your colleagues here at the table. I really regret that.

I'm not a stranger to this committee. My roots go back to 1988 here.

Can you tell us the sources of the statistics that you and your officials would use to design good justice policy? What are the sources of your statistics? Are they Stats Can? Are they *Juristat*? What are they?

Hon. Vic Toews: What I would suggest to this committee is that it may want to invite the Canadian Centre for Justice Statistics to talk about the generational statistics of the sort that I've been mentioning.

On the issue of violent crime rising, overall crime rising, Canada's statistics demonstrate that very clearly. I mean, if you take five-year periods and then say the crime rate in certain areas is going down, certainly, but if you look at it in a generational way, I don't think anyone can honestly say things are better in terms of crime today than they were 35 years ago.

To suggest that I'm engaging in the politics of fear is I think an unsubstantiated comment. I don't have to engage in the politics of fear. I know that people are fearful. People are fearful, and what I am simply doing is representing those people who are concerned about crime, who see where our society has gone in the last 35 years. What I find encouraging is that there are jurisdictions where you can actually turn this around, but it does mean some tough measures. I can only point back to that New York statistic. I think to myself, to have a murder rate lower than it was in 1963...what would Canadians give to have a murder rate lower than in 1963?

Mr. Derek Lee: I don't think they're going to be comfortable with 500 murders a year. However—

• (1700)

Hon. Vic Toews: That's not what I'm suggesting and you know that—

Mr. Derek Lee: —I want to ask you another question before you continue on with this politics of fear business. I'm happy to look at statistics, because everything I've seen for all the years I've been here has shown a declining rate of incidence of criminality in Canada across the board. Once in a while there's a spike, but that's what I've seen. You're coming in with new messaging here. I'd really like to see the data, and I'm sure my colleagues around the table would as well.

I ask you, in the new measures in Bill C-9, conditional sentencing, and mandatory minimum penalties in Bill C-10, has the department done any costing in terms of how much additional investment there would have to be in courts and incarceration in correctional facilities to deal with the increased convictions, presumably, with the new sentences, the higher sentences, and the absence of conditional sentencing? Would you also address this? I'm confused. You said your legislation targeted gangs and gang activity.

Hon. Vic Toews: Gangs and guns.

Mr. Derek Lee: And gun activity. Why is it that in these bills there are additional sentences, minimum penalties, for cattle theft and unauthorized use of a computer? How did you manage to make unauthorized use of a computer a gang activity or a gun activity? It doesn't compute. Can you help me with those two things, costing for the prisons and the apparent absence of targeting of this legislation on gang activity?

Hon. Vic Toews: Let's look at the issue of conditional sentencing. If I have more time I'll go on to the other issue. On the issue of conditional sentencing, as you will recall, Minister Rock, when he brought in these conditional sentences, indicated they would never be used for serious or violent crimes. That was his statement. Of course, what he said was wrong. In fact, when I was the provincial attorney general I authorized my department to take a number of cases to the Supreme Court of Canada in respect of drunk driving causing death or injury—I can't remember which one it was—where conditional sentences had been handed out. The court said there's nothing wrong with that; you're entitled to give conditional sentences for that kind of crime, a reprehensible crime, a crime that involves killing—conditional sentences.

Mr. Derek Lee: Like cattle theft, cattle rustling.

Hon. Vic Toews: You either want to hear the answer or you don't.

Mr. Derek Lee: I do.

Hon. Vic Toews: Obviously you don't.

The Chair: Order, please. Let the minister complete his statement.

Mr. Derek Lee: I'm sorry, I was trying to get some focus here.

Hon. Vic Toews: So what we chose is crimes punishable by ten years or more, and it was the line that was drawn. Obviously someone in Parliament over the years said these are the crimes that are serious. I would consider any crime punishable by ten years or more.... And if you look at when the conditional discharges were brought in, any crimes that were punishable by ten years or more were excluded from conditional discharges, so there is a rationale to this.

If you have a problem with cattle rustling and that's your only objection to this bill, I would be happy to sponsor—

Mr. Derek Lee: It's not.

Hon. Vic Toews: —an amendment to exclude cattle rustling. I might have to explain that to a number of my farmers who are not happy when their cattle is stolen—and you might think it's funny that these people lose cattle; it's not funny when they lose their livelihood in that manner. It impacts very directly on—

Mr. Derek Lee: I don't dispute that.

The Chair: Thank you, Minister.

Mr. Lee, your time is up.

Mr. Brown, from the Conservative Party.

Mr. Patrick Brown (Barrie, CPC): Thank you, Mr. Chairman.

Minister, it's certainly refreshing to have someone as committed to getting tough on crime as you are as our new Minister of Justice.

Before I was elected a member of Parliament, I served as a city councillor. Certainly one thing I noticed each year in terms of the growth of crime is every year our police force would come back with a double-digit increase, and the rationale was because of an increase in incidents. Certainly this is one of the reasons municipalities are as cash strapped as they are—the growing rate of crime—and I saw that even in the small town of Barrie.

The growing rate of crime isn't just simply in the large communities in this country, but it's also becoming the domain of small towns and small cities. So your approach is certainly refreshing.

I had a town hall meeting last November before the election. I had our chief of police there, I had representatives from all aspects of the Barrie city police, and one of the criticisms raised about the status quo of the Criminal Code and of the policy of the then Minister of Justice was that it simply felt like a revolving door.

The question I have for you is, what initiatives have you taken to help curb that sense of despair from our hard-working police officers, who are doing their jobs and simply seeing people they've brought in back on the streets a few weeks later?

• (1705)

Hon. Vic Toews: Let me recount one incident that I think demonstrates and encapsulates many incidents, especially in respect of conditional sentencing or house arrest.

A sergeant in southern British Columbia, in the White Rock area, was telling me about a situation where they had arrested for the third time a person who was on conditional sentence. He already had two conditional sentences. He was still on conditional sentence. When he was brought back the third time in front of the court, the court said it was apparent that he was simply not listening to the conditions that had been imposed; therefore, it was removing all the conditions and sent the person back out on the street.

So here is an incident, perhaps a radical, extreme incident, of what one judicial reaction was, but the issue of multiple conditional sentences is not extreme. It happens continuously, and police can tell you exactly that. In fact, that contributes to the frustration of many of the police officers who apprehend especially youth involved in auto theft or breaking and entering...to simply release those individuals without even processing them. What we are doing when we release youth in that fashion is in fact creating better criminals. They understand that there is no accountability and their crimes increase. Unfortunately, what happens is that when they hit 18 years of age, eventually there is some accountability, but rather than having to throw them in jail or penitentiary at age 18, if we actually work with them in terms of taking their crime seriously, I believe we can reduce that revolving door.

Conditional sentences aren't doing anybody a favour. In simply apprehending youth and releasing them because of the frustration with the Youth Criminal Justice Act, we aren't doing the young people any favour. Ultimately it catches up with them. Whether it's the justice system that catches up with them, whether it's a serious addiction that catches up with them, or whether it's in terms of the misery that is caused in their families and their community, it catches up. So we need to address that.

This is one of the first steps in terms of saying in regard to conditional sentences, if you are subject to a penalty punishable by 10 years or more, conditional sentences simply should not apply. That was the original intent of the bill when it was brought in, but it was badly drafted, or perhaps deliberately drafted in that way, realizing that it would then extend to violent and serious crime. So we have manslaughter and sexual assaults all punishable now by house arrest.

Quite frankly, the idea that simply because you abolish conditional sentences for those kinds of crimes means you're sending people to jail is not correct. You still have the alternative of the suspended sentence with probation orders, which are much more effective, not as cumbersome, not as complex, and a much better mechanism for police to use in order to hold those individuals accountable. So you don't have to send them to prison, but you have to have a mechanism that holds people accountable when they breach those orders. I would suggest that in these kinds of situations, conditional sentences simply are not appropriate.

Mr. Patrick Brown: Thank you.

The Chair: Ms. Barnes, the next round will be for three minutes, to provide opportunity for one question and an answer from the minister.

There are a number of questioners yet to go on record.

Hon. Sue Barnes: Minister, on November 10 we have to vote these estimates. Your plans and priorities come out in September, I believe. We also probably will have supplementary estimates, so we'll be able to get more detail from you as you have these conversations with your provincial colleagues, because they're important subjects.

I don't think we play politics with the Criminal Code of Canada. I think we do go from an evidence base. I think it's important to all of us. I would like to remind people that in the Criminal Code right now there are 20 mandatory minimum sentences in gun crimes alone. There are another number with respect to other offences, but the proportionality test of sentencing is clearly predominant; it's still there. You're not adjusting that. This is the area of discussion, and you are in a minority Parliament.

Some of us would like to deal with these issues very seriously. When we come to you and to your department, Minister, I would like your assurance that when we get briefings, we're going to get more than the bills and the material you put out as your press releases, that there will be a full and proper briefing so that we can understand the point of view you're trying to put forward—why you have and have not included certain sections of the code, certain offences, and the rationale, so this can be shared. You've said today that you're open to some amendments. I'm very much looking forward to working towards amending some of these provisions.

We have to work seriously in a concerted effort to do the best for Canadians. That's not something that's owned by any one party in this House. It is something that has worked out very well. Before we start any serious study on the pieces of legislation, I think this committee will have to get the relevant Statistics Canada *Juristat* people in here and start working from something we can all agree on as the baselines. It's not somebody picking a certain time and place, a certain period, or a certain venue, but we work from proper and accepted statistical data we can all agree on. That's not asking too much when we do serious studies of this bill, and we have done serious studies of bills in the past; I was on this committee when we put in some of those mandatory minimums.

Personally, I'm not particularly such a great fan of mandatory minimums, but just because I might have a personal preference doesn't mean there isn't a use. I'm open to that discussion. I think these discussions will be had with the appropriate impact of the testimony from people who maybe know better than you or I do personally, people who have made lifelong studies of these issues, and the stakeholders, whether there are police associations—you know, the police associations in this country tell us they use the gun registry as a tool, for example.

We have to look at all the stakeholders and all the information, and not just be selective. I think that's the most important thing we have to understand.

• (1710)

The Chair: Thank you, Ms. Barnes.

That would give the minister thirty seconds to reply.

Hon. Vic Toews: Thank you for your comments. I certainly did receive some briefings from the prior government when I was in opposition, and I don't see why the department shouldn't be any less generous than what was afforded to me.

Hon. Sue Barnes: I appreciate that.

The Chair: Thank you, Minister.

Hon. Sue Barnes: I look forward to my next one.

The Chair: Mr. Ménard.

[*Translation*]

Mr. Réal Ménard: Minister, does your department have a documentation centre where studies and data are compiled and could committee members possibly visit this facility?

My concern is that we're embarking on an ideological quest, one that is not supported by statistics or scientific data. Everyone is entitled to their own convictions. I'm not arguing that point, but I really would like to see your data.

When Bill C-68 was adopted under Allan Rock, 19 minimum mandatory sentences were added all at once for weapons-related offences. I've been told that since then, no studies have been carried out on benefits of minimum sentences as a deterrent.

If scientific experts come before the committee and prove that mandatory minimum sentences definitely act as a deterrent, I will be willing to change my position. My concern is that you are locked in an ideological battle to please your constituency, a battle that is not based on statistics or studies.

Has your department studied the impact of minimum sentences? Since you're known for being a generous and hospitable person, would you be willing to allow committee members to visit your documentation centre, if such a centre does in fact exist?

Have any studies been done on the impact of minimum mandatory sentences? Yes, or no.

• (1715)

[*English*]

Hon. Vic Toews: Thank you very much for your comments. Not only do I want to appeal to my base, but I also want to appeal to your base. That's why we're bringing forward very solid legislation. But I certainly will be tabling information. I would again suggest that the committee invite the Canadian Centre for Justice Statistics, which deals with this.

I've seen various statistics and studies, some out of American jurisdictions, dealing with the impact of incarceration on homicide. There seems to be an impact. When you incarcerate people, they're not committing homicides, and your homicide rate goes down, to that extent.

[*Translation*]

Mr. Réal Ménard: Have any studies been done in Canada? Does your department have a documentation centre?

[*English*]

Hon. Vic Toews: The problem with Canada is—this was the information we received in the last justice committee, before the last election—that we really don't have many studies; the evidence in Canada is inconclusive on that point. But there are other jurisdictions where I think the evidence is much more significant.

[*Translation*]

Mr. Réal Ménard: So then, you're waging an ideological battle. You don't have any scientific studies to go on. You have your convictions, which, as a public figure, you're entitled to have, but as for scientific proof, there is none of that.

[*English*]

Hon. Vic Toews: When you voted for Bill C-68 and the long gun registry, you had no statistics, and time has proven you were absolutely wrong.

[*Translation*]

Mr. Réal Ménard: We have some statistics.

[*English*]

The Chair: Mr. Ménard, that's fine. Thank you.

Minister, thank you.

Mr. Comartin.

Mr. Joe Comartin: Thank you, Mr. Chair.

Not wanting to engage in duelling statistics again, Mr. Minister, can we go back to the question? You were cut off before you actually answered whether you have talked to the provinces about assisting them if Bill C-9 goes through and \$200 million to \$250 million is going to be visited on their budgets. Have you been discussing with them this being subsidized, by way of transfer payments or some other mechanism, so that they don't bear the brunt of the thrust of this legislation?

Hon. Vic Toews: One of the comments I made was that as a result of the budget there were unallocated equalization payments, for example, given to many of the provinces, which gave them money they didn't know was coming, and certainly more than they had been told was coming under equalization as of November 2005.

So there is that additional amount of money that they now can spend on issues such as policing and prisons, or other types of programs, as they choose.

Mr. Joe Comartin: How much was that figure?

Hon. Vic Toews: I didn't give a figure, but, for example, for Manitoba there's an unallocated equalization of \$18 million more for this coming budget year, and for a province like Manitoba, \$18 million is a significant amount of money, and I suggest for many provinces it would be a significant amount of money.

All I can say at this point is that in my conversations with attorneys general they have been supportive of these initiatives, generally speaking. I can mention specifically the Manitoba Attorney General, because he's made no—

Mr. Joe Comartin: But you're not doing it fairly, Mr. Minister, unless you also talk, as he does all the time, about the three legs to that stool. You have to put the money into police enforcement and you have to put it into the programs as well as.... As he sees it, Mr. Minister, and these are his words, the denunciatory factor is the smallest of those three supports to that stool. The other two are much more important, and that's accurately quoted.

Hon. Vic Toews: I haven't had the three-legged stool conversation with the minister. I spoke to him shortly after we released the bills, Bill C-9 and Bill C-10, at the Winnipeg Police Association annual charity ball. He was very enthusiastic about both bills—very enthusiastic—and as Mayor Giuliani said in his recent speech, that is part of the solution. Obviously the laws are part of it. More police officers play a crucial part, and I would suggest appropriate programming is also part of it, whether it's in the communities or even in prison.

Mr. Joe Comartin: In that regard, in terms of the appropriate programming—

The Chair: Thank you, Mr. Comartin.

Mrs. Smith, please.

Mrs. Joy Smith: Thank you, Mr. Chair.

I have one comment. When we were talking about the perhaps new kinds of crimes that are coming up right now—and when I say “new”, they haven’t been really at the forefront—I have to congratulate you, Minister, for talking about the unauthorized use of computers. I heard and saw a few snickers around the table. Perhaps that’s because members don’t understand that the unauthorized use of computers is when child pornographers go online and get onto chat lines to lure young children. This unauthorized use of computers is widely, widely watched by schools and by parents. In Manitoba, as you know, with the ICE Unit, the Integrated Child Exploitation Unit, two big offenders, Larsen and Hardy, were brought down. So the unauthorized use of computers is something we need very badly, and I congratulate the minister.

Could you expand a little bit on why you felt this was very necessary to address? I mean, to the public, and to people who are not aware, perhaps they might smile and snicker a little bit, but it’s a very serious thing.

• (1720)

Hon. Vic Toews: I compliment the member on her knowledge of this and on her deeper understanding of why it simply isn’t appropriate for those types of offenders to receive house arrest or conditional sentences. Essentially what we’re doing is telling these individuals to go back to their houses and get onto their computers to start surfing again. Some members don’t understand the significance of those types of crimes. I appreciate that you’ll have a bit of a challenge here in educating other members.

This is one example, I would suggest, of how the law needs to develop and we need to respond to new and growing threats. There are a number of initiatives. Cybertip, for example, has been so helpful in identifying these people who prey on our children.

Indeed, that is why we need to take these crimes very seriously.

The Chair: Thank you, Mrs. Smith.

Mr. Ignatieff, perhaps you could make a quick point, for a reply just as quick.

Mr. Michael Ignatieff: Yes.

Minister, this is a question about the Privacy Commissioner. The Privacy Commissioner has called for the creation of a security-cleared special advocate to challenge arguments that information should not be disclosed to an affected party under Canada’s anti-terrorism legislation.

I’m just wondering whether it’s the government’s intention to create a special advocate position to review refusals to disclose information under Canada’s anti-terrorist legislation. This is obviously a very important issue in relation to Canadian civil liberties. I’m just wondering what the government’s position is on that issue.

Hon. Vic Toews: I must say, Mr. Ignatieff, I’ve read some of your books on exactly that issue, and I find them informative. I don’t always agree, but there seems to be a balance in those books in terms of some of the security concerns that you identify and how to approach them.

We are in fact waiting for the review of the anti-terrorism legislation and waiting for comments from the Arar commission in

respect of that particular issue. As well, as I understand it, there is a Supreme Court of Canada hearing this June in respect of the security certificates.

The Chair: Thank you, Mr. Ignatieff.

Mr. Warawa.

Mr. Mark Warawa: Thank you, Mr. Chair.

First of all, I find it interesting that the traditional positions of the different parties are being shared. It’s interesting how members of the Liberal Party get tough on crime prior to an election but are now sharing their typical positions on being soft on crime.

Mr. Chair, I have a question for the minister regarding the granting of extra credit for pre-trial custody for persons denied—

Mr. Derek Lee: Mr. Chairman, I have a point of order here. I really do have a point of order.

I don’t want to overstate this, but this committee is really not going to get too far down the road if the kind of politics being thrown out here continues to be on this committee.

Mr. Mark Warawa: Is that a point of order, Mr. Chair?

The Chair: Yes.

Mr. Derek Lee: I’m just asking members to control some of the politics here. I have a very gentle disposition. This committee has functioned well for a long time, and I’m going to do my very best to make this committee work, but it isn’t going to work if this continues.

Thank you.

• (1725)

The Chair: Fine, Mr. Lee. You’ve made your point.

Mr. Warawa, continue please.

Mr. Mark Warawa: Thank you.

I have a question to the minister regarding the credit for pre-trial custody. Mr. Minister, my understanding is that if a person is deemed to be very dangerous and likely to reoffend, or if there’s a likelihood of their fleeing, then they are required to be incarcerated. So people who are high-risk individuals are required to be kept in custody if they’re likely to reoffend or to flee.

Mr. Minister, why would we then give these high-risk individuals a credit of two to three times...? Somebody who was convicted with a five-year sentence—a serious offence, five years—would then get a three-year credit for time that they’ve served. So that one year is now given a three-year credit, and they could then be serving provincial time and out within months.

What’s the logic of providing this three to one credit?

Hon. Vic Toews: It is a serious concern. I don't have personal experience in this, because this seems to be a more recent phenomenon since the time when I was practising law, but in speaking to some of the crown attorneys and others, I am told that the defence lawyers are telling their clients simply to plead not guilty, don't apply for bail, do your time in remand because you're going to get, for example, in the Don Jail, three days to one. So if you know you're guilty, just do your time in remand. Essentially, you'll only get sentenced to about one-third of the time because you're getting three days of credit.

Now, I can't comment on whether that is true or not. That's what I'm being told. I know that was a controversy in Manitoba as well. The Attorney General of Manitoba raised that particular point. It is something the federal-provincial working group is looking at. It's something that has developed as a result of judicial discretion.

So whether we have to respond to that legislatively or whether it's an appropriate exercise of judicial discussion, I'm not in a position to say. I think it's something this committee should be looking at.

The Chair: Thank you, Minister.

I have one question before we adjourn. The question certainly has been a concern of mine, even in the previous discussions in the justice committee. It deals with the future of the DNA registry.

What is its future, and what changes do you see on the horizon that will make this registry more effective?

Hon. Vic Toews: Thank you very much, and indeed, I am aware of your abiding interest in that particular issue.

As you will recall, there was a bill that was rushed forward through the House just prior to the last election. I believe it was Bill C-13. There are certain technical problems with it. The bill itself, if passed, will expand the amount of DNA that we can take, retroactively as well. I would encourage this committee to pass that as quickly as possible. It was held up, I believe, by the prior government because of the concerns they identified, and indeed we've identified those. I've been working with the department in getting a bill forward to get that through.

The other point I'd like to make is that there is to be a mandatory DNA review, so even though Bill C-13, or whatever new name this bill will have, should be passed, there will be a more general review of DNA legislation in this country. Now, that will take much longer to get through. I might say I'm very encouraged by the Supreme Court of Canada decision in respect of Rodgers, where it indicated very strong support for the direction this country has been taking in respect of DNA and the right to take DNA legislation...especially from convicted criminals.

The Chair: Thank you, Minister.

I would like to thank you on behalf of the committee for appearing. This has created a substantial discussion on our future business. I look forward to having you here again at the committee some time in the near future.

The meeting is adjourned.

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