



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

43rd PARLIAMENT, 2nd SESSION

Standing Committee on Justice and Human Rights

EVIDENCE

NUMBER 003

Thursday, October 29, 2020

Chair: Ms. Iqra Khalid



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• (1105)

[English]

The Chair (Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.)): I call the meeting to order.

Thank you, Mr. Clerk, and to all of the wonderful support staff who make sure these meetings go as smoothly as possible.

Thank you, committee members, for logging in on time, and for your patience.

I know, Mr. Garrison, you're in a time zone where I wouldn't be awake, so I appreciate your tenacity in making sure that we're doing the things that Canadians expect us to do.

Welcome to the third meeting of the House of Commons Standing Committee on Justice and Human Rights.

Today's meeting is taking place in a hybrid format, pursuant to the House order of September 23, 2020. The proceedings will be made available via the House of Commons website. The webcast will always show the person who is speaking, instead of the whole room.

I understand that Mr. Zuberi is in person today, so welcome to the committee room, Mr. Zuberi.

To ensure an orderly meeting, I'd like to outline a few rules. Members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting. You have the choice at the bottom of your screen of the floor, English or French. For members participating in person, proceed as you usually would when the whole committee is there. Just keep in mind to take precautions with health protocols and masking.

Before speaking, please wait until I recognize you by name. For those participating virtually, please click on the microphone icon to unmute yourself. I cannot enough stress the importance of unmuting yourself before you start speaking, because if you don't unmute yourself, we won't be able to hear you. I know that's something we often forget to do, myself included. Those in the room, your microphone will be controlled as normal by the proceedings and verification officer.

I remind you that all comments by members and witnesses should be addressed through the chair. When speaking, please speak slowly and clearly to allow time for interpretation. When you are not speaking, please make sure that you are on mute.

With regard to the speaking list and the order of questions, we have canvassed all of the parties, so I know in advance who is

speaking at what time, but I will do my best, and the clerk will do his best, and together we'll make sure that everybody gets the equitable time we've agreed to beforehand.

There are a number of things I want to clarify before we get going, and I introduce our witnesses who are here today.

At our last meeting we had talked about the supplementary estimates. I hadn't realized that it would be very short notice for the agencies that are directly involved with the supplementary estimates, and that they would not be able to appear. For example, the Canadian Human Rights Commission is not able to appear today.

We know that the minister is not able to speak to the supplementaries, whereas he is able to speak to the main estimates. I will leave it to the committee to decide if we would like to defer the supplementary estimates to a later time, so that we can hear from the relevant agencies before voting on them, or we can go ahead and vote on them today as a committee.

Just give me a thumbs up or a thumbs down for either way. If you're okay with voting on the supplementaries today, without hearing from the Canadian Human Rights Commission, give me a thumbs up. If you would like to hear from the Human Rights Commission, give me a thumbs down. I see there is consensus to vote on the supplementaries today, without hearing from the Canadian Human Rights Commission.

Today we are joined by the Honourable David Lametti, Minister of Justice and Attorney General.

We also have with us Nathalie Drouin, deputy minister of justice and deputy attorney general of Canada; François Daigle, associate deputy minister; and Bill Kroll, chief financial officer and assistant deputy minister.

Welcome to the 2020 justice committee to speak about the main estimates.

• (1110)

Mr. Lametti, you have seven and a half minutes.

Hon. David Lametti (Minister of Justice and Attorney General of Canada): Thank you, Madam Chair, for the invitation to speak to the committee as it studies the 2020-21 main estimates for the Department of Justice.

I would first like to acknowledge that I am joining you today from my office in the Department of Justice, which sits on the traditional territory of the Algonquin people.

As the chair has mentioned, I am joined today by Nathalie Drouin, deputy minister; François Daigle, associate deputy minister; and Bill Kroll, chief financial officer and assistant deputy minister. I would be remiss if I didn't also salute the presence of my very able parliamentary secretary, Arif Virani. I have so much confidence in Arif that if a mistake is made, it is actually his fault. I want you all to know that for the record.

[*Translation*]

As we deal with both a global pandemic and calls for major social changes, the Department of Justice Canada's work to promote and maintain a fair, transparent and accessible justice system becomes even more critical.

I'm proud to note that the department has shown great resilience and determination in the face of obstacles and delays during the pandemic, finding ways to work together and push ahead on key policy and legislative files.

We have moved rapidly to reintroduce important legislation regarding medical assistance in dying, banning conversion therapy and ensuring that judges hearing sexual assault matters will have the necessary training in sexual assault law and social context.

We also intend to fulfill our pledge to introduce legislation this year to implement the United Nations Declaration on the Rights of Indigenous Peoples.

[*English*]

In many respects, the pandemic has served to highlight what we already knew. For millions of people in our country and around the globe, the pandemic has added overwhelming obstacles to those who must already deal with barriers. Those facing low incomes, underemployment, intimate partner violence, discrimination and other challenges have felt the full brunt of the crisis. This trauma echoes in every region of the country, particularly in remote and indigenous communities.

It is very important to me that we work to ensure that all Canadians can have confidence in our justice system. This work has begun, but I acknowledge there is much more work to do.

Our government has brought forward a variety of important measures to blunt the effects of the pandemic, to address social inequalities and to support our most vulnerable citizens.

[*Translation*]

As one example, I was pleased to announce recently that our government is providing funding of almost \$364,000 to support five child advocacy centres and child and youth advocacy centres in Ontario, to help ensure delivery of services during the pandemic.

The centres play an essential role in this province's victim services. They provide immeasurable support and comfort for children, youth and their families who are dealing with abuse or violence. It is no surprise that the COVID-19 pandemic has had an impact on the ability of these centres to help young victims and their families, this at a time when the centres are needed more than ever.

The announced funding will provide urgently needed resources to ensure these centres can provide services that meet public health guidelines and restrictions.

● (1115)

[*English*]

This is just one of the many ways we are helping vulnerable Canadians in this time of social, economic and health crisis. We are hearing ever-louder calls to make our justice system better serve indigenous, Black, racialized, LGBTQ2 and other communities, and to promote fair access to justice for all. Committee members will hear these voices and these priorities echoed within financial details of the 2020-21 main estimates.

I will now turn to the overview. The Department of Justice has a total budgetary authority of \$769.02 million through the 2020-21 main estimates, an increase of \$24.5 million from the previous fiscal year. This funding will go towards key priorities that help to strengthen our justice system and ensure it is fair and accessible for everyone. Allow me to highlight a couple of key areas.

One example of how we are helping to protect Canadians' rights and increase access to justice is by providing legal support and awareness on sexual harassment in the workplace. In budget 2018 our government committed \$50.4 million over five years towards actions to eliminate gender-based violence and harassment. The 2020-21 main estimates include \$10.58 million to help ensure that workers are able to work in an environment free from harassment and fear.

Through the department's legal aid program and the justice partnership and innovation program, JPIP, we will boost legal aid and support for workers who experience sexual harassment in the workplace, and support the ongoing development of a pan-Canadian outreach program to make sure workers understand what their rights are and how they can find help.

Access to a fair and equitable justice system is a core part of reconciliation and our work to build a strong, respectful relationship between indigenous and non-indigenous people in our country. Budget 2019 included \$10 million over five years to implement call to action 50 of the Truth and Reconciliation Commission to support indigenous law initiatives across Canada. This is a vital part of building stronger indigenous governance and healthy communities. The 2020-21 main estimates include \$2 million for Justice Canada to support the development, use and understanding of indigenous laws and access to justice in accordance with the unique cultures of indigenous peoples in Canada.

[Translation]

That concludes my remarks.

Thank you for the opportunity to talk about how we are working to make our justice system stronger, more resilient and more people-centred for a better Canada. I am now happy to take any questions.

[English]

Thank you.

The Chair: Thank you very much for that, Minister Lametti.

We are now going to the Conservative side.

Mr. Moore, you have six minutes for your round of questions, starting now.

Hon. Rob Moore (Fundy Royal, CPC): Thank you, Madam Chair.

Thank you, Minister, for appearing today at our committee. It's good to see you again, even if it is virtually.

Minister, an issue that I've been raising and have raised with you for some time has been that, obviously, the impact of COVID-19 has altered significantly the financial estimates for the government. One issue that we've been raising is the concern with the growing backlog in the courts, both related to the COVID shutdown but also to vacancies within the judiciary.

Through you, Chair, can the minister inform the committee how the government is going to respond to this and what conversations the minister has had with the provinces over the past number of months? I want to reference specifically Ches Crosbie, the leader of the opposition in Newfoundland and Labrador, who has raised concerns in his province. There are four vacancies on the bench and that is delaying justice in that province. I'd like to get the minister's comments on that, the delay in the justice system.

Thank you.

• (1120)

Hon. David Lametti: Thanks very much, Mr. Moore, for your question—"Rob", if I may. It's a great question and an important one.

Throughout the pandemic I've pretty much been in constant touch with my provincial and territorial counterparts. We've had a number of FPT calls as a reaction to COVID-19. I have also, with the Chief Justice of Canada, co-chaired an action committee with a number of chief magistrates across Canada to discuss, implement

and suggest best practices for courts in reacting to the pandemic, both in hearing cases and parts of cases at a distance, but also in doing so safely when it's done physically.

We have, I think, done a very good job of filling court vacancies and continue to do so expeditiously. I think we're at a pretty good point.

The Newfoundland and Labrador question is a particular one. We have just re-composed the judicial appointments committee, and they are now evaluating files. We should be able to move to fill those four vacancies in short order. The delay was caused by the transition in the judicial appointments committee. Now that it's up and doing its work again evaluating files, there will be a pool of candidates who can then move on to the next stage.

We hope that will be done very shortly. You're correct to raise the issue, as was Ches Crosbie. Believe me, it was on my radar screen as well as on the radar screen of our team. I think we now have the JAC up and functioning again.

Hon. Rob Moore: Thank you, Minister. In my experience, the judicial advisory committees create a pool of eligible lawyers to be appointed to the judiciary. I know that in the past there was always a pool available, so it concerns me that the judicial advisory committee would have to be reconstituted in order to create a new pool, when I suspect there are a number of eligible people who could have been appointed already.

Moving on, under the Jordan decision, as you are well aware, the court ruled on what is deemed to be a reasonable time for access to a trial. If those charged do not receive a trial within the time prescribed in that decision, there is a risk of their case being thrown out. Obviously this situation creates great concern in the COVID-19 context.

The backlog in the courts is likely to have a long-lasting impact on the operations of our courts. I would like your comments on how you think these delays could impact it, with regard to the Jordan decision.

Hon. David Lametti: This is a highly relevant and good question, Rob, under the circumstances.

The Jordan decision itself is something we're watching closely with my provincial and territorial counterparts, as well as with the administrators—in particular the chief justices—of the justice system across Canada.

There is a safety valve mechanism within the Jordan decision itself, because the Jordan decision makes an exception for exceptional circumstances. I think that by anyone's definition, these are exceptional circumstances. We're pretty confident that judges will still rule.

That said, we are presently considering amendments to the Criminal Code that have been suggested by my provincial and territorial counterparts to help accelerate parts of the system. We're watching carefully to see whether we need to intervene with a legislative solution or perhaps with an intervention in front of the courts. For the time being we don't feel that is necessary, but this is a situation that we're monitoring very closely.

• (1125)

Hon. Rob Moore: Thank you, minister. Finally—

The Chair: I'm sorry, Mr. Moore, you have eight seconds left.

Hon. Rob Moore: Eight seconds?

The Chair: Yes.

Hon. Rob Moore: Okay.

Thanks for appearing. We'll look forward to the next round.

The Chair: I have Mr. Kelloway next for six minutes.

Please go ahead, Mr. Kelloway.

Mr. Mike Kelloway (Cape Breton—Canso, Lib.): Colleagues, staff and minister, it's great to see you here this morning and this afternoon, depending upon where you're doing the Zoom.

Madam Chair, in Cape Breton—Canso I proudly work with six first nations communities. I'm in regular communication with the chiefs and have been throughout the pandemic. Actually, over the past 23 years I've been working with first nations communities. In particular, what I've been hearing is that indigenous communities are happy with the support from the federal government to help them tame the spread of COVID-19.

This minister and many colleagues have been committed to walking the path of reconciliation with indigenous peoples. There has definitely been a focus on implementing commitments made in 2019. The indigenous communities in my riding are extremely grateful for this.

I am hoping to hear what the minister has to say about his commitment to introduce the United Nations Declaration on the Rights of Indigenous Peoples and when we can expect that legislation. I believe the minister spoke a little to this in his opening statement, but I'm wondering whether we could unpack it a little more.

Hon. David Lametti: I'd like to thank you, honourable member, for your question.

As you know, we're committed to advancing the rights of first nations, Inuit and Métis people across Canada and to really, as you have said, walk the path of reconciliation together. Part of that commitment is a commitment I mentioned, which you've just repeated, that by the end of 2020 we will introduce legislation on implementing the United Nations Declaration on the Rights of Indigenous Peoples, UNDRIP, or I prefer to call it just "the declaration". That commitment was reiterated in the throne speech.

We're working very hard right now with national indigenous organizations, the national leadership as well as other levels of leadership across Canada, to best map a path forward and to see what we can do. We're using the old Bill C-262 as a base and seeing what we can improve now before implementing it. We're going to continue to work closely in partnership. We're also reaching out to

other industry stakeholders just to reassure them that this is something that will help with resource development moving forward.

Mr. Mike Kelloway: Thank you, Minister.

I have a second question. It relates to my previous life as someone who has worked with youth in the community.

I know that supporting victims of crime is a priority for our government and for the minister. It's also important to note the specific needs of children who are victims of crime. Just last week, two masked intruders invaded a home in my riding with a loaded shotgun and the only person in the home was a 14-year-old girl. As we know, this is a frightening reality for many Canadians.

I wonder whether the minister could discuss what we're doing to support children who are victims of crime.

Hon. David Lametti: Again, Mike, thanks for that very important question.

We're doing a great deal to help victims of crime. Particularly vulnerable are children, but in particular children who are in remote rural areas of Canada. We have a particular focus on human trafficking and intimate partner violence or family violence.

Through our strategic aid fund for victims, which is a federal initiative, we're trying to encourage new approaches through organizations on the ground in order to provide service, increased capacity and help in the establishment of help and aid networks.

One of the things I would point to is the support for child advocacy centres across Canada, CACs. In my remarks, I mentioned ones in Ontario, but we have been doing this across Canada. I visited a number of CACs across Canada. They're 360-degree wraparound services that are multidisciplinary, in which a child isn't retraumatized, his or her family is supported throughout, and police officers who interview do so in a non-confrontational setting, not in uniform, and it's taped so that the kids never have to be interviewed twice and their testimony can be used further down the road.

We're trying to support a number of these types of initiatives that represent best practices, but also to really help victims a great deal.

• (1130)

Mr. Mike Kelloway: Thank you, Madam Chair.

Minister, it looks as though I have one minute left.

Annie Daisley is an advocate for first nation women in Nova Scotia. She's actually the new chief of the community of We'koq-ma'q, and I've worked with her quite a lot in the past year. Building on a theme of reconciliation, I'm interested in your thoughts on what more we could be doing with respect to missing and murdered indigenous women.

We have 30 seconds left.

Hon. David Lametti: Obviously, we need to move on implementing the report. I know that our colleague Carolyn Bennett is working on an action plan, developed with first nations leadership, in particular female leadership, amongst indigenous peoples. That really is the first step in the road we walk together, but we really do need to implement those various recommendations.

Mr. Mike Kelloway: Thank you.

The Chair: Thank you very much, Minister.

Thank you, Mr. Kelloway.

Mr. Fortin, the floor is yours for six minutes.

[*Translation*]

Mr. Rhéal Fortin (Rivière-du-Nord, BQ): Thank you, Madam Chair.

Welcome, Minister. I'm glad to see you this morning.

I'm especially interested in the estimates as they relate to the Office of the Commissioner for Federal Judicial Affairs. Two of the office's core responsibilities caught my eye, first, safeguarding the independence of the judiciary and, second, delivering the judges' language training program.

I'll start by asking about the judiciary's independence. As far as the appointment process goes, can you tell me what portion of the estimates is actually for the judge selection process? To be clear, I'm referring to federal courts.

Hon. David Lametti: Thank you for the question, Mr. Fortin. It's always a pleasure to have these kinds of conversations with you.

As far as the appointment process is concerned, costs are associated with the judicial advisory committees, or JACs. The expenses incurred by JAC members represent a cost.

In terms of selection, my ministerial office, here, on Parliament Hill, is responsible. The costs aren't associated with the departmental budget; rather, they cover salaries for my team, my staff, to support the process.

Mr. Rhéal Fortin: Can you give me an idea of how much that represents cost-wise? What is the cost attached to the selection process?

I realize it comes under your ministerial budget, but I imagine the process gives rise to other expenses such as room rentals and salaries.

Can you give us an estimate?

Hon. David Lametti: Not right now, but I can tell you what the costs associated with the JACs are. I have a staff member who works full time liaising with the judicial affairs office and support-

ing the judge selection process. Other people help him from time to time. I will check to see whether other costs are involved and what the numbers are.

Mr. Rhéal Fortin: Thank you.

My next question is along the same lines.

In response to questions from the opposition—mine in particular—the Prime Minister told the House, a few times, that he used the so-called Liberalist database, the infamous list of Liberal Party members and donors, but only after the candidates had made it through the other steps in the selection process. As far as he is concerned, it's an acceptable practice.

Obviously, I won't try today to determine whether it was acceptable to do things that way or not. What I'm interested in is how much that part of the process costs.

Can you tell me what the cost of conducting Liberalist checks on candidates is?

• (1135)

Hon. David Lametti: I can't answer that since it's not part of the process my department conducts. Neither the judicial advisory committees nor my team or I has access to the list. The process we follow is free from partisanship and political interests. The recommendations of the JACs are based on the candidate applications before them. Their job does not involve checking the list; nor does mine. I submit my recommendations to the Prime Minister's Office. I have said this publicly: so far, none of my recommendations has ever been blocked and I have never received any suggestions for appointees from the Prime Minister or his office.

I can't answer your question about cost, because what you are referring to is not part of our process.

Mr. Rhéal Fortin: Can you tell me whether any studies or projects are under way to identify potential improvements to the selection process in connection with the Canadian Judicial Council?

Hon. David Lametti: We introduced the system in 2016, and I sincerely believe it's working well right now. Every once in a while, delays arise related to the composition of the JACs, as I mentioned to Mr. Moore, but overall, the system is fairly effective and transparent. Lawyers across the country are now much more comfortable with the criteria and effort required, given the amount of work involved in putting together an application.

As far as the calibre and diversity of appointees is concerned, we have a terrific record. Since 2016, nearly 55% of appointees have been women. Under the Conservative government, less than a third of appointed judges were women.

Diversity-wise, we are working to improve the makeup of the judiciary around the country, so it looks more like Canada.

I would say the system is doing a very good job in terms of producing high-calibre appointees that reflect Canada's diversity.

[English]

The Chair: Thank you.

[Translation]

Mr. Rhéal Fortin: I have other questions, but I realize they will have to wait until the next round.

[English]

The Chair: Sorry, but we're a little bit over time.

Thank you very much, Monsieur Fortin.

Mr. Garrison, the floor is yours for six minutes, please.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thank you very much, Madam Chair.

Certainly I want to thank you, Minister, for being here with us today. I also want to thank you for the spirit of collaboration and co-operation that you've always exhibited toward me when it comes to justice issues and the justice file.

I was very pleased to hear you mention domestic violence, or intimate partner violence, in your opening statement. I want to focus a little bit on this question.

When I first did a phone round of the many police forces and detachments in my riding in March because of COVID, every one of them raised the problem of a spike in family violence, domestic violence or intimate partner violence at the outset of COVID. I believe this is a continuing trend, and one that we will see exacerbated as many families struggle with loss of income and other challenges posed by COVID.

One thing the police said to me was that they often lack tools to deal with this question of violence before it becomes overt physical violence. I introduced a private member's bill, Bill C-247, that tries to deal with the phenomenon of coercive and controlling behaviour, which quite often is a precursor to that violence. This would provide police with another tool that they could use to intervene earlier in intimate partner violence.

Minister, is the government interested in pursuing such an initiative, one that would help police to have additional tools to deal with intimate partner violence?

• (1140)

Hon. David Lametti: First of all, I thank you, Randall, honourable member, for your question. The feeling of respect is mutual. I really appreciate your opening comments and I thank you for them. I share the same feelings.

We're open. This would be in collaboration with both Minister Monsef and Minister Blair. That would be my initial reaction. Certainly, anything that we can do to help reduce intimate partner violence is something we would look at very seriously.

We have invested, in particular through Minister Monsef and WAGE—I know that's an unfortunate acronym—during the COVID period in trying to reduce intimate partner violence. It has been identified by a number of experts as having been exacerbated

by the pandemic, and by the confinement in particular. We're sensitive to that.

I will undertake to look at that suggestion and that private member's bill very carefully.

Mr. Randall Garrison: Thank you very much, Mr. Minister.

In your opening statement, you also mentioned the victims fund. One of the other phenomena we've seen during COVID is that a lot of the services to victims are provided by non-profits, by charities. Of course, because families are facing increasing financial stress, this results in fewer donations to charities, and so there are fewer resources in the communities to help provide services to victims.

I know that some of these funds the federal government has aren't in your purview, but the victims fund is. In the main estimates, it shows a 41% cut to the victims fund, from \$25 million down to \$15 million. This is a fund that has programs within it that provide grants to support families of missing and murdered indigenous women. It provides support to families appearing at parole hearings.

While I don't doubt your commitment to victims, the budget shows a very large cut in that fund. There may be a very good reason for this, but could you explain why this is happening and how you'll make up for that cut?

Hon. David Lametti: Thank you for that question. I'll give the high-level answers. If there is any more detail, I may ask my officials to back me up.

There are two main reasons for the over \$10-million drop in that fund. The first is the sunset of the FILUs, the Family Information Liaison Units that were associated with MMIWG. I have since managed to secure another three years of funding for the FILUs. That will come up, so \$7.2 million will come back in, but it will come up in supplementaries later on down the road. That's part of the decrease.

The other is the sunset of a \$3.8-million fund for temporary measures to support and address prostitution. That fund has sunset, but we have invested a greater amount of money, again, through Hon. Maryam Monsef and WAGE, in an anti-trafficking strategy. I think the figure is almost \$30 million for that, but I can confirm that for you. We feel that the money is better being deployed elsewhere.

That certainly is the high-level answer. If any of my officials want to add any detail, I will let them, but I will leave it up to you, Randall, to decide.

Mr. Randall Garrison: Thanks very much. I think that gives us a good idea of what's happening.

Very quickly then, since you mentioned sex work, there was supposed to be a review of the legislation that recriminalized sex work after the Bedford decision. That was supposed to start last December. One of the things we've seen happening here is legislative reviews with nobody seeming to be in charge of making sure they actually happen. I wonder if the minister could tell us today when we can expect some initiative on the review of sex work. I believe, and certainly many other advocates for the sex work industry believe, that the current legislation is very damaging and dangerous for those engaged in sex work.

• (1145)

The Chair: Thanks, Mr. Garrison. I think the Minister will have to dwell on that a little bit as we come to the second round of questions.

Hon. David Lametti: Can I answer that?

The Chair: Mr. Garrison will be asking you the same question in the next round.

Moving on to the next round, which is five minutes each, we'll start with Mr. Cooper. You have five minutes, sir.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much, Madam Chair. Good morning, honourable minister. It's good to see you back at the Justice committee.

I want to pick up where Mr. Garrison left off with respect to the main estimates and the victims fund.

In your reply to Mr. Garrison, you noted that a part of that has to do with the sunset of funding under the measures to address prostitution initiative, or MAPI. Minister, you noted that there is funding under the national strategy, but when the MAPI funding was sunsetted, organizations on the front lines to help women and girls who are at risk of sexual exploitation and human trafficking were literally left in the dark and forced to scramble.

Megan Walker, who is the executive director of the London Abused Women's Centre, said, "We never received anything from the government officially—no thank you for serving women on behalf of MAPI, no official notice MAPI was ending, no notice that we weren't funded through Victims of Crime, just no correspondence."

How do you justify that?

Hon. David Lametti: Thank you, Michael, if I may, for your question.

Mr. Michael Cooper: Yes.

Hon. David Lametti: As always, it's good to see you and to respond to your concerns.

As I mentioned in my previous answer to Randall Garrison, that program was sunsetting. I thank the MAPI centre in London, Ontario. I was well aware, as you can assume, that the funding would have an impact on them. I thank them for the work that they have done. As I said, the figure is actually \$19 million in a program to reduce human trafficking and to support those most impacted by human trafficking. That's through WAGE, Women and Gender

Equality Canada, under Minister Monsef's purview. My understanding is that she has established a relationship with MAPI in London, Ontario, and my understanding is that they got COVID emergency funding through Minister Monsef. I guess that on the one hand, the program came to an end, while on the other hand, other opportunities opened up to help MAPI in London.

Mr. Michael Cooper: Thank you, Minister.

You did make reference to emergency funding in the summer. It's true that there was emergency funding provided, but that wasn't a replacement for the anti-human trafficking funds.

Hon. David Lametti: That's fair.

As I said, we determined that the question could be better tackled, better addressed, through a different kind of programming, and that's where we have gone through Minister Monsef and the anti-human trafficking strategy.

Mr. Michael Cooper: Now, Minister, I want to talk a little about juror supports.

Jurors play an integral role in the administration of justice. According to a survey that has been done, Canadians would be very hesitant to serve on a jury at this time, particularly due to COVID. What steps are you taking to work with provinces and territories to achieve better supports for jurors and to address some of the issues that specifically arise from COVID?

Hon. David Lametti: You know, Michael, that I share your concern. We have agreed on this before, and I will agree with you again publicly. I met with Mark Farrant in my first mandate under the last government. We are willing to continue working; I am willing to continue working with provinces and territories. That said, my priority right now with the pandemic is the court system generally. It is important; it is a priority to me. I've said that before and I've shared that with you.

I can assure you that we will get to it, and Mr. Farrant is in contact with various people across government with your former colleague on this committee, Anthony Housefather. It will happen; I'm just not going to make a promise on dates that I can't keep at this stage. However, you have my sincere assurances that I will do my best.

• (1150)

The Chair: Thank you very much, Mr. Lametti.

Mr. Michael Cooper: Thank you, Minister.

The Chair: Mr. Cooper, you're out of time, unfortunately.

Mr. Sangha, you're up for five minutes, please.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Thank you, Madam Chair; thank you very much.

Minister, thank you very much for coming today to the committee. Welcome.

Minister, supporting immigration has been a priority of this government. I understand that the Department of Justice plays a role in supporting immigration and has had to step up to fill funding shortfalls created by the Ontario government. Could you, Minister, talk about that problem regarding the funding?

Hon. David Lametti: Thank you very much, Ramesh, for your question.

Indeed, legal aid and immigration funding is critically important to our government. Legal aid funding, generally, is critical for access to justice. There have been funding shortfalls in Ontario and elsewhere for a variety of different reasons. Some have been caused by COVID; some have been caused by government policy.

In budget 2019, we announced an additional \$49.6 million over three years for immigration and refugee legal aid, because that part comes directly under our jurisdiction, and that funding will increase the 2020-21 federal contribution from \$11.5 million to \$28.2 million. That, again, helps support shortfalls in Ontario and across Canada.

Mr. Ramesh Sangha: I have just one more question, a follow-up question, Minister.

Do you feel that this amount that you are telling us regarding the fill-up is enough at this time, or are the claimants and lawyers still feeling there is a shortfall? Is it still—

The Chair: Sorry. I'm just going to interject here, Mr. Sangha.

Can you make sure that the sound on your headset is selected via Zoom so that we're picking up the sound from the headset and not from the computer?

I'm just going to stop your time here for a minute.

Mr. Ramesh Sangha: Is it okay now?

The Chair: Is that better, Mr. Clerk?

The Clerk of the Committee (Mr. Marc-Olivier Girard): I think it sounds better.

The Chair: Okay. Continue, Mr. Sangha.

Mr. Ramesh Sangha: Thank you, Madam Chair.

Minister, I understand you have given figures, which seem to be substantial enough, but do you think those figures are substantial enough for COVID and for other purposes that are legally required? Legally, this is a challenging subject at this time for the lawyers and claimants in refugee claims.

Hon. David Lametti: Again, thank you. It is an important question.

Certainly COVID has put pressures on the system across Canada, and not just on immigration and refugee legal aid. Given the questions we have had previously, there will be recourse to legal aid in family law settings, and maybe even in aspects of intimate partner violence and whatnot. There may be increased bankruptcies that force people to use legal aid as well. There are also funding questions, particularly in a place like Ontario, where a great deal of the funding comes from the foundation and whose revenues will have been impacted by the market impact on foundation funding.

It's a complex problem, and I'm working with my provincial and territorial counterparts. I'm always doing my best to seek resources for additional support. Is it enough? It is probably never enough, but we do our best under the circumstances to get as many resources as possible.

● (1155)

Mr. Ramesh Sangha: Madam Chair, do I have time to ask another question?

The Chair: You have 30 seconds left, Mr. Sangha.

Mr. Ramesh Sangha: Thank you. I will forgo it.

The Chair: Thank you Mr. Sangha.

Now we have Monsieur Fortin for two and a half minutes, as we go into the second round.

[Translation]

Mr. Rhéal Fortin: Minister, can you tell me whether any federal judicial appointment positions are currently vacant in Quebec?

Hon. David Lametti: Yes, there are a few. I don't want to reveal too much, but—

Mr. Rhéal Fortin: You don't want to reveal the name of the person you will be appointing. Is that correct?

Hon. David Lametti: The appointments will be to the Court of Appeal of Quebec or the Superior Court of Quebec.

Mr. Rhéal Fortin: Do you know how many positions are being filled?

Hon. David Lametti: I believe it's two, perhaps four positions—two on the Court of Appeal of Quebec and a small number on the Superior Court of Québec.

Mr. Rhéal Fortin: What percentage of serving federally appointed judges can hear cases in both official languages, so equally well in French and in English?

Hon. David Lametti: Those kinds of figures are hard to come by because judges don't reveal that kind of information. To them, it is a matter of judicial independence. I can tell you, though, that 32% of our federal judicial appointees since 2016—so judges appointed to superior courts and the Federal Court countrywide—have been functionally bilingual. They are able to carry out their duties in both languages. Another 12% of appointees can read and understand written material.

Mr. Rhéal Fortin: How do you make sure of that?

Do you conduct some sort of evaluation or provide ongoing training?

Hon. David Lametti: Participating in ongoing training is also part of a judge's job and supports judicial independence.

In my experience and from what I've seen first-hand, judges always have the option to improve their language skills.

Mr. Rhéal Fortin: I don't mean to rush you, but the clock is ticking.

Is there a process to evaluate a judge's ability to hear a case in French?

Hon. David Lametti: At the Supreme Court level, yes, there is. Judges have had to take a test.

For other court judges, there is a way to evaluate their skills. For federal and superior court judges, although it's considered an asset to be proficient in their second official language, it's not a prerequisite.

That applies to the nine justices on the Supreme Court.

[*English*]

The Chair: Thank you, Mr. Lametti.

I'm so sorry to have to cut you off. We're trying to keep a very tight timeline here.

[*Translation*]

Thank you, Mr. Fortin.

Mr. Rhéal Fortin: Thank you, Madam Chair.

It was good thinking to give me an extra 30 seconds.

[*English*]

The Chair: I'm trying to keep it tight.

Mr. Garrison, you have two and a half minutes, sir. Please go ahead.

Mr. Randall Garrison: Thank you very much.

I want to return to the question of sex work. In doing so, I first want to acknowledge that there is a difference between human trafficking—which is prevalent in many industries, not just in sex work—and actual sex work.

My question to the minister, which he wasn't allowed to answer before, was about the mandated review of Bill C-36. I want to give him a chance to answer that briefly.

• (1200)

Hon. David Lametti: Thanks again for the question.

Sex work is legal, according to the Bedford decision. A bunch of things around it were criminalized by the previous government. That's what we have to review. I do hope to be in a position to be able to do that. Again, I can't promise you a date, given current events.

I do understand very well the difference between human trafficking, which we abhor, and sex work, which has been found to be legal. I know that you're well aware that I hear this often from my colleague Hedy Fry as well. I appreciate those interventions on the part of both of you.

Mr. Randall Garrison: Thank you very much, Mr. Minister.

My main concern, of course, is the safety of sex workers and their ability to support their families during COVID.

Can I turn quickly, in the very little time we have left, to the rise of online hate and in particular to the rise of anti-Semitism during COVID? It's a very unfortunate sidebar that we have to deal with.

In a previous Parliament, this committee tabled a report called "Taking Action to End Online Hate", which I don't believe the government ever officially responded to. That report called for reinstating section 13 of the Canadian Human Rights Act, which would allow people to file complaints about online hate with the Canadian Human Rights Commission.

I wonder if the minister has a response to that specific part of the justice committee's recommendation.

Hon. David Lametti: Yes, I do.

Arif Virani, who's with us, is part of that response. It was in my mandate letter to look at that, so there was, in effect, a government response during the election as part of our platform and then during my mandate letter. It's important to me, but I can't do everything, so I have in turn given that to Parliamentary Secretary Virani as part of his mandate. I know that he is looking at it very carefully.

In addition to section 13 revisions within our shop, he's working very closely with Minister Steven Guilbeault in Canadian Heritage and Minister Navdeep Bains to look at a wider response to online hate as well.

The Chair: Thank you so much, Minister Lametti. Thank you, Mr. Garrison.

Now we're moving to Madam Findlay for five minutes, please.

Hon. Kerry-Lynne Findlay (South Surrey—White Rock, CPC): Thank you, Madam Chair. Thank you, minister, for being here with us today.

It is much earlier in B.C., as you can imagine, but I'm glad to see you just the same.

I have some questions regarding commissions and tribunals and the Canadian Human Rights Commission. I noted that in the 2020-21 departmental plan for the Canadian Human Rights Commission, there's a note that the commission will "continue to advocate for improved access to human rights justice by...raising awareness and understanding of the barriers to equality and access to justice that individuals in vulnerable circumstances are facing".

My question, Minister, is this: How much of the \$32-million main estimate for 2020-21 will be spent on raising awareness and understanding of the barriers to equality and access to justice? What are some concrete examples of such programs?

Hon. David Lametti: As a high-level response, I would say that we have a number of different institutions across government and a number of different programs that focus on access to justice. Legal aid is one of the concrete examples that tries to reduce barriers to justice for a variety of different people across Canada, and I think it's probably fair to say that in my view, it's the primary example.

There are other things that I have mentioned, such as increasing programming on awareness of sexual harassment, since sexual harassment can act as a barrier to justice.

For more specific questions with respect to the tribunal, I'm going to turn to my administrative colleagues here.

Hon. Kerry-Lynne Findlay: While they're getting organized, I note there is \$6,842,569 set to be spent on engagement and advocacy in the 2020-21 estimates.

Ms. Nathalie Drouin (Deputy Minister of Justice and Deputy Attorney General of Canada, Department of Justice): Madam Chair, we don't have the breakdown of the budget of the Human Rights Commission here, but we can undertake to respond to the MP on that specific question.

• (1205)

Hon. Kerry-Lynne Findlay: Thank you. I'd appreciate that.

Minister, the main estimates for the commission say it's going to cost \$9 million more in the 2020-21 estimates than in 2019-20. For the commission itself, it's \$32 million in 2020-21 versus \$23 million in 2019-20.

I'm wondering what exactly has led to that 28% increase. How will those additional funds be spent?

Hon. David Lametti: Again, I believe Bill Kroll will have to delve into the actual reports of the commission, but we will undertake to get that information to you.

Hon. Kerry-Lynne Findlay: Thank you. I'd appreciate that as well.

Minister, perhaps you could walk us through the number of complaints and inquiries received by the commission, year over year. Are we seeing fewer cases filed during the pandemic or not? How does the total number of cases impact planned spending?

Hon. David Lametti: Again, that's a similar question. I would have to sit down with the officials from the Canadian Human Rights Commission to go through that and get you a more detailed breakdown, but we can undertake to do that.

Hon. Kerry-Lynne Findlay: Okay. Then maybe in that vein, I'll ask my other questions, because there may be the same response.

What are the Canadian Human Rights Commission's fixed versus variable costs? How will the pandemic affect this spending, and how has it affected that spending? Also, how are the funds allocated among the various prohibited grounds of discrimination? In other words, what are we seeing as the—perhaps you would call it—“theme” of cases coming forward to the commission? What is the commission actively dealing with?

Hon. David Lametti: Right—

The Chair: Excuse me, Mr. Minister.

Ms. Findlay, it's my understanding that the minister may not be able to answer questions specific to the Canadian Human Rights Commission, but I'll leave it to the minister for his discretion if he's able to do so.

Hon. David Lametti: Once again, I think that was going to be the subject matter of the supplementary estimates visit from the Canadian Human Rights Commission. I'm not in a position right now to be able to answer those questions. It would be better to pose those questions directly to the administrators of the CHRC.

Hon. Kerry-Lynne Findlay: Thank you, Madam Chair.

Would the same be true for the Canadian Human Rights Tribunal? I served on that tribunal for five years, so I'm quite interested in the planned expenditures of the Administrative Tribunals Support Service of Canada.

Hon. David Lametti: That is correct.

Hon. Kerry-Lynne Findlay: Okay.

Madam Chair, maybe you can help me here. I had two questions on that. Do I give them to you so that we can get those responses?

The Chair: We'll discuss that during committee business after we finish with the minister on the main estimates. We'll come back to your concerns, Ms. Findlay, but I see your time is up now.

Hon. Kerry-Lynne Findlay: Thank you.

The Chair: I will move to Mr. Maloney.

You have five minutes, sir. Please go ahead.

Mr. James Maloney (Etobicoke—Lakeshore, Lib.): Thank you very much, Madam Chair. I appreciate the opportunity.

Minister, thank you for taking time out of what we all know is a very busy schedule in order to answer our questions.

I have a couple of questions. My first question relates to access to justice and to judges in particular. As everybody knows, we just completed our discussion on Bill C-3 earlier this week. One takeaway from it is that I believe we are all united in our view that we have the greatest court system in the world, and nobody questions the integrity of our court system.

As an aside, I was glad to hear your answer with respect to the process for appointing judges, because I believe the same applies with respect to our appointment process. Everybody believes in the integrity of the process, and when people do question it publicly, it is likely done only as a political jab meant to get some headlines and it's not a genuinely held belief. That's just my perspective.

In any event, on the access to justice front, which is important to all of us, we need access to a fair and equitable justice system, as has been mentioned today, and you've mentioned it in your opening remarks. In my view, one of the greatest barriers to access to justice is the number of judges we have available. Access to justice has different challenges in different parts of the country, but in Ontario, where I'm from, and in Toronto in particular, the wait time to get a case heard is extraordinary.

We're familiar with the Jordan case and the impact it has had. Family law matters are delayed. Civil matters are a third cousin in this issue. In Toronto or other jurisdictions nearby, you could be waiting up to two years to get a trial date, after you've listed it for trial and the case was already a few years old, and then you'd get close to the date only to find out that we don't have enough judges or enough courtrooms.

Has there been consideration given to increasing the complement of superior court judges across the country? I realize there's a coinciding cost to that, which is partially a provincial responsibility because court services and courthouses are matters that the province deals with.

I have a follow-up question related to that too. Sorry for the long introduction.

• (1210)

Hon. David Lametti: James, thank you for your question, and thank you for your work on Bill C-3 and for your committee work.

The short answer to the question is “Yes, continually”. There's always back-and-forth between the federal government and the provincial governments with respect to the number of judges. These are the federally appointed judges at the superior court level across Canada. You're right to say that there is a shared cost with the provinces, because provinces have the responsibility for the administration of justice. Requests come and get evaluated, and that's pretty much a continual process, year over year.

However, I agree that we need to address delays in the justice system and I share your observation that because of Jordan, the criminal stuff goes first and the civil stuff gets relegated. We've worked hard in my ministry, as did Minister Wilson-Raybould before me, to try to address the Jordan decision and make the system more efficient and effective through Bill C-75 and other provisions.

You're right that it would mainly be for the provinces to try to figure out a way to make sure that civil cases move forward more quickly. That falls within their jurisdiction, but we need to continue looking at solutions on all fronts, because you're right to identify the waiting times as being too long.

Mr. James Maloney: Thank you, Minister. I'll go to my follow-up question.

COVID has caused the court system to adapt in ways that they've been thinking about for a long time but didn't get around to. One of them is the use of the kind of technology that we're using right now. There are many proceedings that are being done by Zoom and other technology, which means that lawyers don't have to leave their offices and courtrooms and whatnot are not required. That might provide an opportunity, because you could have more judges without necessarily needing more courtrooms. At this point, it's too early to tell what the cost of COVID is on the court system, but I know that some of it has been used for technology.

Is there thought being put towards making some of that permanent and building it into the conversation raised in my previous question?

Hon. David Lametti: The short answer is yes. It's a subject of discussions with my provincial and territorial counterparts during COVID, which will continue, as well as with the action committee and the chief magistrates from across Canada and other court administrators. We're all trying to get resources to make permanent and more efficient some of the technological changes in response to the COVID crisis. We're trying to use the situation to modernize.

The Chair: Thank you, Minister. I appreciate your short response to that.

I'm going to stop here for a second. I note that we have one round of questions left, with about 15 minutes on the clock, because we have committee business that we need to discuss with respect to the next meetings. Obviously we need to vote on the main estimates as well.

What I'm going to do is to give one round to Mr. Lewis for five minutes, Mr. Zuberi for five minutes, Monsieur Fortin for two and half minutes and Mr. Garrison for two and a half minutes. Then we will thank the minister for his attendance here today.

Mr. Lewis, you have the floor for five minutes. Please go ahead, sir.

• (1215)

Mr. Chris Lewis (Essex, CPC): Thank you, Madam Chair.

We certainly appreciate the minister's coming to committee today

Thank you so much, Minister.

I'm going to build on the line of questioning by Mr. Sangha with regard to legal aid. As you may or not may be aware, I'm the Ontario Conservative on the justice committee, and so I would be remiss not to bring this up.

Minister, community legal clinics across the country, particularly in Ontario, have been asking the federal government for support from the federal government. They say that COVID-19 has impacted their financial model and that without support they risk severe consequences.

For example, the Durham Region Law Association recently wrote to raise significant concerns over the shortfall that has developed. What dialogue has the minister had with his department or provincial stakeholders on this question to date?

Hon. David Lametti: The short answer is, a great deal, both with Minister Downey in Ontario and between our two teams, as well as with stakeholders from across Ontario and with MPs such as you, Mr. Lewis, and also a number of MPs in my caucus led by parliamentary secretary Virani, who has been one of the loudest.

We're following this very closely. We're well aware that there are current asks of me, if you don't mind my putting it that way, that are being evaluated. Again, we're working closely with Doug Downey.

Mr. Chris Lewis: Thank you, Minister.

As a supplementary question to that, legal aid organizations are raising concerns that the funding shortfall impacts their ability to help vulnerable Canadians. Does the minister expect the situation to grow worse in the coming months?

Hon. David Lametti: On the one hand, I expect there to be more need. I hinted at this in a previous answer. Because of COVID, we're seeing more stress on families and businesses, and so we're going to see more recourse to legal aid on the non-criminal side. We're also going to see more on the criminal side because of intimate partner violence, and we still have the same pressures of immigration, refugees, etc.

On that side, I think this is going to continue.

The funding picture is more complicated, and it differs from province to province. I don't know that there's one response across Canada, but again, we're working closely with provincial and territorial counterparts to try to address this issue as it comes up.

Mr. Chris Lewis: Thank you, Minister.

Let's switch gears now to domestic violence. I know that there has been some discussion of it this morning/afternoon, but more specifically, COVID-19 has led to a rise in domestic violence across Canada over the course of this year. What discussions have taken place within the department on this, and what actions has the department taken to address it?

Hon. David Lametti: In addition to work on the legal aid questions, there has been a discussion between the department and my team with WAGE, the ministry led by Minister Monsef, which has specifically put funding in place during COVID—I mentioned the figure \$19 million—to help address.... I'm sorry, it's not \$19 million—that's a different figure—but it has put forward a program to help address intimate partner violence.

We are, then, aware of it. Both my department and Minister Monsef's department and our ministerial teams are working with organizations on the ground, and we work closely with our provincial counterparts in that regard as well.

Mr. Chris Lewis: The issue of rural crime has been in the news numerous times over the past year. The minister can appreciate that in rural communities such as mine, it takes much longer for law enforcement authorities to show up.

Does the minister have a timeline for when we could see greater action on rural crime?

Hon. David Lametti: This is a question that was first raised by a former Alberta justice minister, Doug Schweitzer, at a federal-provincial-territorial meeting. Since then, my deputy minister, Nathalie Drouin, and other deputies across Canada, both federal and provincial, have been working on studying that question. However, I don't have a timeline.

Deputy Minister Drouin, if you could quickly give an idea of where that work stands, I think Mr. Lewis would be appreciative.

Ms. Nathalie Drouin: Thank you, Madam Chair, and Minister Lametti.

Indeed, we do have a working group, co-chaired by our colleagues from Alberta, to work on rural crime. We will have an interim report to present at the next FPT meeting, which is planned for December, so we have advanced a great deal.

I cannot commit to a specific timeline right now, but I can confirm that we are progressing well with the support from Alberta.

• (1220)

Mr. Chris Lewis: Thank you, Minister.

The Chair: Thank you very much. I really appreciate that you guys are sticking to your time.

Mr. Zuberi, it's your turn, for five minutes. Go ahead.

[*Translation*]

Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.): Thank you, Madam Chair.

I would like to thank the minister for being here today.

[*English*]

I'll start with a question about indigenous people.

In Canada, the rate of violent victimization of indigenous people is more than double that of non-indigenous people. This is particularly concerning for indigenous women and girls.

[*Translation*]

What is your department doing to support indigenous women and girls?

Hon. David Lametti: Thank you for the question, Mr. Zuberi.

That is a very important issue. My department introduced a program to support indigenous women and girls. I already mentioned the family information liaison units, or FILUs, which work on the ground, providing services to the families of missing indigenous women and girls. The FILU program has been renewed for another three years.

We also work very closely with other departments specifically to provide assistance and support to women and girls. Of course, Minister Bennett is responsible for responding to the National Inquiry into Missing and Murdered Indigenous Women and Girls report, and I believe her response is expected in the next few weeks or months.

Mr. Sameer Zuberi: Thank you.

[*English*]

My next question will touch upon the issue of sexual harassment in the workplace. I'll highlight that this is something we're seized with as a country, and have been over the last several months. Prior to COVID, there was a very robust #MeToo movement, and we'd like to have some responses about that to know what the government is doing.

Everybody, regardless of their gender or gender identity, has a right to work in a harassment-free workplace.

[*Translation*]

Can you tell us what the Department of Justice is doing to combat sexual harassment in the workplace?

[*English*]

I'd like you to elaborate on that, please.

[*Translation*]

Hon. David Lametti: Thank you for your question.

Last year, when budget 2019 came out, I announced \$50 million in funding over three years, precisely to address workplace harassment. Half of that, so \$25 million, was meant to make it easier for complainants to access legal aid in cases involving workplace harassment. The other half was meant for organizations to help them provide information on the subject and raise awareness.

I announced initiatives all over the country. Organizations on the ground welcomed the funding. I hope it makes a difference. You're right when you say that people have a right to work in a harassment-free environment.

Mr. Sameer Zuberi: Thank you, Minister.

I have a minute for one last question.

[*English*]

I'd like to touch upon Black Lives Matter. At the beginning of COVID, we saw a very robust conversation around Black Lives Matter. This led to the parliamentary Black caucus sending a letter to the government asking for movement on the file. We also are seeing many concerns around indigenous people.

Can you please inform us about what your ministry is doing with respect to racialized Canadians, Black Canadians and indigenous peoples?

• (1225)

Hon. David Lametti: Thank you very much for that important question, Sameer.

There is systemic racism in our justice system. We have to admit that first and foremost. There is overrepresentation of Black and indigenous peoples in our justice system. That falls directly within my mandate. The Speech from the Throne has admitted that...

And I signed that letter, by the way, in my qualities as a member of Parliament.

I believe we need to address this. It's in the Speech from the Throne. There will be measures from a wide variety of ministers and ministries and departments trying to address the overrepresentation and other issues raised by Black and indigenous and other visible minority leadership across Canada.

I look forward to being able to announce soon what's being done by the Minister of Justice.

The Chair: Thank you so much, Minister Lametti.

Thank you, Mr. Zuberi.

I now go to Mr. Fortin for two and a half minutes.

[*Translation*]

Mr. Rhéal Fortin: Thank you, Madam Chair.

Since I don't have much time, I am just going to revisit some of your answers to my previous questions, if you don't mind, Minister. I want to be sure I understood you correctly.

I asked you about the effectiveness of the judicial appointment process, and from what I understood, the new system, in place since 2016, is working well. No reviews are under way to change or improve the system in any way.

Another issue I asked you about was language training for judges to ensure they are bilingual. Correct me if I'm wrong, but such training is available only to Supreme Court justices, not to other court judges.

What kind of training is available to judges to ensure they are bilingual? You told me earlier that 32% of federally appointed judges are able to hear cases in French and that 12% understand written materials in French. You did say, though, that there was no test to evaluate those skills.

If you don't do any testing to evaluate judges' ability to communicate in French with lawyers and parties to the case, how did you come up with those numbers?

Hon. David Lametti: I'm going to ask my deputy minister to provide more details in a moment.

The commissioner for federal judicial affairs, Marc Giroux, does administer a test, and it's not solely for Supreme Court justices.

I was referring to the recent applications and appointments. That information was provided to us in the applications. I am confirming that there is a test to assess the bilingual ability of judges.

Mr. Rhéal Fortin: You're saying you administer tests to evaluate the bilingual ability of judges on superior courts, appeal courts and the Supreme Court. Is that correct?

Hon. David Lametti: Yes, but I am not sure whether it's mandatory. Ms. Drouin can provide more details.

Mr. Rhéal Fortin: Are the test results available, Minister?

Hon. David Lametti: I'm going to ask Ms. Drouin to jump in.

Mr. Rhéal Fortin: Very well. Thank you.

Ms. Nathalie Drouin: Thank you, Minister.

It's a pleasure to see you again, Mr. Fortin.

The commissioner for federal judicial affairs works with the people in charge of judges' training under the French language training program for judges. It's a proven program designed to train judges who want to become functional in their second official language. The training is delivered over a number of weeks, if not months.

That answers the question. A training program exists—

[*English*]

The Chair: Thank you.

I'm so sorry, but I'm going to have to cut you off there.

[*Translation*]

Mr. Rhéal Fortin: Evaluation—

[*English*]

The Chair: Mr. Fortin, you are out of time. I'm so sorry.

Mr. Rhéal Fortin: I know.

[*Translation*]

I would just like to apologize for rushing the witnesses, but we have such a limited amount of time.

Thank you, Madam Chair. You're doing a good job.

[*English*]

The Chair: My apologies. Thank you.

Mr. Garrison, you're up for two and a half minutes.

Thank you so much for sticking to the time.

Please go ahead.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I want to start by thanking the minister for his frank acknowledgement that there is systemic racism in the Canadian justice system and for acknowledging the overrepresentation of indigenous people and racialized Canadians in it.

While the statements of the government are very positive, they're sometimes frustratingly vague. So as to not commit the same offence myself, let me ask very specifically about one measure that would make the biggest difference in the everyday situation of those people who are differentially treated in our justice system: mandatory minimums.

Can we expect any initiative from this government to reduce or eliminate mandatory minimums except for the most serious crimes, and if there's not going to be initiative from the government, will the government support the bill on mandatory minimums that's making its way through the Senate, S-208, which gives discretion back to judges to not impose them?

• (1230)

Hon. David Lametti: I'm well aware of Senator Pate's bill, and I've discussed it with her.

As you know, we have a system of cabinet confidences, so I can't always answer in the most fulsome way. What I can say is that mandatory minimums and the related point of conditional sentences—the possibility of having conditional sentences—are on my radar screen.

I'm sorry I can't do better than that.

Mr. Randall Garrison: Thanks very much, Mr. Minister.

Madam Chair, I'll conclude my questions there because I think we're going to be short of time on the next part as well.

The Chair: That is very gracious of you, Mr. Garrison. I really appreciate it.

That concludes our rounds of questioning. What I would like to do before we say good-bye to our wonderful minister and officials is—

Hon. Rob Moore: I have a point of order. Sorry, Madam Chair.

I thought in our schedule today.... I mean, we only have so many opportunities to have the minister here. I think the conversation's going well. We're getting some answers and so on.

I thought we were having the minister until a quarter to one.

The Chair: You are absolutely right, Mr. Moore, with respect to having the minister available for as much time as we can as a committee. My concern is that I need us to vote on the main estimates and the supplementary estimates, and then for us to talk about committee business, specifically with respect to bills that are appearing before our committee.

I would also like to get Madam Findlay's questions on the record so that we can get some answers.

That's why I'm taking the discretion not to go to the last 10 minutes of questions. Obviously, what I have on the schedule is around five minutes of Conservatives and five minutes of Liberals remaining from this round. I've taken the liberty of docking that time so that we can use it put Madam Findlay's questions on the record so that we can get answers to them; vote on the main and supplementary estimates; and go over the witnesses for the next couple of weeks.

Is that okay with you, Mr. Moore?

Hon. Rob Moore: Not to belabour it, but I guess I could be asking the Minister a question during this time. However, I don't think we can vote on the supplementary estimates because we haven't heard any answers to questions on them. I understand why we didn't deal with the supplementary estimates because the Human Rights Commission couldn't appear, but in light of the fact that the minister came prepared to deal with the main estimates and not the supplementary estimates, and that we weren't able to get answers on questions related to the supplementary estimates like Madam Findlay's, I don't think we can proceed with a vote on the supplementary estimates today.

The Chair: That's absolutely fair, Mr. Moore. Thank you.

I had put this question to the committee before we started the questions. I do remember that I had received thumbs-up to continue with the supplementary estimates from all of you, but if you have since then reconsidered, that's absolutely fine.

What we'll do is this: During committee business, we'll discuss a later time to have the agencies relevant to the supplementary estimates come before our committee to answer those very important questions you have.

Mr. Arif Virani (Parkdale—High Park, Lib.): Madam Chair, I have a point of order.

I participated in that thumbs-up vote, and I believe there was consensus among the committee members, but perhaps we could have a vote on that.

I do think it's important, with regard to Ms. Findlay's points, that if the individuals or organizations relating to the supplementary estimates aren't appearing, her questions should definitely be put on the record and she should be provided with written responses. However, as to the issue of whether or not we're having another meeting on the supplementary estimates, perhaps that could be put to a vote of the committee members.

Thank you.

The Chair: Absolutely—

• (1235)

Hon. Kerry-Lynne Findlay: On a point of order, Madam Chair, I was one of the people who gave a thumbs-up because I assumed that the minister would be in the position to respond to whatever questions were put. He was not in a position to do so, and neither were his officials here. None of them could respond to any of my questions on the commission's spending, nor did they say they were able to discuss anything with respect to the Canadian Human Rights Tribunal. That is fine, but it definitely changes my support for our going ahead with a vote before we have the information we need.

The Chair: Absolutely, Ms. Findlay.

I thought I had made it clear in my remarks earlier. I should have made it clearer, though, that the minister would not be able to respond to questions on the supplementary estimates.

To deal with this issue, I would like to put it to a vote. We have two options before us. We can have another meeting to vote on the supplementary estimates at a later time. Obviously, there are specific deadlines that we have to keep in mind, which may throw off our schedule for other things.

The alternative is that we can put your questions, Madam Findlay, and any other questions that we have with respect to the supplementary estimates on the record today and get written responses. Then at a later time during committee business, we can vote on the supplementary estimates once we have those written responses.

Is that something we can all agree to do?

Mr. Arif Virani: Could I just make one further intervention, Madam Chair?

The Chair: Yes, go ahead, Mr. Virani.

Mr. Arif Virani: On this very specific point, I think what you're alluding to is the very pressing deadline we have with respect to the medical assistance in dying legislation, which has a court-imposed deadline of December 18. My view is not in any way to prevent Ms. Findlay from getting the answers to her important questions. As a former employee of the Canadian Human Rights Commission, I think she was presenting very good questions .

Given the precious nature of the resource that we are now using—the translation, the IT, etc.—when we have a court-imposed deadline to get a bill through two houses of Parliament to royal assent, that needs to take precedence. I'm loath to convene another meeting on the supplementary estimates that might jeopardize our ability to meet that deadline, which I think is incumbent upon all parliamentarians to work towards meeting.

Thank you.

Hon. Kerry-Lynne Findlay: Madam Chair, may I just add one further comment on this?

The Chair: Yes, please go ahead.

Hon. Kerry-Lynne Findlay: There is a 28% increase in spending from last year at the commission. I believe my questions are extremely important and something we should know about. It may be that if I am given written responses in detail and the committee members are able to see those, we could deal with the supplementary estimates in fairly short order. I think we're presuming that this is going to take a long time, but we actually don't know that.

I think these questions on spending are very pertinent. The human rights commission—if my colleague has served on it, as I've served on the tribunal—we know is an integral institution for equity-seeking individuals and groups in our country. How money is allocated there and how it's spent, and a large increase, particularly at a time of COVID, when perhaps there hasn't been the same take-up.... I don't know. That's a part of my question.

I really would like to see that we have the opportunity to see that information and not presuppose the time on it. It may not take much time at all if we feel we have the answers we need in writing.

Hon. David Lametti: Madam Chair, I'll jump in. I'm willing to undertake to get those answers to MP Findlay.

Again, my understanding is that a lot of that increase was based on new requirements in the accessibility act and implementing the accessibility act.

I'm perfectly happy to undertake to get her those answers, or for the department or my team to get her and the whole committee those answers.

The Chair: Thank you for stepping in, Mr. Lametti. I really do appreciate your proactiveness on this.

Mr. Garrison, I see that your hand is raised for this point of order.

Mr. Randall Garrison: Yes, Madam Chair.

I think we need to make some clear decisions here. For me, the best way to proceed would be to conduct a vote on whether we are going to vote on the supplementary estimates today. If we are not doing that, then we can discuss what the alternatives are.

You made yourself very clear at the beginning. I'm not a fan of do-overs, so I think we should tackle these questions in a very simple, straightforward manner. Are we going to vote on the supplementary estimates today? If not, then we can deal with these other questions in committee business.

• (1240)

The Chair: With that, then, I'll put it to the committee to decide. I do need to put Madam Findlay's questions on the record.

Ms. Findlay, why don't you read out your questions? That way we all have them on the record and we can deal with them at a later time with respect to how to proceed with the supplementaries.

Please go ahead, Madam Findlay, as quickly as possible, as we're short on time.

Thank you.

Hon. Kerry-Lynne Findlay: Does that include the ones I stated already?

The Chair: The ones that you've already stated are good. It's just the ones that you didn't have the opportunity to ask that are specific to the supplementaries.

Hon. Kerry-Lynne Findlay: Thank you.

I would like an explanation of how the additional \$9 million in spending in 2020-21 will be spread across the various tribunals supported by the Administrative Tribunals Support Service of Canada. We have \$72 million in 2020-21 versus \$63 million in 2019-20.

Secondly, what factors or metrics are used to allocate the \$72 million that will be spent in 2020-21 across each of the various tribunals?

The Chair: Thank you very much, Ms. Findlay.

Hon. Kerry-Lynne Findlay: Thank you.

The Chair: As the minister has said, and the clerk has confirmed, we will undertake to get written answers to the questions posed by you today.

With that, I would like to thank the minister and the witnesses for their time today and for answering so candidly. We really appreciate having you here, and hopefully we'll have you back again on some other hot topics. Thank you very much for your presence here today.

We'll just give a couple of minutes for them to leave.

Mr. Lewis, I see your hand raised. We'll come to you next.

Mr. Chris Lewis: Thank you, Madam Chair.

I just want to make a statement. I do respect Mr. Virani very much and his comments with regard to December 18, but in my short time here—just shortly over a year in politics—it seems as though we're always rushed. Everything is last minute because it has to be pushed through. I come from the business world, where we take time to gather the proper information to make an educated decision. I just really want to back my colleague Ms. Findlay on this. It's really difficult to make decisions unless we have all of the information.

Thank you, Madam Chair, for letting me say that.

The Chair: Thank you very much for that, Mr. Lewis.

We're now in the committee business portion.

What I hope to get your agreement on is that once we receive written responses to Ms. Findlay's questions—and she was the only one who has asked any questions that touch on the supplementary estimates—maybe at another meeting we can just vote on the supplementary estimates without having to spend a whole meeting on them. I leave that to your discretion. We can put that to a vote so that I can be sure what all of you are saying and so we can move forward in a collaborative fashion. I think that would be the most prudent way for us to move forward on this, but I seek your opinion—also, obviously, keeping in mind that we need to get through the voting on the main estimates as well as witnesses for C-7, which I know everybody's quite anxious about.

Can I hear from Mr. Virani?

Mr. Arif Virani: I'm just a little bit unclear. I think we did make a decision at the start of this meeting. Some people are saying it wasn't clear what we were voting on. I thought it was clear. Mr. Garrison thought it was clear. Perhaps the most efficacious way is simply to ask whether we should we vote today on the mains and the supplementaries, or should we only vote on the mains today? All those other qualifiers make it a little bit hard for everyone to understand. My understanding is that we were voting today on the mains and the supplementary estimates, and if that's what people want to do, maybe just put it to the group that clearly: Do you approve of voting in favour of both the mains and the supplementary estimates right now?

Thanks.

The Chair: Can I then ask—

Hon. Kerry-Lynne Findlay: I have a point of clarification, Madam Chair.

The Chair: Yes.

Hon. Kerry-Lynne Findlay: I just want to make sure that I'm correct on this. There is a deadline of November 27 for the mains, but am I not right that the deadline for the supplementary estimates is later, being December 8? We're not exactly in the same time crunch for both. Is that correct?

• (1245)

The Chair: I'll have the clerk support me on this, but my understanding is that the deadline for the supplementaries could potentially be a moving target. We just want to make sure that we have them done and back, but Mr. Clerk, if you want to speak to that for a second, please do.

The Clerk: Thank you, Madam Chair.

You are absolutely right. To summarize, the deadline for reporting the supplementary estimates is always three sitting days prior to the last opposition day. That will be given to the opposition in the House of Commons before December 10.

As you mentioned, it is indeed a moving target because it is the government that designates the opposition day, and we learn only down the road when that last opposition day will be held.

The Chair: Thank you, Mr. Clerk.

Please excuse me. I know we only have 15 minutes left of our meeting. We have a lot on the agenda to still get through.

I will call that question. Those in favour of voting on the mains and the supplementaries today, please raise your hands. I see Mr. Virani, Mr. Zuberi, Mr. Garrison, Mr. Maloney and Mr. Sangha. That's five.

Mr. Clerk, do we have enough to vote on both?

The Clerk: You have five thumbs-up, as I saw.

The Chair: Yes.

Do I need to take a recorded vote on this, Mr. Clerk?

The Clerk: Yes, you need a recorded vote if there is no unanimous consent, or if it's not agreed, for instance, on division.

The Chair: In that case, Mr. Clerk, can you please go ahead and take the recorded vote for whether we are voting on the mains and the supplementaries today, please?

The Clerk: Absolutely.

I will need a mover for that motion, so if it's all right, I will put the question to Mr. Virani as a mover.

Mr. Arif Virani: Yes, that's fine.

(Motion agreed to: yeas 6; nays 5)

The Chair: Thank you very much for that, Mr. Clerk.

We'll go ahead with voting on the main estimates and the supplementary estimates at this time.

Are we going to do a recorded vote, or would you like to vote on division, or unanimously?

[*Translation*]

Mr. Rhéal Fortin: I have a point of order, Madam Chair.

What's the question? Are we voting on the main estimates?

[*English*]

The Chair: Yes, we are voting on the mains at this time.

The question is: Shall vote 1 under Administrative Tribunals Support Service of Canada carry? The amount in question is \$15,402,691.

Mr. Clerk, would you carry out a recorded vote at this time?

The Clerk: Mr. Cooper.

Mr. Michael Cooper: I thought we were going to go on division.

The Chair: I didn't hear a response from anybody when I asked that, but we're happy to go on division.

• (1250)

Mr. Michael Cooper: [*Inaudible—Editor*] on division?

The Chair: I'm sorry, Mr. Virani, were you saying something?

Mr. Arif Virani: I'm not sure what Mr. Cooper just asked. I guess there was no clarity, but I'm happy to vote on this based on consent rather than on division.

The Chair: Mr. Clerk, can you provide some clarity to us, please, on what the impact of each would be?

The Clerk: You have three options, basically, committee members.

One option is that there is clear, unanimous consent among the committee members, and everybody is in agreement. Another is that motion could be adopted or carried on division; that's your second option. The third option, of course, is to do a recorded vote.

Mr. Michael Cooper: Normally, at least at this committee in the previous four years I served on it, we typically handled this by moving forward on division.

The Chair: That's absolutely fine as long as we get a clear vote on them.

[*Translation*]

Mr. Rhéal Fortin: I agree with Mr. Cooper, Madam Chair.

[*English*]

The Chair: Thank you.

Mr. Arif Virani: I'm also in approval of what Mr. Cooper suggested, that we approve them on division.

The Chair: Thank you very much.

Mr. Clerk, we're going to be approving all of the main estimates on division. Do I need to read the questions?

The Clerk: No, but you would need unanimous consent to basically vote on them, with the same vote result, in a block.

The Chair: Okay.

Do I have the unanimous consent of the committee?

Some hon. members: Agreed.

The Chair: Okay.

ADMINISTRATIVE TRIBUNALS SUPPORT SERVICE OF CANADA

Vote 1—Program expenditures.....\$61,610,764

(Vote 1 agreed to on division)

CANADIAN HUMAN RIGHTS COMMISSION

Vote 1—Program expenditures.....\$29,037,902

(Vote 1 agreed to on division)

COURTS ADMINISTRATION SERVICE

Vote 1—Program expenditures.....\$85,028,677

(Vote 1 agreed to on division)

DEPARTMENT OF JUSTICE

Vote 1—Operating expenditures.....\$262,288,103
 Vote 5—Grants and contributions.....\$430,219,581

(Votes 1 and 5 agreed to on division)

OFFICE OF THE COMMISSIONER FOR FEDERAL JUDICIAL AFFAIRS
 Vote 1—Office of the Commissioner for Federal Judicial Affairs—Operating ex-
 penditures.....\$9,452,925
 Vote 5—Canadian Judicial Council—Operating expenditures.....\$2,079,634

(Votes 1 and 5 agreed to on division)

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
 Vote 1—Program expenditures.....\$181,447,273

(Vote 1 agreed to on division)

REGISTRAR OF THE SUPREME COURT OF CANADA
 Vote 1—Program expenditures.....\$26,438,911

(Vote 1 agreed to on division)

The Chair: Shall I report the main estimates 2020-21 to the House?

Some hon. members: Agreed.

The Chair: Thank you.

We're moving on to the supplementary estimates (B) of 2020-21.

CANADIAN HUMAN RIGHTS COMMISSION
 Vote 1b—Program expenditures.....\$650,000

(Vote 1b agreed to on division)

COURTS ADMINISTRATION SERVICE
 Vote 1b—Program expenditures.....\$4,647,968

(Vote 1b agreed to on division)

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
 Vote 1b—Program expenditures.....\$2,569,491

(Vote 1b agreed to on division)

REGISTRAR OF THE SUPREME COURT OF CANADA
 Vote 1b—Program expenditures.....\$79,237

(Vote 1b agreed to on division)

The Chair: Thank you.

Shall I report the supplementary estimates (B) 2020-21 to the House?

Some hon. members: Agreed.

The Chair: Wonderful. Thank you, everyone.

I will seek your indulgence to stick around a little bit longer as we go through the important things we need to talk about.

Just a couple—

Hon. Rob Moore: I have a point of order, Madam Chair.

We're on a schedule here. I'm happy to deal for the next eight minutes, but I can't stick around after that. I'm assuming that everyone else has tight schedules, too.

The Chair: Hopefully, we'll be done by eight minutes. Thank you, Mr. Moore. For one or two minutes, I would seek your indulgence.

[*Translation*]

Mr. Rhéal Fortin: Madam Chair, I have to leave, but my fellow member Luc Thériault is going to stand in for me on the issue of Bill C-7.

[*English*]

The Chair: I'm just going to come to you first, Monsieur Fortin, because one item deals with you.

The clerk has received notification from the Bloc Québécois that Monsieur Thériault intends to participate actively in the Bill C-7 study. He will be replacing Monsieur Fortin.

Mr. Rhéal Fortin: Exactly.

The Chair: His office would like to be added to our distribution lists and to our digital binder for the duration of the study. Is it okay with the committee for us to move forward with that?

Some hon. members: Agreed.

Mr. Rhéal Fortin: He's nicer than I. You will appreciate it.

The Chair: Okay. Thank you.

[*Translation*]

Mr. Rhéal Fortin: Thank you. Have a good day everyone.

[*English*]

The Chair: Thank you, Monsieur Fortin.

Just in moving on to Bill C-7. We are not voting on it until 3 p.m. today, at which time it will be referred to our committee. For the first meeting—which is scheduled for November 3, this coming Tuesday—if I have the consent of the committee, I would like to invite Ministers Lametti, Hajdu and Qualtrough to appear together on Bill C-7. Would that be okay?

Mr. Arif Virani: Madam Chair, I believe it's those three ministers and their officials, so perhaps their deputy ministers as well.

The Chair: Absolutely, and their officials, yes. Are we good?

Some hon. members: Agreed.

The Chair: Okay. Thank you. That's that.

With respect to the witness list, I have, I believe, 99 to 100 names on the list. At our last steering committee meeting, we decided that we would have four meetings for witnesses and then two meetings for clause-by-clause. Four meetings would have two panels per meeting, which would be eight panels of three witnesses per panel. That would come to a total of 24 witnesses.

If I have the consent of the committee to just make things more equitable for everybody, in the instance of the 24 witnesses that we have given ourselves allowance for, we'd divide it so that 10 of those witnesses are proposed by the Liberals, 10 by the Conservatives, two by the Bloc and two by the NDP; and we'd allow for an unlimited number of written submissions to be made by any witnesses and be received by the clerk. Is that okay?

Hon. Rob Moore: Madam Chair.

The Chair: Yes?

You're on mute, sir.

There we go.

• (1255)

Hon. Rob Moore: I have a concern about the number of people who have expressed an interest. You say 99 are proposed. Could we then add another witness to our panels and accommodate four witnesses per panel, which would allow some more people to be heard on a very important topic?

The Chair: Thank you, Mr. Moore.

Mr. Garrison, is that on the same topic?

Mr. Randall Garrison: It's on the topic of witnesses. I object to the 10, 10, two, two. I will not agree to that.

The Chair: Okay. What do you propose, sir?

Mr. Randall Garrison: Nine, nine, three, three.

Mr. Arif Virani: Madam Chair.

The Chair: Go ahead, Mr. Virani.

Mr. Arif Virani: To Mr. Moore's point about going to four witnesses per panel, it's going to require some give and take in the questioning, but that would make for 32 witnesses, which on the original ballots would be 12, 12, four, four.

I'm not sure if that appeases Mr. Garrison, or if he would suggest something else.

Mr. Garrison, we would then be in a world of 32 witnesses being divided. It's open for Mr. Garrison's approval.

Mr. Randall Garrison: Okay.

The Chair: Thank you, Mr. Virani.

My concern is the technological challenges, and having four witnesses per panel would leave less time for questioning. We all recognize that the majority of the testimony comes out during the questioning anyway, so I advise all of you to take that into account as we propose to have bigger panels.

The other alternative... I'm hoping that maybe you can provide some. If all the parties can concede Mr. Garrison's point with respect to the number of witnesses for the Bloc and the NDP, I put that to you.

Mr. James Maloney: Madam Chair.

The Chair: Yes, Mr. Maloney.

Mr. James Maloney: My concern is that if we're rigid with this witness allocation, we will end up putting ourselves in a corner. If we're down to the second-last meeting, we're going to invite a whole bunch of witnesses, some of whom aren't going to be able to attend, and we can only have a panel of two witnesses because we haven't complied with some rigid schedule.

It may end up that, based on witness availability, we end up with eight and Mr. Garrison ends up with four. I would suggest we leave that to your discretion with the focus being on making sure we have the right number of meetings and a full slate of witnesses.

The Chair: Thank you, Mr. Maloney.

With that, what I will ask each party to do is to submit, for the Liberals and Conservatives, please, your top 10 witnesses that you must have or would really like to have appear. For the Bloc and the

NDP, I would ask that you each submit your top three witnesses. I'm sure there will be a lot of overlap in which witnesses are proposed.

Let's start from there, and then, obviously, we can revisit and readjust as witnesses are able to attend to testify or not able to attend to testify.

Do I have agreement on that from everybody?

Hon. Kerry-Lynne Findlay: Madam Chair.

May I say something?

The Chair: Yes, Ms. Findlay.

Hon. Kerry-Lynne Findlay: I thought Mr. Virani's suggestion was reasonable: 12, 12, four and four. I think we should be submitting our top 12, 12, four and four. That way we have more flexibility.

I think we all are able to understand time commitments, but it does allow for more voices. We may ask fewer questions of each witness, but it allows for greater participation when you have four times that number wanting to participate.

The Chair: Okay.

Hon. Kerry-Lynne Findlay: I think it responds to my colleague, Mr. Garrison's, concerns as well.

The Chair: Thank you for that, Madam Findlay.

Monsieur Thériault, do you want to intervene here?

[*Translation*]

Mr. Luc Thériault (Montcalm, BQ): I'd like to start by saying hello to all the members. I work with some of you on the Standing Committee on Health.

I'm not sure I know exactly where the committee is headed. The Bloc Québécois could put forward more than three witnesses, but we will keep it to three. I heard someone say that having four was a problem because it didn't leave enough time for questions. I think we have to be able to ask questions. We receive briefs, we read them and we listen to people's presentations. They can keep their presentations short since we get their briefs beforehand. That way, we can have a back and forth with them. That back and forth is the important part.

If there does turn out to be overlap in the witnesses proposed, I imagine it will be necessary to put forward more names afterwards. We can propose three witnesses, but if they have all been chosen by another party, I am going to suggest others. I could put forward eight or 10. It's important to have a balance, to hear from as many people as possible with a wide range of backgrounds, to talk to them, to have time to ask them questions and to gain a clear understanding of their views. That's all I wanted to say.

• (1300)

[*English*]

The Chair: Thank you.

Mr. Garrison, I see your hand up next.

Mr. Randall Garrison: Thank you, Madam Chair.

If we do go to four per panel, I realize it presents challenges, but I think it is important to hear more voices. If we go to four, then the 12, 12, four and four is acceptable to me. I think it's a good way of proceeding.

Thank you.

The Chair: Thank you, Mr. Garrison.

Mr. Lewis.

Mr. Chris Lewis: Thank you, Madam Chair.

Yes, this is a very important topic, as all of us on this committee know. I am very much in favour 12, 12, four and four. We need as many brains as we can get around the table.

Thank you.

The Chair: Thank you, Mr. Lewis.

Mr. Virani.

Mr. Arif Virani: I'll propose—and perhaps we can achieve unanimous consent—that we move to have 12 Liberal witnesses, 12 Conservative witnesses, four Bloc witnesses and four NDP witnesses, with unlimited written submissions from any of those people who are not able to attend. Then we provide those lists to you and the clerk, Madam Chair, so that we can get going with the scheduling.

The Chair: Thank you, Mr. Virani.

Mr. Kelloway

Mr. Mike Kelloway: Thanks, Madam Chair.

Actually, Arif beat me to the punch on that. I look at 12, 12, four and four as reasonable.

Of course, the big caveat for me is that we use the terminology “unlimited written submissions” as well. I think that's a reasonable consensus, given the gravity of the item at hand.

The Chair: Thank you very much.

I believe that we have a consensus as this time for 12, 12, four and four per party. For clarity, it's 12 for the Conservatives, 12 for the Liberals, four for the Bloc and four for the NDP. Can I please ask you to submit your top 12 or four, depending on your party, to the clerk and me at your earliest convenience, maybe by the end of day tomorrow, so that we can get the invitations out over the next couple of weeks to the witnesses?

I believe M.O.G., our clerk, has a quick question for clarity for November 3.

Mr. Clerk.

The Clerk: Yes. Thank you, Madam Chair.

I just wanted information about the November 3 meeting with Minister Lametti, Minister Hajdu, and Minister Qualtrough, this coming Tuesday. Is it the full two hours or would it be like a super-panel of one hour only and then in the second hour you would have other witnesses from the civil society?

Thank you.

The Chair: Thank you, Mr. Clerk.

Given that it's three ministers within that time frame, I leave it to the committee to decide if it would like to have a second panel or two panels.

Mr. Lewis, I see that you would like all three ministers to appear for the two panels?

Mr. Chris Lewis: Yes, please.

The Chair: Is that the consensus around the table?

Ms. Findlay.

Hon. Kerry-Lynne Findlay: Yes.

The Chair: Mr. Cooper.

Mr. Michael Cooper: Yes.

The Chair: Mr. Virani.

Mr. Arif Virani: Yes.

The committee will determine this, but I'll posit that we've just heard from Minister Lametti and we haven't heard from Minister Hajdu or Minister Qualtrough. They'll be speaking on a bill, as opposed to the general estimates. I'm just conscious of the fact that we have a number of witnesses to get through. If two meetings, as opposed to one, are used for the ministers, it will effectively have a knock-on impact on the rest of the scheduling, which may impede the ability of the witnesses to give us their full view.

That's for something for us to deliberate upon. Obviously it is in the hands of the committee as to what people want to do.

● (1305)

The Chair: My understanding from the general gist of the committee is that you all want the three ministers to appear for the two hours. I think that where the majority of you are okay with that, that's what we'll do, unless there's any strong opposition to that.

Mr. James Maloney: Madam Chair.

The Chair: Yes, Mr. Maloney.

Mr. James Maloney: I'm in the same school of thought as Mr. Virani.

Mr. Lewis just made the point that we need to get as many brains around this table as possible, so we can be educated. I think I know where the ministers stand. I don't know what I'm going to hear from all of our witnesses. I think one hour with the three ministers for the reasons Mr. Virani just pointed out makes sense to me. Let's move forward with this thing. We don't want to lose a meeting.

Anyway, I'm not sure we have consensus around this table on that. Maybe we should take it to a vote.

Hon. Kerry-Lynne Findlay: Madam Chair, with respect, I'm pleased that my colleague Mr. Maloney knows where the three ministers stand, but I don't necessarily know. That's the whole point of their coming. It's not very often that we get the opportunity. There's the intersection of their responsibilities with an important bill, and I think it's very helpful to Canadians to understand where they are coming from. It will give us a chance to talk it out.

I'm confident that this wonderful group of colleagues I'm sitting with will be able to handle the timing and the questions with respect to witnesses. We've just agreed on numbers. I think we'll handle this well. It's an opportunity for all Canadians to hear from three ministers of the Crown on what they're hoping to achieve and how they hope to achieve it, so I would say the time is very well spent.

The Chair: Thank you, Ms. Findlay.

I will pose the question to the committee again. Do you want three ministers for two hours?

Mr. Virani.

Mr. Arif Virani: I'll reiterate that the steering committee made a determination to have four sessions in total of two hours each for hearing witnesses, and then two days allocated for clause-by-clause consideration.

If everyone is fully cognizant of working within those parameters and still wants to have the ministers appear for two hours as opposed to one, then we're obviously in the committee's hands as to what to do. But I just want everyone to fully understand what we're dealing with, because in the pre-COVID era, picking up an extra meeting or staying late was a lot easier to do. It's not easy to do in this environment. That's something to be aware of.

The Chair: Thank you, Mr. Virani.

Mr. Moore.

Hon. Rob Moore: There is a problem with limiting ourselves, on such an important bill, to only four meetings for witnesses. We see the amount of interest. We have 99 people interested right off the hop, and we saw how fast two hours go with one minister. How fast would one hour go with three ministers?

To Mr. Virani's point, that leaves us three more meetings of two sessions each. That's six sessions times four witnesses. That's 24 spots, of which the Conservatives have 12. That leaves only 12 left to split among the other three parties, so the numbers do not add up. If we're going to have 12, 12, 4 and 4, it would require moving to five witnesses per panel, and that's not fair to those witnesses, probably. It wouldn't leave much time after opening remarks for questions and answers. Somehow the math is not quite adding up.

The Chair: Mr. Kelloway.

Mr. Mike Kelloway: I'm usually in a weak zone when we start talking about math. I thought this was the justice committee, but—

Hon. Kerry-Lynne Findlay: You're not alone.

Mr. Mike Kelloway: Carry the one; that's all I know.

I want to comment on the two hours with the ministers in question. I think we could have transparency and efficiency. When I

looked at having the three ministers here for two hours, my comment, before we got heavily into math, was that I'm okay with it. However, I'll defer to others who have a more mathematical mind for adding up the numbers, though having the three ministers at one time for two hours seems reasonable to me.

• (1310)

The Chair: Thanks, Mr. Kelloway.

Mr. Garrison.

Mr. Randall Garrison: I'm not sure if it was Mr. Moore's intention, but he convinced me to change my mind.

I move that we hear the ministers for one hour and that we schedule a second panel for the second hour. I expect the chair to keep the ministers to short opening statements. I think we'll do okay on that, but I don't want it to be at the expense of having additional witnesses.

The Chair: Are you moving that, Mr. Garrison?

Mr. Randall Garrison: I am.

The Chair: We will take that to a vote right now, then.

(Motion agreed to: yeas 10; nays 1)

The Chair: Thank you, Mr. Clerk. I appreciate that.

My next and last question for you guys today is with respect to the time slot for the ministers. Given that we've now agreed to have only one panel with the three ministers, I was saying four minutes per minister would be reasonable. Is that okay?

Some hon. members: Agreed.

The Chair: Thank you. We'll instruct accordingly.

Could I please have everybody submit their prioritized witness lists at their earliest opportunity so we can send the invitation?

I believe Mr. Clerk wants to make a quick intervention here.

Mr. Clerk, please go ahead.

The Clerk: Madam Chair, to reinforce what you just said, if it's possible to send me the party's priorities by the end of the day today, that would be much appreciated, because November 3 is just around the corner.

Thank you.

The Chair: Thank you very much for that.

If there's no other committee business, I will adjourn the meeting.

Thank you, everybody.

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