



SPEAKING NOTES FOR

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MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA

FOR THE

NATIONAL CRIMINAL JUSTICE SYMPOSIUM
OPENING REMARKS

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Thank you, Judge Wyant.

Good morning, Chief Justices and Chief judges, Chiefs and members of law enforcement, government and legal colleagues, distinguished guests, ladies and gentlemen.

It is a great pleasure to be here in Victoria today. C'est un grand plaisir d'être ici à Victoria aujourd'hui avec vous.

I am very pleased to have the opportunity to address you today, on behalf of the Honourable Rob Nicholson, Minister of Justice and Attorney General of Canada, and to see several friends among you, .

I would like to thank the Canadian Association of Chiefs of Police for organizing this symposium, and commend them for encouraging this dialogue among participants in the criminal justice system.

This is the fourth time that decision makers and front-line professionals have come together in this forum to hear from experts in criminal justice, share their experiences and learn from their colleagues' best practices.

Our government is pleased to provide support to this symposium, as a means of bringing together those who are essential to ensuring that our criminal justice system functions efficiently.

All of you here today are in an ideal position to suggest improvements to this system, to better serve Canadians.

Our Conservative Government appreciates your efforts on behalf of all Canadians in the field of criminal justice.

In part because of these efforts, Canada has one of the best justice systems in the world. Nevertheless, there is still a need to keep pace with change, and to adapt and update our laws.

Our day-to-day lives have changed a great deal since Canada's Criminal Code was first enacted in 1892. Much like other democracies around the world, Canadian society and its values have and are continuously evolving, and our justice system needs to evolve as well.

Our Conservative Government under the leadership of Prime Minister Harper has been committed to the safety of our citizens and to respecting victims of crime, as well as making streets and communities safe. It is what Canadians expect of our justice system in the 21st century.

Part of this focus is maintaining the integrity of the justice system – to make it more efficient and effective, and more fair.

This is a great challenge, given that our justice system has many components, and must take into account the needs of the provinces and territories, along with many organizations and stakeholders. The discussions that will be taking place

here – and the many others that happen throughout the year – are essential to identifying both the major issues and the best solutions.

Our Government has a great stake in the results of these collaborative efforts, as we have a responsibility to ensure that the justice system provides fair and efficient results for victims of crime and all Canadians.

And our efforts have borne fruit.

As we begin a New Year, it is an opportunity to look back, reflect on accomplishments and take stock of where we are going.

When our government was first elected in 2006, one of our immediate goals was to restore a sense of balance to Canada's justice system.

Despite what our critics say, we believe in a balanced and comprehensive approach to justice - an approach that is responsive to what is happening on the streets.

Our Government wants to prevent further victimization and make sure that Canada's most serious, violent criminals are kept off our streets.

Under the previous administration, the justice system fell out of balance. Year after year we heard stories of violent criminals who re-offended immediately upon their release.

Not surprisingly, many Canadians found this offensive and it led to a serious lack of confidence in our justice system.

In 2004, and in every election since, the Conservative Party of Canada has run on a promise to put the rights of victims and law-abiding Canadians first.

We have taken strong, decisive action with respect to our justice legislation - and this has been the direct response to the very clear message Canadians gave us to correct the inherent inadequacy of the laws as they stood.

Upon receiving our first mandate, we set out to restore a sense of balance to criminal justice in this country.

We are very proud of what we have accomplished.

Back in May 2008, Bill C-13, known as *An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)*, received Royal Assent, and it has helped strengthen and modernize criminal law by making technical amendments to improve procedures and correct or clarify certain *Code* provisions.

A more recent example is our action on mega-trials.

As I'm sure you're aware, it has become increasingly difficult to ensure that such trials take place and are completed within a reasonable time. Trials that feature complex evidence, multiple accused and numerous charges and witnesses consume a great deal of the court's time.

They also cause excessive delays and can increase the length of pre-trial detention.

Worse, they increase the risk of mistrials.

Mega-trials may be hard to avoid, but the manner in which they are conducted are being improved. This will ultimately benefit all Canadians.

Our Government worked swiftly to propose Bill C-2, the *Fair and Efficient Criminal Trials Act*, which was introduced this past June and came into force shortly thereafter.

This legislation strengthens case management by empowering Case Management Judges to, among other things, rule upon preliminary issues and decide on admissibility of evidence.

It also reduces duplication of processes through permitting joint hearings and allowing amendments to direct indictments.

And it improves criminal procedure by increasing the maximum number of jurors from 12 to 14, and instituting measures to better protect the identity of the jurors.

The measures in this legislation will help streamline the prosecution of offences involving organized crime, drug trafficking, white-collar crime and terrorism.

Many criminal justice experts have played a part in

reviewing the issues surrounding mega-trials, including former Chief Justice Patrick LeSage and Justice Michael Code of Ontario. This legislation also follows up on recommendations of the Steering Committee on Justice Efficiencies and Access to the Justice System.

It is through consultations and policy discussions with Canadians and stakeholders such as yourselves that we are moving toward a safer Canada, and a justice system in which Canadians can continue to have confidence.

Because there can be no true justice if people – especially our most vulnerable – fear for their safety and security.

That is why our Government introduced the *Safe Streets and Communities Act* (Bill C-10) which is now before the Senate. It addresses a wide range of significant law-and-order issues that affect our society.

Among other things, this bill will help protect children from sexual predators by increasing penalties for sexual offences against children, as well as creating two new offences that take aim at conduct that could facilitate the sexual abuse of a child.

It also targets organized drug crime, when aggravating factors are present, by creating tougher sentences for the production and trafficking of illicit drugs.

It will ensure our justice system responds to the problems posed by youth crime by using fair and appropriate

measures to hold young people accountable when they break the law.

It will also put an end to the use of conditional sentences or house arrest for serious violent and property crimes, such as sexual assault, human trafficking, arson, breaking and entering, luring a child, and kidnapping.

Finally, our Bill takes steps to prevent the trafficking, abuse and exploitation of vulnerable immigrants.

In addition to Bill C-10, we have also moved forward on legislation that provides clear direction on the appropriate use of citizen's arrest, and streamlines and simplifies the self-defence and defence of property provisions in the *Criminal Code*.

I have mentioned that there can be no true justice if people fear for their safety and security. The same can be said about victims of crime who feel they have no voice in the justice system.

Our government has made progress in giving victims both a greater voice and greater access to services notably by establishing the Office of the Federal Ombudsman for Victims of Crime. And we continue to collaborate successfully with the provincial governments on victims' issues.

But victims of crime and their families also deserve to know that we are taking action to keep dangerous offenders off our streets.

Two pieces of legislation that came into force this past December attest to our commitment.

Bill S-6 eliminates the “faint-hope” clause, ensuring that criminals who commit first-degree murder will no longer be eligible for early parole until they serve the full 25 years of their sentence.

And Bill C-48 ensures truth in sentencing, so that those who commit more than one murder will face the possibility of serving parole ineligibility periods consecutively. This means the length of their sentence will better reflect the severity of their crimes.

Both these pieces of legislation will help ensure that the concerns of the families and loved ones of murder victims are taken into account within Canada’s justice system, and that Canadians will know that criminals are held accountable for their crimes.

We have also recently acted through Bill C-21, the *Standing Up For Victims of White Collar Crime Act*, which includes a mandatory minimum penalty of at least two years for fraud over \$1 million, and it toughens sentences by adding aggravating factors that courts can consider.

In addition, our Government is acknowledging the role of technology in facilitating crime. There is now legislation in effect to deal with the growing threat of identity theft and, more recently, Internet child pornography. Under Bill C-22, which came into force last December 8, those who provide Internet services are now required to report tips to the Canadian Centre for Child Protection about Web sites that make child pornography available to the public.

And here, I must also acknowledge the efforts of provincial and territorial governments who have already enacted or are contemplating legislation on mandatory reporting of child pornography.

But as we all know, reform of the justice system is not restricted to legislative amendments.

Indeed, our government always welcomes the opportunity to collaborate in innovative ways with our partners in the provinces, territories, the police, members of the Bar, as well as with other non-governmental organizations to reach our shared goals, as we have in the past.

Our Government takes its responsibility for our country's justice system very seriously, as do all of us who work in the justice system. I look forward to hearing the results of your discussions and deliberations.

I am confident that they will lead to improved efficiency and effectiveness of our criminal justice system. After all, a sound justice system is an essential part of sustaining and

**building the country Canadians want and to which they
aspire.**

Thank you! Merci!

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