



BULLETIN!
20 November 2007

**Federal-Provincial-Territorial Meeting of Ministers
responsible for Justice and Public Safety Meet**

Winnipeg, Manitoba - November 14-16, 2007

Federal, provincial and territorial (FPT) ministers responsible for Justice and Public Safety concluded their meeting November 16th, after substantive discussions on key justice and public safety issues currently facing Canada, such as youth justice, drugs, organized crime, and policing. Ministers noted the need for ongoing collaboration to ensure the advancement of their common goal of ensuring public safety and protecting Canadians against crime.

The meeting was co-chaired by the Minister of Justice and Attorney General of Canada, Rob Nicholson, P.C., Q.C., the Minister of Public Safety, Stockwell Day and the Minister of Justice and Attorney General of Manitoba, Dave Chomiak.

2,500 Additional Police Officer Initiative

The federal Minister of Public Safety provided an update on the 2,500 additional police officers initiative. Provincial and territorial ministers asserted the importance of full and permanent federal funding. The federal minister reiterated the Government's position that the program be cost shared. The federal minister also noted that it is his intention to move forward with a proposal in a timely manner that fully respects provincial and territorial jurisdictions on policing.

Organized Crime

Ministers agreed that organized crime continues to pose a serious threat to the safety of Canadian communities. They approved and urged quick implementation of recommendations designed to strengthen the *Criminal Code* to fight organized crime. These recommendations include making gang homicides automatically first degree murder, targeting drive-by shootings and enhancing protection for peace officers.

Ministers approved a broad-based work plan to strengthen the fight against organized crime in areas such as improved cooperation/collaboration and expanded strategies for integrated responses.

Ministers also agreed with recommendations from officials to improve the way large and complex trials are conducted. The officials recommended legislative amendments to reduce the risk of mistrials and address some of the difficulties associated with the management of mega-trials, among other things. Ministers agreed to refer the report to the Department of Justice Canada for the detailed policy work necessary to move the initiative forward.

Legal Aid

Provincial/territorial Ministers of Justice and Attorneys General raised, as their highest priority, their unanimous concern about the ability of Canadians, particularly vulnerable women and children, to access the justice system. Legal aid is an essential element of providing Canadians with this access. In particular, provincial/territorial ministers pressed the federal Minister of Justice to recognize the shared responsibility for delivery of legal aid to Canadians, to increase federal funding for criminal legal aid, and to provide new funding to support civil legal aid. The federal Minister of Justice stated that support for families is a priority area for the federal government. The federal minister also stated that he is committed to raise provincial/territorial concerns with respect to civil legal aid with the federal Minister of Finance and encouraged the provincial/territorial ministers to also raise the issues with their finance ministers

Youth Criminal Justice Act (YCJA)

Provincial and territorial ministers expressed support for the federal government's position that it will take action to strengthen the pre-trial detention provisions of the YCJA. Ministers agreed that action is necessary to ensure that there is adequate protection of the public through clear pre-trial detention provisions. Ministers indicated support for the federal government's plan to amend the YCJA to ensure that young offenders are held accountable by including deterrence and denunciation as principles of sentencing.

The provincial and territorial ministers also expressed support for a review of the YCJA given that the *Act* has now been in place for five years.

Changing Face of Correctional Services

Ministers acknowledged that over the last decade, the composition and dynamic of Canada's correctional population has changed considerably, raising a number of issues. For example, the growing number of individuals in remand awaiting trial or sentencing is a concern. Ministers expressed the need for continued collaboration to identify best practices and potential solutions to the new correctional reality. The ministers agreed to a specific study, reporting back next year, to determine how these significant changes

are affecting correctional services across Canada and whether a new approach to corrections is needed.

Credit for Time Served

Ministers discussed the credit being given for pre-trial custody in sentencing. Ministers reconfirmed their October 2006 agreement that credit for pre-sentencing custody should be limited to a maximum ratio of 1.5 to 1. When the accused has been detained due to his/her criminal record or for having violated bail conditions the maximum ratio would be 1 to 1. Provincial and territorial ministers unanimously encouraged the federal ministers to proceed with these *Criminal Code* amendments as a priority. The federal minister confirmed his commitment to addressing this matter.

Securities Fraud Enforcement

Ministers recognized the serious harm caused to victims as a result of securities fraud and expressed their appreciation for the work done by the Securities Fraud Enforcement Working Group. The ministers discussed the recommendations and asked that further work be done to examine them for analysis and implementation.

Human Trafficking

Ministers discussed the domestic and international aspects of trafficking in persons and expressed support for continued efforts to combat it. They considered current prevention, protection and prosecution responses to address this problem and stressed the importance of continued collaboration and sharing of best practices in areas such as training and awareness-raising to ensure that traffickers are held accountable and that appropriate steps are being taken to protect and assist trafficking victims.

Federal Funding

The federal Minister of Justice provided an update on funding for the Aboriginal Justice Strategy, the Aboriginal Courtwork Program, the Child-Centred Family Justice Fund, the Victims Fund, the Justice Partnership and Innovation Program Renewal Strategy, and the Youth Justice Intensive Rehabilitative Custody and Supervision Program. He is committed to these programs and will use his best efforts to secure renewal and enhancements where applicable. Provinces and territories tabled a resolution asking the federal government to renew and enhance its funding commitment for the Child-centred Family Justice Fund Strategy.

Dangerous Offenders/Long Term Offenders

Ministers approved the recommendations of the High Risk Offender Working Group and noted the recent introduction of legislation to provide tougher sentences and more effective management of individuals convicted of sexual or violent offences. Ministers noted that, to a great extent Bill C-2 effectively responds to the group's

recommendations and agreed that the Working Group will continue to explore outstanding issues.

Sentencing

A recent Supreme Court of Canada decision noted the lack of authority for law enforcement officials to obtain bodily samples to monitor drug/alcohol prohibitions. Ministers accepted the recommendations of a working group regarding *Criminal Code* amendments to provide the legal authority to take bodily samples to monitor compliance with probation orders and conditional sentences and noted the need for some issues to be further reviewed by officials.

Tasers

Given that there has recently been work done, in policing sectors in a number of jurisdictions on the use of tasers, Ministers requested officials to have this work brought together to share information and best practices on the use of tasers in Canada.

Child Pornography

Ministers expressed serious concern about child pornography on the Internet and asked officials, on a priority basis, to complete their work in examining measures, including legislation, to increase cooperation of Internet Service Providers in assisting law enforcement officials to identify criminals and rescue child victims.

Online Gambling

Ministers endorsed the work of the Internet Gambling Working Group and encouraged further discussion on regulation and control, investigation of gambling offences and modernization of language in the *Criminal Code* relating to gambling on the Internet.

Auto Theft

Ministers recognized the serious risk that auto theft poses to innocent people across the country where dangerous driving is involved, where auto theft is linked to organized crime, and where vulnerable young persons are being exploited to carry out these crimes. Ministers asked for a collaborative effort to examine legislative and non-legislative solutions that will deter this crime.

Chronic Offenders

Ministers endorsed recommendations for developing more effective strategies for addressing the problems posed by chronic offenders who repeatedly commit less serious crimes, often as a result of addictions or mental health issues. These approaches include partnerships with the health and social services sectors and working with communities. As the next step ministers supported organizing regional

conferences with the ultimate goal of reducing the negative impact that chronic offending has on communities.

Aboriginal Justice

The ministers agreed, in principle, to a declaration to work collaboratively toward predictable, sustainable and equitable justice-related services and programs for Aboriginal people.

This declaration recognizes the respective roles and responsibilities of the federal, provincial, and territorial governments. It is based on principles of mutual respect, collaboration and flexibility. The ministers recognized the need to take concrete actions to address specific justice matters in Aboriginal communities.

Assisted Human Reproduction

Advances in assisted human reproduction have made determining the legal parent-child relationship more complicated. Ministers directed officials to continue work with the Uniform Law Conference of Canada to develop a policy framework to deal with the parent-child relationship in these circumstances.

Cumulative Impacts

The ministers acknowledged that the delivery of justice to Canadians is a shared responsibility and that changes in one part of the system have impacts elsewhere. The ministers approved the Working Group's model for the assessment of the impact of reforms and confirmed the importance of collaboration.

PROVINCIAL JUSTICE MINISTERS AGREE TO ACTION ON INTERJURISDICTIONAL AMBER ALERT PROTOCOL

WINNIPEG , Manitoba, November 14, 2007 – Canada's provincial justice ministers today approved wording of a new protocol on interjurisdictional AMBER Alerts that would give law enforcement agencies new tools to facilitate the safe return of an abducted child.

Ministers agreed Manitoba will approach provincial Amber Alert coordinators to seek their adoption of the protocol.

"There is no higher priority than the safety of our children, and justice ministers share a common commitment to protecting our most vulnerable citizens," said Manitoba Attorney General Dave Chomiak. This new protocol would enable jurisdictions to more effectively work together to help a child in danger.

The AMBER Alert system is a voluntary partnership between law enforcement agencies and broadcasters to issue emergency alerts to the public when a child has been abducted and it is believed the child's life is in imminent danger. AMBER Alerts provide the public immediate and up-to-date information about an abducted child via widespread media broadcasts. The public's help can often facilitate the safe return of an abducted child.

Provincial officials have worked toward establishing an interjurisdictional AMBER Alert protocol since Manitoba sought a commitment to establish a broader protocol at federal-provincial-territorial justice ministers' meetings in 2005 and 2006.

Territorial Ministers are in agreement with the protocol and will work toward implementation should AMBER Alert programs be established in their jurisdictions.

The new protocol would establish a process and guidelines for dealing with AMBER Alert cases that cross provincial boundaries. The protocol would establish an official point of contact in each jurisdiction for dealing with interjurisdictional AMBER Alert requests and provides guidance on what should happen when the AMBER Alert activation criteria of neighbouring provinces differ.

The CAPB encourages you to share this Bulletin with your Chief of Police and Association representative.

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