Department of Justice
Canada

Ministère de la Justice
Canada

JUSTICE AGENDA
PROGRESS REPORT

Canada

JUSTICE AGENDA PROGRESS REPORT

2nd edition

April 1997

Published by authority of the Minister of Justice
and Attorney General of Canada
Government of Canada

by

Communications and Executive Services Branch
Department of Justice Canada
Ottawa, Ontario
K1A 0H8

(613) 957-4222

Printed in Canada

Table of Contents

High-Risk Offenders

In order for Canadians to have confidence in their justice system, they must be assured that offenders who pose a high risk of serious offending are dealt with effectively so that public safety is protected.

On September 16, 1996, the Minister of Justice and the Solicitor General of Canada introduced Bill C-55, a package of major *Criminal Code* reforms that would toughen the sentencing and correctional regime for criminals who show a pattern of serious offences and who, as a consequence, pose a high risk to the public. These reforms are the result of extensive study and consultation with law enforcement officials, provincial and territorial governments and victims' groups.

The following initiatives will toughen the sentencing and correctional regime for those who pose a high risk of committing another violent offence:

- a new "Long-Term Offender" designation that targets sex offenders and gives the courts the power to add a period of long-term supervision of up to 10 years following release from prison.

- strengthened "Dangerous Offender" provisions in the *Criminal Code.* For example, the proposals include a new provision extending to six months after conviction the period during which the prosecution may apply for a Dangerous Offender declaration in cases involving serious personal injury offences. At present such applications must be brought immediately following the conviction. The extended period will allow the court to consider any

new information or evidence that comes to light following conviction. Anyone who is classified as a Dangerous Offender will now also be kept in prison indefinitely.

- A new judicial restraint measure to permit controls to be applied to individuals who pose a high risk of committing a serious personal injury offence. Controls might include, for example, regular reporting to police. The provincial Attorney General or a delegate must approve each application for judicial restraint before it can go forward, to ensure that only applications with merit proceed.

Bill C-55 received second reading in the House of Commons in October, 1996 and is now before a Parliamentary committee for review.

At the same time, low-risk offenders can often be dealt with more effectively in ways other than incarceration. Many offenders in Canada's seriously over-crowded prison system are non-violent and pose a low risk to reoffend. The government is examining cost-effective alternatives to incarceration for non-violent, low-risk offenders. Other initiatives include sentencing reforms, community diversion programs and greater use of risk assessment techniques. Distinguishing between low-risk and high-risk offenders is key to the Government's balanced approach to improving Canada's criminal justice system. This initiative demonstrates the Government's continuing commitment to public safety.

Youth Justice

Amendments to the *Young Offenders Act,* contained in Bill C-37, came into force on December 1, 1995. The amendments, which include tougher measures to deal with violent young offenders, are part of a comprehensive strategy by the Government to reform the youth justice system.

The amended Act includes improved measures for sharing information among school officials, police and selected members of the public where there is concern about the safety of other persons. As well, police are now be able to keep indefinitely the records of young offenders convicted of the most serious offences. In addition, the YOA now deals more strictly with the most serious violent offences by:

- creating longer maximum sentences for those convicted of murder in youth court; and

- dealing with 16- and 17-year-olds charged with the most serious personal injury offences in adult court, unless they can satisfy the youth court that public protection and rehabilitation can be achieved by remaining in youth court.

The link between sentencing that works and public protection is recognized in the Act. The protection of society is the most important objective of any criminal law, including those aimed at youth. This objective, in turn, is best served by rehabilitation, wherever possible. Sentences that address the needs and circumstances of the young person that may have contributed to his or her crime are the most effective protection against future offending.

The remaining phases of the Government's strategy to improve the YOA are nearing completion. The House of Commons Standing Committee on Justice and Legal Affairs has conducted a full review of youth justice issues, at the request of the Minister of Justice, and is expected to table its report in the spring of 1997. Appearing before the Committee as its first witness, the Minister of Justice encouraged a thorough review and suggested that the fundamental objective in a justice system for young people must be to achieve two goals: accountability and effectiveness. The Committee has heard from hundreds of witnesses across the country, including victims, parents of young offenders, young people in custody and community members.

Young people should be held accountable for their behaviour under the Act in a manner appropriate to their age and level of maturity. The Act allows victim impact statements to be considered in determining the appropriate response to youth crimes. A primary goal is to discourage future re-offending by a young person. Another important goal is for a youth, whenever possible, to right his or her wrong.

Any effective approach aimed at reducing youth crime must involve not only the courts but many other resources within the system and in the community. The review of the Act will focus on this, so that Canada has a youth justice system that protects society while respecting the need for an integrated, comprehensive approach.

Firearms Legislation

The new *Firearms Act* received Royal Assent on December 5, 1996. It contains measures to improve public safety in Canada by keeping firearms out of the hands of those who should not have access to them, and by ensuring a higher standard of knowledge and responsibility among those who have firearms for legitimate hunting and sporting purposes.

Canadian firearms control has always represented a balance between protecting public safety and the interests of the vast majority of Canadians who treat firearms with the respect they deserve. Firearms control is a major element of our efforts to prevent violence and preserve a peaceful society. The initiative has several important elements:

Minimum Mandatory Imprisonment Sentences: New amendments to the *Criminal Code* established a four-year minimum mandatory sentence for ten violent offences. These offences include manslaughter, attempted murder, sexual assault with a weapon, robbery and criminal negligence causing death, and aggravated sexual assault. The amendments came into force on January 1, 1996.

The *Firearms Act*: The *Firearms Act* will replace the firearms acquisition certificate (FAC) with a firearms license, and will require that every firearm be registered. The Canadian firearms registry will improve the safety of police and of the people of Canada by allowing police on domestic calls to know what firearms are registered to people in the household, by improving the incentive to store firearms safely, since firearms will be traceable and owners held accountable, by facilitating enforcement of court-ordered prohibitions, and by providing information

to assist criminal investigations, including information about firearms passing from a legitimate owner to someone possessing them illegally.

The User Group on Firearms: On November 23, 1995, the Minister of Justice announced the appointment of a user group on firearms to advise the government on the development and implementation of the new Canadian firearms registration system.

The User Group's advice has helped to ensure an effective, convenient and efficient system that will reflect the interests and needs of various firearms users, including recreational and sustenance hunters, police, firearms' dealers, outfitters, competitive and recreational shooters, collectors and firearms safety instructors. The User Group complements a committee of chief firearms officers from every province and territory, and a federal steering committee of representatives from the Department of Justice, Customs, Solicitor General, the RCMP, and other federal agencies.

Licensing, Registration and Fees: On August 9, 1996, the Minister of Justice announced certain licence and registration fees that were included in the regulations tabled before Parliament in 1996. The Minister underscored that firearms owners deserved a system that is cost-efficient and easy to use, and that the Government would continue to work hard at keeping its commitments to Canada's recreational firearms users.

Under the *Firearms Act*, all owners of firearms must be licensed by 2001. Licences will be valid for five years. Regulations will provide for a fee of *$10 to obtain a five year possession only (non-acquisition) licence during the first year of implementation*. The fees for five year possession only (non-acquisition) licences will rise on a sliding scale to a *maximum of $60 in the last year of the phase-in period.*

Under the *Firearms Act*, all firearms must be registered by 2003. The proposed regulations would provide for a flat fee during the first year of implementation of *$10 for owners to register any number of non-restricted firearms*, provided they are all registered at the same time. The flat fee will rise to *a maximum of $18 to register any number of non-restricted firearms in the last year* of the phase-in period, provided that they are all registered at the same time.

Regulations: On November 27, 1996, proposed regulations were tabled in the House of Commons. These include regulations dealing with firearms licenses, ammunition transfer documents, storage, display, transportation and handling of firearms, authorizations to carry restricted firearms, authorization to export or import firearms, firearms records and firearms fees.

The new firearms control regulatory scheme will be implemented in early 1998.

These proposed regulations were developed after extensive consultations with: provincial officials, in particular the chief provincial and territorial firearms officers; the User Group on Firearms established as an advisory body to represent the views of firearms owners, users and businesses; interest groups concerned about firearms control, including groups representing the interests of women and concerns about domestic violence; industry groups, including museums; firearms user groups, including groups representing hunters, target-shooters, and historical re-enactors; and Aboriginal peoples.

The implementation of the Act and the regulations will take into consideration local interests, any treaty rights and the particular needs of Aboriginal peoples and those living in the northern regions.

The new firearms control initiative is based on cost-recovery in establishing and maintaining a universal licensing and registration system, and it will be implemented along with the following:

- increasing resources to police for smuggling control teams, border patrol and adequate investigation;

- implementing and improving crime prevention programs aimed at preventing youth crime, drug and alcohol abuse, and violence against women and children; and

- providing alternative certification and improved, culturally appropriate education and training on the safe storage and use of firearms.

Victims of Crime Strategy

Responding to the concerns of victims of crime continues to be a priority for the Government.

Victims' organizations play an important role in helping the Government to understand and address their needs. The views of victims' groups were considered in the development of a number of important criminal justice initiatives, including firearms reforms and initiatives dealing with high-risk offenders.

Amendments to the *Criminal Code* include several provisions designed to address the needs of victims, including provisions that will assist victims in providing testimony, publication bans on the identity of sexual offence victims and witnesses, consideration of victim impact statements at sentencing, ordering restitution to the victim as part of the sentence, and imposing a victim fine surcharge in addition to any other penalty.

In addition, proposed amendments included in Bill C-17, aimed at improving the criminal law, and Bill C-27, which addresses child prostitution, criminal harassment and female genital mutilation, will also benefit victims of crime.

For example, amendments are included to expand the provisions allowing the use of screens in courtrooms to facilitate the testimony of witnesses. As a result of the proclamation of Bill C-41, the Government's package of sentencing reforms, the court will now be required to consider a victim impact statement where one has been prepared, and the scope of restitution to the victim as part of sentencing has been expanded as well.

The *Young Offenders Act* also provides for restitution to the victim and that the views of the victim may be sought in the preparation of reports that will guide a judge in deciding how a young offender should be treated.

In April 1996, the Minister of Justice endorsed a motion directing the Parliamentary Standing Committee on Justice and Legal Affairs to draft a Victims' Bill of Rights. The Minister has also launched consultations with provincial Attorneys General to discuss the role of the victim in the criminal justice system, to explore revisions to the *Criminal Code*'s victim fine surcharge and to improve and reaffirm the principles set out in the Canadian Statement of Basic Principles of Justice for Victims of Crime.

Protection for Victims of Sexual Offences

On June 12, 1996, the Minister of Justice introduced Bill C-46, which contains amendments to the *Criminal Code* designed to strengthen protection for victims and witnesses of sexual offences. The Bill is currently at second reading in the House of Commons.

Bill C-46 would require that an accused who seeks the personal records of a complainant or witness must satisfy the judge that the records are likely relevant to an issue at trial. The judge would then decide whether to order that the records be provided to the accused based on a two-stage process.

First, before even the judge sees the records, he or she must be satisfied that the accused has shown the likely relevance of the records. In addition, the judge must also consider the Charter rights of both the accused and the victim or witness as well as other specific factors set out in the Code.

At the second stage, the judge reviews the records and must again be satisfied of the likely relevance of the records and must again consider competing Charter rights and other factors. Following the review, the judge will determine whether all, some or none of the records should be provided to the accused.

Bill C-46 also includes several safeguards for the complainant's or witnesses' privacy.

DNA Evidence

On July 13, 1995, new legislation on DNA evidence became law.

This legislation establishes, for the first time in Canadian criminal law, rules for collecting DNA evidence from suspects in a crime. For example, it requires the police to have reasonable grounds to believe that the suspect has committed a "designated" offence — for example, murder, sexual assault or aggravated assault — before a court can issue a DNA warrant. DNA warrants authorize police to use specific procedures to collect bodily substances.

Police have welcomed this powerful investigative tool. DNA warrants obtained under the new legislation have been used in many successful prosecutions and have also resulted in the exclusion of primary suspects in a number of cases.

The legislation also ensures that the police meet certain obligations, such as addressing privacy concerns, when they execute a DNA warrant. It also requires that bodily substances seized under a warrant and the results of forensic DNA analysis of these substances must be destroyed in cases where the analysis excludes the suspect as the perpetrator of the offence or if the person is subsequently acquitted of the offence.

A Parliamentary review of the DNA warrant legislation may occur in 1997. Based on the results of recent public consultations, the Government is now also developing a bill on the establishment of a national DNA databank.

National System for Screening Child Sexual Abusers

In November 1994, Solicitor General Canada, together with the Department of Justice and Health Canada, launched a new national system that will make more and better information available to organizations to help them screen out child sexual abusers who apply for work with children. The system is based on changes to the Canadian Police Information Centre (CPIC), operated by the RCMP.

Under the system, employers or voluntary groups can ask a job applicant to obtain a CPIC check through local police as a condition of employment or voluntary work. The CPIC check will reveal information on convictions for indictable offences as well as other offences, including sexual interference, sexual exploitation and family violence crimes. Information on prohibition orders on sex offenders, peace bonds, and firearms and driving prohibitions will also be revealed. The applicant must first consent to disclose the results of the check before any information is released by police.

The Government also worked with volunteer groups to develop a volunteer and employee screening manual and community training workshops. These tools help community organizations understand how, through better employee recruiting, screening and training, they can protect children better.

Parole Ineligibility for Murderers

Canadians have expressed concern about section 745.6 of the *Criminal Code*. This is a provision that allows people serving life sentences for murder, with no eligibility for parole for periods of more than 15 years, to ask a judge and jury for permission to apply for parole at an earlier date.

To respond to this concern, the Minister of Justice and the Solicitor General of Canada tabled Bill C-45 on June 11, 1996. The Bill represents a balanced approach that ensures the section 745.6 process is applied only to those offenders who should have access to it, in a manner that is sensible and reflects public concerns.

The Bill makes three significant changes:

- offenders who commit multiple murders, including serial murders, are no longer eligible to apply for a review of their parole ineligibility;

- offenders who are eligible to apply for a review are no longer automatically entitled to a hearing before a review jury. Instead, they have to first convince a superior court judge that their application has a reasonable prospect of success before they are allowed a jury hearing; and

- in order to get permission from a jury to apply early for parole, the offender must convince all members of the jury that his or her case warrants it. Under the previous law, an offender only had to convince two-thirds of the jury.

Bill C-45 came into force on January 9, 1997.

Sentencing Reform

Bill C-41, which brought about major changes to the way Canada's sentencing laws are applied, became law on September 3, 1996. It provides, for the first time, a statement of the principles and purposes of sentencing in the *Criminal Code of Canada* that can be used by judges when they are determining a sentence.

The law now reflects a balanced approach that ensures the public's need for safety is paramount, while also considering the victim's need for restitution and the principle that serious offenders should be treated differently than offenders who pose a low risk. In order to stem the rising tide of hate crime, the law also states that those who commit crimes motivated by hatred should receive a longer sentence.

The changes made in the law through Bill C-41 also include provisions that will:

- assist victims of crime by improving the availability of restitution to victims; and

- provide the courts with more sentencing options to distinguish between violent, serious offenders who require jail and less serious offenders who can be dealt with more effectively in the community.

National Strategy for Community Safety and Crime Prevention

The National Crime Prevention Council, created by the Government as part of the National Strategy for Community Safety and Crime Prevention, continues to work on addressing the underlying causes of crime and ways in which Canadians can focus efforts and resources on prevention, rather than simply dealing with the consequences of crime. The two priorities for the Council are children and youth, and the primary approach is crime prevention through social development.

In relation to children, the Council has published five fact sheets: "The Picture of Crime," "The Profile of Offenders," "Risk Factors", "Resiliency Protection Factors" and "Determinants of Health and Children". These fact sheets form the basis of an early childhood crime prevention model. Called *Preventing Crime by Investing in Families: An Integrated Approach to Positive Outcomes in Children*, the model describes the risks at each stage of a child's life to age six. It also describes ways to address those risks, with Canadian examples of projects that work. The goal is to reduce the likelihood that children will become involved in crime later in life. The Council is also completing a prevention model for children aged six to 12, in cooperation with organizations that serve youth.

In relation to youth, the Council conducted a series of consultations with youth and organizations that serve youth during the summer of 1995. As a result of these consultations, the Council prepared a brief on changes to the *Young Offenders Act* and two reports based on the consultations, which include recommendations on youth crime prevention.

The Council's objective is to develop strategies that can help to reduce the risk that youths will come into contact with the juvenile justice system, decrease the risk of victimization, and improve the system's interaction with those youth who do come into conflict with the law. To this end, the Council is developing a prevention model for youth aged 12 to 18.

Other important publications of the Council are a fact sheet on savings and prevention, a booklet called *Money Well Spent: Investing in Preventing Crime and Victimization*, as well as *Dollars and Sense of a Comprehensive Crime Prevention Strategy*. These publications provide a better understanding of the current costs of crime and present crime prevention through social development as a reasonable and effective alternative to other, more costly ways of addressing crime.

The Council also convened a seminar that brought together experts in the evaluation of crime prevention approaches for children and youth using cost benefit and cost effectiveness evaluation. As part of this exercise, the Council has also published information on how to evaluate community-based crime prevention projects.

Through these efforts and the development of a strategic action plan, the Council hopes to encourage a partnership between the Government and nongovernment partners to support effective crime prevention measures that provide the greatest social and economic benefits to Canadians.

Child Support

In the 1996 budget, the Government announced a comprehensive strategy to improve the Canadian child support system. It included child support guidelines, changes in the tax treatment of child support, redirection of the tax savings to poor children, and improved enforcement of support orders. The changes to the system ensure that the needs of children are met and that parents live up to their responsibilities for child support payments.

Bill C-41 sets out the framework for regulations that establish new child support guidelines. The guidelines help to ensure appropriate and consistent support levels, and to reduce the conflict between separating parents. This will result in lower legal bills, reduced legal aid costs, diminished court costs and more money in the hands of the parents for the benefit of the child.

The way child support payments are taxed will also be changed to make things fairer and simpler. The Income Tax Act will be amended to eliminate both the requirement to include child support in the custodial parent's taxable income and the deduction available to those who pay child support. The new tax rules apply to agreements or court orders made on or after May 1, 1997. The new tax rules do not apply to child support awards made before May 1, 1997, unless:

- the parties amend their written agreement or court order after April 30, 1997, to change the amount of child support; or

- the order or agreement specifically provides that the new tax rules will apply after a specific date (which cannot be earlier than May 1, 1997); or

- the parties both sign and file a form with Revenue Canada agreeing that the new tax rules will apply after a specific date (which cannot be earlier than May 1, 1997) without changing the level of child support in their order of agreement.

Bill C-41 improves federal and provincial enforcement measures, targeting people who wilfully default on their child support payments. Wilful and chronic default by people who can pay child support but refuse to do so is unacceptable.

Key measures include the following:

- federal legislation will authorize the suspension of federal licenses and certificates, such as passports, in cases of persistent default;

- the provinces will have access to the database of Revenue Canada to obtain address information to trace persistent defaulters; and

- money and effort will be invested in upgrading computer systems to share information among provinces and coordinate their efforts.

Bill C-41 received Royal Assent on February 19, 1997. The new guidelines, tax changes and enforcement mechanisms are expected to come into force May 1, 1997.

Implementation of the child support initiative is a priority for the Department of Justice. Both a federal/provincial/ territorial task force and an advisory committee composed of members of the legal community and related professions, the judiciary and the academic community have been established to assist the Department in various aspects of the implementation process.

Informing the public about the changes is an important priority as well. In May 1997, the 700,000 Canadians who report paying or receiving child or spousal support will receive information on the new tax treatment of child support and how it could affect them. A public awareness campaign will also be launched to inform Canadians about the new federal laws regarding child support. Information on the guidelines and enforcement measures is available free by calling 1-888-373-2222 or, within the Ottawa area, (613)946-2222.

Child Prostitution, Criminal Harassment (Stalking), Female Genital Mutilation and Child Sex Tourism

On April 18, 1996, the Government introduced legislation to protect vulnerable women and children. Bill C-27 contains amendments to the *Criminal Code* concerning child prostitution, criminal harassment (stalking), female genital mutilation and child sex tourism.

The bill creates a new mandatory minimum sentence of five years in prison for those convicted of using violence to force children into prostitution for profit. As well, the existing provisions on arresting those seeking the services of youths involved in prostitution would be improved. The bill also includes measures that would offer special protection to these youths when they testify against their exploiters.

In addition, the new legislation ensures that anyone who commits murder while stalking would face a charge of first degree murder if he or she intended to cause the victim to fear for his or her safety. In addition, a court, when imposing sentence on someone convicted of stalking while under a restraining order, would be obliged to treat that as an aggravating factor. The Department of Justice completed its research reviewing the implementation of this new legislation and issued a report on the results in January, 1997.

Bill C-27 would also amend the *Criminal Code* to clarify specifically that the practice of female genital mutilation is criminal conduct in Canada. The Government is creating educational materials on female genital mutilation to ensure that all people in Canada are aware that the practice is a criminal offence.

Finally, Bill C-27, as announced by Minister of Justice Allan Rock and Minister of Foreign Affairs Lloyd Axworthy, would amend the *Criminal Code* to provide Canadian courts with extraterritorial jurisdiction in relation to Canadian nationals and permanent residents involved in sexual offences against youths, whether in or outside Canada.

A Parliamentary committee review of the bill was completed in December, 1996, and it is now awaiting third reading in the House of Commons.

The Drunkenness Defence

In recent years, Canadians have voiced widespread concern over the abuse of intoxicants serving as an excuse for violence. In response to this, the Minister of Justice introduced Bill C-72, which came into force on September 15, 1995. The law amends the *Criminal Code* so that self-induced intoxication is no longer a defence to any general intent crime of violence, including assault and sexual assault. The law creates a "standard of care" that would be breached by those who become so intoxicated that they lose conscious control of their behaviour or become unaware of what they are doing, and who cause harm to another person while in this state. Breach of this standard is criminal fault, so that the extreme intoxication defence cannot be relied upon.

Modernizing the Criminal Code

In 1994, the Government made over 100 amendments to the *Criminal Code* to improve its effectiveness. They include measures to ensure peace bonds are more effective in keeping abusers away from their victims, and the reclassification of certain crimes of violence as "dual procedure offences," allowing the Crown prosecutor to proceed by way of either summary conviction or indictment. A summary conviction procedure is faster and more straightforward, and involves less stress for victims and witnesses.

Bill C-17 is a similar Bill which is now being reviewed by the Senate. It contains almost 150 amendments to the *Criminal Code* and related statutes.

Highlights of Bill C-17 include:

- changes that would fine-tune legislation on the proceeds of crime. These changes would build on other government initiatives and help police to investigate and prosecute international and domestic money laundering by organized criminals and drug traffickers;

- several changes to address computer crime, credit card forgery and fraud, and fraudulently obtaining services;

- proposals that would tighten up impaired driving provisions by removing procedural loopholes; and

- an addition to the current "joy riding" offence that would create a new summary conviction offence for knowingly being a passenger in a stolen motor vehicle.

The *Canadian Human Rights Act*

In June, 1996, legislation introduced by the Minister of Justice to add sexual orientation as a prohibited ground of discrimination under the *Canadian Human Rights Act* (CHRA) was enacted. The change protects employees of the federal government and federally regulated businesses — about 10 per cent of the workforce — from discrimination based on their sexual orientation.

The amendment ensures that gays and lesbians are afforded the same basic protection from discrimination as other Canadians. The change reflects the Government's commitment to ensure that federal human rights legislation reflects the principles of fairness and tolerance that are fundamental to the justice system and to our identity as Canadians.

The Government is now exploring ways to amend federal human rights legislation to take into account the needs of persons with disabilities and to address other issues related to the scope of the law, remedies for discrimination, and the adjudicative process.

Self-Defence Review

On October 4, 1995, the Minister of Justice and the Solicitor General of Canada jointly announced the appointment of the Honourable Lynn Ratushny, judge of the Ontario Court of Justice (Provincial Division), to lead a review of cases involving women convicted of killing their abusive partners, spouses or guardians. Some of the offenders were convicted before the Supreme Court of Canada decided a case that recognized prolonged abuse as a potential defence to a murder charge, and others might not have relied on that defence even though it might have been available to them. The review by Judge Ratushny is intended to prevent a failure of justice in such cases.

On February 6, 1997, Judge Ratushny submitted to the Minister of Justice and the Solicitor General of Canada the first interim report on women in custody. The report contains information on the activities undertaken as part of the review, the process used and a description of the standards against which the applications were examined. The report also contains case summaries of six applicants for whom a recommendation for the exercise of the royal prerogative of mercy has been made.

A working group from the Department of Justice and Solicitor General Canada is examining the report and its recommendations. Following consultations with the Attorneys General of the provinces where the applicants were prosecuted, the working group will report to Ministers. A second interim report is scheduled for the end of March, 1997, with a final report due in June, 1997.

War Crimes

The Department of Justice and the Department of Citizenship and Immigration have continued to implement a strategy, announced in January 1995, to deal with World War II cases that have been investigated by the war crimes units of Justice and the RCMP.

The strategy involves the revocation of citizenship, where required, and subsequent deportation of individuals who obtained entry to Canada as a result of fraud or misrepresentation of their identities, war time affiliations and activities.

Twelve cases have been initiated, fulfilling the Government's commitment when it launched the strategy. Eleven of these are now before either the Federal Court or an immigration adjudicator.

The Government is also considering the introduction of legislative amendments to address issues raised by a decision of the Supreme Court of Canada that effectively prevents successful criminal prosecutions of war crimes in Canada. An interdepartmental working group is also developing recommendations towards a comprehensive approach to modern war crimes and crimes against humanity.

These efforts will help to ensure that Canada does not become a haven for modern-day war criminals. The Government remains committed to seeking justice with respect to alleged war criminals and those who have committed crimes against humanity, to the full extent of the law, regardless of where or when the crimes were committed.

Contraventions Act

In an effort to deal more effectively with people who commit minor federal offences, the Government introduced amendments to the *Contraventions Act*, which were proclaimed on August 1, 1996. The amendments improve compliance with federal legislation, lower the cost of administering justice, and eliminate overlap and duplication.

The Act now allows the federal government to use existing provincial and territorial ticketing schemes for the purpose of ticketing minor federal offences. These offences include, for example, not having enough oars or life jackets on board a boat or fishing illegally. This decriminalizes minor federal regulatory offences, removes uncontested cases from the courts and improves the enforcement of fines.

The Act is being implemented province by province. On August 1, 1996, Ontario became the first province in which the Act was brought into effect. Negotiations have started with seven other provinces, with five more jurisdictions — Newfoundland, Nova Scotia, New Brunswick, Prince Edward Island and Manitoba — expected to implement the Act by the spring of 1997.

Creation of a New Law Commission

Legislation to create a new and improved Law Commission of Canada received Royal Assent on May 29, 1996. The Commission will provide the Government with independent advice from many sectors of Canadian society on modernizing Canada's law and making the legal system more efficient.

The work of the Commission will signal a new approach to law reform, governed by several principles that were set out in the legislation: cost-effectiveness, responsiveness, innovation, inclusiveness, a multidisciplinary approach, and openness. Efforts to get the Commission up and running are now underway.

Regulatory Reform

Bill C-25, which was introduced in April 1996, will reform and modernize the regulatory process currently established by the Statutory Instruments Act. Like the Act it replaces, the *Regulations Act* lays down the procedures for creating federal regulations, ensuring that they are lawful, enforceable and accessible to the public, and that the government departments that prepare regulations remain accountable to Parliament.

In addition, the new Act allows publication of regulations on an electronic registry, use of electronic forms, and electronic consultation. The *Regulations Act* would clarify the law by using simpler and clearer concepts and language, and by laying down a clear and workable approach to the use of standards created by international, national and other standard-setting bodies in federal regulations. The new Act also establishes new processes for reviewing regulations that will allow greater efficiency in preparing simpler, routine amendments while preserving the safeguard of Parliamentary oversight over regulatory changes.

These measures create a simplified, more responsive and effective regulatory process that better serves the needs of government regulators, regulated sectors and the Canadian public.