

TELECONFERENCE MEETING OF FPT MINISTERS RESPONSIBLE FOR JUSTICE

Wednesday, June 29, 2020 – 11:00 a.m. to 1:00 p.m.

Free Press note:

**This meeting occurred July 29;
the first page incorrectly states June 29.**

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MINISTERIAL TELECONFERENCE AGENDA

Wednesday, July 29, 2020, from 11:00 a.m. to 1:00 p.m. (Ottawa time)

- 1) Welcome**
 - 2) Data Discussion: Tracking and Responding to Systemic Racism in the Justice System**
 - 3) Update on Justice System Operations in the COVID-19 Context**
 - 4) Closing**
-

ORDRE DU JOUR DE LA TÉLÉCONFÉRENCE DES MINISTRES

Mercredi 29 juillet 2020 de 11 h à 13 h (heure d'Ottawa)

- 1) Bienvenue**
- 2) Discussion au sujet des données: suivi et réponse au racisme systémique dans le système judiciaire**
- 3) Mise à jour sur les opérations du système de justice dans le contexte de la COVID-19**
- 4) Clôture**

MINISTERIAL TELECONFERENCE SCENARIO

Wednesday, July 29, 2020 – 11 a.m. to 1 p.m. (Ottawa time)

Time	Agenda Item	Tab
11:00 am – 11:15 am	<p>1. Welcome</p> <p>a. Logistics and Roll Call (Marcel Bérubé, Canadian Intergovernmental Conference Secretariat (CICS) and Karen Bron, Justice Canada)</p> <p>Marcel Bérubé (CICS) will first test the lines and explain the teleconference rules of engagement to ensure the meeting flows smoothly.</p> <p>Karen Bron will then do a roll call of participants on the line, and turn it over to <u>you</u> as chair for the meeting.</p> <p>b. Welcome from Minister Lametti</p> <p><u>You</u> will act as chair for the meeting.</p> <p><u>You</u> will open the meeting by bringing greetings, and thanking participants for joining the call.</p> <p><u>You</u> will then provide brief opening remarks that set the stage for a more fulsome discussion on data collection as well as on resuming and eventual recovery of the justice system. Talking points can be found at <u>TAB-3.</u></p>	Tab 3
11:15 am – 11:55 am	<p>2. Data Discussion: Tracking and Responding to Systemic Racism in the Justice System (Minister Lametti)</p> <p><u>You</u> will introduce the subject, including a reminder of the discussion that took place in June about racism in the Criminal Justice System, with high-level messaging related to the importance of data collection and analysis and introduce the guest presenter, the Chief Statistician of Canada, Anil Arora. Talking points can be found at <u>TAB-4.</u></p> <p><u>You</u> will turn the line over to Anil Arora, Chief Statistician of Canada, who will deliver a presentation about the state of information in Canada on data disaggregated by ethnicity, Indigenous, and socio-economic characteristics.</p>	Tab 4

	<p>Following the presentation, <u>you</u> will thank Mr. Arora and open the floor to discussion, and seek feedback from your PT colleagues.</p>	
	<p>Strategic Objectives:</p> <ul style="list-style-type: none"> • To explore, through data collection potential, opportunities to respond to systemic racism in our criminal justice system and institutions based on ethnicity, Indigenous, and socio-economic characteristics. • To identify gaps that currently exist in data tracking and develop strategies to address these adverse impacts and data gaps, leading to a justice system that is well informed. 	
<p>11:55 am – 12:55 pm</p>	<p>3. Update on Justice System Operations in the COVID-19 Context and Roundtable (Minister Lametti)</p> <p><u>You</u> will provide an update, from the federal perspective, on the current status of justice system operations and actions including a de-brief on access to justice, the Action Committee, the time limits bill, and a criminal law update.</p> <p>Following your remarks, <u>you</u> will open the floor to your PT colleagues to (1) update on the current status of justice system operations in their respective jurisdictions; and (2) a tour de table that will also serve as an opportunity for PTs to raise any pressing issues within their own jurisdictions.</p> <p><u>You</u> have responsive Talking Points covering First Nations Policing, MMIWG, rural crime, and requests for funding support.</p> <p>Talking points can be found at <u>TAB-5</u>.</p>	<p>Tab 5</p>

	<p><u>Strategic Objectives:</u></p> <ul style="list-style-type: none"> • Continue the process of assessing the impact COVID-19 has had on the justice system, what the system needs and what the objectives are for a gradual return to operations. • To provide the opportunity for PTs to raise any pressing issues within their own jurisdictions. 	
<p>12:55 pm – 1:00 pm¹</p>	<p>4. Closing (Minister Lametti)</p> <p>With the wind-down of additional topics, <u>you</u> will thank your colleagues for their participation and sign-off.</p> <p>Closing Remarks have been provided for <u>you</u> at <u>TAB-6.</u></p>	<p>TAB 6</p>

¹ Please note, the lines and translators are available until 1:30 p.m. should the conversation require more time. Justice has a note-taker supporting the meeting.

s.16(2)(c)

Dial-in Information

Bilingual Line

Toll-free dial-in number: 1-877-413-4782

Local dial-in number: 613-960-7511

Access Code: [REDACTED]

English Line

Toll-free dial-in number: 1-877-413-4782

Local dial-in number: 613-960-7511

Access Code: [REDACTED]

French Line

Toll-free dial-in number: 1-877-413-4782

Local dial-in number: 613-960-7511

Access Code: [REDACTED]

Technical Issues Contact Information

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Karen Bron (Justice Canada) – 613-299-7479 / karen.bron@justice.gc.ca

Joe Mileto (Justice Canada) – 613-806-9282 / joe.mileto@justice.gc.ca

MINISTERS OF JUSTICE TELECONFERENCE CALL**Wednesday, June 29, 2020 – 11 a.m. to 1 p.m.****List of Participants**

Jurisdiction	Minister	Deputy Minister
Justice Canada	Minister David Lametti Confirmed	Deputy Minister Nathalie Drouin Confirmed
Alberta	Minister Doug Schweitzer	Deputy Minister Frank Bosscha Confirmed
British Columbia	Minister David Eby	Deputy Minister Richard Fyfe Confirmed
Manitoba	Minister Cliff Cullen	Deputy Minister David Wright Confirmed
New Brunswick	Minister Andrea Anderson-Mason Confirmed	Deputy Minister John Logan Confirmed
Newfoundland and Labrador	Minister Andrew Parsons Confirmed	Deputy Minister Jennifer Mercer Confirmed
Northwest Territories	Minister Caroline Wawzonek Confirmed	Deputy Minister Charlene Doolittle Confirmed
Nova Scotia	Minister Mark Furey Confirmed	Deputy Minister Candace Thomas Confirmed
Nunavut	Minister Jeannie Ehaloak Confirmed	Deputy Minister Stephen Mansell Confirmed
Ontario	Minister Doug Downey Confirmed	Deputy Minister Irwin Glasberg Confirmed
Prince Edward Island	Minister Bloyce Thompson	Deputy Minister Karen A. MacDonald Confirmed
Quebec	Minister Simon Jolin-Barrette	Deputy Minister Line Drouin Confirmed
Saskatchewan	Minister Don Morgan DECLINED	Deputy Minister Glen Gardner DECLINED Kylie Head attending on their behalf
Yukon	Minister Tracy-Anne McPhee Confirmed	Deputy Minister John Phelps Confirmed
Guest:		
Statistics Canada	Mr. Anil Arora, Chief Statistician - Confirmed	
Statistics Canada	Ms. Lynn Barr-Telford, Assistant Chief Statistician Confirmed	



Talking Points

Opening Remarks

- **Bonjour à tous. Merci d'avoir pris le temps de participer à notre quatrième téléconférence – personnellement, j'ai hâte de vous revoir en personne un jour, peut-être au moins par vidéoconférence. Peu importe le moyen, le plus important est de continuer à collaborer tous ensemble.**
- **Before I begin, I would like to acknowledge that I am joining you from the traditional territory of the Algonquin people.**
- **While our three previous conversations took place in the face of a rapidly evolving situation, this one takes place amid some cautious optimism and many provinces and territories moving on to varying stages of re-opening.**
- **That said, public health data in the last week have shown the need for continued care and caution in our approach. It is essential that we work together.**
- **There will be many challenges and opportunities as we resume justice system operations and, ultimately, progress to full recovery.**
- **We know that large segments of our society have been at greater risk throughout the pandemic and have suffered disproportionately.**
- **Further, the Black Lives Matter protests have heightened awareness in this country of the systemic racism and discrimination that exists in our institutions.**

- **At our last meeting, we began the discussion around efforts to fight racism, and I expect that today's discussion will begin to lay the foundation for a more robust justice response.**
- **Si nous voulons mesurer nos progrès, nous devons mieux comprendre l'expérience et les besoins de ceux que notre système de justice doit servir. Pour nous aider à comprendre le rôle que les données et les informations peuvent jouer, j'aimerais accueillir le statisticien en chef du Canada, M. Anil Arora.**
- **Sur ce point, je propose que nous passions à notre premier sujet, une discussion sur les données. Nous voulons faire le suivi sur notre discussion de juin sur le racisme systémique dans le système judiciaire. Ensuite, nous ferons une mise à jour sur les opérations du système de justice dans le contexte de la COVID-19.**



Talking Points

Data Discussion: Tracking and Responding to Systemic Racism in the Justice System

FPT Ministers of Justice Meeting of July 29, 2020

- **Lors de notre dernière conversation, nous avons parlé des travaux importants réalisés à travers le pays pour lutter contre le racisme systémique et des mesures supplémentaires qui pourraient être prises pour contribuer à résoudre le problème.**
- **L'actualité a mis en évidence le besoin pressant d'avoir accès aux données désagrégées. C'est nécessaire pour le développement de nouveaux programmes et politiques ainsi que pour mesurer l'impact de ceux actuellement en place.**
- **Addressing racism in the justice system is a priority for me, as I hope it is for all of us.**
- **For example, in June 2019, Justice Canada launched an online dashboard that identifies key outcomes of a fair, effective, and efficient criminal justice system. Reducing the number of Indigenous peoples and marginalized people in the system—including Black Canadians—are two key outcomes that were identified through extensive consultations with stakeholders, FPT officials, and the Canadian public.**
- **Through the dashboard, we have a structure in place to publicize performance in these areas, but a great deal of data are missing. This prevents us from fully reporting on the nature and extent of over-representation.**

- **These data gaps also prevent us from fully understanding the journey of Indigenous and other racialized groups as they move through the system. That means that we cannot identify whether there are certain points in the system that are especially problematic for particular groups of people. With that kind of information available to us, we would be better equipped to target interventions.**
- **To help fill some of the knowledge gaps, in the coming weeks, Justice Canada will be engaging with Black youth who have been in conflict with the criminal justice system. The Department is undertaking this work in collaboration with the Anti-Racism Secretariat. We have also partnered with Women and Gender Equality Canada to fund community-based activities that will help us better understand the legal needs of Black Canadians and Indigenous peoples.**
- **These initiatives will help tell the stories of Indigenous and other racialized people navigating Canada's justice system; however, they will not allow us to quantify the issues experienced by Indigenous peoples and other racialized Canadians.**
- **Beyond the criminal justice system, we also need improved data related to civil and family law in our fight against racism. Earlier this month, officials started to identify indicators and collect existing data to report on the impacts of COVID-19 on access to justice for Canadians in the areas of family and poverty law, which will include race-based data. That is a positive step, but I expect that together we can do more.**
- **Pour ce faire, nous devons collaborer avec Statistiques Canada et tous les paliers de gouvernements afin de nous assurer que nous disposons des données nécessaires pour lutter contre le racisme systémique grâce à des programmes, des politiques et des lois fondées sur des données empiriques. J'ai hâte de discuter de la manière dont nous pouvons atteindre cet objectif commun ensemble.**

- **Pour lancer cette discussion, j'ai le plaisir de présenter Mr. Anil Arora. M. Arora a été nommé statisticien en chef du Canada en septembre 2016. Depuis, il a dirigé des initiatives de transformation d'envergure, et il est actuellement responsable des efforts pour fournir des informations utiles et des données fiables au gouvernement pendant cette période difficile. À vous Anil...**

Following Mr. Arora's presentation

- **Before opening the floor for discussion, I would like to thank Anil for taking the time to speak with us today and to share the important work of Statistics Canada to help us better understand the experiences of Indigenous peoples, Black Canadians and other racialized individuals in the justice system.**
- **I know that we will continue to discuss these critical issues and that everyone at this table is committed to addressing the data gaps. Thank you again for all your work and today's presentation, Anil.**

BACKGROUND

There is an absence of data concerning the race or Indigeneity of victims and accused persons in official crime statistics. Although the Correctional Service of Canada does collect race-based information, the federal offender population comprises only a fraction of the total number of individuals involved in the criminal justice system. The lack of data makes it difficult (and sometimes impossible) to track the representation of racialized groups and Indigenous peoples as they progress through the criminal justice system. It also makes it difficult to measure the impact of programs, policies, and legislation on racialized and Indigenous peoples. Recent examples where these data would be useful include measuring the differential impacts of mandatory minimum sentences; measuring the impact of changes to impaired driving legislation; and measuring the impact of changes to prostitution legislation.

On July 15, 2020, Statistics Canada and the Canadian Association of Chiefs of Police announced a commitment to work together with the policing community to enable the collection of data on Indigenous and ethno-cultural groups in police-reported crime statistics. Though this will assist with producing improved data, it will not fill all existing gaps.

In addition to the criminal justice system, there are significant data gaps in other areas related to the legal system and the impact that COVID-19 has had on it, such as in civil and family law. On July 7, federal, provincial and territorial (FPT) Deputy Ministers of Justice and Public Safety agreed to task an FPT ad hoc working group to identify a small number of indicators and collect existing data to report on the impacts of COVID-19 on access to justice for Canadians in family and poverty law matters. Terms of reference will focus on building on existing efforts under way, including race-based data, and ensuring a consistent approach to data collection. That group, or another alternate forum, will also consider studying data collection related to COVID-19 litigation.





Disaggregated data: A way forward for justice information

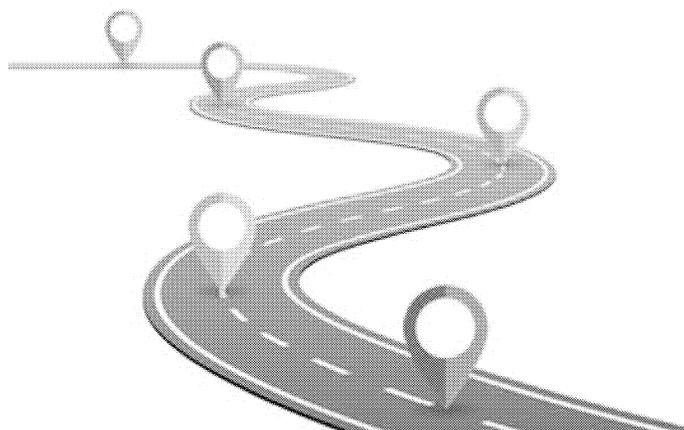
Anil Arora, Chief Statistician of Canada

FPT Ministers of Justice Meeting of July 29, 2020



Delivering insight through data for a better Canada

Outline

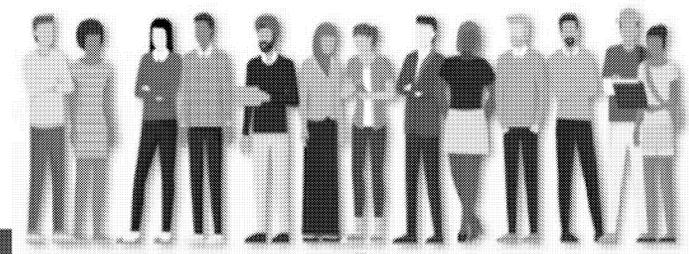


- 1) Disaggregated data – the current landscape in justice and elsewhere
- 2) The National Justice Statistics Initiative (NJSI) – A user-centric partnership
- 3) New information created through partnerships – key examples
- 4) Moving forward
- 5) Next steps

100

Disaggregated data – the current landscape in justice and elsewhere

- Statistics Canada has been tracking and making public, socio-economic trends for vulnerable populations for some time.
- While issues of systemic racism are not new to Canada, COVID-19 has raised significant concerns about the potential disproportionate socio-economic impacts on vulnerable populations, including within the justice system.
- The relationship between public health and economic recovery, and where governments place emphasis and resources has brought long-standing issues of equity and fairness along with social cohesion and wellness to the forefront.
- Gaps in disaggregated data for basic indicators are very real and the challenge amplified, where these data are not collected at source, not shared either at all or on a standardized and timely manner with the nation's statistical agency.



3

COVID-19 has shone the light on the need for quality and granularity of the data, and Statistics Canada is responding

We are supporting our partners through:

- **Data Collection and Creation** – Collection of information on the perceptions of safety of Canadians during COVID-19.
- **Data Needs and Gaps** – Key indicators provided and gaps identified by Federal partners (Justice, Public Safety) to inform the recovery process.
- **Development of Innovative Tools** - New processes and tools developed for gathering and reporting information on victims services, crime and corrections counts during the pandemic.

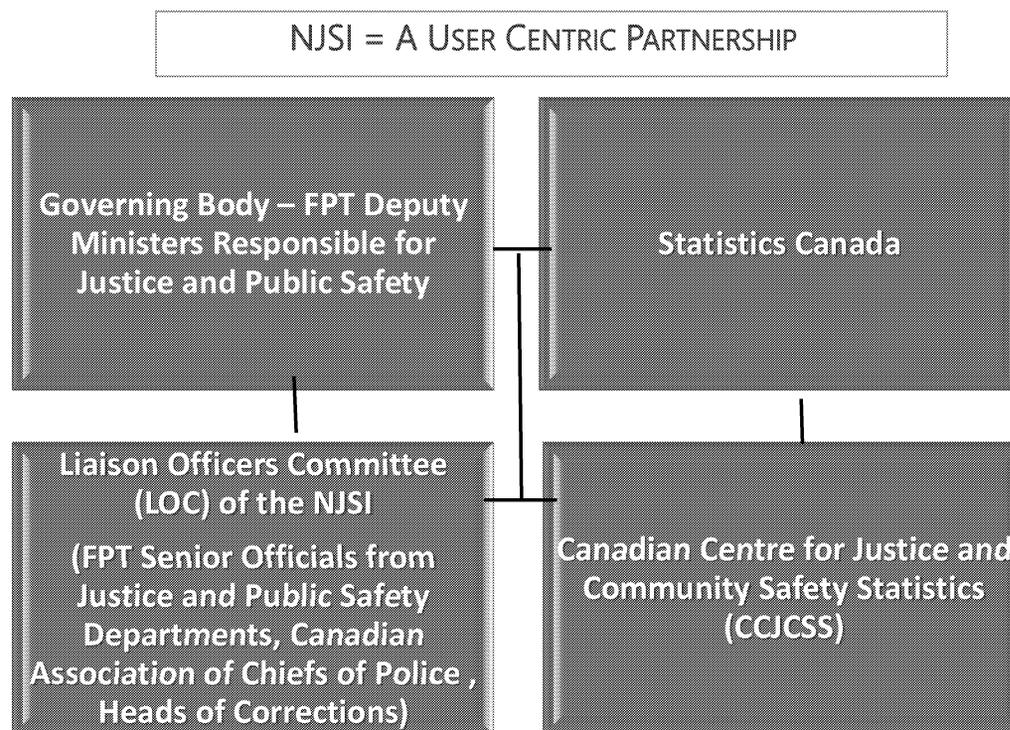


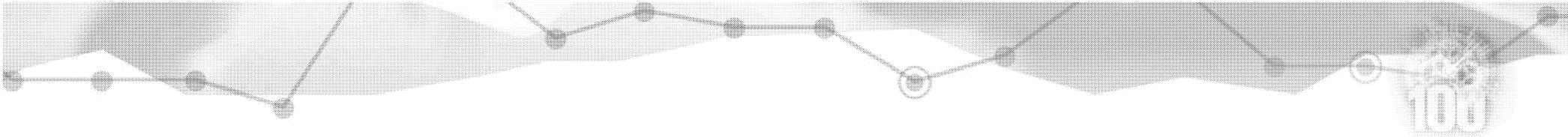


The National Justice Statistics Initiative – an exemplary partnership

40 years of police, justice and public safety working with Statistics Canada for relevant information

- Since 1981, the **Federal, Provincial and Territorial Deputy Ministers responsible for justice** in Canada have been working together, along with the **Chief Statistician of Canada**, in an enterprise known as the **National Justice Statistics Initiative (NJSI)**.
- The mandate of the NJSI is to provide information to the justice community and the public on the nature and extent of **crime and victimization and the administration of criminal and civil justice** in Canada.





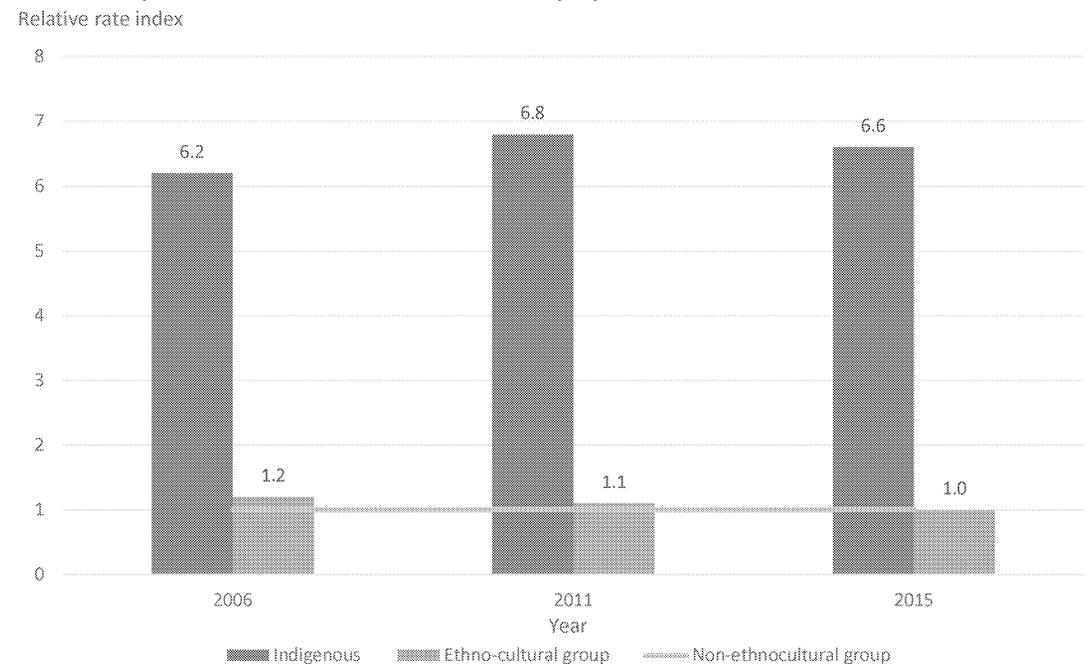
New information created through partnership:

Key examples

Measuring over-representation in the justice system through data integration and the creation of a Relative Rate Index (RRI)

- Indigenous people were approximately **6 times** more likely than ethno-cultural groups and non-ethno-cultural groups to have appeared in a criminal court as an accused.
- The RRI method is used to identify the extent of over-representation of Indigenous and ethno-cultural groups at key stages/decisions of the system. It compares the relative volume (rate) of activity for each major stage of the justice system for these groups with the volume of that activity for non-ethnocultural groups.

Relative rate index of Indigenous and ethno-cultural population who had a court case compared to the non-ethnocultural population, 2005, 2011, 2015

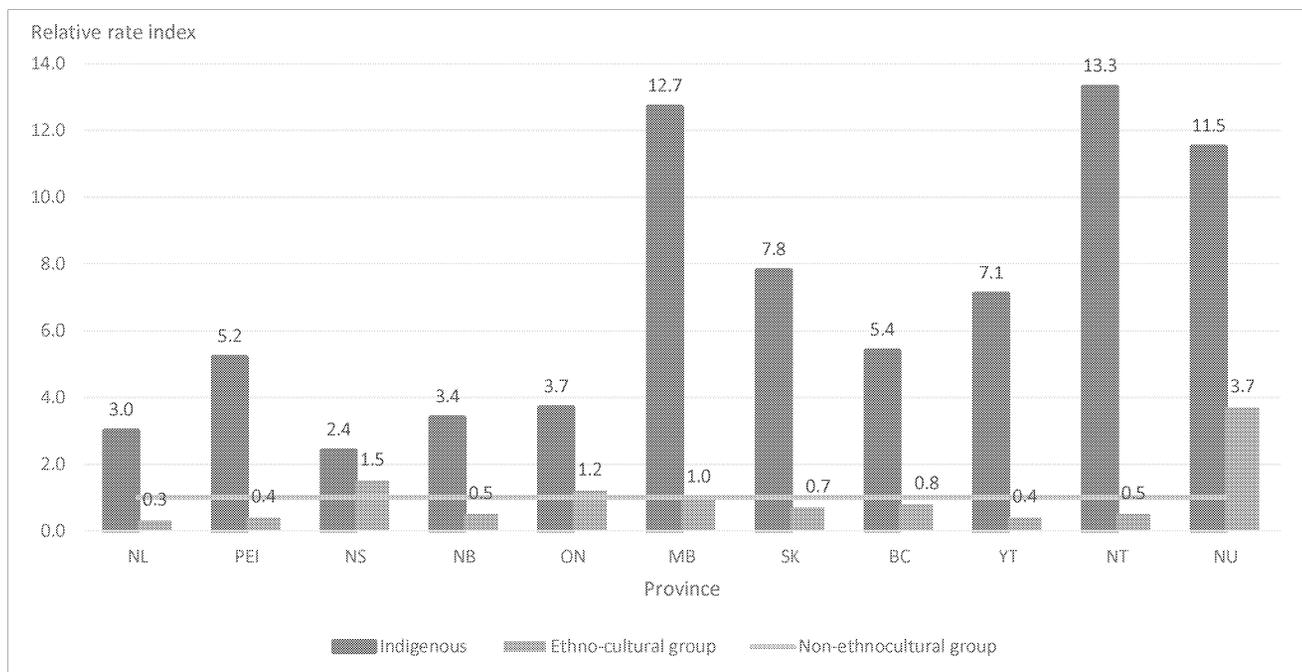




Measuring over-representation in the justice system through data integration and the creation of a Relative Rate Index (RRI)

Relative rate index of Indigenous and ethno-cultural population who had a court case compared to the non-ethnocultural population, by province, 2015

- Among the provinces, rates of over-representation among Indigenous peoples were highest in Manitoba and Saskatchewan, whereas Nova Scotia and Ontario had among the highest rate of over-representation of ethno-cultural groups.

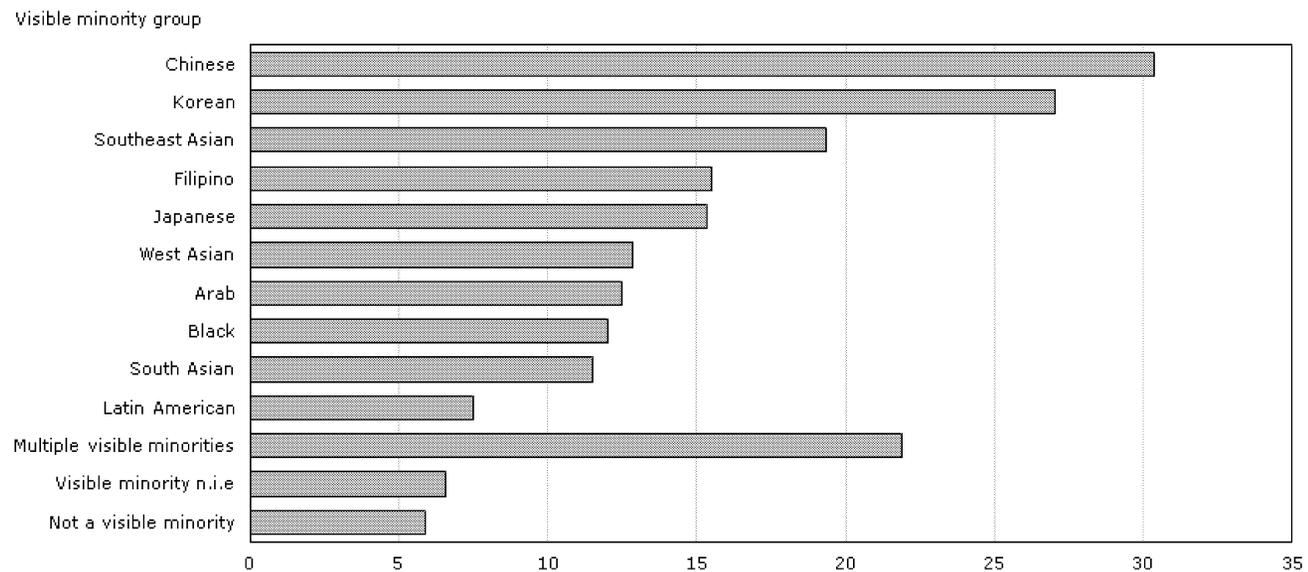




Using Crowdsourc Survey to assess Perceptions of personal safety among population groups designated as visible minorities during the COVID-19 pandemic

- The proportion of visible minority participants who perceived an increase in the frequency of harassment or attacks based on race, ethnicity or skin colour was three times larger than the proportion among the rest of the population since the start of the COVID-19 pandemic.
- This difference was most pronounced among **Chinese (30%), Korean (27%), and Southeast Asian (19%)** participants.

Perceived increase in harassment or attacks on the basis of race, ethnicity, or skin colour in neighbourhood since the start of the COVID-19 pandemic, by visible minority group, Canada, 2020



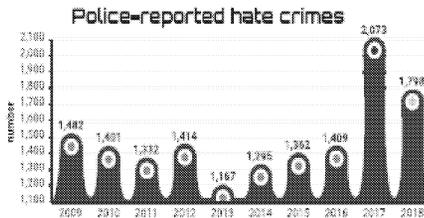
Source: Statistics Canada, Crowdsourc on perceptions of safety, May 12-25, 2020

Working with partners to advance police-reported data

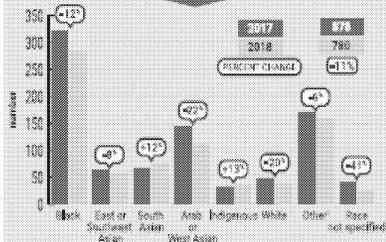
2005



The number of police-reported hate crimes declined 13% in 2018 but was the second highest since 2009. The decline was due to fewer incidents targeting the Muslim, Black, and Arab and West Asian populations.

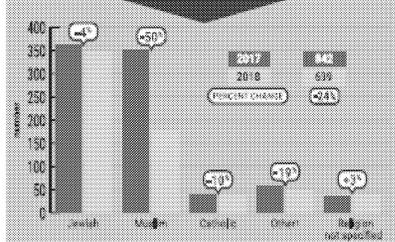


In 2018, 44% of all police-reported hate crimes were motivated by race/ethnicity.



1 Motivations based upon race or ethnicity not otherwise stated and those which target more than one group.

In 2018, 35% of hate crimes were motivated by religion.



Motivations based upon religion not otherwise stated.

2018

Unfounded criminal incidents

Statistics Canada's path to new data collection

FOUNDED: An incident is "founded" if, after police investigation, it has been determined that the reported offense did occur or was attempted (even if the charge/charges or problem is unfounded), or there is no credible evidence to confirm that the reported incident did not take place. This includes identifying reports that fit these criteria.

UNFOUNDED: An incident is "unfounded" if it has been determined through police investigation that the offense reported did not occur, nor was it attempted.

- 1. Unfounded crimes: Big picture in time**
 - 1962: The Uniform Crime Reporting Survey, Canada's national database for crimes reported by police, is launched and includes unfounded incidents.
 - 2006: Due to poor data quality, Statistics Canada stops publishing data on unfounded incidents.
 - 2017: Based on national interest in this data, Statistics Canada sets the policy, consulting extensively with the community to review and determine a solution to return data on unfounded incidents in July 2018.
- 2. Consulted across Canada**

justice partners: police services

Consulted with 61 experts

academia: experts

Reviewed international standards

Consensus on new survey definitions
- 3. Training police services on new survey definitions**
 - Over 400 personnel from almost 120 police services
 - 8 provinces over 2 months from January to April 2018
 - Online training developed and available to all police personnel for continuous learning
- 4. Producing better data to examine social issues**
 - Release of unfounded incidents in official crime statistics
 - Clear definition of founded and unfounded incidents will provide valuable data across
 - Allow police services to provide details why an incident is founded (solved) or not founded (unsolved)
 - Allow police to report that a charge was recommended but later declined by the Crown

Working with partners to advance police-reported data

@CACP_ACCP, the policing community and stakeholders to collect police-reported data on Indigenous and ethnocultural groups. Read our official statement here: ow.ly/1XT230qYxnW



A joint statement by Statistics Canada and the Canadian Association of Chiefs of Police

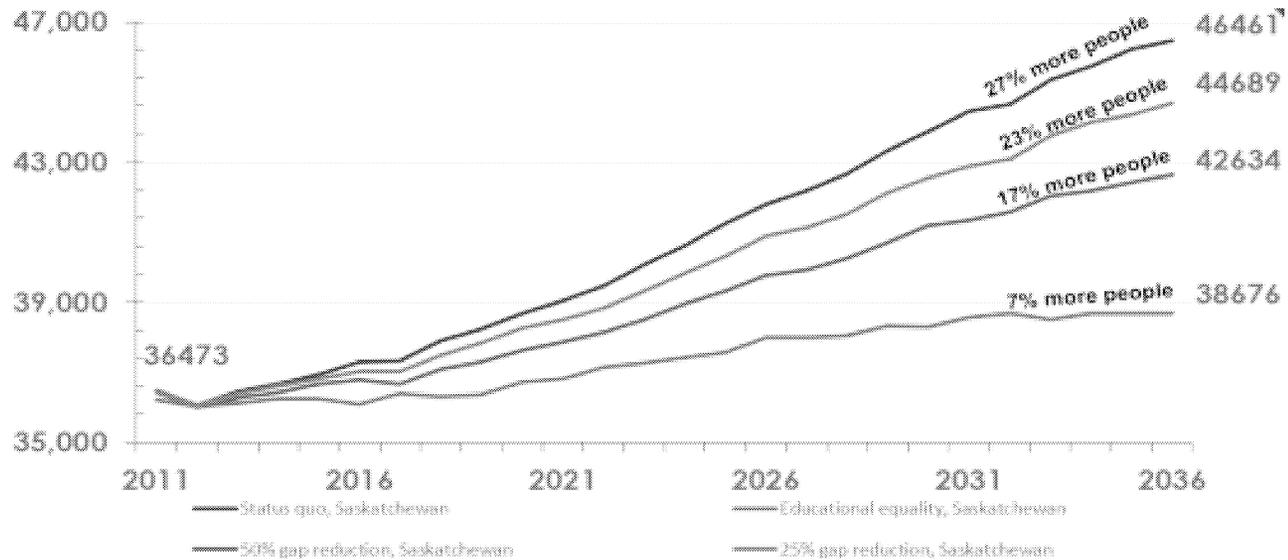
July 15, 2020

Today, the Canadian Association of Chiefs of Police and Statistics Canada announced a commitment to work together to meet an important information need for the justice community. Together, the two organizations will work with the policing community and key organizations to enable police to report statistics on Indigenous and ethnocultural groups in police reported crime statistics on victims and accused persons.

Using microsimulation to project impact of policy changes for the Justice system in Saskatchewan



Number of people having contact with the police for a criminal offense – Projections, 2011-2036, Saskatchewan



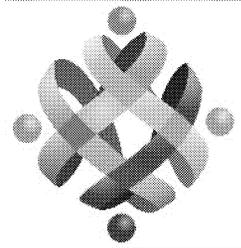
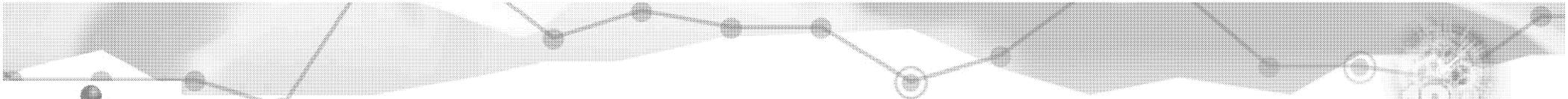
Source: Demosim Justice microsimulation module pilot project, preliminary results.

Policy and statistical challenge:

- If the response of the criminal justice system does not change, nor does the socio-economic conditions of individuals in Saskatchewan, what is the projection in terms of people coming into the system?

Tool developed:

- Microsimulation of population projections using different scenarios.



Centre for Gender, Diversity and Inclusion Statistics

<p>Reporting to Canadians</p>	<ul style="list-style-type: none"> • Data Hub • Gender Results Framework indicators • Analytical articles and infographics
<p>Generating new information</p>	<ul style="list-style-type: none"> • Advanced methodology • Standardized measures • Innovative use of data
<p>Building statistical capacity</p>	<ul style="list-style-type: none"> • Knowledge centre • Deliver GBA+ training

GENDER, DIVERSITY AND INCLUSION STATISTICS

Find data on:

- Business performance and ownership
- Crime and justice
- Education, training and learning
- Families and households
- Health
- Immigration and ethnocultural diversity
- Income, pensions, spending and wealth
- Labour
- Languages
- Population and demography
- Science and technology
- Time use

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Focus on COVID-19

Disaggregated data for diverse population groups

- Children and youth
- Gender and sexual orientation
- Immigrants
- Indigenous peoples
- Persons with a disability
- Seniors
- Visible minorities

Surveys on the impacts of COVID-19

Statistics Canada is accelerating data collection in response to the urgent need for information to help the country respond to, and recover from, the social and economic impacts of the COVID-19 pandemic in Canada. Please participate in any of our crowdsourcing data collections that may be applicable to you, and check back here often for new topics.

Next topic on August 4: Experiences of discrimination

Gender Results Framework – Data tables

- Education and skills development
- Economic participation and prosperity
- Leadership and democratic participation
- Gender-based violence and access to justice
- Poverty reduction, health and well-being
- Other Statistics Canada gender indicators

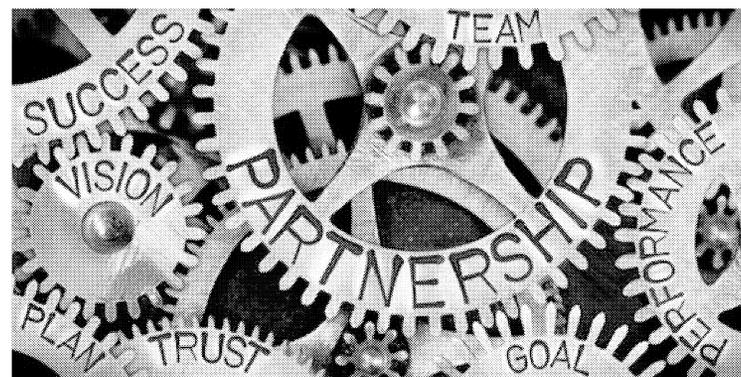
Features

Does pay transparency close the gender wage gap?

Item: 6 of 6

Moving forward: Partnership with and Investment from NJSI to produce disaggregated data

- Collaborate with the **Canadian Association of Chiefs of Police** to engage with **stakeholders and organizations** to produce police-reported disaggregated data on Indigenous and ethno-cultural groups.
- Work with **correctional services** to ensure reporting of Indigenous and ethno-cultural identity beyond Newfoundland youth corrections, Nova Scotia, Ontario adult corrections, Saskatchewan, Alberta adult corrections, and British Columbia.
- Expand information from **criminal court** by continuing data integration.
- Fill in gaps in **civil court data** by providing personal identifiers, as is done in criminal court data.
- Expand innovative **data integration and microsimulation** projects
- Continue **to build trust** with partners and communities by producing meaningful data and providing access to information.
- Continue to work with **NJSI partners** facilitate the evolution of information to the justice community.



Next steps

- **LEADERSHIP**

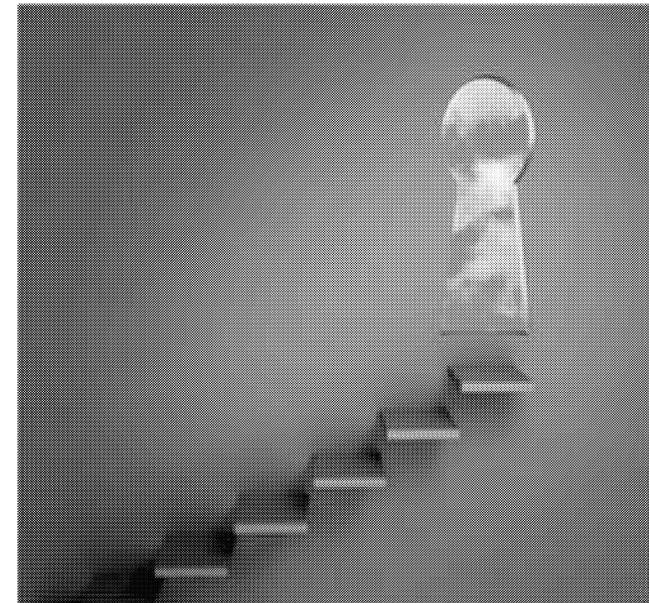
- Create a path for those responsible for information to follow.
- Engagement with stakeholders and coordination of partnerships.

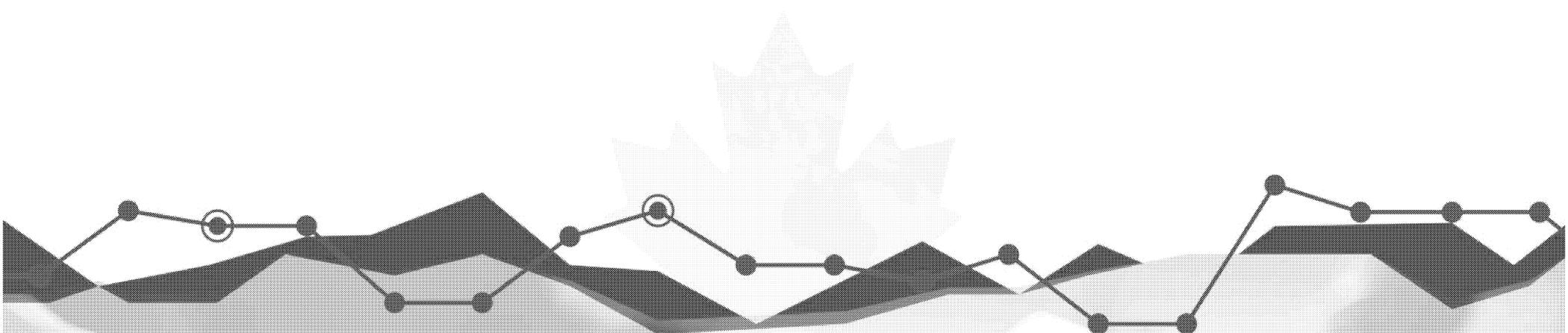
- **DATA FLOW**

- Standards, comparability, integrity, timeliness; inclusion of personal identifiers; legal framework for collection and sharing.

- **INVESTMENT IN SYSTEMS, INFRASTRUCTURE AND INNOVATION**

- Data capture, integration, analytics, access.





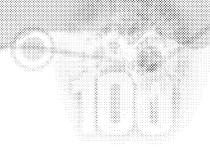
Les données désagrégées : une voie d'avenir pour l'information juridique

Anil Arora, statisticien en chef du Canada

Réunion FPT des ministres responsables de la justice, le 29 juillet 2020



Éclairer grâce aux données, pour bâtir un Canada meilleur



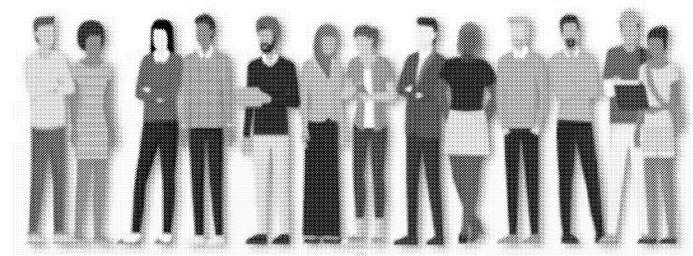
Survol



- 1) Les données désagrégées : la situation actuelle dans le domaine de la justice et ailleurs
- 2) L'Entreprise nationale relative à la statistique juridique : un partenariat axé sur les utilisateurs
- 3) Production de nouveaux renseignements grâce aux partenariats : quelques exemples
- 4) Perspective d'avenir
- 5) Prochaines étapes

Les données désagrégées : la situation actuelle dans le domaine de la justice et ailleurs

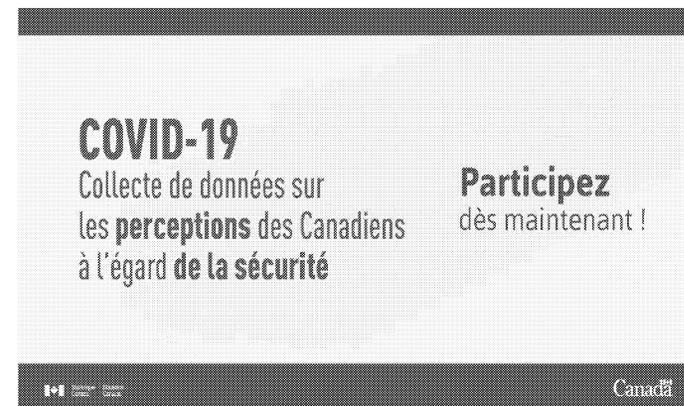
- Depuis un certain temps déjà, Statistique Canada surveille et fait connaître les tendances socioéconomiques des populations vulnérables.
- Bien que le problème du racisme systémique ne soit pas nouveau au Canada, la COVID-19 a soulevé d'importantes préoccupations relatives aux répercussions socioéconomiques potentiellement disproportionnées sur les populations vulnérables, y compris au sein du système de justice.
- Les rapports entre la santé publique et la reprise économique, et là où les gouvernements choisissent de mettre l'accent et d'investir des ressources, ont attiré l'attention sur des enjeux de longue date concernant l'équité et la justice, ainsi que la cohésion sociale et le bien-être.
- Les lacunes dans les données désagrégées pour des indicateurs de base sont bien réelles, et le problème est amplifié lorsque ces données ne sont pas recueillies à la source, ne sont communiquées rapidement à l'organisme national de statistique en suivant des normes précises, ou ne sont pas partagées du tout.



La COVID-19 a mis en relief la nécessité d'avoir des données détaillées et de qualité, et Statistique Canada entend répondre à ce besoin

Nous aidons nos partenaires de différentes façons :

- **Collecte et production de données** – Collecte de renseignements sur les perceptions des Canadiens à l'égard de la sécurité pendant la pandémie de COVID-19.
- **Besoins et lacunes en données** – Production d'indicateurs clés et identification de lacunes par les partenaires fédéraux (Justice, Sécurité publique) pour éclairer le processus de reprise.
- **Création d'outils innovateurs** – Élaboration de nouveaux processus et outils pour recueillir et présenter des renseignements sur les services aux victimes, les chiffres de la criminalité et le dénombrement des détenus pendant la pandémie.



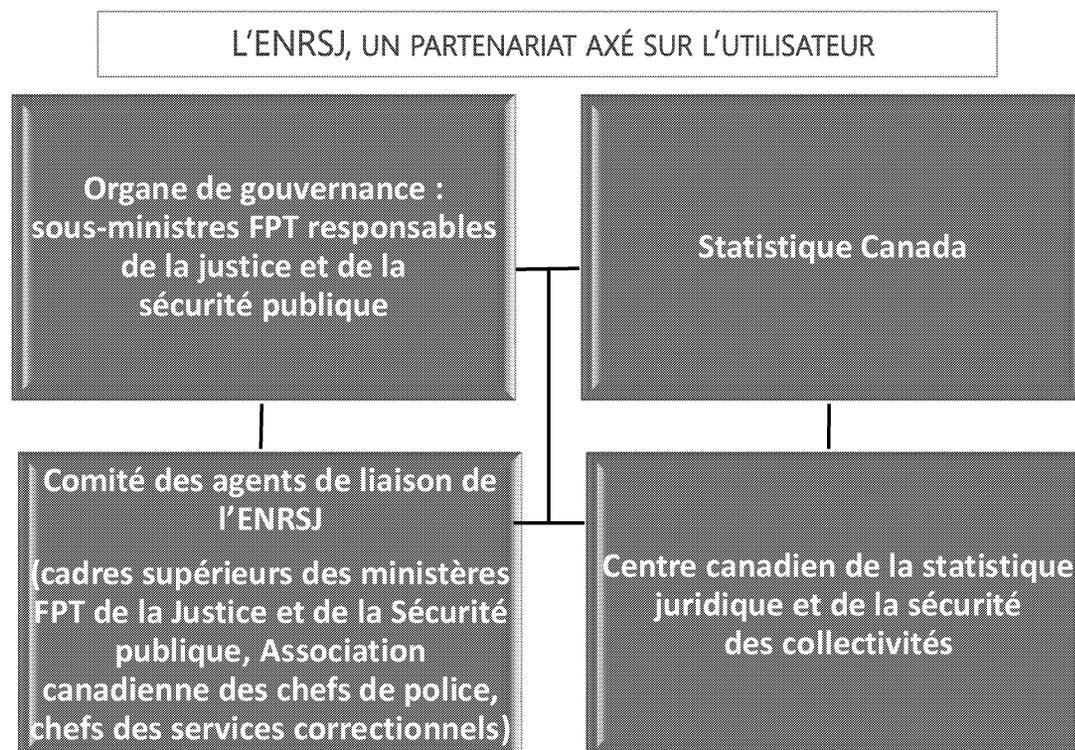
STATCAN ET LA COVID-19 :
DES DONNÉES AUX CONNAISSANCES, POUR BÂTIR UN CANADA MEILLEUR

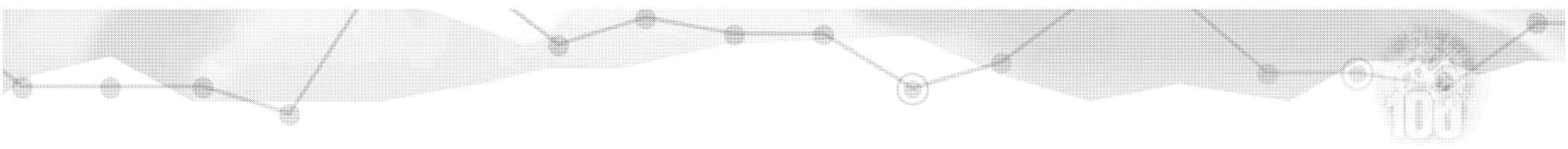
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L'Entreprise nationale relative à la statistique juridique : un partenariat de choix

40 ans de collaboration entre Statistique Canada et les services de police, de justice et de sécurité publique pour la production de renseignements pertinents

- Depuis 1981, les sous-ministres fédéraux, provinciaux et territoriaux responsables de la **justice** au Canada travaillent ensemble, avec le **statisticien en chef du Canada**, au sein d'une association connue sous le nom de l'**Entreprise nationale relative à la statistique juridique (ENRSJ)**.
- Le mandat de l'ENRSJ consiste à fournir à la communauté de la justice et au public des renseignements sur la nature et l'étendue de la **criminalité et de la victimisation**, ainsi que sur l'**administration de la justice pénale et civile** au Canada.





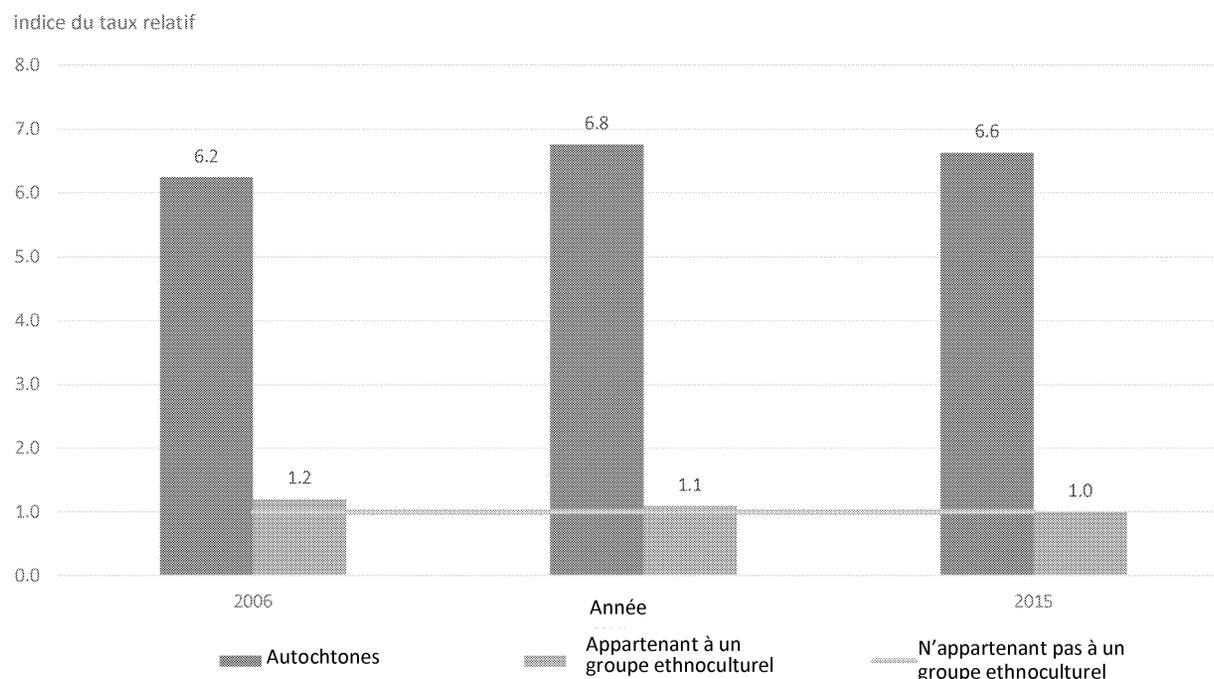
Production de nouveaux renseignements grâce aux partenariats

Quelques exemples

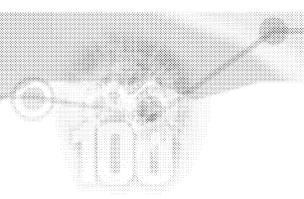
Mesure de la surreprésentation au sein du système de justice grâce à l'intégration des données et à la création d'un indice du taux relatif

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Indice du taux relatif d'Autochtones et de personnes appartenant à un groupe ethnoculturel ayant comparu devant un tribunal comparativement aux personnes n'appartenant pas à un groupe ethnoculturel, 2005, 2011 et 2015



- Les Autochtones étaient environ **six fois** plus susceptibles que les personnes appartenant à un groupe ethnoculturel et celles n'appartenant pas à un groupe ethnoculturel d'avoir comparu devant un tribunal de juridiction criminelle en tant qu'accusés.
- L'indice du taux relatif (ITR) permet de mesurer l'ampleur de la surreprésentation des groupes autochtones et ethnoculturels à différents stades ou points de décision du processus de justice pénale. L'ITR compare le volume relatif (taux) d'activité pour ces populations, aux étapes clés du processus, avec le volume pour les personnes n'appartenant pas à un groupe ethnoculturel.

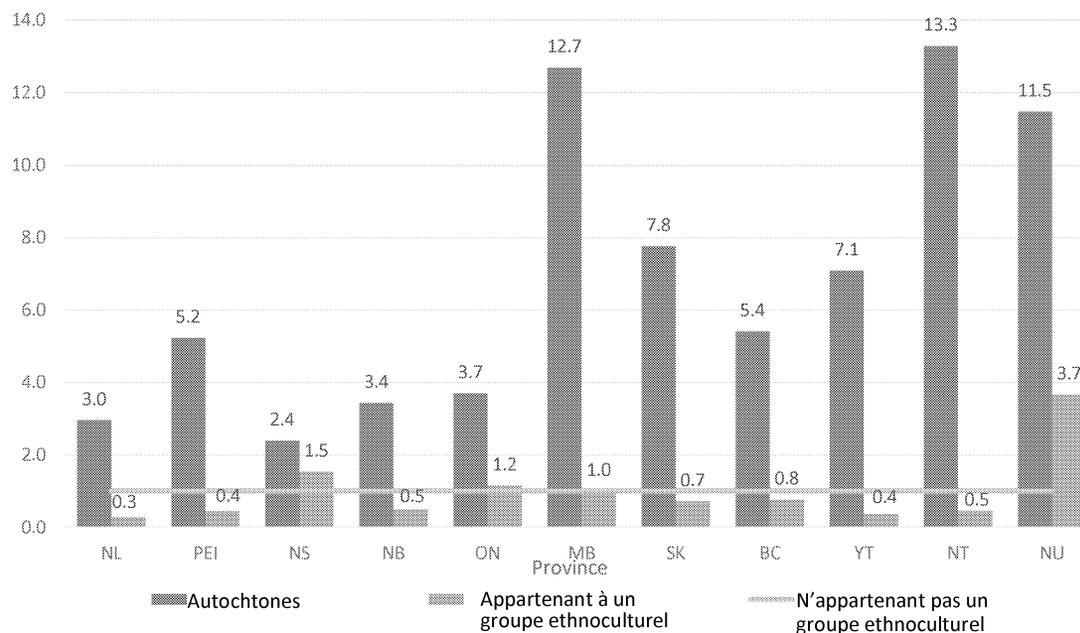


Mesure de la surreprésentation au sein du système de justice grâce à l'intégration des données et à la création d'un indice du taux relatif

Indice du taux relatif d'Autochtones et de personnes appartenant à un groupe ethnoculturel ayant comparu devant un tribunal comparativement aux personnes n'appartenant pas à un groupe ethnoculturel, selon la province, 2015

- Parmi les provinces, le Manitoba et la Saskatchewan affichent les plus hauts taux de surreprésentation des Autochtones, alors que la Nouvelle-Écosse et l'Ontario affichent les plus hauts taux de surreprésentation des personnes appartenant à un groupe ethnoculturel.

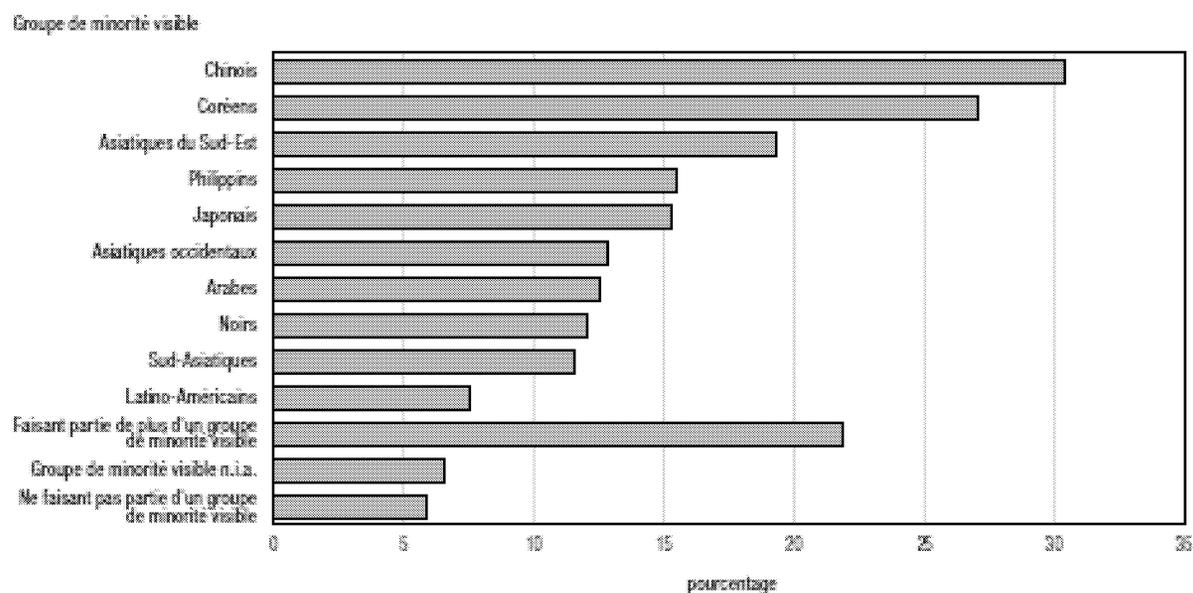
indice du taux relatif



Utilisation de la collecte par approche participative pour connaître les perceptions à l'égard de la sécurité personnelle parmi les groupes de minorité visible pendant la pandémie de COVID-19

- La proportion de participants faisant partie d'un groupe de minorité visible qui ont perçu une augmentation de la fréquence des incidents de harcèlement ou des attaques motivés par la race, l'origine ethnique ou la couleur de la peau depuis le début de la pandémie de COVID-19 était trois fois plus élevée que la proportion au sein du reste de la population.
- Parmi les participants, la différence était la plus prononcée chez **les Chinois (30 %)**, **les Coréens (27 %)** et **les Asiatiques du Sud-Est (19 %)**.

Augmentation perçue du nombre d'incidents de harcèlement ou d'attaques fondés sur la race, l'origine ethnique ou la couleur de la peau dans le voisinage depuis le début de la pandémie de COVID-19, selon le groupe de minorité visible, Canada, 2020



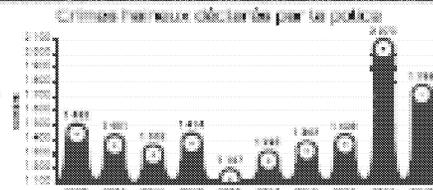
Source : Statistique Canada, Répercussions de la COVID-19 sur les Canadiens – Perceptions à l'égard de la sécurité, collecte de données fondée sur l'approche participative, 12 au 25 mai 2020.

Collaboration avec les partenaires pour promouvoir les données déclarées par les services de police

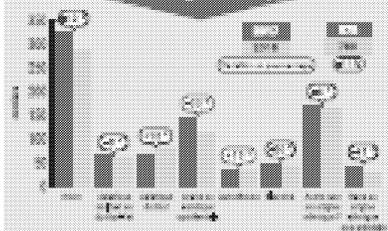
2005

Les crimes haineux déclarés par la police au Canada 2018

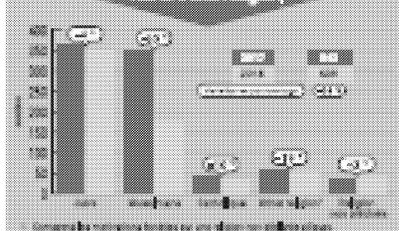
Le nombre de crimes haineux déclarés par la police a diminué de 12 % en 2018, mais il représente le deuxième nombre le plus élevé depuis 2014. Le nombre est accru de six dans les provinces qui ont vu le plus grand nombre de crimes haineux : l'Ontario, le Québec, l'Alberta et la Colombie-Britannique.



En 2018, 44 % des crimes haineux déclarés par la police étaient motivés par la haine d'une race ou d'une origine ethnique.



En 2018, 35 % des crimes haineux étaient motivés par la haine d'une religion.



2018

Affaires criminelles non fondées Le chemin vers la nouvelle collecte de données de Statistique Canada

Affaire fondée : L'une des affaires non fondées a été déclarée par la police. Les données de la police sont utilisées pour produire des statistiques de la police. Les données de la police sont utilisées pour produire des statistiques de la police. Les données de la police sont utilisées pour produire des statistiques de la police.

Affaire non fondée : L'une des affaires non fondées a été déclarée par la police. Les données de la police sont utilisées pour produire des statistiques de la police. Les données de la police sont utilisées pour produire des statistiques de la police. Les données de la police sont utilisées pour produire des statistiques de la police.

- ### 1 Données initiales sur crimes non fondés : facteurs clés au fil du temps

 - 1992 : Le Programme de statistiques uniformes de la criminalité... la base de données nationale sur les crimes déclarés par la police... une police pour les provinces et territoires et les affaires non fondées.
 - 2006 : Le Canada a des renseignements sur les crimes haineux. Statistique Canada a commencé à publier des données sur les crimes non fondés.
 - 2017 : Compter tous les crimes haineux déclarés par la police. Statistique Canada a commencé à publier des données sur les crimes haineux déclarés par la police. Les données de la police sont utilisées pour produire des statistiques de la police.
- ### 2 Consultations aux quatre coins du Canada

renseignements du milieu juridique services de police

61 experts consultés

universitaires experts

révision des normes internationales

Consensus sur les nouvelles définitions d'enquête
- ### 3 Donner une visibilité aux services de police sur les nouvelles définitions d'enquête

 - Plus de 400 membres du personnel représentant plus de 130 services de police à partir de 2018.
 - 8 semaines de formation offerte durant 6 mois, de janvier à avril 2018.
 - Créer d'opportunités de soutien disponibles en ligne pour le personnel de tous les services de police.
- ### 4 Protéger de meilleures données afin d'examiner les enjeux sociaux

 - Création des données sur les crimes non fondés dans une statistique officielle sur les criminalités.
 - Une définition claire des termes « crime fondé » et « affaire non fondée » permettra de rassembler des données fiables dans tout le pays.
 - renvoi aux services de police de fournir les détails pour enquêter une affaire et casque (primaire) ou non casque (non primaire)
 - renvoi aux services de police d'indiquer un cas de violence sexuelle ou sexuelle, mais que la Couronne refuse de porter toute accusation

Collaboration avec les partenaires pour promouvoir les données déclarées par les services de police

Nous travaillerons avec @CACP_ACCP, la communauté policière et des intervenants pour recueillir des données déclarées par la police sur les groupes autochtones et ethnoculturels. Consultez notre déclaration officielle ici : ow.ly/HZbu50Az4x4



Déclaration commune de Statistique Canada et de l'Association canadienne des chefs de police

Le 15 juillet 2020

Aujourd'hui, l'Association canadienne des chefs de police (ACCP) et Statistique Canada ont annoncé leur engagement à travailler ensemble pour répondre à un important besoin d'information pour la communauté juridique. Ensemble, les deux organismes travailleront avec la communauté policière et des organismes clés pour permettre à la police de déclarer des données sur les groupes autochtones et ethnoculturels des victimes et des auteurs présumés dans les statistiques sur les crimes déclarés par la police.

Utilisation de la microsimulation pour effectuer une projection de l'incidence des changements de politique sur le système de la justice en Saskatchewan

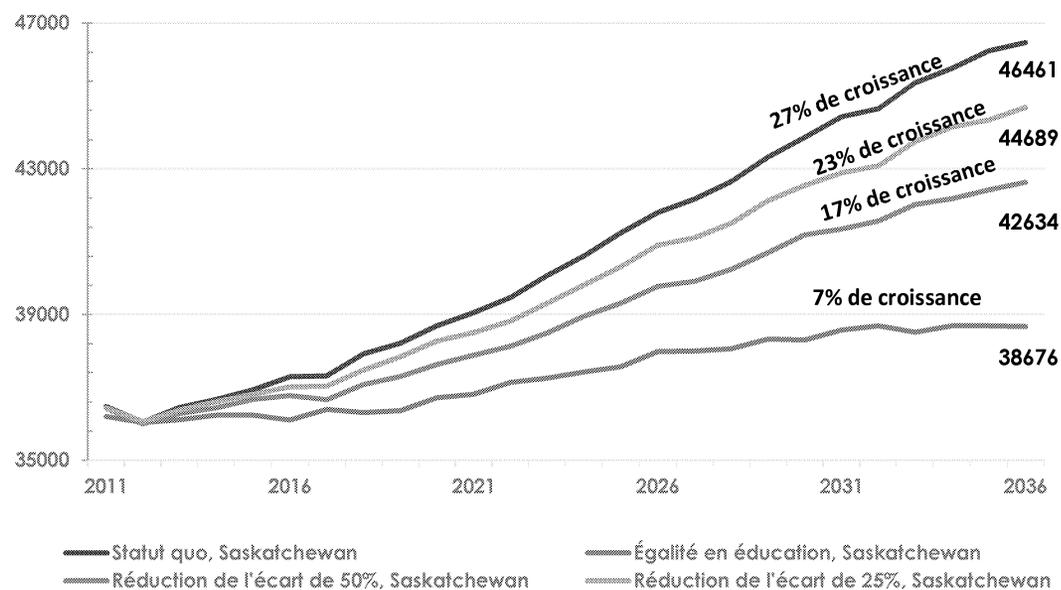
Défi sur le plan politique et statistique :

- Si la réponse du système de justice pénale ne change pas, ni les conditions socioéconomiques de la population de la Saskatchewan, quelle seraient les projections quant aux personnes qui entrent dans le système?

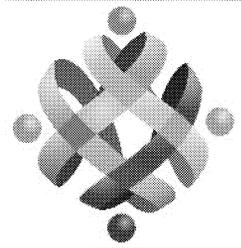
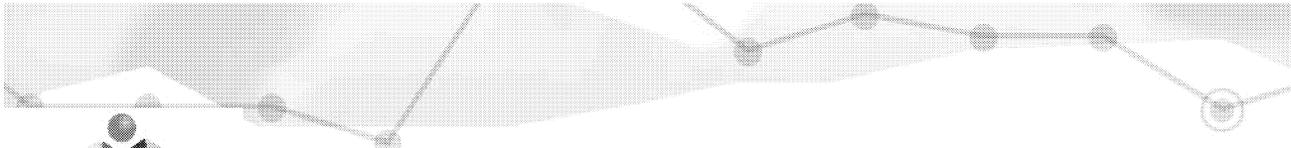
Outil créé :

- Microsimulation des projections démographiques selon différents scénarios.

Nombre de personnes ayant un contact avec les services de police par suite d'une infraction criminelle, projections, 2011 à 2036, Saskatchewan



Source : Demosim, modèle de microsimulation de statistiques juridiques, résultats préliminaires du projet pilote.



Centre des statistiques sur le genre, la diversité et l'inclusion

Rendre compte aux Canadiens

- Carrefour de données
- Indicateurs du cadre de résultats relatifs aux sexes
- Articles analytiques et infographies

Produire de nouveaux renseignements

- Méthodologie de pointe
- Mesures normalisées
- Utilisation novatrice des données

Accroître la capacité statistique

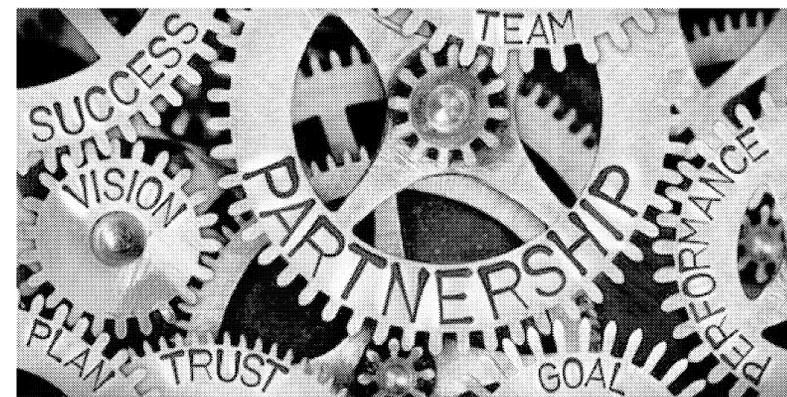
- Centre de connaissances
- Prestation de formation sur l'ACS+

The screenshot shows the website's navigation menu with categories like 'Crime et justice', 'Éducation, formation et apprentissage', 'Emploi du temps', 'Familles et ménages', 'Immigration et diversité ethnoculturelle', 'Langues', 'Population et démographie', 'Revenu des personnes et richesse', 'Sciences et technologie', 'Santé', and 'Taxes'. The main content area features sections for 'Rapport sur COVID-19', 'Données désagrégées pour des groupes de population diversifiés' (listing groups like 'Aînés', 'Enfants et jeunes', etc.), 'Enquêtes sur les répercussions de la COVID-19', and 'Cadre des résultats relatifs aux sexes - Tableaux de données'.

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Perspective d'avenir : partenariat avec l'ENRSJ et investissement de celle-ci pour produire des données désagrégées

- Collaborer avec l'**Association canadienne des chefs de police** pour se rapprocher **des intervenants et des organisations** en vue de produire des données désagrégées déclarées par la police sur les groupes autochtones et ethnoculturels.
- Travailler avec les **services correctionnels** pour veiller à la déclaration de l'identité autochtone et ethnoculturelle au-delà des services correctionnels pour les jeunes de Terre-neuve-et-Labrador, de la Nouvelle-Écosse, des services correctionnels pour adultes de l'Ontario, de la Saskatchewan, des services correctionnels pour adultes de l'Alberta, et de la Colombie-Britannique.
- Accroître le volume de renseignements des **tribunaux de juridiction criminelle** en poursuivant l'intégration des données.
- Combler les lacunes dans les données des **tribunaux civils** en fournissant les identificateurs personnels, comme cela se fait actuellement pour les données des tribunaux de juridiction criminelle.
- Étendre la portée des projets novateurs **d'intégration des données et de microsimulation**.
- Continuer de **développer des liens de confiance** avec les partenaires et les communautés en produisant des données pertinentes et en assurant l'accès aux renseignements.
- Poursuivre les travaux avec les **partenaires de l'ENRSJ** pour faciliter la transmission des renseignements à la communauté de la justice.



Prochaines étapes

- **LEADERSHIP**

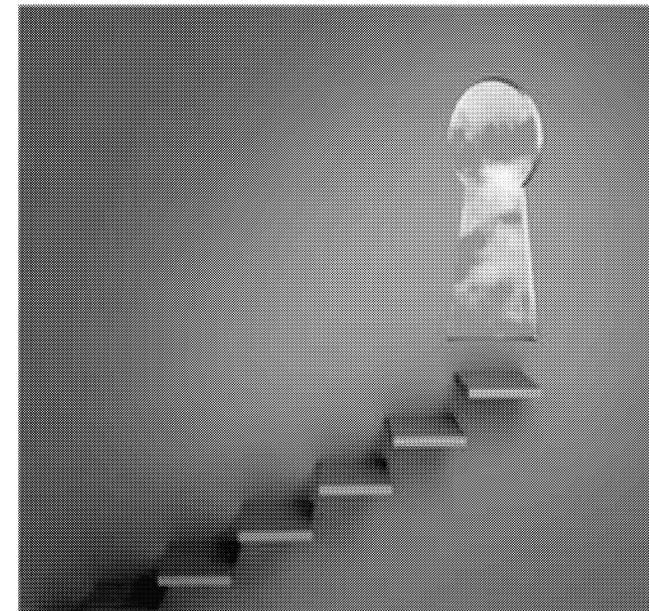
- Préparation de la voie à suivre pour les responsables de l'information.
- Dialogue avec les intervenants et coordination de partenariats.

- **FLUX DES DONNÉES**

- Normes, comparabilité, intégrité, actualité; inclusion d'identificateurs personnels; cadre juridique pour la collecte et le partage.

- **INVESTISSEMENT DANS LES SYSTÈMES, L'INFRASTRUCTURE ET L'INNOVATION**

- Saisie, intégration et analyse de données, et accès à celles-ci.





Talking Points

Update on Justice System Operations in the COVID-19 Context and Roundtable

FPT Ministers of Justice Meeting of July 29, 2020

- **Moving on to our second discussion item, I will begin by providing an update on several federal actions in the COVID-19 context, and close by providing a short update on Indigenous issues.**

ACCESS TO JUSTICE

- **Building on our data discussion, I would like to touch on some of the work we are undertaking to understand the impact of the pandemic on access to justice.**
- **En plus d'être une crise de santé publique, la pandémie met de l'avant des enjeux de droits de la personne. Les défis économiques auxquels nous faisons face révèle et exacerbe les inégalités et exclusions déjà existantes.**
- **As we have just heard, a robust justice response must be part of tackling these complex and often long-standing issues. Evidence-based decision-making is critical to informing policy, resource and legislative responses to addressing these inequalities. And data collection is a vital element of our decision-making.**

ACTION COMMITTEE UPDATE

- **As mentioned during our last meeting, at the federal level, I have been working with Chief Justice Wagner to offer national-level guidance on resumption of in-court operations in the COVID-19 context to chief justices, chief judges and courts administration officials at all levels of court across the country. Minister Eby is also a member, and I understand he has been actively engaging you for your input to this work.**
- **The Action Committee released guidance on the resumption of jury trials, which was identified as a priority issue affecting all jurisdictions.**
- **The guidance documents include information on:**
 - **the jury summons and jury selection processes;**
 - **in-trial jury processes;**
 - **the sequestering, deliberation and release of the jury;**
 - **juror arrival and departure; and**
 - **general practices for cleaning and sanitation.**
- **Le Comité d'action se concentre maintenant à répondre aux besoins des communautés éloignées et autochtones, ce qui comprendra la consultation d'experts et de représentants communautaires lors de la prochaine réunion du comité.**
- **The Action Committee also plans to release an inventory of resources shortly on conducting virtual hearings and is considering an audit tool to guide adaptations of existing court spaces and the selection of alternative facilities.**
- **These and other materials will be posted on the Action Committee's portal on the Commissioner for Federal Judicial Affairs website, which will serve as a repository for committee materials and other best practice resources going forward.**

CRIMINAL LAW UPDATE

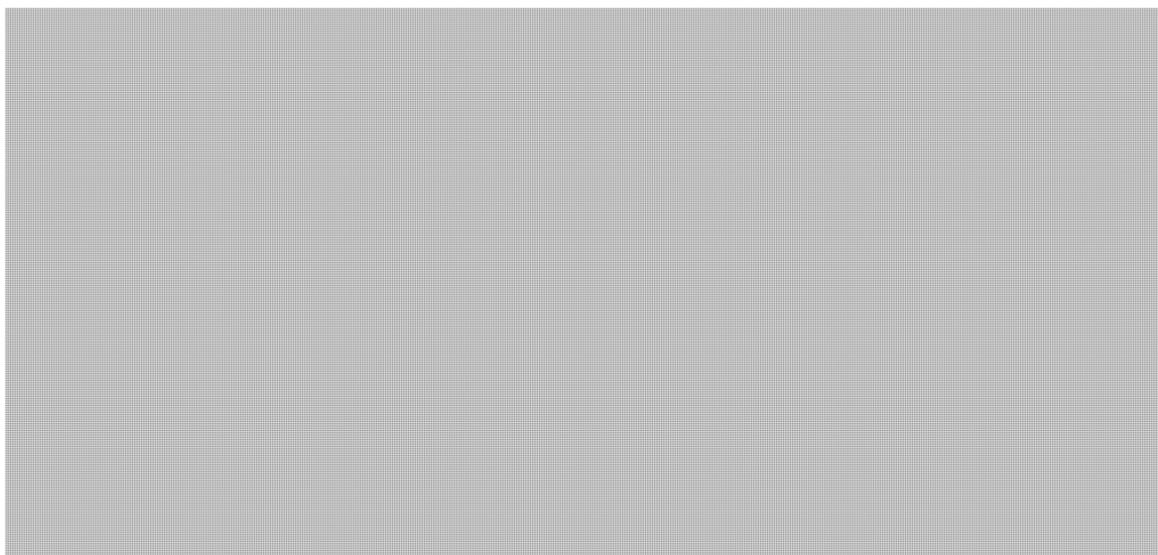
- **En ce qui concerne le *Code criminel* et d'autres lois connexes, nous avons reçu plus de 80 propositions de modifications pour atténuer l'impact de la pandémie sur le système de justice pénale.**
- **Thanks again to all of you who have sent in proposals for amendments to the *Criminal Code*. These proposals, along with those from the courts and stakeholders, are the subject of an in-depth assessment by my Department, in collaboration with the Coordinating Committee of Senior Officials – Criminal Justice (CCSO).**
- **To assess the numerous proposals, CCSO is focused on identifying those that:**
 - **are directly related to the pandemic;**
 - **are needed to resolve current legislative obstacles to efficient proceedings during the pandemic; and,**
 - **have potential benefits that outweigh the risks of delays due to increased litigation.**
- **As I have said before, the opportunity to introduce legislation is subject to the resumption of Parliamentary proceedings.**
- **It remains unclear at this time how Parliamentary proceedings will resume after September 21st and whether there would be an opportunity to fast-track substantive reforms at that time.**
- **Nevertheless, we continue to advance this important initiative.**

s.21(1)(a)

s.21(1)(c)

TIME LIMITS BILL UPDATE

- **That said, we did have some legislative success as Bill C-20 was adopted and received Royal Assent this week, allowing for the suspension or extension of certain time limits.**
- **Ce projet de loi vise à donner de la souplesse en ce qui a trait aux délais prévus par les lois et règlements fédéraux en raison des circonstances exceptionnelles découlant de la COVID-19.**
- **Le projet de loi vise deux catégories de délais problématiques : les délais judiciaires dans le contexte civil et les délais et périodes d'ordre réglementaire prévus dans les lois et règlements fédéraux.**
- **With respect to civil litigation, deadlines that have not been extended risk forcing people to choose between ignoring public health advice and protecting their legal interests by preparing for or attending court.**
- **Missed deadlines under a range of federal statutes could have a significant impact on Canadians.**
- **Our approach is to be pragmatic and principled. I think we have found the right balance in providing needed flexibility for a limited time during the pandemic.**



INDIGENOUS UPDATE

United Nations Declaration on the Rights of Indigenous Peoples

- **Parlons maintenant d'une priorité de notre gouvernement, soit l'adoption d'un cadre législatif pour appuyer la mise en œuvre de la Déclaration des Nations Unies sur les droits des peuples autochtones.**
- **Over the past few months, the pandemic has highlighted challenges and vulnerabilities that Indigenous peoples continue to face, including in areas such as housing, food security, health care, and clean water.**
- **The pandemic has also been a reminder of the importance of respecting the right of Indigenous peoples to self-determination and self-government. Although not directly related to the Declaration, it has also highlighted the importance of effective enforcement of First Nations by-laws as a part of community governance and well-being.**
- **We remain committed to introducing legislation to implement the Declaration in 2020. We see this as a roadmap to continue advancing reconciliation and addressing many of the socio-economic challenges that underlie systemic racism in this country.**
- **We will be engaging with provinces and territories on this project.**
- **We are currently seeking appropriate avenues to do so effectively in light of the current situation; your input in this regard is most welcomed.**
- **In addition to provinces and territories, Indigenous partners, and industry, we also remain committed to engaging with Canadians about this important legislation.**

- I recognize that not all of you have direct responsibility for the UN Declaration; I therefore invite you to share this information with your colleagues who are responsible for this file.
- Je veux également vous informer que nous avons entamé des discussions préliminaires au sujet de cette importante initiative avec les trois principales organisations autochtones nationales, c'est-à-dire l'Assemblée des Premières Nations, l'Inuit Tapiriit Kanatami et le Ralliement national des Métis. Nous avons hâte de collaborer avec eux dans le cadre de discussions fédérales-provinciales-territoriales.

Conclusion

- Those are all my items. I will now turn to each of you to provide an update on the current status of your justice system operations and to raise any pressing issues within your jurisdictions.

Responsive Only: First Nations Policing

- *All communities should benefit from policing that is professional and dedicated – and Indigenous communities across the country are no exception.*
- *Mon collègue, l'honorable Bill Blair, ministre de la Sécurité publique et de la Protection civile, a récemment été mandaté d'élaborer conjointement avec les communautés autochtones un cadre législatif pour reconnaître les services de police des Premières nations comme un service essentiel. Il devra également travailler avec les communautés intéressées afin d'élargir le nombre de collectivités desservies par des services de police des Premières nations.*
- *While it is still early days, work on a strategy to make progress on this priority is under way. Collaboration with Indigenous communities and organizations, provinces and territories, and police organizations will be crucial to advancing this work.*

Responsive Only: Update on the National Action Plan: Missing and Murdered Indigenous Women and Girls

- ***La crise du COVID-19 affecte profondément les communautés autochtones à travers le pays. Le contexte actuel a mis en évidence des problèmes importants, tels que l'augmentation de la violence domestique, qui ont été aggravés par des difficultés d'accès aux soins de santé en temps opportun, ainsi que par des logements surpeuplés.***
- ***Plus récemment, en solidarité avec les manifestations pour l'égalité raciale aux États-Unis et au Canada, les peuples autochtones se sont prononcés sur le besoin urgent de lutter contre le racisme systémique auquel ils sont confrontés trop souvent lorsqu'ils ont affaires avec les services de police et le système de justice pénale.***
- ***COVID-19 has undoubtedly challenged our efforts to develop the National Action Plan without restrictions. However, thanks to the leadership of Crown-Indigenous Relations and Northern Affairs Canada, and in collaboration with our provincial and territorial partners, we have been able to move forward.***
- ***Collective dialogue has been initiated with National Indigenous Organizations and Indigenous groups on their priorities for the development of a national action plan. These discussions will continue virtually on specific themes with our provincial and territorial partners throughout the summer using the Zoom platform.***
- ***Justice Canada will continue to support Crown-Indigenous Relations and Northern Affairs Canada in building the National Action Plan from the ground up, fully informed by the perspectives and experiences of those who know both the challenges and the potential solutions best.***

- ***As part of our journey informing the development of the National Action Plan, it is important to continue to share what we are doing now in our respective jurisdictions and at the community level. We must continue to identify initiatives that could be reinforced or replicated as examples of effective efforts to address violence against Indigenous women, girls, and gender-diverse persons.***
- ***The Government of Canada recognizes that many of the Calls for Justice in the MMIWG Final Report are cross-jurisdictional and require significant coordination between Indigenous leaders and communities and provinces/territories/municipalities. As such, Justice Canada continues to leverage the FPT Working Group on MMIWG, as this forum can strengthen our inter-jurisdictional collaboration as we work to develop a national action plan.***
- ***Mon ministère se concentre également sur la réponse aux différentes demandes qui relèvent du portefeuille de la justice, notamment :***
 - ***pour élargir les programmes de justice réparatrice;***
 - ***soutenir les tribunaux autochtones,***
 - ***pour accroître la représentation des peuples autochtones au sein de la Cour suprême du Canada et tous les autres tribunaux.***
- ***Nous recherchons également des moyens de soutenir l'utilisation élargie et l'application appropriée des rapports Gladue et des principes Gladue.***

Responsive Only: Rural Crime

- ***Following our January 2020 meeting, an FPT Deputy Ministers Working Group on Rural Crime was established to oversee the development of a National Strategy on Rural Crime.***

- ***At its June 16 meeting, the Working Group approved the proposed approach and preliminary outline for the Strategy, as well as instructions to various FPT Tables and Working Groups, while the working definition of Rural Crime was approved at the July Deputy Ministers meeting.***
- ***Initial proposals for the strategy must be submitted by August 15, 2020, and will be considered for presentation at the fall 2020 Ministers meeting.***
- ***We must keep in mind that the impact of the current pandemic will affect the issues raised under the various areas of focus of the National Framework on Rural Crime, including in intimate partner violence cases. These concerns may be exacerbated in isolated communities.***

Responsive Only: Funding Update

- ***Je vous ai entendu lors de nos différents appels et je suis très conscient des défis auxquels les juridictions provinciales et territoriales sont confrontées pour les services d'aide juridique en raison de la COVID-19.***
- ***I understand, with the gradual re-opening of the courts, that the legal aid plans are and will be confronted with an increased volume of vulnerable clients attempting to navigate the justice system. It includes those at high risk, such as in-custody accused, domestic violence victims, clients with mental health issues or clients dealing with child protection or family law matters.***
- ***I recognize the impact of these volume increases and the new service delivery procedures required by COVID-19 on all facets of the justice system, including legal aid. I understand the need to address these pressures, including financial pressures, and I will continue to take every opportunity to raise these concerns with the Minister of Finance.***

- ***I also encourage you to continue pushing this within other appropriate FPT fora, such as First Ministers meetings.***
- ***Nous continuons de surveiller la situation en collaboration avec vos représentants. Nous devons continuer de travailler ensemble. Les activités du Comité d'action sur les opérations judiciaires en réponse à COVID-19 nous aidera également relever les défis qui sont devant nous.***

BACKGROUND

Amendments to the *Criminal Code*: To date, Justice Canada has received over 80 proposals for amendments to the *Criminal Code* and related statutes to address some of the issues arising in the criminal justice system (CJS) during the COVID-19 pandemic. These proposals have come from the provinces and territories (PTs), the courts, review boards and the police. Some proposals have also come through the Action Committee on Court Operations in Response to COVID-19.

UN Declaration: The December 5, 2019, Speech from the Throne committed the federal government to take action to implement the UN Declaration within the first year of its mandate. Your mandate letter indicates that the Minister of Justice and Attorney General of Canada, with the support of the Minister of Crown-Indigenous Relations, will introduce legislation to implement the UN Declaration by the end of 2020. This legislation is expected to build on the elements in former Private Member's Bill C-262.

While the pandemic has delayed the Government's plan to introduce a bill, you have expressed a commitment to finding a way forward, including in relation to engagement with PTs, among others.

Missing and Murdered Indigenous Women and Girls (MMIWG): On June 3, 2019, the National Inquiry into MMIWG released its final report, "*Reclaiming Power and Place*." The Final Report called for significant changes through 231 Calls for Justice grounded in the recognition of the right to self-determination as foundational to the rights to justice, culture, health, and security.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), as the federal lead, has been working towards the development of the National Action Plan (NAP) as the basis for the coordinated response and one of the Final Report's key recommendations. Justice Canada and Public Safety Canada are both actively supporting this work on an ongoing basis by co-leading the development of the Justice Theme component of the Federal Narrative as the basis for the NAP.

Rural Crime: At the January 22, 2020, meeting of Federal-Provincial-Territorial (FPT) Ministers Responsible for Justice and Public Safety, "Ministers underscored the impact of rural crime and ways to reduce it, including criminal law reform and enhanced police response, so all Canadians, no matter where they live, feel safe, secure, and protected in their communities."

An FPT Deputy Ministers (DM) Working Group on Rural Crime was established to oversee the development of a National Strategy to be considered by FPT Ministers at their October 2020 meeting. At their June 16, 2020, meeting, the DM Working Group approved the proposed approach and preliminary outline for the National Strategy on rural crime. At their July 6-8 meeting, DMs approved the working definition of rural crime.

STRATEGIC CONSIDERATIONS

Amendments to the *Criminal Code*:

Framework for assessing proposals

The CCSO Working Group on Criminal Procedure, which has been examining the multiple proposals for legislative reform, has been applying the following criteria to identify those that would be most suitable for a short package to be introduced in the fall, namely proposals that:

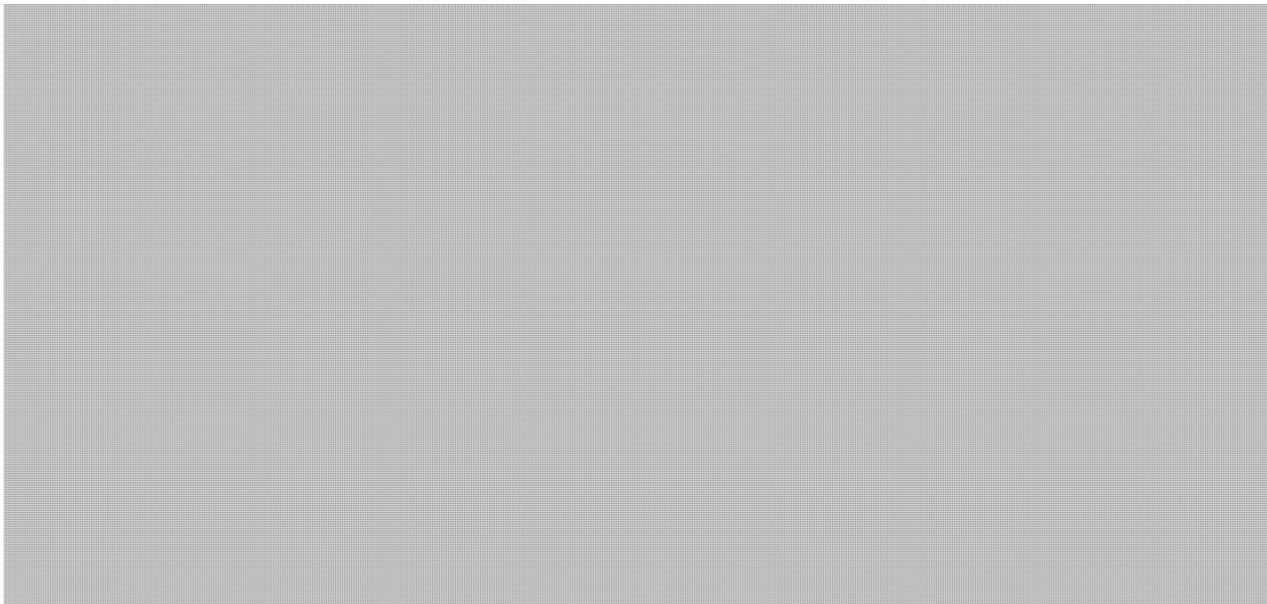
- i. are directly related to the pandemic;
- ii. are needed to rectify current legislative impediments to efficient proceedings during the pandemic; and
- iii. have potential benefits that outweigh the risks of delay due to increased litigation.

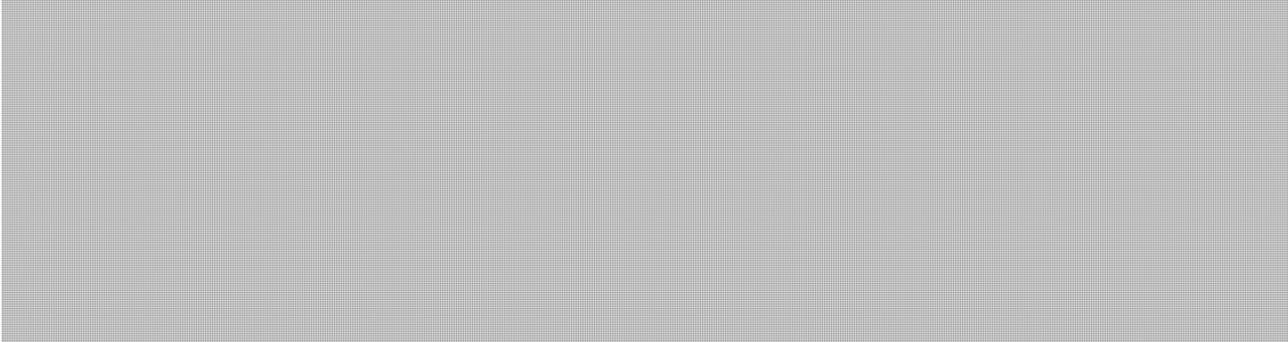
Proposals for reforms

Based on the above criteria, the proposals that appear most relevant for a short-term response to the pandemic generally fall under the following themes:

1. Expanding the availability of remote appearances through audio and videoconferencing technology;
2. Expanding the scope of matters that can be covered by rules of court and through case management;
3. Expanding the availability of telewarrants;
4. Extending time limits and addressing concerns about a loss of court jurisdiction due to mass adjournments;
5. Amending the elections and the jury empanelment and trial provisions; and
6. Permitting fingerprinting to occur after judicial interim release.

Other proposals that have merit will be set aside for further examination later.

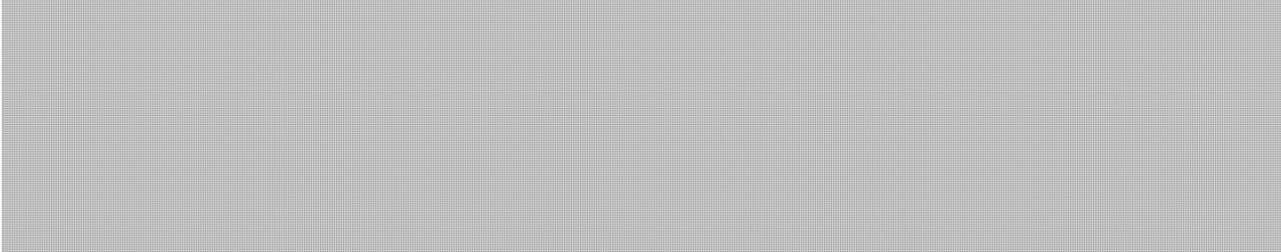




Missing and Murdered Indigenous Women and Girls (MMIWG): CIRNAC has the lead on coordinating the national response to the MMIWG Final Report. Justice Canada participates actively in the DG and ADM level Steering Committees, as well as the FPT Working Group on MMIWG (co-chaired by British Columbia). Justice officials continue to look for opportunities through existing networks to discuss MMIWG priorities with Indigenous partners.

Justice Canada's focus, along with CIRNAC and the other government departments involved in the national response, is the development of the NAP. Although current timelines have shifted given the COVID-19 restrictions, CIRNAC has indicated that Zoom calls will continue throughout the summer with key stakeholders, with the target of releasing the federal component of the NAP later this fall.

The desired outcome is to provide updates on the status of justice system operations in the COVID-19 context and provide the opportunity for PTs to raise any initiatives and responses within their own jurisdictions on MMIWG.



The timelines identified are ambitious, considering that the FPT Main Tables and Working Groups may be engaged over the summer on work in other areas, such as the response to COVID-19. Initial proposals must be submitted by August 15, 2020. These actions will be considered for presentation to FPT Ministers at their fall 2020 meeting. Additional proposals for actions that require more comprehensive analysis and examination must be submitted by FPT Tables and Working Groups by November 15, 2020.



Talking Points

Closing Remarks

- **In closing, I would like to thank you again for making the time to connect today. Your valuable contributions and efforts during this challenging time are appreciated.**
- **Je tiens également à remercier Anil Arora qui nous a fourni un tour d'horizon très utile des données en lien avec le racisme systémique dans le système judiciaire.**
- **As always, I would like to keep the lines of communication open.**
- **There are many other issues that we could discuss in this forum. I would welcome your views, including on potential future areas of focus.**
- **J'attends avec grand intérêt la suite de nos discussions, et j'espère que chacun et chacune d'entre vous restez en sécurité et en bonne santé. Merci encore.**