

Press Clippings for the period of February 28 to March 6 2017 / Revue de presse pour la période du 28 février au 6 mars 2017

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Alberta's justice system has reached 'breaking point,' say prosecutors Criminal charges are being abandoned because of a shortage of prosecutors, claims Crown Attorneys' Association

**Nola Keeler, Roberta Bell, CBC News
Mar 01, 2017**

The justice system in Alberta is facing a crisis, according to Crown prosecutors. The Alberta Crown Attorneys' Association took the unusual step of calling a news conference Wednesday after Edmonton's chief Crown prosecutor stayed 15 separate criminal prosecutions on Feb. 28 because of a lack of resources. Those charges included impaired driving, assaulting a police officer, and weapons charges.

The choice to stay charges because of a shortage of prosecutors is affecting the whole province, said James Pickard, assistant executive director of Specialized Prosecutions with Alberta Justice.

"Since January 2017, all across Alberta, we are confident in stating that approximately 200 significant charges have been stayed due to a lack of resources," he said. In Edmonton in December 2016 alone, 20 charges were abandoned because there were too few Crown prosecutors to see them through, he said.

Justice Minister Kathleen Ganley acknowledged the short staffing to be a problem. "We're concerned as well," she said.

"Over a number of years, the number of matters in court have increased and the number of prosecutors has not increased at the same rate."

Alberta Justice has not added any new positions to the Alberta Crown Prosecution Service since 2010.

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Number and severity of charges growing in province

The number and severity of criminal charges have grown in Alberta, with over 250,000 criminal charges laid in 2015-2016, said Pickard, emphasizing that's a nearly 10 per cent increase over the previous year.

"Alberta's Crown prosecutors are fighting a losing battle to keep up with the increasing number of significant criminal offences," he said.

Pickard said "years of neglect," along with the current provincial hiring freeze, are to blame.

The government needs to drop the hiring freeze and fill the 35 vacant positions that currently exist, he said.

In Edmonton, there is a 16 per cent vacancy in prosecutors based on 2006 levels, said Breena Smith, a Crown prosecutor in Edmonton.

Prosecutors have left or retired and their positions haven't been filled, she said.

Criminal defence lawyer Kelly Dawson said although the situation appears politically charged with the provincial budget coming down this month, the Crown prosecutors raise real issues.

"We've actually done a little bit of work to figure out, trying to be reasonable in a time of fiscal restraint, what we need as a first step," Pickard said. "We think that 50 Crown prosecutors is a legitimate, fair, first step to start addressing the problems within the prosecution service."

The ministry said in an email that it is actively recruiting 14 to 16 prosecutors across the province right now. Eight to 10 of the positions are in Edmonton, four are in Grande Prairie and one is in St. Paul.

Dawson said he's also met with the province over concerns about the ongoing need for increased legal aid funding.

"I think it's got to the point that the prosecutors are so frustrated because they've been dealing with staff shortages ... that they decided to make a political statement as opposed to try to make this work," he said.

"The government has been receptive to meeting with us, consulting with us," he said. "But at some point you wonder if they're really listening to anything other than public pressure."

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Chief Crown prosecutor stays 15 charges to cut backlog

Edmonton Journal.com | LOCAL NEWS

2017-03-01

Paige Parsons

Edmonton's new chief Crown prosecutor stayed 15 provincial court cases Tuesday, citing a "triage" approach to deal with a backlog of cases.

The charges ranged from failing to appear in court, to assault with a weapon or assaulting a police officer, said Shelley Bykewich.

Bykewich said she had a "sleepless" night ahead of halting the prosecutions. "This likely isn't going to be the only time," she said.

Justice Minister Kathleen Ganley said Tuesday the stays are "concerning," and that it's "rare" to see so many cases stayed at once. She said she understands public concern, but said serious and violent cases will still be prioritized.

"I think Crown prosecutors take their function very, very seriously, and I think they will always do their best to ensure that public safety is always top of mind in terms of deciding which matters go forward," Ganley said.

Asked about boosting resources for the strapped court system, Ganley said the province is still in the budgeting process, though she said her ministry is "actively recruiting" eight to 10 Crown prosecutors for Edmonton, and four for Wetaskiwin. She said the process to begin recruitment for additional court clerks is also underway.

In an email to Postmedia last Thursday, Alberta Justice outlined its plan to alleviate some of the pressures on the Edmonton Crown Prosecutors' office in the wake of the July 2016 Supreme Court ruling - known as the Jordan decision - that puts an 18-month limit on the amount of time an accused can wait for the start of their trial.

"With the Jordan decision in play, the Alberta **Crown Prosecution Service** has introduced the triage approach to both ensure serious and violent cases are heard in a reasonable time and to have as many cases in general dealt with as quickly as possible, including those that are currently backlogged," reads the email.

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Bykewich said the Jordan decision isn't responsible for the backlog or limited resources in the Crown office - but she said it does bring the issue to light. Currently, about 14 per cent of Edmonton prosecutor positions are vacant.

The situation is not sustainable, Alberta Crown Attorneys' Association president James Pickard said Tuesday.

He said he is still conferring with his executive about the association's response to the situation.

As part of its "triage" plan, the Crown's office will be seeking to put limits on the time and resources that police and prosecutors spend trying to improve "deficient" cases, and will also seek to hold more offenders accountable through diversion methods other than the criminal **justice system**, as well as push more simple cases into the early resolution process.

Alberta Justice began tracking on Oct. 25 how the Jordan decision was coming into play in Alberta courts. Since then, 60 Jordan applications have been filed. As of Feb 23, 11 are pending and 17 have been rejected. Judges have granted six of the applications (the Crown has appealed one of them).

Speaking in October, one central Alberta sexual assault complainant said she was demoralized when the man accused of assaulting her had his charges stayed with a successful Jordan application. The Crown decided not to appeal that decision. Defence lawyers have abandoned 12 of the applications that were started, while the Crown has stayed six matters "on the basis that they would not survive the Jordan application."

There were eight cases where the matter was resolved for reasons unrelated to Jordan.

Hundreds of Alberta cases stayed amid lack of resources

CTVNews.ca Staff
March 2, 2017

Alberta's association representing crown attorneys is calling on the province to take action, saying hundreds of cases have been stayed in recent months due to a persistent lack of resources.

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On Tuesday morning, Edmonton's chief crown prosecutor stayed charges in 15 criminal cases, citing a lack of resources and a shortage of crown prosecutors.

According to the Alberta Crown Attorneys' Association, approximately 200 similar cases in Alberta have been stayed over two months, as courts remain at staff levels from more than a decade ago.

According to the association, 35 full time-equivalent positions are currently vacant within the province, and 15 more are needed to deal with the workload in Alberta in 2017.

"So from 2006 to the current day, we've added about a million people, which is equivalent to the population of Saskatchewan," James Pickard, president of the Alberta Crown Attorneys' Association, told CTV Edmonton. "We have met with the deputy minister about two weeks ago, but there hasn't been, as of yet, any proactive cancelling of the hiring freeze that's in place."

Pickard says he's optimistic Alberta Justice Minister Kathleen Ganley will address what his association calls a crisis. Speaking with reporters on Wednesday, Ganley disputed the association's numbers.

"I do think that (prosecutors) are working very hard and like most government employees, we are asking them to maybe work harder than they used to do," Ganley said. "I definitely think it is inaccurate to say that we haven't hired any crown prosecutors since 2006."

Ganley's office told CTV News that 28 prosecutors, along with 25 support staff and two students were hired between 2009 and 2010.

The minister's office also said that the provincial government is currently recruiting as many as 16 prosecutors in the region.

The minister can't say currently how much, if any, extra funding will arrive in the upcoming provincial budget.

The chief crown prosecutor is already saying the province hasn't seen the last of significant criminal charges being stayed as a result of the overburdened workload.

Did the Supreme Court just let criminals off, scot-free?

The Globe and Mail

Thursday, Mar. 02, 2017

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When a crime goes unpunished, particularly a major crime, it is an injustice. The fabric of society is rent, the law-abiding majority suffers, and the rule of law is mocked. It's not what's supposed to happen in Canada.

But thanks to the case of R. v. Jordan, the Supreme Court of Canada's decision setting new limits on how long is constitutionally too long for a criminal trial, a dose of legal anarchy is being threatened across the country.

In Alberta, Crown prosecutors are having to make hard choices about what cases to drop. Some prosecutions, including for violent crimes, are being stopped – not due to lack of evidence, but instead due to lack of time and resources to try the cases quickly enough to meet the Supreme Court's deadlines.

On Tuesday, The Globe and Mail reported that a senior Alberta Crown prosecutor had stayed 15 serious criminal charges, including assault with a weapon, impaired driving and assault on a peace officer. The president of the Alberta Crown Attorneys' Association says charges against 200 people have been dropped over the last two months, due to lack of prosecutorial resources.

When prosecutors dismiss charges due to lack of evidence, they are acting as responsible stewards of the law. Ditto when they divert less serious charges for resolution outside of court. But there is nothing good to be said about allegations of major breaches of the peace simply going unprosecuted and unpunished.

Every Canadian accused of a crime has a constitutional right to a speedy trial, and that right must be respected. But every Canadian who is the victim of a crime has the right to know that the law will be upheld, and that serious lawbreaking will be met with prosecution and punishment.

Surely Canada can protect both rights. Justice demands it. The provinces and Ottawa are going to have to hire more prosecutors and judges, and speed up court procedure. But the Supreme Court also needs to reconsider R. v. Jordan. It was a 5-4 split decision – and the wisdom of the dissenters is already being borne out.

Can't fix what is irreparably broken

Hamilton Spectator
March 03, 2017

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This has been going on for too long now. Shared Services Canada, the federal government's computer department, tried for six years to improve information technology service in 43 government departments — and reduce costs. It failed. Prime Minister Justin Trudeau should recognize the failure, pull the plug and let the departments design and run their own IT operations.

The failure was apparent a year ago when auditor general Michael Ferguson published his review of Shared Services Canada's first five years. He and his auditors examined the experience of seven large government departments, including the Royal Canadian Mounted Police, and found they were getting poor service from SSC. A series of horror stories was told in detail and there was no evidence that IT expenses were reduced.

Despite these warnings, the government plowed ahead. Judy Foote, the minister responsible, said she was confident the goals of improved service at a lower cost would be achieved. She provided no reason why anyone should share her confidence.

In January, RCMP Commissioner Bob Paulson sent his minister, Ralph Goodale, a memo summarizing the police force's difficulties with Shared Services. Since SSC took over, the RCMP's computers crash much more frequently and much longer than before, paralyzing police operations.

Mr. Goodale said he would discuss the problems with Ms. Foote.

There is no point discussing the problem with Ms. Foote. She has confidence in the one-size-fits-all system of IT management despite mounting evidence to the contrary. She has no means of making the centralized system work. It has been failing more or less continuously ever since Shared Services was created by the former Conservative government in August 2011 and it is not going to start succeeding now just because Mr. Goodale speaks to Ms. Foote.

Wayne Smith resigned as chief statistician and head of Statistics Canada last September because Shared Services was not giving his agency the IT services it needed. He could no longer guarantee users the accuracy or timeliness of his reports.

He quit rather than preside over the degradation of Canada's economic reporting. That departure, coming on top of the auditor general's warnings in January, should have persuaded the government to change course and abandon the failed experiment. But still Ms. Foote and her colleagues persisted, disregarding the facts.

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Ms. Foote, as it happens, is also the minister in charge of paying the salaries of public servants through the Phoenix computerized payroll service, another one-size-fits-all system that has failed.

Thousands of government employees and clients have been underpaid, overpaid or not paid at all. Lately, thousands have received inaccurate salary statements, which they must use to report their income and calculate their income taxes.

Every few months, Ms. Foote announces that the problems with Phoenix will be solved shortly. They never are. The thing clearly does not work. Governmentwide payroll service was derived from an illusion that operating payroll service on a grand scale would be cheaper and more efficient than letting each department pay its people. As the errors multiply, the government keeps forking out more cash to redeem its errors and redesign the system to make it work.

Mr. Trudeau and his ministers should not throw more money into redeeming these failed experiments. They should recognize they were fooled into a gigantic waste of money, cut their losses and revert to the system that worked.

Le gouvernement fait adopter sa loi spéciale sur les juristes de l'État

**Patrice Bergeron, La Presse canadienne
28 février 2017**

QUÉBEC – Le gouvernement Couillard a fait adopter mardi après-midi sa loi spéciale pour forcer le retour au travail dès mercredi des juristes de l'État en grève, qui promettent de ne jamais plier.

Le gouvernement avait rappelé lundi l'Assemblée nationale qui était en relâche cette semaine et a eu recours au bâillon pour expédier les procédures en moins de 24 heures, après quatre mois de conflit de travail et deux ans de négociations infructueuses.

L'association Les avocats et notaires de l'État québécois (LANEQ), qui représente les juristes, a fait savoir en après-midi qu'elle a déjà confié un mandat pour contester en Cour supérieure la loi, qu'elle juge inconstitutionnelle. Une poursuite en dommages-intérêts de 37,7 millions \$ est également entamée.

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«On n'a pas plié devant ce gouvernement-là et on ne pliera jamais, on rentre la tête haute, mais le retour va être très difficile», a dit le président de LANEQ, Jean Denis, en conférence de presse à la Tribune de la presse parlementaire.

En vertu du projet de loi 127, les juristes ont 45 jours pour négocier une nouvelle convention collective, et 105 jours au total après l'épuisement des délais en conciliation et en médiation, faute de quoi Québec leur imposera des conditions de travail.

Au cours du débat final en Chambre mardi après-midi, le président du Conseil du trésor, Pierre Moreau, a dit qu'on arrivait ainsi «à la fin d'un long et nécessaire processus». LANEQ est en grève pour obtenir la parité salariale avec les procureurs de la Couronne, mais aussi pour obtenir un statut comparable au leur, ce qui obligerait l'État à accepter la recommandation d'un tiers sur la fixation de leur salaire.

Pour sa part, le gouvernement dit avoir accordé aux juristes la parité salariale avec les procureurs, avec un salaire annuel de plus de 116 000 \$ en moyenne, mais refuse d'abdiquer sa responsabilité sur le traitement salarial de ses employés.

M. Moreau a toutefois laissé savoir qu'il était prêt à confier un mandat à un comité de travail pour discuter du statut des juristes et que les échanges avec LANEQ se poursuivent à ce sujet, ce qu'a démenti LANEQ en journée.

M. Denis exige toujours d'obtenir le même statut que les procureurs et un arbitrage exécutoire, à l'instar de ce qui se fait dans les autres provinces, a-t-il plaidé. Si les recommandations d'un éventuel comité de rémunération ne lient pas le gouvernement, les dés seront pipés d'avance et elles seront écartées, a soutenu le président de LANEQ.

Québec laisse planer une menace dans son projet de loi, en cas d'échec des futures négociations: le gouvernement reconduit les propositions de hausses salariales déjà accordées au Front commun du secteur public, soit 5,25 pour cent sur cinq ans, mais retire son offre de 2 pour cent supplémentaires qu'il avait proposée précédemment pour 2019-2020. Cependant, elle pourrait être de nouveau être rediscutée à la table, a-t-on précisé.

Le texte législatif prévoit aussi un montant forfaitaire de 0,30 \$ pour chaque heure rémunérée entre avril 2015 et le 31 mars 2016, ainsi que 0,16 \$ pour chaque heure rémunérée entre avril 2019 et le 31 mars 2020.

L'opposition officielle s'est engagée à abroger la loi si elle forme le gouvernement après les élections de 2018. En conférence de presse après l'adoption de la loi, la porte-parole péquiste,

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Nicole Léger, a fait savoir qu'un gouvernement du PQ accorderait les mêmes hausses de salaire aux juristes qu'aux procureurs, en plus d'être favorable à la mise sur pied d'un comité indépendant dont les recommandations seraient exécutoires.

Les quelque 1100 avocats et notaires de l'État à l'emploi de différents ministères et organismes gouvernementaux sont en grève depuis le 24 octobre.

Arrêt Jordan: quatre hommes pourraient ne pas être jugés pour meurtre

Lapress.ca

Caroline Touzin

1 mars 2017

La famille de Fehmi Sen crie à l'injustice. Le jeune homme de 28 ans a été assassiné il y a trois ans près d'un parc dans Côte-des-Neiges, victime d'une erreur sur la personne, selon ses proches.

Or, les quatre hommes accusés du meurtre pourraient être libérés sans jamais avoir été jugés.

« On ne peut pas croire que c'est ça la justice au Canada. Nous, on est encore en deuil et eux, ils pourraient se retrouver libres comme l'air dans les rues de Montréal », déplore l'une des soeurs de la victime, Behice Yanar.

Au grand dam de la famille de M. Sen, les coaccusés ont récemment demandé l'arrêt du processus judiciaire, invoquant l'arrêt Jordan - cette décision de la Cour suprême rendue l'été dernier qui a eu l'effet d'un électrochoc sur le système judiciaire en venant resserrer les délais pour être jugé.

Cette décision impose désormais à la poursuite un délai de 18 mois pour une cause sommaire et de 30 mois pour une cause devant jury, sauf « circonstances exceptionnelles ».

AU MAUVAIS ENDROIT AU MAUVAIS MOMENT ?

Le 30 mai 2013, en soirée, Fehmi Sen se trouvait avec des amis près du parc Kent lorsqu'il a été atteint d'un projectile d'arme à feu.

« Mon frère souffrait d'un cancer de la gorge. Il était souvent trop malade pour sortir, mais ce jour-là, il faisait beau et il voulait en profiter pour pique-niquer avec ses amis », raconte la soeur

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éplorée. Cette dernière croit qu'une querelle concernant une fille impliquant des amis de son frère présents au parc ce soir-là et les assaillants allégués pourrait être à l'origine de l'attaque.

Trois des quatre présumés meurtriers - Marlon Henry, Rakesh Jankie et Shorn Carr - ont été arrêtés en décembre 2013.

Leur enquête préliminaire a eu lieu en 2015, au terme de laquelle ils ont été inculpés de meurtre prémédité, l'accusation la plus grave du Code criminel. Le procès est prévu en 2018.

Le quatrième accusé, Kshawn Rocque, a fui le Canada après le crime allégué, mais il a été arrêté en vertu d'un mandat international et doit être jugé plus tard.

Plus tôt ce mois-ci, leurs avocats ont plaidé devant le juge Guy Cournoyer qu'ils devaient être libérés, car la poursuite avait mis trop de temps à les faire juger (requête en délais déraisonnables). Le magistrat doit rendre sa décision le 7 avril.

IMPRÉVU

Ironie du sort, c'est l'ancienne procureure en chef de la commission Charbonneau, M^e Sonia LeBel, qui devait plaider la requête pour la poursuite. Or, elle a dû être remplacée au pied levé par un collègue, car des rumeurs sur son passage en politique avaient commencé à circuler (son passage à la Coalition avenir Québec a été confirmé depuis). Cet imprévu - jumelé au fait que la procureure de la Couronne initialement attitrée au procès a elle aussi dû abandonner le dossier après être tombée malade - a beaucoup insécurisé la famille de la victime.

« Rien ne nous arrêtera pour obtenir justice, affirme M^{me} Yanar, soeur de la victime. On a immigré ici pour être en sécurité et mon frère se fait tirer en pleine rue. »

« Jamais on n'acceptera que sa mort reste impunie. » - Behice Yanar, l'une des soeurs de la victime

Fehmi Sen travaillait à la pizzeria familiale située dans Côte-des-Neiges. Originaire de la Turquie, il a immigré à Montréal alors qu'il était enfant avec le reste de sa famille - issue de la minorité kurde opprimée depuis des décennies là-bas.

La famille de M. Sen tient à être présente au tribunal le 7 avril prochain, se raccrochant à l'espoir qu'il « existe une justice au Canada ».

Une première ?

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Au Québec, aucun présumé meurtrier n'aurait bénéficié d'un arrêt des procédures depuis la décision de la Cour suprême rendue l'été dernier baptisée arrêt Jordan, selon nos recherches. Un homme accusé d'un triple meurtre à Gatineau a récemment essuyé un revers après avoir présenté une telle requête. Pas plus tard que le 23 février dernier, le juge de la Cour supérieure Éric Downs a rejeté la requête de Shakti Ramsurrin, accusé d'avoir tué sa conjointe et ses beaux-parents en mai 2012. Certes, 62 mois se sont écoulés entre le dépôt des accusations et la fin anticipée du procès, mais de ce nombre, 17 mois sont imputables à l'accusé, a expliqué le juge. Le délai net de 45 mois excède le plafond de 30 mois fixé par la Cour suprême, a poursuivi le magistrat, toutefois, le district judiciaire de Gatineau est confronté à « des problèmes de délais institutionnels tenaces » dont la poursuite ne peut pas être tenue responsable. De plus, l'affaire est « moyennement complexe », a précisé le juge, ce qui peut expliquer une partie des délais.

Le Directeur des poursuites criminelles et pénales a reçu:

- 574 requêtes depuis la décision de la Cour suprême baptisée l'arrêt Jordan rendue le 8 juillet 2016*.
- De ce nombre, 37 dossiers ont fait l'objet d'un arrêt des procédures**
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* En date du 23 février 2017, soit les dernières données disponibles provenant du DPCP.

** En date du 26 janvier 2017, données obtenues en vertu de la Loi sur l'accès à l'information.

Charges against officer 'exceptional and rare', says head of Manitoba investigation unit

Since it started, the IIU has launched 44 investigations and concluded 21

CBC News

Mar 03, 2017

The laying of manslaughter charges against a Manitoba police officer is a first in the province and a rarity in Canada, says a former Crown attorney who now heads the Independent Investigation Unit.

There have been just five other cases in Canada where an investigation has led to an officer being charged with manslaughter or murder, said Zane Tessler, executive director of Manitoba's IIU, which became operational in June 2015.

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"These types of charges are exceptional and rare in Canada," he said. Manitoba's IIU announced on Thursday that RCMP Const. Abram Letkeman has been charged with manslaughter for a fatal police shooting in Thompson in 2015.

Steven Campbell, 39, was shot and killed Nov. 21, 2015, after police fired at a vehicle he was driving. Shots also hit the mother of Campbell's daughter, causing serious injuries.

Letkeman, who was arrested March 1, is also charged with criminal negligence causing death, reckless discharge of a firearm, criminal negligence causing bodily harm and dangerous driving causing bodily harm.

Officer-involved shootings don't happen as often in Canada as they do in the United States, Tessler noted. And when they do happen, they result in "very significant investigations."

"You want to be satisfied that a thorough investigation has been conducted and that there are reasonable and probable grounds at the conclusion to determine whether charges should be authorized or not," he said.

"And in this particular case, there were ... sufficient grounds."

He says each IIU investigation is evaluated on its own merits, facts and circumstances, and investigators take each case extremely seriously.

Letkeman has been released on bail and is due in a Thompson court on March 31. The matter will be handled by Manitoba Prosecution Service and the IIU cannot comment further on the allegations, Tessler said.

The IIU investigates all serious incidents involving police officers in Manitoba, whether occurring on or off duty. Since it started, it has launched 44 investigations and concluded 21.

Three investigations have resulted in charges against four officers. Those against Letkeman are the most serious.

The others include two Brandon police officers charged last month with driving offences — one for careless driving and the other with imprudent driving.

The other incident and the first time charges were laid against an officer was in October 2015 when an RCMP officer in The Pas, Man., was charged with assault. It was a domestic incident that allegedly happened while the officer was off duty.

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Justice denied: More money the best fix for court delays, say Crown lawyers

Monique Scotti

National Online Journalist, Politics Global News

March 05, 2017

In late January, an Ottawa judge stayed sexual assault charges against a 15-year-old boy who stood accused of attacking a three-year-old child at his mother's daycare.

A few days later, in Manitoba, a similar case against a man accused of sexually assaulting a child was also halted in its tracks.

Then, on Tuesday last week, an Alberta prosecutor stayed 15 criminal cases at once, including ones involving assault with a weapon, impaired driving and assaulting a peace officer.

The ruling set a presumptive ceiling of 18 months of delay for cases in the provincial court, and 30 months for cases in Superior court, from the time the charge is laid until the end of the case. If proceedings drag on longer, it's considered a violation of the rights of the accused.

"The Jordan decision didn't really start this crisis ... our justice system was already in crisis long before Jordan was even pronounced," Rick Woodburn, president of the Canadian Association of Crown Counsel, told *The West Block's* Vassy Kapelos this weekend.

"The Supreme Court of Canada just re-iterated that we all have to come together to solve this issue of delays in our court system."

Cases have become more numerous, he explained, and more complex over time. That means more disclosure and more time in front of a judge.

"It's already affecting Canadians," said Woodburn. "We see out in Alberta, and this is the first I've ever heard of this, the Crown is staying charges as a result of a lack of resources. They're being mandated to do that."

The solution, he said, lies in funding for additional resources in the justice system. More judges, more lawyers, more courtrooms and more support staff.



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Since 2006, Woodburn noted, budgets have been frozen or stayed the same. At the same time, alternative solutions to ease the backlog, like better triage, plea bargaining, streamlining the court process and diverting charges, haven't worked.

The provinces rely on transfer payments to prosecute criminal offences, which means it's up to Ottawa to increase the cash flow.

"There just hasn't been the increase (in funding) along with the more serious crimes that are more prolific now than they used to be," Woodburn said.

But there's reason for optimism, he contends.

"While Jordan didn't create this crisis, it certainly has brought it to the forefront of our governments. And I've seen reactions from our various governments that I haven't seen in the last 15 years."