



**AJC-AJJ**  
ASSOCIATION OF JUSTICE COUNSEL  
ASSOCIATION DES JURISTES DE JUSTICE

Press Clippings for the period of February 15-21, 2013  
Revue de presse pour la période du 15 au 21 février 2013

## English Media

February 19, 2013

### **Ex-public servant loses fight to keep double severance payment**

When David Salie's executive position at Treasury Board was eliminated in 2009, he received 26 weeks pay — nearly \$40,000 after taxes — in lieu of notice. Five months later, the government mistakenly paid the veteran Ottawa public servant the same amount a second time.

When Treasury Board officials finally realized their error 21 months later and demanded repayment, Salie launched a challenge in the Federal Court of Canada. But in a decision earlier this month, the court dismissed Salie's application, meaning he must repay the money.

<http://www.ottawacitizen.com/public+servant+loses+fight+keep+double+severance+payment/7986686/story.html>

### **Gun violence in Toronto raised by Ottawa in arguing for mandatory minimums**

Gun violence in Toronto once prompted Ottawa to enact stiffer mandatory minimum sentences and government lawyers now raise the recent gun deaths of four Toronto-area boys as those penalties undergo a major test.

Ontario's Appeal Court is hearing six gun-crime cases jointly this week since all of the appeals centre on controversial mandatory minimums. Crown attorneys for both the federal and provincial governments were the first to make arguments before the special five-judge panel in a courtroom packed with two dozen lawyers.

<http://www.globalnews.ca/entertainment/canada/mandatory+minimum+sentences+legitimate+response+to+gun+culture+government/6442811770/story.html>

## **Mandatory sentencing: Five-judge, six-case hearing begins on 2008 illegal-gun law**

Leroy Smickle was just “a trigger pull” away from a manslaughter charge, argue lawyers who are seeking to have the three-year mandatory minimum sentence for illegal firearm possession declared constitutionally valid.

[http://www.thestar.com/news/crime/2013/02/19/mandatory\\_sentencing\\_fivejudge\\_sixcase\\_hearing\\_begins\\_on\\_2008\\_illegalgun\\_law.html](http://www.thestar.com/news/crime/2013/02/19/mandatory_sentencing_fivejudge_sixcase_hearing_begins_on_2008_illegalgun_law.html)

## **Court discussing mandatory minimums for gun charges**

Parliament pulled the trigger on mandatory minimum sentences for possessing illegal guns to stem the violence plaguing Toronto, Ontario's highest court heard Tuesday.

Crown attorney Riun Shandler defended the constitutionality of the Harper government's mandatory minimums before a Court of Appeal special panel Tuesday, saying Ottawa stiffened the penalties to combat the terror of gun violence.

<http://www.sunnewsnetwork.ca/sunnews/canada/archives/2013/02/20130219-183849.html>

<b>February 20, 2013</b>
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## **New job cut projections still lack transparency, critics say**

The federal government’s planned 19,200 public service job cuts will be made proportionally across Canada so that no region is singled out for harsher treatment than others, according to figures released Wednesday by the federal government.

But opposition critics and others say Canadians still aren’t being told what they actually need to know: how the cuts will affect them.

<http://o.canada.com/2013/02/20/new-job-cut-projections-still-lack-transparency-critics-say/>

## **Region’s share of federal jobs to rise**

The federal government has released new numbers to show it is cutting jobs equally across the country.

While jobs are being cut from every region, Atlantic Canada will actually see a slight uptick in its share of the federal civil service, according to Ottawa’s projections.

As of November 2012, the Treasury Board of Canada reports 10,980 jobs had been cut out of a planned 19,200 by 2015.

<http://thechronicleherald.ca/novascotia/736653-region-s-share-of-federal-jobs-to-rise>

## **CUPE president says doubling CPP benefits would address pension problem**

The national president of the Canadian Union of Public Employees says Canada Pension Plan benefits should be doubled in an effort to help Canadians who don't have a workplace pension plan.

Paul Moist said the CPP needs to be improved.

"Sixty-five per cent of the workforce has no pension plan and CPP expansion is the most viable alternative," Moist said in an interview.

<http://www.calgaryherald.com/business/CUPE+president+says+doubling+benefits+would+address+pension+problem/7991754/story.html>

## **'Ontario is worse than California': Province must address soaring public sector wages to slay deficit, new study says**

Ontario's public sector workers tend to be far better off than private employees, a new study says, even as the province grapples to slay its growing deficit and curtail spending — a full half of which is dedicated to salaries, wages and benefits.

<http://news.nationalpost.com/2013/02/20/ontario-is-worse-than-california-province-must-address-soaring-public-sector-wages-to-slay-deficit-new-study-says/>

## **Tories keeping Canadians in dark about 2012 budget cuts, Liberals say**

The Liberals say the Harper Conservatives are still hiding the impact on Canadians of last year's spending cuts even as they prepare to deliver the 2013 budget next month.

"Canadians are rightly asking how they can trust this government's imminent budget when they still don't know where the cuts from budget 2012 are coming from," Liberal treasury board critic John McCallum remarked as he released a list of federal departments he said are engaged in an exercise in secrecy.

[http://www.thestar.com/news/canada/2013/02/20/tories\\_keeping\\_canadians\\_in\\_dark\\_about\\_2012\\_budget\\_cuts\\_liberals.html](http://www.thestar.com/news/canada/2013/02/20/tories_keeping_canadians_in_dark_about_2012_budget_cuts_liberals.html)

## **No more money for legal aid in B.C. budget**

The Canadian Bar Association's British Columbia branch has hit out at the provincial government for its failure to increase financial support for the province's legal aid system in yesterday's budget.

<http://www.canadianlawyermag.com/legalfeeds/1324/no-more-money-for-legal-aid-in-bc-budget.html>

[An Agenda for Justice](#) (Full Report)

February 21, 2013

## **Government's public service job cut system 'cruel' and 'inhumane': critics**

Prime Minister Stephen Harper's government is facing calls to change the way it is carrying out its public service job cuts, with critics calling the existing system "cruel" and "inhumane."

In particular, critics would like to see a change to the way the government is thinning its ranks — notifying a large number of public servants that their jobs are in jeopardy then making them compete against colleagues for the jobs that remain.

"I think the current system is inhumane and cruel and unusual punishment that should be avoided," said Liberal Treasury Board Critic John McCallum.

<http://www.ipolitics.ca/2013/02/21/governments-public-service-job-cut-system-cruel-and-inhumane-critics/>

## **Justice department whistleblower on a crusade to sustain the rule of law**

Somebody had to blow the whistle on the federal Department of Justice, Edgar Schmidt believed. And he decided the best candidate was him.

"As a fairly senior person toward the end of his career, it fell to me," said Mr. Schmidt, who launched a legal action last month accusing his department of short-circuiting a legal requirement that new laws be vetted to see whether they comply with guarantees in the Charter of Rights and Freedoms.

<http://www.theglobeandmail.com/news/national/justice-department-whistleblower-on-a-crusade-to-sustain-the-rule-of-law/article9001991/>

## **The trouble with austerity: Cutting is more about ideology than economics**

Governments here and elsewhere are increasingly preoccupied with cutting even as evidence piles up of its harmful consequences on people and the economy. Austerity is not even delivering the balanced budgets its advocates promise. Even the International Monetary Fund is now preaching balance rather than a single-minded focus on cuts. Yet austerity's adherents hold fast, deny the evidence or double down. Why is that?

[http://www.thestar.com/opinion/editorialopinion/2013/02/24/the\\_trouble\\_with\\_austerity\\_cutting\\_is\\_more\\_about\\_ideology\\_than\\_economics.html](http://www.thestar.com/opinion/editorialopinion/2013/02/24/the_trouble_with_austerity_cutting_is_more_about_ideology_than_economics.html)

## **Union seeks 'charging order' against Canada Post property over pay equity award**

Fed up that Canada Post hasn't paid out a multi-million-dollar pay equity award, the union representing its clerical workers is seeking a charging order, which is similar to a lien, against a postal building in Ottawa.

According to documents filed with the Federal Court, the Public Service Alliance of Canada is asking that a judge enforce a Canadian Human Rights Tribunal pay equity decision, upheld by the Supreme Court of Canada in 2011.

[http://www.thestar.com/business/2013/02/23/union\\_seeks\\_charging\\_order\\_against\\_canada\\_post\\_property\\_over\\_pay\\_equity\\_award.html](http://www.thestar.com/business/2013/02/23/union_seeks_charging_order_against_canada_post_property_over_pay_equity_award.html)

## Médias francophones

18 février 2013

### **Les peines minimales léseront un petit groupe de citoyens, reconnaît Ottawa**

Un petit groupe de citoyens pourrait être lésé par les peines minimales obligatoires pour les crimes liés aux armes à feu, mais le Parlement a le droit à la déférence dans ses efforts pour améliorer la sécurité publique, soutient le gouvernement fédéral.

<http://www.lapresse.ca/actualites/quebec-canada/politique-canadienne/201302/18/01-4622982-les-peines-minimales-leseront-un-petit-groupe-de-citoyens-reconnait-ottawa.php>

20 février 2013

### **Compressions fédérales : les libéraux dénoncent le manque de transparence**

Le Parti libéral du Canada a dévoilé, mercredi, une liste des dix ministères et organismes fédéraux qu'il juge les moins transparents à la suite de la vague de compressions annoncées lors du dernier budget 2012-2013.

Alors que le budget 2013-2014 doit être présenté le mois prochain, le porte-parole libéral responsable du Conseil du Trésor, John McCallum, demande au président du Conseil du Trésor, Tony Clément, de tenir sa promesse de transparence.

<http://www.radio-canada.ca/regions/ottawa/2013/02/20/006-transparence-compressions-plc.shtml>

21 février 2013

### **Le SCFP veut bonifier le Régime de pensions du Canada**

Le président du plus grand syndicat au pays, le Syndicat canadien de la fonction publique (SCFP) avec ses 620 000 membres, croit qu'il est temps de bonifier le Régime de pensions du Canada (RPC) afin de sécuriser la retraite de tous les travailleurs canadiens.

Paul Moist, président national du SCFP, a livré ce message mercredi alors qu'il était l'un des conférenciers invités au Sommet national sur la réforme des pensions, qui se déroulait à Fredericton au Nouveau-Brunswick.

<http://www.ledevoir.com/economie/actualites-economiques/371442/le-scfp-veut-bonifier-le-regime-de-pensions-du-canada>

## **Ottawa-Gatineau conservera 32 % des fonctionnaires au pays**

Lorsque la réduction des effectifs dans la fonction publique fédérale sera complétée, en mars 2015, la région d'Ottawa-Gatineau devrait avoir conservé 32% des employés fédéraux au pays, comparativement à 32,4% avant le budget du printemps 2012.

<http://www.lapresse.ca/le-droit/politique/fonction-publique/201302/21/01-4623875-ottawa-gatineau-conservera-32-des-fonctionnaires-au-pays.php>