Final 11 accused in massive Montreal Mob bust have charges stayed after defence's disclosure request

The accused were among those charged in a major police operation targeting organized crime between 2014 and 2016 that led to dozens of arrests

National Post
The Canadian Press
July 19th 2017

MONTREAL — The last 11 people accused in a massive Quebec Mob bust dubbed Project Clemenza saw the charges against them stayed Monday at the request of the prosecution.

A spokesperson for the Public Prosecution Service of Canada said a stay of proceedings was a discretionary decision by the Crown and was the only possible move.

"The request for disclosure from the defence raised very complex issues and, despite all the efforts, the prosecution was not in a position to meet its disclosure obligations," the agency said in an email.

The accused were among those charged in a major police operation targeting organized crime between 2014 and 2016 that led to dozens of arrests.

Prosecutor Andre Albert Morin told reporters the Crown asked for the stay after speaking to investigators in the RCMP-led case and concluding it wouldn't be able to provide answers to pointed technical questions from the defence.

At the time of the first wave of arrests, the RCMP proudly boasted about an investigative tactic that saw more than one million private PIN to PIN BlackBerry messages intercepted between 2010 and 2012 and analyzed.

Morin said the accused are now free without any further court-ordered conditions.

Technically, the prosecution has 12 months to refile charges according to the Criminal Code, but Morin wouldn't say what he planned to do.

In March, the federal Crown used its discretion in a similar fashion to have charges stayed against 36 people arrested in Clemenza.

In that instance, a prosecutor told reporters that numerous factors played a part in the decision, including a recent Supreme Court ruling that set strict time limits for cases to get to trial.

But Montreal La Presse reported the Crown's decision was based on the quality of the evidence and the techniques used to gather it.

One criminal attorney not connected to the current case says it could cause problems down the road.

“If they want to use this investigative technique in the future to gather evidence to charge someone, the accused will still be allowed to obtain all the evidence against them,” said Walid Hijazi, a defence lawyer.

“So it’s a delicate problem that the authorities will have to solve.”

Clemenza was the biggest anti-Mafia police sweep by federal authorities since its takedown of the Rizzuto crime family during Operation Colisee in 2006.

The suspects in question faced an array of charges, including trafficking, importation and production of drugs, and others related to weapons, arson and kidnapping.

“Project Clemenza is now finished,” said Morin.

Government of Canada announces judicial appointments in the province of Ontario
Newswire
July 18th 2017

OTTAWA, July 18, 2017 /CNW/ - The Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, today announced the following appointments under the new judicial application process announced on October 20, 2016. The new process emphasizes transparency, merit, and diversity, and will continue to ensure the appointment of jurists who meet the highest standards of excellence and integrity.

The Honourable J. Michal Fairburn, a judge of the Ontario Superior Court of Justice, is appointed a judge of the Court of Appeal for Ontario. She replaces Madam Justice E.A. Cronk, who elected to become a supernumerary judge effective September 12, 2016.

The Honourable Heather McArthur, a judge of the Ontario Court of Justice, is appointed a judge of the Superior Court of Justice in and for the Province of Ontario in Toronto. She replaces Madam Justice E. E. Frank who resigned effective July 4, 2017.

Andrew A. Sanfilippo, a partner at O'Donnell, Robertson & Sanfilippo LLP, is appointed a judge of the Superior Court of Justice in Toronto. He replaces Mr. Justice J. Wilton-Siegel, who elected to become a supernumerary judge, effective June 27, 2017.

Jocelyn Speyer, chief counsel in the Crown Law Office-Criminal for the Ministry of the Attorney General for Ontario, is appointed a judge of the Superior Court of Justice in and for the Province of Ontario in Durham. She replaces Madam Justice J. Ferguson, who transferred to

Toronto to replace Madam Justice H. Sachs, who elected to become a supernumerary judge effective June 30, 2016.

Biographies

Prior to Madam Justice J. Michal Fairburn's elevation to the Court of Appeal for Ontario, she sat as a judge of the Ontario Superior Court of Justice. Justice Fairburn spent most of her formative years on a small family farm outside the town of Beaverton, Ontario. Her father and mother made significant contributions to the public education system. She obtained her undergraduate and law degrees from the University of Toronto and was called to the Ontario Bar in 1992.

For over two decades, Justice Fairburn worked as Crown counsel and then general counsel within the Ministry of the Attorney General for Ontario. She appeared in every level of court, including arguing over 25 appeals in the Supreme Court of Canada and many more in the Court of Appeal for Ontario. Several of the appeals involved the most pressing and complex criminal and constitutional issues of the day. Her appellate work complemented her experience as a trial litigator. In 2013, she became a partner at Stockwoods LLP, where her practice expanded to include civil litigation as well as regulatory work. Justice Fairburn was appointed to the Superior Court of Justice in December 2014. Since then, she has been sitting as a trial judge in Brampton.

Over her long and distinguished legal career, Justice Fairburn has held many roles within the administration of justice, including serving as an advisor to the Supreme Court Advocacy Institute and holding the position of Wiretap and Electronic Surveillance Co-ordinator for Ontario. She was appointed a Fellow of the American College of Trial Lawyers and sat on The Advocates' Society's Board of Directors. She was a member of the Justice and Media Liaison Committee. She has been a tireless educator, teaching justice participants both within and outside Canada, including on faculties with the National Judicial Institute, the Federation of Law Societies' National Criminal Law Program, a number of law associations, the International Criminal Court and the International Society for the Reform of Criminal Law. She has authored many articles and is the co-author of the Police Powers Newsletter, a Carswell publication.

Justice Fairburn is the recipient of many awards and recognitions, including the Catzman Award for Professionalism and Civility. She also received the Doug Lucas Award for Excellence in the Pursuit of Justice through Science. She has shown a long commitment to her community, including her lengthy service on the East Gwillimbury Accessibility Advisory Committee and her coaching of young women in basketball.

Excerpts from Justice Fairburn's judicial application will be available shortly.

Madam Justice Heather McArthur graduated from the University of Toronto Law School in 1992 and was called to the bar in 1994. She practised criminal defence law for almost 18 years prior to her appointment to the Ontario Court of Justice in 2011. Before joining the bench, she successfully defended cases at all levels of court, including the Ontario Court of Appeal and the

Supreme Court of Canada. Her practice was primarily focused on large and complex homicide trials and appeals. Since her appointment to the Ontario Court of Justice she has presided over countless trials, guilty pleas, and pre-trials, and frequently presides in Gladue court.

Throughout her career, Justice McArthur has been actively involved in legal education, teaching trial advocacy at Osgoode Hall Law School, chairing a number of judicial and legal education conferences and presenting on a wide variety of criminal law topics. She acted as a Toronto Director for the Ontario Criminal Lawyers' Association, and chaired many of their sub-committees. She was also a member of the Board of Directors for the Association in Defence of the Wrongly Convicted and the College Montrose Children's Place. She used these myriad opportunities to mentor many young students and lawyers, both formally and informally. Justice McArthur is the proud mother of two children.

Excerpts from Justice McArthur's judicial application will be available shortly.

Mr. Justice Andrew A. Sanfilippo practised defence civil litigation for 33 years, the last 23 years as a founding partner of the Toronto law firm O'Donnell, Robertson & Sanfilippo LLP. He acted extensively in the defence of professionals, including hundreds of Ontario lawyers implicated in cases of professional negligence, and acted as defence counsel in complex litigation in the areas of products liability, mass tort and personal injury. He acted as coverage or advisory counsel to many of Ontario's insurance companies and has for decades been consulted on high-profile insurance matters across Canada and the United States. He has acted extensively as mediation counsel and is a Fellow of the Chartered Institute of Arbitrators. He has been a frequent author and panellist in a wide spectrum of legal areas.

Justice Sanfilippo was born and raised in Collingwood, Ontario, one of six children of an immigrant father from Sicily and a mother whose parents had earlier immigrated from the same small Sicilian village. He first learned how to work hard in his parents' produce business. Justice Sanfilippo was educated at Queen's University (B.A., Hons., 1978), University of Windsor Faculty of Law (LL.B., 1981), and New York University School of Law (LL.M., 1982). Outside of the law, Justice Sanfilippo has been an active supporter of charities and causes affecting children, whether in medicine, the arts, or sports, and is a minister of hospitality at his church.

Excerpts from Justice Sanfilippo's judicial application will be available shortly.

Madam Justice Jocelyn Speyer was born and raised in Calgary, Alberta, before moving to Ontario and then British Columbia. The eldest child of immigrants from the Netherlands, she earned a law degree in 1983 from Queen's University. Justice Speyer articled with the Crown Law Office - Criminal, and following her call to the bar, practised there as counsel for ten years, arguing criminal appeals in the Ontario Court of Appeal and the Supreme Court of Canada. She then gained extensive trial experience as a prosecutor at every level of trial court; first as an assistant Crown attorney, and then Crown Attorney for the County of Wellington in Guelph, Ontario. In 2013, she was assigned the role of coroner's counsel at the inquest into the death of

Ashley Smith. Justice Speyer then returned to her roots at the Crown Law Office - Criminal, where she worked as chief counsel until her appointment.

Concurrent to her busy career, Justice Speyer made time to contribute to numerous continuing legal education programs, providing education to Crown and defence counsel, judges, and police throughout Canada. She has been a long-time member of the faculty of the Federation of Law Societies National Criminal Law Program, and recently become a national co-chair of that program. She has written extensively about criminal law, evidence, procedure, and ethics. She is a fellow of the American College of Trial Lawyers, the preeminent organization of trial lawyers in North America, dedicated to maintaining and improving the standards of trial practice, professionalism, ethics, and the administration of justice.

Excerpts from Justice Speyer's judicial application will be available shortly.

Does Chief Justice McLachlin's successor have to be from Quebec?
The Constitutional convention argument of alternating between an anglophone and francophone top judge is thin.
The Star
Stephen Aylward
July 18th 2017

Canadian political discourse is often plagued by historical amnesia. Nowhere is this more obvious than in the public discourse surrounding the appointment of the next Chief Justice of the Supreme Court of Canada.

Last month, Chief Justice Beverley McLachlin announced that she would be leaving the court in December, following a distinguished tenure at the helm. Commentary on the appointment of her successor has clung to the received wisdom that her successor must be appointed from Quebec.

This requirement is said to derive from a tradition, or an even a constitutional convention, that Canada's top legal job rotates between a civil law French Canadian judge from Quebec and a common law judge from the Rest of Canada. Indeed, the Barreau de Montéal has penned a letter to the Prime Minister, calling on him to honour this tradition in choosing the next chief justice.

The case for Quebec representation on the court is obvious. The Supreme Court hears cases in both English and French and in both the common law and civil law traditions. From a functional perspective, it makes sense for the institution to be led by a judge from Quebec.

There is also symbolic value in maintaining the legitimacy of the Supreme Court as an institution that sits atop both the common law and civil law systems. These considerations underlie the requirement that three of the nine judges on the court be from Quebec. In the Nadon reference,

the Supreme Court ruled that proper representation of Quebec was a matter of constitutional significance.

But there are also drawbacks to clinging to a strict rotation.

The pool of suitable candidates is small to begin with. In choosing a chief justice, a candidate must possess tremendous legal skill and administrative ability. There is also powerful symbolism in the person who holds the office. Further constraints on the prime minister's choice could undermine other forms of representation, such as gender and racial diversity.

A strict rotation requirement would preclude the possibility of appointing Canada's first Indigenous chief justice. It would also limit the possibility of bold choices, such as George W. Bush's elevation of John Roberts directly to the role of Chief Justice of the United States.

Given these potential drawbacks, you would think the historical case for a rotating chief justiceship must be pretty strong. The thing is, there is little to no historical evidence to support it.

Throughout most of the history of the Supreme Court (with a few exceptions), the chief justiceship was passed on to the most senior sitting judge on the court. From 1875-1944, there was only one French Canadian chief justice, Henri-Elzéar Taschereau (1902-1906).

From 1944-1973, the position of chief justice did alternate Quebec Francophone and Rest of Canada Anglophone. But as Philip Girard, a legal historian at Osgoode Hall Law School has observed, this may simply have been a coincidence: each of the chief justices during this period also happened to be the most senior judge on the bench.

Bora Laskin's appointment to the chief justiceship by Pierre Trudeau in 1973 was controversial at the time precisely because of his lack of seniority (he was the second most junior judge on the court).

Since breaking with the seniority tradition in 1973, the appointees have been anglophone (Laskin), anglophone (Brian Dickson), French Canadian (Antonio Lamer), and anglophone (Beverley McLachlin). This is very thin gruel for a constitutional convention.

Popular wisdom on this point may be so well entrenched that there would be a political cost to departing from it when Prime Minister Trudeau chooses the next chief justice.

And perhaps the time has come to move toward a convention of rotating of the chief justice spot. But that decision should be based on a considered weighing of the pros and cons of such a policy on its merits, not treated as a foregone conclusion based on a phantom tradition that never was.

Stephen Aylward is a lawyer at Stockwoods LLP in Toronto, practising criminal, civil, and appellate litigation

The Jordan decision: A major overhaul in Nova Scotia's justice system
CTV Atlantic
July 19th, 2017

With the Supreme Court of Canada handing down a decision to ensure timely justice for all, addressing undue delays in Nova Scotia has become a top priority for police, lawyers and judges. The Jordan decision set strict time limits between charges and trial – 18 months in provincial court and 30 months in superior court.

Nova Scotia's Deputy Justice Minister Karen Hudson tasked the province's Criminal Justice Transformation Group with the sole focus of dealing with delays.

"The public confidence in the criminal justice system will decrease if cases are not tried and determined on their merits and are, in their thoughts, thrown out because of a technicality," Hudson says.

Hudson sits on the board along with the director of Nova Scotia's Public Prosecution Service and the province's chief judge, Pamela Williams.

"Jordan has told us the culture in the criminal justice system has to change, that delay is no longer acceptable," says Williams.

In the last year, provincial prosecutors have had a total of 16 cases disputed for unreasonable delays. Of those, two cases were stayed, seven were dismissed, two were withdrawn by the defence and five are pending.

Much is being done in Nova Scotia to address unnecessary delays, which in itself is a slow process. Some of the priority items include improved case management with more complex cases, offering adult restorative justice when appropriate, filling judicial vacancies, and expanding mental health and addiction court services across the province.

The justice department has committed an additional $2.3 million to address the backlog, which includes buying video conferencing equipment to speed up court appearances. Another safeguard is the new red Jordan Ticker, which acts as a countdown clock highlighting how long a case has been in the system.

Public Prosecution Service director Martin Herschorn says delays by the defence also need to be considered when defining an unreasonable delay.

“But that has to be fleshed out and recorded so it is not counted against the Crown, says Herschorn.

Luke Merrimen, the president of Nova Scotia's Criminal Lawyers Association, says time limits ensure criminal accusations don't drag on.

“It is essentially a dark cloud hanging over someone's head until they have a chance to respond,” says Merrimen

The Jordan decision is meant to clarify what it means to be tried within a reasonable time. The Supreme Court of Canada was quite deliberate in providing a framework for judges when determining whether cases fall within or outside of the range,” says Pamela Williams.

Deputy Justice Minister Karen Hudson says her overarching goal is to have a justice system that is efficient, effective and responsive to the needs of Nova Scotians.

Ottawa's pot shops proliferate, as criminally charged 'budtenders' left waiting to exhale
Ottawa Citizen
Jacquie Miller
July 20th 2017

The number of illegal pot shops in the city is on the upswing, even as the first wave of dispensary employees charged with drug trafficking make their way through the courts.

There are now at least 17 dispensaries selling marijuana over the counter, about the same number that were in town eight months ago when police began raiding them.

The stores are pushing the boundaries as the clock ticks down to July 2018, the date the federal government has promised to make recreational pot legal.

A few of the dispensaries cater only to medical patients. But many sell to anyone over 19, offering a wide variety of weed, cannabis concentrates, vape pens as well as candy, cookies and pop.

They are in discreet offices in suburban industrial parks; boutique-like stores on Bank Street; shabby storefronts on Rideau Street and Montreal Road; and private rooms hidden from public view in head shops.

What they have in common is their popularity.

“A significant number of otherwise law-abiding citizens” are shopping at dispensaries, noted an Ottawa judge Wednesday as he sentenced two young employees who were working at a pot shop on Bank Street when it was raided by police in January.

The “budtenders,” ages 20 and 22, pleaded guilty to drug trafficking. They received conditional discharges, which means they are registered as guilty but will not have criminal records.

In April, two other Ottawa budtenders who pleaded guilty received criminal convictions from another judge who said they had engaged in “blatant drug dealing.”

It’s an indication of the varying approaches as courts, police and prosecutors wrestle with what to do about the illegal shops and the people who own and work in them.

A case in point is the differences between Ottawa and Toronto, which have both seen a proliferation of dispensaries.

Toronto: Police crack down, but prosecutors drop charges

Police and city bylaw officers in Toronto launched a major offensive after nearly 80 shops popped up almost overnight in the city in the spring of 2016. In one of the largest drug raids in the city’s history, dubbed Project Claudia, they swooped down on 43 shops in one day in May. As sporadic raids continued in the whack-a-mole fight against the dispensaries, the number of shops dipped as low as 38, according to Mark Sraga, a spokesman for the city’s Licensing & Standards division.

This spring, the number inched back up to about 60 shops. In the past month, police have cracked down yet again, arresting dozens of people in raids on the CannaClinic chain. One shop was raided three times after it kept re-opening.

The current toll after 14 months of police raids in Canada’s largest city? A total of 312 people have faced criminal charges, according to the Public Prosecution Service of Canada, the agency responsible for prosecuting drug crimes.

The Prosecution Service threw out the vast majority of the charges — 188 of 224 — that were laid against people in 2016. Some charges were resolved after people signed a peace bond whose conditions included not working in dispensaries. In other cases, the Crown decided there wasn’t enough evidence to proceed.

Jack Lloyd, a Toronto lawyer who represents dispensary employees, says he hopes the Crown will also throw out the charges against the 88 people charged so far this year.

Offering peace bonds to so-called budtenders was a “progressive approach” that recognized it’s not in the public interest to prosecute employees, many of whom are in their 20s and working for around minimum wage, he said.

“The vast majority of people think it is a huge waste of resources to charge people and prosecute them, especially when court resources are limited.”

Ottawa: Police crack down, but prosecutors go for criminal convictions

In Ottawa, the dispensaries began to proliferate in the summer of 2016.

Police cracked down in November, raiding seven shops in two days. Sporadic raids have continued, but there have been none since March. The toll? A total of 29 people charged with drug trafficking offences in raids on 14 pot shops.

Prosecutors in Ottawa have not thrown out any of the charges. In the four cases where employees pleaded guilty, prosecutors have asked for criminal convictions in order to deter others and to underline the “serious and prevalent problem” the dispensaries present. The country’s marijuana laws haven’t changed yet, and even when they do the government will not allow sales of the drug from unregulated stores, the Crown argued.

Products in the pot shops are from the black market, and Health Canada warns they may be unsafe.

Crowns in different cities can exercise discretion in deciding whether it’s in the public interest to prosecute each case.

Constitutional challenges

At some of the trials, lawyers in both cities will make constitutional arguments to have charges thrown out. Canadian courts have ruled that under the Charter of Rights patients have the right to “reasonable access” to medical marijuana. Activists have long argued that dispensaries provide such access because not every patient can use the legal system for obtaining medical marijuana. Health Canada-licensed producers, who sell marijuana by mail order, sometimes don’t carry the strains or type of products they need or run out of them, they argue.

In four cases set for trial next spring in Ottawa, time has been set aside for constitutional arguments. In Toronto, Paul Lewin, the lawyer representing many of the dispensary employees there, says he will also be making such arguments, but declined to say for how many clients or when the cases will be heard.

Pot shops in Ottawa: charges and prosecutions

29: People charged in raids at 14 shops since November 2016

4: People who have pleaded guilty. Two received suspended sentences, which carries a criminal conviction, and two received conditional discharges, in which a guilty plea is registered but there is no criminal conviction.

7: People whose cases are set for trial

2: People who will appear in court to enter a plea

16: People still making their way through the court process

Pot shops in Toronto: charges and prosecutions

312: People charged since May 2016

188: People who had charges thrown out after signing a peace bond or because prosecutors decided there was not enough evidence to proceed

10: People who have trial dates or preliminary hearings scheduled. Most are owners or managers of dispensaries.

108: People whose cases are making their way through the court process

3: People who pleaded guilty and were sentenced

1: People wanted on a bench warrant

2: Corporations owning dispensaries that pleaded guilty

Pot store budtender's agonizing choice — roll the dice on a guilty plea, or fight in court?

Selena Holder was struggling to pay her rent with part-time jobs when a friend told her about a pot shop on Rideau Street.

When she dropped by the WeeMedical Dispensary Society in September 2016 and the manager offered her a job, Holder didn't ask too many questions.

"(The manager) said 'It's a grey area, and we haven't had any problems with the cops. And if we do, we have really good lawyers for you.'"

Other marijuana dispensaries had opened on Bank Street, Preston Street and Montreal Road.

"They are on major streets and the cops haven't done anything," Holder thought. "Maybe it's OK."

The job didn't pay much — $12 a hour — but was full time.

"I wanted to see if I could get myself out of debt for the first time in a long time and buy myself things," explains the soft-spoken Holder. She's been on her own since leaving home at 16 and has struggled with mental health problems.

Holder worked at the dispensary for six weeks before police came through the door, charging her with drug trafficking. That ended not only her job, but her plans to take a veterinary technician course.

"It took me so long to find a purpose and a reason to be here," Holder says, explaining how she vowed to turn her life around three years ago after doing a high school co-op placement at a veterinary hospital and discovered a passion for working with animals.

"Now my purpose feels like it's fizzing out in front of me."

Holder, 21, got her high school diploma last month. But she can't do the vet tech course if she has a criminal record, because it requires work placements.

Most jobs require criminal record checks, she says.

Now Holder faces an agonizing choice. Does she plead guilty and hope a judge will spare her? Four of her fellow budtenders in Ottawa have pleaded guilty to drug trafficking: two received criminal records and two did not.

Or does she proceed to trial and take her chances there? That's unknown territory because no trials have been held yet, in either Ottawa or Toronto. Holder said she'd prefer "option C" — having the charges withdrawn — but that has not happened in Ottawa.

She sighs.

"Definitely it was a stupid decision on my part" to take a job at a pot shop, she says. "I wish I would have known better."

Holder says she'll accept the consequences for her poor choice. But she's angry that her managers at the pot shop and the "big boss" who arrived from B.C. to set up the chain of stores in Ottawa, aren't facing charges.

"It's really not fair that he's (probably) a millionaire and a lot of us are having trouble finding a job now and paying our bills.

"Now my whole life is faded."

Les juges de la Cour supérieure lancent une poursuite
La Presse
Philippe Teisceira-Lessard
20 juillet 2017

En pleine crise du système judiciaire au pays, les juges de la Cour supérieure du Québec lancent une procédure visant à faire réduire la compétence de leurs collègues de la Cour du Québec.

En date d'aujourd'hui, les premiers entendent notamment les causes où l'enjeu monétaire dépasse 85 000 $, alors que les seconds tranchent les poursuites moindres. Mais les magistrats de la Cour supérieure veulent que le seuil soit rabaissé à 10 000 $, une question de principe, selon l'avocate qui les défendra.

L'existence des deux tribunaux relève de la constitution: les juges de la Cour supérieure sont nommés par Ottawa, alors que ceux de la Cour du Québec sont nommés par le gouvernement provincial.

La ligne de démarcation actuellement tracée à 85 000 $ «ne respecte pas le compromis qui a été fait en 1867 quand on a fait la constitution, ça ne respecte pas le partage des pouvoirs entre le fédéral et le provincial», a indiqué Me Madeleine Lemieux, qui agit comme porte-parole dans la cause.

À son avis, la Cour supérieure doit demeurer la cour «de droit commun» auxquels les citoyens s'adressent par défaut pour faire trancher leurs litiges. En 1867, «le seuil de compétence des cours provinciales [dont la Cour du Québec] était de 100$», a-t-elle rappelé en entrevue téléphonique.

Le seuil de 10 000 $ qu'elle propose serait la conversion du 100 $ de 1867 en dollars courants.

«Les juges [de la Cour supérieure] considèrent que c'est de leur devoir de présenter ce recours», a-t-elle continué. «Ça fait des années que la compétence de la Cour du Québec augmente et augmente comme nulle part ailleurs au Canada.»

La procédure est lancée par les trois juges en chef de la Cour supérieure, au nom de l'ensemble de leurs juges du Tribunal. Ils ont voté l'automne dernier afin de contribuer personnellement à hauteur de 1500 $ chacun afin de financer la cause.

Leur procédure demande aussi un jugement déclaratoire à l'effet que la compétence attribuée à la Cour du Québec en matière de révision des décisions administrative est inconstitutionnelle.

De vives réactions à la poursuite des juges de la Cour supérieure
Droit Inc
Julien Vailles
21 juillet 2017

La communauté juridique réagit au dépôt par les juges de la Cour supérieure d'une poursuite contre le gouvernement...

« Un moment mal choisi », dit le bâtonnier du Québec, Paul-Matthieu Grondin, une démarche « tout à fait justifiée » renchérit Me Karim Renno, une « cause éminemment intéressante », estime de son côté Me Joey Zukran, ou encore, un « débat inutile qui coûtera tellement d'argent qu'on se questionne sur les motivations fondamentales de la Cour Supérieure », lance un lecteur de Droit-inc.

La poursuite déposée hier fait réagir la communauté juridique !

Dépossédés de leurs compétences
Rappelons que dans cette poursuite, les juges se disent dépossédés de leurs compétences au profit de leurs homologues de la Cour du Québec.

Ils déposent ainsi un recours en Cour supérieure concernant les compétences attribuées à la Cour du Québec. On argue en effet que des compétences exclusives pour entendre des affaires, auparavant dévolues à des tribunaux de juridiction fédérales, ont été inconstitutionnellement transférées à la Cour du Québec.

Selon la demande, la Cour du Québec ne devrait avoir compétence que pour entendre les causes d'une valeur inférieure à 10 000 $. On plaide également que les mécanismes d'appel administratif à la Cour du Québec sont eux aussi inconstitutionnels, car ils reviennent à donner à ce tribunal un pouvoir de surveillance et de contrôle, que seule la Cour supérieure est autorisée à avoir selon la Constitution.

« Un moment mal choisi »

Dans un communiqué, le bâtonnier du Québec, Paul-Matthieu Grondin, désapprouve du moment choisi pour déposer une telle poursuite. « À l'heure où le Barreau du Québec et l'ensemble des citoyens demeurent préoccupés par les conséquences de l'arrêt Jordan et par la question d'un meilleur accès à la justice, nous estimons que le moment est loin d'être idéal pour une telle procédure », déplore-t-il.

Il exhorte par ailleurs le gouvernement provincial à demander un renvoi sur la question à la Cour d'appel du Québec.

Du reste, le Barreau refuse de se positionner officiellement sur le fond de l'affaire.

Et les avocats? À la suite de cet article, les commentaires ont afflué, abondant généralement dans le même sens que le bâtonnier. Un consensus semble se dégager, selon lequel les juges, s'ils ont de bons arguments, ont vraiment mal choisi leur « timing ». « Honte à la Cour supérieure dont l'attitude hautaine et corporatiste démontre qu'elle n'a rien à cirer de l'accessibilité de la justice pour les citoyens… dans des délais raisonnables », écrit un lecteur de Droit-inc.

« Avec les délais actuels devant la Cour supérieure, je ne comprends pas pourquoi le gouvernement du Québec refuse de demander un renvoi à la Cour d'appel sur une question de droit constitutionnel qui à première vue semble légitime », déplore un autre.

« Qu'en est-il de l'intérêt de la justice dans la décision d'intenter cette procédure? Où ce débat conduira-t-il? Serons-nous dans l'obligation de procéder via l'une des procédures prévues visant à faire modifier la Constitution? Ce débat inutile coûtera tellement d'argent qu'on se questionne sur les motivations fondamentales de la Cour Supérieure », demande un troisième.

Une démarche justifiée

Me Karim Renno, quant à lui, croit « tout à fait justifiée » cette démarche de la Cour supérieure. « Il s'agit d'une question constitutionnelle importante et je peux difficilement imaginer qui serait mieux placé que les juges de la Cour supérieure pour soumettre la question aux tribunaux pour adjudication », déclare-t-il à Droit-inc.

De plus, Me Renno ne voit pas d'inconvénient au moment choisi. « Je comprends pourquoi certains haussent les sourcils en raison des délais qui existent à la Cour supérieure présentement, mais cela ne change pas le fait selon moi qu'il demeure important de soumettre la question pour adjudication », croit-il. Il rappelle par ailleurs que le débat ne peut pas attendre, compte tenu du fait que le nouveau Code de procédure civile est entré en vigueur il y a un an et demi, le 1er janvier 2016.

Quant au fond du recours, il reconnaît que les arguments semblent sérieux.

Même son de cloche chez Me Joey Zukran, de LPC Avocat, qui reconnaît que cette cause est éminemment intéressante. Il dit d'ailleurs trouver intéressant que la seule balise qui établit la compétence d'un tribunal en droit civil soit la valeur monétaire du litige.

Quant au moment, il n'y a pas lieu de le critiquer, dit-il. Les juges, en tant que justiciables comme n'importe qui, ont droit de voir leurs droits reconnus et il n'y a pas de « bon » moment pour le faire. Il se questionne sur la vague éventuelle de nouveaux juges de la Cour supérieure qui devraient être nommés, advenant gain de cause, et sur une éventuelle poursuite des juges de la Cour du Québec, en réponse. « Cette affaire se rendra certainement en Cour suprême », croit-il.

Et vous, qu'en pensez-vous?

Comment devenir un avocat exceptionnel?
Droit Inc
Jean-François Parent
21 juillet 2017

Un juge comptant 20 ans d'expérience sur le banc livre sa recette pour atteindre la perfection. « Il n'y a pas assez de bons avocats et beaucoup trop de mauvais avocats. Quant aux avocats exceptionnels, ils sont très rares. »

C'est ainsi que André Wery, juge surnuméraire à la Cour supérieure du Québec, débute son témoignage sur ce qui sépare le bon grain de l'ivraie dans les tribunaux.

Il répondait à l'invitation du Jeune Barreau Montréal lors de son congrès annuel.

Pour réussir le passage à l'ère « postmoderne » de la plaidoirie, l'honorable juge Wery, qui a été juge en chef adjoint de la Cour supérieure de 2005 à 2013, propose une liste de comportements qui relèveront de plusieurs crans la crédibilité du plaideur.

Être un agent pacificateur

Aujourd'hui, il faut faire tout en son pouvoir pour livrer un débat loyal, remarque le juge Wery.

« Quand j'ai commencé à pratiquer, on se moquait d'un collègue qui venait de régler, on disait qu'il avait peur d'affronter le juge. »

Le summum de l'activité professionnelle, pour un plaideur, était de livrer bataille jusqu'au dernier sang. « Mais allez en cour, c'est l'arme de destruction massive. D'ailleurs le Code de procédure civile insiste d'entrée de jeu pour que les parties tente de régler. »

« Et pour un juge, un avocat qui cherche le compromis ou la négociation » gagne en crédibilité.

Faire des offres raisonnables

« Beaucoup d'avocats approchent la négociation de règlement comme une partie de poker », déplore M. Wery qui estime que l'avocat qui n'ouvre pas les négociations avec des offres sensibles ne peut pas être pris au sérieux.

« Par exemple, alors qu'on a donné une évaluation à un client qu'il allait voir sa responsabilité reconnue et que cela allait lui coûter 100 000$, mais qu'on lance la négociation à 10 000 $, on envoie le signal qu'on prend l'adversaire pour un idiot. »

Ouvrir les enchères avec une proposition ridicule dessert la justice. Est-ce qu'on respecte la déontologie ? demande André Wery.

Restez objectif

« Ce n'est pas parce qu'un client vous paie qu'il faut cesser d'être objectif. » Le client doit avoir la certitude que l'avocat ne lui dira pas ce qu'il veut entendre, mais plutôt ce qu'il doit entendre.

Le juge Wery cite d'ailleurs une publicité du cabinet Osler à cet effet : « Le travail d'un avocat, c'est de montrer au client la lumière au bout du tunnel. Surtout si cette lumière est celle du train qui arrive ! »

Restez calme

L'équanimité, soit l'égalité d'humeur, la sérénité et le flegme, est une qualité qu'on reconnaît toujours. C'est surtout lorsqu'on sort de ses gonds que les dégâts surviennent.

André Wery s'étonne ainsi de ce que certains avocats s'enguirlandent par courriel, par exemple lors des conférences de gestion. « Et souvent, ils mettent le juge gestionnaire en copie ! », dit-il, incrédule.

Le corollaire de l'attitude zen, c'est d'être d'une courtoisie sans faille. « L'agressivité envers les témoins, c'est intolérable. Même avec les témoins qui sont baveux, il faut rester calme et courtois. » Le témoin perdra en crédibilité, mais l'avocat, lui, conservera l'estime du juge.

N'exagérez jamais

Des cartables comportant 50 onglets, les juges n'en veulent pas. « C'est la différence entre l'information et le renseignement. Des cartables épais, c'est de l'infobésité. »

Ce frein à l'exagération doit s'appliquer partout : aux interrogatoires, aux sommes que vous faites miroiter à vos client… « Réclamez un million de dollars pour ensuite régler à 50 000 $, ce n'est pas sérieux. »

Le fait est qu'on affaiblit toujours ce qu'on exagère.

Selon André Wery, « les juges évaluent la qualité de l'avocat par la brièveté de ses dossiers. On se dit trop souvent "Get to the point !" ».

Collaborez

Deux avocats qui se rencontrent pour voir comment on peut élaguer la preuve, ça impressionne un juge. Compliquer les choses ne sert personne. « C'est la seule raison pour laquelle vous avez le monopole de représenter les gens devant les tribunaux, signale le juge Wery : vous devez distiller la preuve, simplifier les choses pour que nous puissions prendre une décision éclairée. »

Le Code de procédure civile, qui insiste sur la collaboration et la transparence, vise à mettre fin au règne des avocats chicaneurs livrant combat dans l'arène du tribunal.

Soyez candide

On croit trop que la candeur est antinomique pour un plaideur. « Quand on pose une question à un avocat qui ne connaît pas la réponse, la majorité vont tenter de patiner. Pourtant, un avocat me dit qu'il ne connaît pas la réponse, qu'Il a besoin de temps pour aller vérifier, il n'essaie pas de faire de l'esbroufe, je me dis qu'il ne me prend pas pour un idiot. »

Aidez-vous

Lors de l'interrogatoire en chef par exemple, ne témoignez pas à la place de votre client. « Aussi, une faute avouée est à moitié pardonnée », poursuit le juge Wery, selon qui ne pas révéler un élément qui nuit au client risque de faire énormément de tort lorsque la vérité éclatera.

Quant à la plaidoirie, « Commencez par votre meilleur argument, soyez rigoureusement exact dans vos références à la preuve, et sachez que le succès d'un plaideur dépend de sa capacité à être clair ».

Prenez soin de vous

Le métier est exigeant, mais il faut trouver le temps de s'occuper de soi. « L'avocat reposé est une meilleur avocat. »

Judicial watchdog finds no problem with judges attending sponsored cocktail parties
Critic says timid council ruling fails to deliver 'the appropriate signal to the courts'
CBC NEWS
By Frédéric Zalac, Kimberly Ivany, Harvey Cashore
July 21, 2017

The Canadian Judicial Council has dismissed complaints against federal judges who attended sponsored cocktail events at an international tax conference in Europe.

In a statement released Thursday, the council said that complaints related to two Canadian judges, Justice Randall Bocock and Justice Denis Pelletier, are "unfounded" and that "no further action is required."

CBC's The Fifth Estate and Enquête revealed in March that the two had attended cocktail parties in Madrid during the International Fiscal Association's annual summit last fall. The conference was sponsored in part by the accounting firm KPMG.

Bocock, a member of the Tax Court of Canada, attended a private party on one of the most exclusive terraces in the Spanish capital. A law firm that had provided KPMG with legal advice — validating its controversial Isle of Man tax scheme — picked up the tab.

At the time, Bocock was the case management judge for the only file before the Tax Court regarding the scheme devised by KPMG to allegedly help wealthy Canadians hide their money offshore in the Isle of Man, a tax haven in the Irish Sea. The Canada Revenue Agency has described the scheme as a "sham" that "intended to deceive" tax authorities.

Bocock recused himself from the case following CBC's reports in March.

During the judicial council's investigation, Bocock told the council that "prudence and best practice would suggest that, in future, refraining from attending such off-site sponsored conference receptions is a better and wiser choice."

"I certainly intend to follow this prudent conduct in the future," he said.

The council concluded that no further examination is warranted in light of Bocock's comments and the fact that he is no longer in charge of the Isle of Man file.

Federal Court judge at Prado party

The council also dismissed the complaint against Justice Denis Pelletier of the Federal Court of Appeal. Pelletier also appeared at social gatherings in Madrid, such as an evening at the famed Prado Museum.

"The two social events attended by Justice Pelletier were organized by the IFA and were included in the conference's social program," wrote Norman Sabourin, executive director of the council. "All participants were invited to those events."

The council's statement also noted that "no dispute involving KPMG is or was pending before the Federal Court of Appeal in the days or months preceding the conference."

Yet the accounting giant was the subject of Federal Court proceedings previously brought forward by the Canada Revenue Agency to obtain a list of clients who had used the Isle of Man scheme. This case could have been brought before the Court of Appeal at any time.

'We will have wine and lots of it'

A third complaint against the chief justice of Canada's tax court, Justice Eugene Rossiter, was also dismissed.

Justice Eugene Rossiter made controversial remarks to industry accountants and academics at a tax conference in Calgary last November. (Tax Court of Canada)

Rossiter made controversial remarks at a tax conference in Calgary last November. Speaking before hundreds of tax accountants and lawyers at the Canadian Tax Foundation's annual meeting, Rossiter said judges do not lead a "monastic" life and that they have a responsibility to "interact" with the public.

"We will have pizza and we will have wine and lots of it," Rossiter said.

Justice J. Michael MacDonald conducted the complaint review for the judicial council. He found Rossiter's comments about pizza and wine to be "regrettable," but that no further investigation is necessary.

"His controversial remarks were meant as a joke as part of his address on accessibility and involvement of judges in public events," the council said.

Ruling 'too timid'

The Canadian Judicial Council itself authorized the participation of Canadian judges at the Madrid conference. According to the entity, it is up to each judge to ensure that he or she is not in a situation of actual or perceived conflict of interest.

The University of Laval's professor of tax law, André Lareau, believes that the council should have told judges that they must refrain from participating in sponsored cocktail parties at all costs because of their duty of reserve.

He felt that the council's reaction was far too timid.

"It's a decision that does not deliver the appropriate signal to the courts," Lareau said.

"The judicial council should have used this situation to set the benchmarks that may not be clear enough for some judges."

Allegations of misconduct by tax judges unfounded: CJC
Canadian Lawyer Magazine
Gabrielle Giroday
21 July 2017

The Canadian Judicial Council has concluded that allegations of conflict of interest concerning three judges are unfounded.

Brandon Siegal says the Canadian Judicial Council was right to declare allegations against three judges to be unfounded.

The allegations were part of reportage by the Canadian Broadcasting Corporation, and related to judges' attendance at privately sponsored receptions or conferences.

In its review, the CJC said the judges — Justice Denis Pelletier of the Federal Court of Appeal, and Chief Justice Eugene Rossiter and Justice R.S. Bocock of the Tax Court of Canada — had done nothing wrong.

"The Honourable Michael MacDonald, Chief Justice of Nova Scotia and Chairperson of the Judicial Conduct Committee of Council, carefully considered all allegations involving the three named judges and sought comments from them," said a CJC news release, which indicated the allegations will not receive further review.

The judges were under scrutiny for attending social events at an International Fiscal Association conference in Madrid in September 2016.

The conference had been approved as serving an educational purpose for judges involved in tax law matters.

In Pelletier's case, the judge was under scrutiny for going to two evening social events at the conference. The conference was partially sponsored by KPMG, which was not a party in disputes before the Tax Court of Canada, but had clients who were. KPMG was also not involved in any disputes before the Federal Court of Appeal in that time period.

"[A]ny suggestion of conflict of interest that would approach misconduct must be dismissed," said a letter to an unidentified CJC complainant, on Pelletier's conduct.
In Bocock's case, the complaint centred on his attendance at a cocktail event held by Dentons LLP, while he was the case manager on an appeal before the Tax Court of Canada involving KPMG and the Victoria-based Cooper family.

Dentons LLP was involved in acting for the Coopers, but Bocock was unaware of the firm's involvement and later chose to recuse himself from the matters.

“I have reflected on this entire matter….The potential for a conflict of interest in this matter seems remote; however, through inadvertence, the portrayal of a potential conflict, where all the facts are at first unknown, is possible,” said Bocock, in a letter sent to the complainant.

“As such, there are consequences, costs, and reputational risks to the judge, the judiciary and the administration of justice as a whole. Prudence and best practice would suggest that, in future, refraining from attending such off site sponsored conference receptions is a better and wiser choice. I certainly intend to follow this prudent conduct in the future.”

Lastly, in Rossiter’s case, the complaint focused on the judge’s choice to briefly attend a conference reception. Rossiter also later told people at a November 2016 Canadian Tax Foundation conference that he would continue to go to receptions, stating, “We will have pizza and we will have wine and lots of it.” However, MacDonald said the remarks were in jest, and concluded no further review is needed.

“Chief Justice MacDonald considers that Chief Justice Rossiter’s remarks about pizza and wine are regrettable. However, his controversial remarks were meant as a joke as part of his address on accessibility and involvement of judges in public events,” said the letter to the complainant. “In that context, Chief Justice MacDonald is of the opinion that Chief Justice Rossiter’s remarks do not warrant further consideration by Council.”

Vern Kirshna, counsel at TaxChambers LLP, says he felt the CJC came to the right conclusion.

“Judges should be encouraged to attend educational and professional functions and keep in touch with professional developments. They should have to live cloistered lives like monks, and out of touch with reality,” said Krishna.

Krishna said “judges are quite capable of retaining their objectivity and independence.”

“The Chief [Justice’s] remarks were made in jest, and would be interpreted as such by anyone with a modicum of humour,” he said.

Brendan Siegal, principal of Siegal Tax Law, also says in his opinion MacDonald’s conclusion was just. However, he says it’s caused a chill effect on judges’ attendance at professional events, which is unfortunate.

“As of a result of these articles and this investigation, there has been a noticeable tightening up,” he says, which is a “loss to the community.”

“The way that the media have been portraying government officials meeting with practitioners and with judges in completely social settings as a negative, I think is completely off base.”

Chief Justice Crampton warns Ottawa's failure to fund Federal Court could lead to shuttered courtrooms

Lawyer's Daily
Cristin Schmitz
July 24, 2017

Chief Justice Paul Crampton says the Federal Court might be forced to shutter its courtrooms at least one day a week in response to the Trudeau government's failure to adequately fund the national trial court handling the bulk of litigation against the federal government.

In an exclusive interview, the chief justice said restricting the sitting days of his 40-member itinerant court is something he is only reluctantly considering, as a last resort, to deal with a longstanding multi-million-dollar annual "structural" funding shortfall (and consequential severe staff shortages) that began under the predecessor Conservative government and has worsened under the Liberals.

"One option that has to be seriously considered is reducing the number of days that we sit [in court] each week — we don't have a choice," Chief Justice Crampton told The Lawyer's Daily. "In past years we've been able to function," he explained. "We've been able to realize efficiencies and not backfill positions [left open by retirements or other staff departures], without the public being directly affected.

"But now we're at the point where [the public is] going to be directly affected significantly," he warned. "Every possible available efficiency has been explored and realized, and now we're cutting not just into the muscle, but we're cutting into the bone. So if we don't have the funding to replace, for example, registry officer positions, we're going to have to seriously look at possibly sitting [judges] fewer days a week — which obviously is a serious — very serious — access to justice issue."

Closing down courtrooms, thus reducing access to the judges who are constitutionally required to enforce the rule of law and the Charter — especially as a result of a funding squeeze by a government that is spending more than half a billion dollars to celebrate Canada 150 — would be unprecedented and raise constitutional issues.

It might also reflect poorly on the Liberal brand.

Chief Justice Crampton said the Trudeau government's latest refusal, in the 2017 budget last March, to approve mission-critical funding for the court, follows operational funding shortfalls totalling $25 million over the past 14 years, as well as denials over the past several years of funding requests made by the Courts Administration Service (CAS), which is the registry for the Federal Court, Federal Court of Appeal, the Tax Court and the Court Martial Appeal Court.

Meanwhile Ottawa continues to heap more work on the Federal Court — including recently in respect of refugees, citizenship, national security (Bill C-59), and IP (major changes to the Patented Medicines (Notice of Compliance) Regulations, 2017 are in the works).

"We've been at an impasse for some time [with funding requests to the government] but now … we're at risk of our [IT] system failing," Chief Justice Crampton said. "Our [1980s-era IT] system is like the old quill pen — and we're running out of feathers. There's definitely a looming crisis … and it is reasonably foreseeable that it will fail, and that we grind to a halt."

The government denied the CAS's request for $25 million a year to bring in a digital courts record management system to replace the antiquated paper-based registry; maintain program integrity; and deal with the large backlog of judgments that must be translated into the other official language. (The 2017 federal budget did allocate $2 million over two years, but the court needs 10 times that to do the job, the chief justice said.)

Since the former Bay Street senior competition law practitioner was appointed to lead the court by the Harper government in 2011, the chief justice and the CAS have been making the case for more funding, to little avail.

The chief justice said he believes the funding requests are now running into an internal government "brick wall" at the Department of Finance — since the CAS's audited business case, to the best of his knowledge, is supported by Justice Minister Jody Wilson-Raybould and the Department of Justice (DOJ). After Chief Justice Crampton spoke with The Lawyer's Daily this week (in an annual interview), both Treasury Board and the Department of Finance were asked whether and why they have turned down funding requests from CAS. Both declined comment and referred all questions to the DOJ.

Wilson-Raybould responded by e-mail, through a spokesperson. "Our government is committed to working with our colleagues in the CAS and the members of the judiciary to ensure that our courts have the requisite resources to serve the needs of Canadians," the Justice minister told The Lawyer's Daily.

"Specifically, we have been working closely with the CAS and received a funding request from their office this week," Wilson-Raybould disclosed.

"This funding request will enable us to move forward in our collaboration with Chief Justice Crampton, the other chief justices of the Federal Courts, the CAS and the Department of Finance to find a solution that will address concerns that [Chief Justice Crampton] has raised, while respecting the principle of judicial independence — which is fundamental to our legal system," she said.

Chief Justice Crampton noted the judiciary is a separate branch of government, and the executive should not treat funding requests from the four courts as though they were coming from a government department.

It is “unseemly” to require the Federal Courts to go “cap in hand” to the government, the more so given that those courts are the ones responsible for holding the same executive to the letter of the law and to constitutional account (80 to 90 per cent of the Federal Court’s files involve the federal government, often as a defendant).

Chief Justice Crampton suggested it might be a positive move for the federal government to sign a Memorandum of Understanding (MOU), as the B.C., Quebec and Ontario governments have done with judges in their provinces. In British Columbia, for example, the attorney general undertakes in the MOU “to provide sufficient resources to each of the courts to allow them to carry out their functions”; to consult regularly with the chief justices about their courts’ needs; and not make changes to the courts’ operating budgets for the following year “without reasonable consultation” with the chief justices.

Wilson-Raybould said she has not received such a request from the Federal Court, as yet. “We cannot comment at this time without more information.”

The situation is seen as so serious that Canadian Bar Association (CBA) president René Basque wrote Wilson-Raybould this month to deplore “the untenable situation confronted by the four courts” with respect to their funding, and to demand that it “be promptly and permanently remedied.”

He expressed the group’s support for “a mechanism that ensures adequate ongoing funding of [the courts] while also safeguarding judicial independence” — i.e. the courts should not have to go “cap in hand” to the executive to have their reasonable funding requests met — especially since those courts adjudicate disputes involving the government. Basque also reiterated the CBA’s strong support for the need to fund the modernization of the courts’ IT system.

Chief Justice Crampton emphasized that the chronic funding shortfall which became acute during the Harper era) hurts litigants by sparking court delays and reducing public access to justice. This in turn raises serious constitutional issues, he suggested.

Supreme Court jurisprudence makes it clear, in that regard, that it would infringe judicial independence for the executive branch of government to essentially cripple the judicial branch’s ability to carry out its mandate of upholding the rule of law and ensuring Charter compliance by the state.

Prime Minister Justin Trudeau and Wilson-Raybould often speak of their heartfelt and unwavering commitment to the rule of law and to the Charter — most recently in the face of

heavy criticism about their government's $10 million settlement with Omar Khadr for breach of his Charter rights.

24 M$ pour l'aide du gouvernement aux victimes d'actes criminels
La Presse Canadienne
24 juillet 2017

Ce sont près de 24 millions de dollars qui seront consacrés cette année par le gouvernement du Québec à l'aide apportée aux victimes d'actes criminels...

La ministre de la Justice, Stéphanie Vallée, a indiqué que les centres d'aide aux victimes d'actes criminels (CAVAC) recevront à eux-seuls plus de 21 millions $.

Ce montant sera partagé entre les 17 CAVAC du Québec. Ceux de l'Abitibi-Témiscamingue, de la Côte-Nord et de l'Outaouais pourront notamment embaucher trois nouvelles ressources pour mieux répondre aux besoins des victimes des communautés autochtones de ces régions.

Les CAVAC offrent notamment des services d'accompagnement au sein du système judiciaire, de l'information sur les droits et recours des victimes, des services d'intervention de nature post-traumatique et psychosociojudiciaire, de l'aide pour remplir certains documents administratifs et des services d'orientation vers des ressources spécialisées.

Outre les CAVAC, huit autres organismes obtiennent aussi une aide financière du gouvernement.

Parmi ceux-ci, on remarque l'Association des familles de personnes assassinées ou disparues, le Centre d'expertise en agression sexuelle Marie-Vincent, le Centre de services intégrés en abus et maltraitance de la région de Québec et le Centre pour les victimes d'agression sexuelle de Montréal.