



## Association of Justice Counsel Association des Juristes de Justice

1545 av. Carling Ave., #406, Ottawa, ON Canada K1Z 8P9

TEL: 613-798-9900/866-218-3310

FAX: 613-564-0606

[www.ajc-ajj.com](http://www.ajc-ajj.com)

[admin@ajc-ajj.com](mailto:admin@ajc-ajj.com)

Press Clippings for the period of September 23-29, 2011  
Revue de presse pour la période du 23 au 29 septembre 2011

### English Media

September 29

#### **Judges can't be forced to explain rulings: Council**

As Conservative MPs attempt to call a sitting judge to testify before a parliamentary committee, the Canadian Judicial Council is warning that judges should never have to answer to politicians.

<http://www.calgaryherald.com/news/Judges+forced+explain+rulings+Council/5475122/story.html>

#### **Lawyers win argument over anti-money-laundering law**

##### **Erosion of solicitor-client privilege at issue**

A B.C. judge has struck down provisions of an anti-money-laundering and terrorist-financing law as they apply to Canada's lawyers.

The law, introduced in 2001, imposed obligations on certain businesses and professions that were deemed to be vulnerable to being exploited by criminals seeking to conduct illegal transactions.

<http://www.theprovince.com/news/Lawyers+argument+over+anti+money+laundering/5475335/story.html>

September 28

#### **The Chopping Block: Ottawa's time to cut**

Today and in weeks to come, The Chopping Block will search out and identify programs and spending that could be cut from Ottawa's plans to the benefit of growth and the economy: Crown corporation supports, tax expenditures, green energy programs, subsidies to business, regional development agencies, government employment cost savings, pension reform.

<http://opinion.financialpost.com/2011/09/28/the-chopping-block-ottawa%e2%80%99s-time-to-cut/>

## **Letters to the Editor: Who finances Fraser Institute's anti-union agenda?**

The Fraser Institute attacks trade unions for an alleged lack of transparency in how we disclose financial information. How would they know? We will gladly compare our transparency with theirs any day of the week. Our (owners) members know how and where to get their union's financial information.

<http://opinion.financialpost.com/2011/09/28/fp-letters-to-the-editor-who-finances-fraser-institute%e2%80%99s-anti-union-agenda/>

## **Judge deems Harper's crime bill 'strain' on system**

Chief justice's remarkably candid comments are further evidence of growing concern that more discussion needed on controversial measures

The federal Conservatives limited debate on their sweeping omnibus crime bill on Tuesday, at the same time as B.C.'s top trial judge was raising concerns about its consequences.

<http://www.vancouversun.com/Judge+deems+Harper+crime+bill+strain+system/5468859/story.html>

## **Federal crime law reform may cost B.C**

The federal government's new criminal reform legislation could increase costs for B.C.'s justice system, says the province's attorney general.

Shirley Bond said she has staff studying the impact that Ottawa's new omnibus crime bill, tabled last week, may have on B.C. courts and judicial resources.

<http://www.timescolonist.com/business/Federal+crime+reform+cost/5469208/story.html>

## **Tougher crime laws with no extra money for courts means cases will be thrown out**

Crime victims will increasingly be denied justice unless B.C. spends a lot of money to cope with new federal tough-on-crime laws, says the president of B.C.'s prosecutors association.

"You need to hire hundreds more prosecutors, you need to open up so many more courtrooms, you need to have many more judges, you need to expand the system to a tremendous degree," says Samiran Lakshman, president of the B.C. Crown Counsel Association.

<http://www.theprovince.com/news/Tougher+crime+laws+with+extra+money+courts+means+cases+will+thrown/5472754/story.html>

## **The cost of one Conservative crime bill for one year: \$458-million**

The Correctional Service of Canada will spend more than \$450-million this year implementing just one of the Conservative government's new tough-on-crime measures – the Truth in Sentencing Act – as Canada's prison system expands to accommodate a rush of new inmates.

<http://www.theglobeandmail.com/news/politics/the-cost-of-one-conservative-crime-bill-for-one-year-458-million/article2181685/>

September 27

## **Tories drop the ball on dropped cases**

It is the kind of statistic that seems ready-made for a Conservative talking point about the importance of being tougher on crime: as many as 40% of alleged offenders in Canada are returned to polite society before they have even faced justice.

And yet, funny thing about that nugget, which happens to be true: the Tory omnibus anti-crime bill introduced last week will only make it worse.

<http://www.nationalpost.com/news/Tories+drop+ball+dropped+cases/5462086/story.html>

September 26

## **Prison ground break**

The Conservative government is in the midst of a procurement blitz to ramp up expansions at federal prisons across the country, just as it moves to pass a sweeping tough-on-crime bill that will inevitably send more people to prison and for longer.

Construction firms submitted bids for at least seven major building or renovation projects this month alone, worth at least \$32-million and adding at least 576 beds to federal prisons in Ontario, Manitoba, Quebec and Alberta over the next two years.

<http://www.nationalpost.com/news/Prison+ground+break/5452184/story.html>

## **Lawyers gearing up for assault on omnibus bill**

Criminal lawyers are gearing up for a new assault on the federal government's tough-on-crime agenda in the courts after losing the legislative battle.

<http://www.lawtimesnews.com/201109268690/Headline-News/Lawyers-gearing-up-for-assault-on-omnibus-bill>

September 25

## **Death by a thousand cuts**

No good will come of proposed public service cuts, if experience is any guide. Not a leaner, more nimble public service, certainly, and not a more affordable one. Any savings, history suggests, will be illusory, counter-productive or transient.

Instead, the talented and confident will take advantage of incentives, if there are any - or simply flee an increasingly poisonous work environment - while the deadwood, and the sycophants, will grimly abide.

<http://www.ottawacitizen.com/news/Death+thousand+cuts/5445909/story.html>

## **A crime debate without facts or arguments**

I suppose I could write a substantive and serious column about the government's omnibus crime bill.

First, I'd explain the many proposals. Then I'd say they are a terrible mistake. They will not reduce crime, but they will waste billions of dollars, spawn injustices, and damage communities. Or so I would argue.

If I did that, I would cite evidence. Lots of it. There's a small mountain of criminological research to support my case, along with much fine writing by jurists and political scientists. There's also practical experience, here and elsewhere - especially the United States, where even rock-ribbed Republicans are having second thoughts about the policies Stephen Harper is importing to this country.

<http://www.ottawacitizen.com/technology/crime+debate+without+facts+arguments/5445915/story.html>

September 24

## **RBC to stop offering defined-benefit pensions**

Royal Bank of Canada, the country's biggest bank, is terminating its definedbenefit pension plan for new employees.

"The changes are a responsible way for RBC to better manage the retirement program by ensuring more predictable pension costs in the future," the bank said in an internal statement.

<http://www.calgaryherald.com/business/stop+offering+defined+benefit+pensions/5453160/story.html>

## **Scary are the Tory measures to combat crime**

“We’re not governing on the basis of the latest statistics,” federal Justice Minister Rob Nicholson said this week. “We’re governing on the basis of what’s right to better protect victims and law-abiding Canadians.”

Think about that statement. Statistics are facts compiled by people who are expert in compiling them, such as those who work for Statistics Canada. And the facts are clear: Crime rates are going down.

<http://www.theglobeandmail.com/news/opinions/opinion/scary-are-the-tory-measures-to-combat-crime/article2178055/>

## **Ottawa's new war on crime, waste and other bad things – like facts**

Of course, I'd dislike any legislation called the Safe Streets and Communities Act, even if it were sure to make our streets – and, I suppose, our non-streeted communities, the floating ones or the blissful communities of the Meadow People – safer. Were there earlier drafts of the bill that sought to address the crisis on Canada's treacherous garden paths? There's no mention of highways in the title of the Conservatives' omnibus crime bill either. This legislation is for communities and streets.

<http://www.theglobeandmail.com/news/opinions/tabatha-southey/ottawas-new-war-on-crime-waste-and-other-bad-things-like-facts/article2178488/>

September 23
--------------

## **Legal aid in B.C. continues to suffer, forum told**

Cutbacks to legal aid in B.C. continue to leave too many people unable to get their day in court, a panel of lawyers and TRU law students heard Thursday.

<http://www.kamloopsnews.ca/article/20110922/KAMLOOPS0101/110929894/-1/kamloops/legal-aid-in-bc-continues-to-suffer-forum-told>

## Médias francophones

29 septembre

### Québec veut contrer le « décrochage judiciaire »

Le ministre de la Justice du Québec, Jean-Marc Fournier, a présenté jeudi une série de mesures pour rendre le système de justice plus accessible.

« Ce que l'on veut, c'est que ce soit moins long, moins cher », a déclaré M. Fournier en conférence de presse jeudi après-midi, après avoir déposé à l'Assemblée nationale l'Avant-projet de loi instituant le nouveau Code de procédure civile.

[http://www.radio-canada.ca/nouvelles/Politique/2011/09/29/003-quebec-veut\\_contrer-decrochage\\_judiciaire.shtml](http://www.radio-canada.ca/nouvelles/Politique/2011/09/29/003-quebec-veut_contrer-decrochage_judiciaire.shtml)

### Québec propose un nouveau code de procédure judiciaire

Pour contrer le «décrochage judiciaire», Québec propose un nouveau code de procédure selon lequel les juges, avant d'entamer un procès, devront discuter avec les parties pour vérifier si une entente à l'amiable est possible.

[http://www.cyberpresse.ca/actualites/quebec-canada/politique-quebecoise/201109/29/01-4452663-quebec-propose-un-nouveau-code-de-procedure-judiciaire.php?utm\\_categorieinterne=traffidriviers&utm\\_contenuinterne=cyberpresse\\_BO2\\_qubec\\_canada\\_178\\_accueil\\_POS4](http://www.cyberpresse.ca/actualites/quebec-canada/politique-quebecoise/201109/29/01-4452663-quebec-propose-un-nouveau-code-de-procedure-judiciaire.php?utm_categorieinterne=traffidriviers&utm_contenuinterne=cyberpresse_BO2_qubec_canada_178_accueil_POS4)

24 septembre

### Entente entre Québec et la Couronne – Les procureurs obtiennent un droit à l'arbitrage | Le Devoir

Les procureurs de la Couronne ont obtenu des augmentations salariales de 20 % et le droit à l'arbitrage en vertu de l'entente de principe conclue avec Québec. Il s'agit d'une avancée historique qui va radicalement à l'encontre de l'esprit de la loi spéciale imposée à la Couronne en février dernier.

En vertu de l'entente de principe dont Le Devoir a obtenu copie, les salaires des procureurs seront fixés à l'avenir par un comité de rémunération indépendant, un mécanisme similaire à celui utilisé pour la rémunération des juges. Le ministre de la Justice, Jean-Marc Fournier, s'engage à déposer un projet de loi en ce sens d'ici le 15 novembre prochain.

<http://presidentaje.wordpress.com/>

## **La fin des prestations déterminées - La Banque Royale adopte un nouveau régime de retraite**

Une tendance des entreprises visant à abandonner les régimes de retraite à prestations déterminées a gagné en force, hier, lorsque la plus importante banque du Canada a annoncé qu'elle met fin à cette pratique pour ses nouveaux employés.

La Banque Royale transforme ainsi son régime de retraite à prestations déterminées en régime à cotisations déterminées pour les employés embauchés après janvier 2012 afin de mieux contrôler ses coûts à long terme.

<http://www.ledevoir.com/economie/actualites-economiques/332123/la-fin-des-prestations-determinees-la-banque-royale-adopte-un-nouveau-regime-de-retraite>