



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, April 1, 2021

(16)

[English]

Pursuant to the order of the Senate of March 30, 2021, the Standing Senate Committee on Legal and Constitutional Affairs met this day by videoconference at 10:36 a.m. [E.T], the chair, the Honourable Mobina S. B. Jaffer, presiding. This meeting is considered to have taken place in the parliamentary precinct.

Members of the committee present by videoconference: The Honourable Senators Batters, Boisvenu, Boniface, Boyer, Carignan, P.C., Dalphond, Dupuis, Gold, P.C., Griffin, Jaffer, Keating, Martin, Mégie and White (14).

Other senator present by videoconference: The Honourable Senator Pate (1).

Participating in the meeting: Joëlle Nadeau, Procedural Clerk, Committees Directorate; Michaela Keenan-Pelletier and Julian Walker, Analysts, Parliamentary Information and Research Services, Library of Parliament.

Also present: The official reporters of the Senate.

Pursuant to the order of reference adopted by the Senate on Thursday, February 11, 2021, the committee continued its consideration of Bill C-3, An Act to amend the Judges Act and the Criminal Code.

WITNESSES (by videoconference):

Department of Justice Canada:

Toby Hoffmann, Acting Director and General Counsel, Judicial Affairs Section;

Melissa Moor, Counsel, Judicial Affairs Section;

Gillian Blackell, Senior Counsel and Team Lead, Criminal Law Policy Section.

The chair made a statement.

It was agreed that the committee proceed to clause-by-clause consideration of Bill C-3, An Act to amend the Judges Act and the Criminal Code.

Mr. Hoffman, Ms. Moor and Mr. Blackwell answered questions from time to time.

It was agreed that the title stand postponed.

It was agreed that the preamble stand postponed.

The chair asked whether clause 1 shall carry.

The Honorable Senator Boisvenu moved that Bill C-3 be amended in clause 1, on page 2, by replacing line 21 with the following:

“on matters related to sexual assault law, family violence and social”.

After debate, the question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators

Batters, Boisvenu, Carignan, Griffin, Martin— 5

NAYS

The Honourable Senators

Boniface, Boyer, Dalphond, Gold, Jaffer, Keating, Mégie, White — 8

ABSTENTIONS

The Honourable Senator

Dupuis —1

It was agreed that clause 1 carry, on division.

It was agreed that clause 2 carry, on division.

It was agreed that clause 3 carry, on division.

The chair asked whether clause 4 shall carry.

The Honourable Senator Carignan moved that Bill C-3 be amended in clause 4, on page 4, by replacing lines 10 to 12 with the following:

“(3) The reasons shall be provided in writing.”.

After debate, the question being put on the motion in amendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Batters, Boisvenu, Carignan, Martin — 4

NAYS

The Honourable Senators

Boniface, Boyer, Dalphond, Gold, Jaffer, Keating, Mégie, White — 8

ABSTENTIONS

The Honourable Senators

Dupuis, Griffin — 2

It was agreed that clause 4 carry, on division.

It was agreed that the preamble carry.

It was agreed that the title carry.

It was agreed that the bill carry, on division.

The committee discussed observations.

After debate, it was agreed that observations be appended to the committee's report on the bill.

It was agreed that the Subcommittee on Agenda and Procedure be empowered to approve the final version of the observations being appended to the report taking into consideration today's discussion and with any necessary editorial, grammatical or translation changes as required.

It was agreed that Bill C-3 be reported with observations to the Senate, on division.

At 12:29 p.m., the committee adjourned to the call of the chair.

ATTEST:

Mark Palmer

Clerk of the Committee