



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, May 7, 2026

(39)

[English]

The Standing Senate Committee on Legal and Constitutional Affairs met this day at 10:31 a.m., in room B30, Senate of Canada Building, the chair, the Honourable David M. Arnot, presiding.

Members of the committee present: The Honourable Senators Arnot, Batters, Clement, Dalphond, Housakos, LaBoucane-Benson, Miville-Dechéne, Moncion, Moreau, P.C., Oudar, Pate, Prosper, Saint-Germain, Simons, Tannas and Wells (*Alberta*) (16).

Participating in the meeting: Dana Phillips and Michaela Keenan-Pelletier, Analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Thursday, March 12, 2026, the committee continued its consideration of Bill C-14, An Act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing).

WITNESSES:

Department of Justice Canada:

Owen Ripley, Senior Assistant Deputy Minister, Policy Sector;

Samantha Reynolds, Legal Counsel, Youth Criminal Justice Division, Family Law and Youth Justice Section;

Lise-Anne Wheeler, Counsel, Youth Criminal Justice Division, Family Law and Youth Justice Section.

The committee resumed clause-by-clause consideration of Bill C-14.

Owen Ripley, Samantha Reynolds and Lise-Anne Wheeler answered questions from time to time.

The chair asked whether clause 58.1 shall carry.

The Honourable Senator Prosper moved that Bill C-14 be amended, in clause 58.1, on page 29,

(a) by replacing line 22 with the following:

“recidivism by accused at large on release orders, rates of detention in custody before trial and”;

(b) by adding the following after line 27:

“(3) In preparing the report, the Minister must

(a) consult individuals and organizations with expertise in data collection and the criminal justice system; and

(b) to the greatest extent feasible, coordinate the collection of data with Statistics Canada.”.

After debate, the Honourable Senator Saint-Germain moved that the motion in amendment be amended by removing “(a)” from before the first instruction paragraph and by deleting instruction paragraph (b) and its content.”

After debate, the question being put on the subamendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Batters, Dalphond, Housakos, Laboucane-Benson, Saint-Germain — [5]

NAYS

The Honourable Senators

Arnot, Clement, Miville-Dechêne, Pate, Prosper, Simons, Tannas, Wells — [8]

ABSTENTIONS

The Honourable Senator

Oudar — [1]

After debate, the Honourable Senator Tannas moved that the motion in amendment be amended in proposed paragraph (3)(a) by (a) adding “specific” after “organizations with” ; (b) by replacing “and the criminal” with “in the criminal”.

After debate, the question being put on the subamendment, it was adopted on the following vote:

YEAS

The Honourable Senators

Arnot, Clement, Miville-Dechêne, Oudar, Pate, Prosper, Simons, Tannas, Wells — [9]

NAYS

The Honourable Senators

Batters, Dalphond, Housakos, Laboucane-Benson, Saint-Germain — [5]

ABSTENTIONS

Nil

After debate, the question being put on the motion in amendment, as amended, it was adopted, on division.

It was agreed that clause 58.1, as amended, carry, on division.

It was agreed that clauses 59 and 60 carry, on division.

It was agreed that clauses 61 to 69 carry, on division.

The chair asked whether clause 70 shall carry.

The Honourable Senator Simons moved that Bill C-14 be amended, in clause 70, on page 33, by replacing lines 35 to 37 with the following:

“(4.2) If a peace officer publishes information under subsection (4.1), the peace officer shall, as soon as reasonably practicable and, in any event, no later than 24 hours after the publication,

(a) make an application under subsection (4) if the publication continues to be required; or

(b) make an *ex parte* application under subsection (4.3) if the publication of the information has ceased.

(4.3) An application under paragraph (4.2)(b) shall be made to the youth justice court for the purpose of determining whether the criteria set out in subsection (4.1) were met at the time of the publication. On the application, the youth justice court shall make a declaration that the criteria were met or that they were not met.

(4.4) If the youth justice court determines that the criteria set out in subsection (4.1) were not met, it shall state the reasons for that determination on the record.

(4.5) For greater certainty, on an application under subsection (4.3), the youth justice court may allow a peace officer a reasonable time to provide additional affidavit evidence for the purpose of enabling the court to make the determination required under that subsection.”.

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

YEAS

The Honourable Senators

Clement, Pate, Prosper, Simons — [4]

NAYS

The Honourable Senators

Arnot, Batters, Dalphond, Housakos, Miville-Dechêne, Moreau, Oudar, Saint-Germain, Tannas — [9]

ABSTENTIONS

The Honourable Senator

Wells — [1]

It was agreed that clause 70 carry, on division.

It was agreed that clauses 71 to 80 carry, on division.

It was agreed that clauses 81 to 83 carry, on division.

The chair asked whether clause 84 shall carry.

The Honourable Senator Pate moved that Bill C-14 be amended in the heading before clause 84 and in clause 84, on page 39, by replacing the heading and lines 25 to 27 with the following:

“Report and Coming into Force

84 (1) The Minister of Justice must cause to be tabled in each House of Parliament a report setting out

(a) the empirical data and evidence underlying the measures enacted by this Act;

(b) an assessment, based on that empirical data and evidence, of the anticipated impact of those measures on crime prevention; and

(c) an analysis of the anticipated impact of those measures on rates of persons in custody on remand or serving a sentence, including with respect to groups that are overrepresented or marginalized, including Indigenous peoples, racialized persons, women, youth,

individuals experiencing homelessness, individuals living in poverty, and individuals living with addictions or mental health issues.

(2) The provisions of this Act come into force in accordance with the following:

(a) the Governor in Council may, by order, establish the text of a resolution providing for the coming into force of the provisions of this Act;

(b) a resolution referred to in paragraph (a) may be introduced in either House of Parliament only after the report referred to in subsection (1) has been tabled in that House and after a committee of that House has studied that report;

(c) a motion for the adoption of the resolution may be debated in both Houses of Parliament but may not be amended, and at the conclusion of the debate, the Speaker of each House shall immediately put every question necessary to determine whether or not the motion is concurred in; and

(d) the provisions of this Act come into force on the day provided for in the resolution, if the resolution has been adopted by both Houses of Parliament.”.

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

YEAS

The Honourable Senators

Clement, Pate, Prosper, Simons — [4]

NAYS

The Honourable Senators

Arnot, Batters, Dalphond, Housakos, Miville-Dechêne, Moreau, Oudar, Saint-Germain, Tannas, Wells
— [10]

ABSTENTIONS

Nil

The Honourable Senator Dalphond moved that Bill C-14 be amended, in clause 84, on page 39,

(a) by replacing line 25 with the following:

“30th day after royal assent

84 (1) Sections 2 to 55, 59 to 70, 73, 74 and 79 to 81 come into”;

(b) by adding the following after line 27:

“Order in council

(2) Sections 71 and 72 come into force on a day to be fixed by order of the Governor in Council.”.

After debate, the question being put on the motion in amendment, it was adopted.

It was agreed that clause 84, as amended, carry, on division.

It was agreed that clause 1, which contains the short title, carry.

It was agreed that the title carry.

It was agreed that the bill carry, as amended, on division.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical or other required non-substantive changes resulting from the amendments adopted by the committee, in both official languages, including updating cross-references and renumbering of provisions.

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, in both official languages, taking into consideration today's discussion, and with any necessary editorial, grammatical or translation changes as required.

It was agreed that the chair report Bill C-14, with amendments and with observations, to the Senate, in both official languages, at the earliest opportunity.

At 11:06 a.m., the committee suspended.

At 11:25 a.m., the committee resumed.

At 1:18 p.m., the committee adjourned to the call of the chair.

ATTEST:

Vincent Labrosse

Clerk of the Committee