

*Private Members' Business*

would attract the attention of various constituencies on different sides of the issue.

When Bill C-314, or any other bill that might affect the Criminal Records Act goes forward to committee, several groupings of possible reaction and interest can be identified. They include, first, governments: federal, provincial, municipal and international. Within the federal government a substantial number of departments and officials have a special interest in possible changes to the Criminal Records Act.

The Department of Justice will in all likelihood be interested in any amendments which may have an impact on the judicial system by allowing an ex-offender to deny the existence of a pardoned record.

The Department of Defence has been involved in consultations in the past, and would be interested any changes to the present legislation which could affect the disciplinary procedures of the department, as well as have an impact on its record-keeping system. The agencies of the Solicitor General have an obvious interest in the matter. The Canadian Security Intelligence Service clearly has an interest regarding access to pardoned records for both national security and intelligence purposes.

The financial and person-year implications for the National Parole Board and RCMP will need consideration and careful study, since they are the bodies that conduct investigations relating to pardon applications.

There would be other interested departments and agencies, I am sure. In addition to the direct changes proposed by Bill C-314 for the Criminal Records Act and the Criminal Code, other federal statutes which preclude an offender under the circumstances from working in a federal department will need review.

An example of this is the lifetime bar to employment with in a customs office for any employee convicted of accepting a bribe or assisting in the smuggling of any product into Canada. Similar provisions exist in a range of many other federal legislation and regulatory statutes. Changes in the law may also have an effect on the Canadian Human Rights Commission and may need to be congruent with provisions to the Access to Information and Privacy Acts. This latter concern may be particularly relevant in discussions with victim advocate groups.

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Provincial governments and municipalities have a strong interest in changes to the Criminal Records Act in those areas which affect policing at the local or provincial level. Any measures which require provincial compliance or co-operation in the administration or delivery of criminal justice services which will be affected by possible changes will require thorough consultations. Changes to the legislation may have an impact on provincial human rights commissions, particularly in Ontario, Quebec, British Columbia, Manitoba and the Yukon, where protections exist against discrimination on the grounds of a criminal conviction for which a pardon has been granted. A large number of provincial licensing and permit authorities may be affected by provisions of a new act.

International consultations would be useful to ensure that any changes to the act do not diminish the credibility of a Canadian pardon in the eyes of foreign jurisdictions. If reservations were expressed, this might lead to a lower rate of voluntary acceptance of the pardon as a certificate of good behaviour for the purposes of travel by Canadian citizens to other countries.

Second, there is the voluntary sector— victim advocates, offender aid groups. Any proposed changes to the act become the focus for debate among voluntary associations active in criminal justice. Many of these groups have been consulted during the past and all can be expected to strongly represent the views and interests of the particular constituency which they represent. The sometimes conflicting goals of increased protection of the public and assistance to deserving ex-offenders will need to be carefully balanced. Any attempt to isolate a single category of offender to be held to more or less rigorous eligibility requirements for example may cause a reaction from some who will suggest the inclusion of convictions for other crimes as further categories which should require a longer or briefer period before a pardon can be granted.

Offender support groups can be expected to argue strenuously for major reforms which they have been advocating for some time. Special victim interest groups will each support proposals which address their particular concern.