

### *Criminal Code*

It has been the experience of our program and others like it that in selected cases, victims benefit from the experience of meeting with the offender as such a program allows the victim the opportunity to be personally involved in a safe and controlled process. Mediation programs that provide this option to victims and offenders of crime have become increasingly recognized over the past two decades as a legitimate option for police departments and crown attorneys in dealing with cases.

Studies in both Canada and the United States have indicated high rates of victim satisfaction with such programs because they meet the needs of victims to confront the offender . . .

This is an important point. Confronting the offender is something that one often hears victims talk about.

The letter continues:

. . . to reconcile with the offender (especially in those situations where there is a pre-existing relationship) and to personally set a payment schedule for compensation. A secondary benefit of mediation diversion programs is the relief of pressure on already overloaded court systems.

Although we are aware that Bill C-89 is well on its way to being adopted, we request that an additional change be included that recognizes victim/offender mediation programming. We offer ourselves as a resource to your committee should you require further comments or information.

Sincerely,  
Carol Riekman  
Executive Director

It is an important point that this organization is sponsored jointly by the Mennonite Central Committee in Saskatchewan and also the John Howard Society of Saskatchewan. It specifically calls itself an organization that works with victims of crime. It is proposing here, and it proposed to the committee, this very valuable tool of reconciling victims and offenders, providing for payment schedules and victim and offender involvement through properly set up mediation services. This is a valuable tool, not in all cases, but obviously in certain cases.

● (1610)

**The Acting Speaker (Mr. Edwards):** I recognize the Hon. Member for Vancouver—Kingsway (Mr. Waddell) on a question or comment.

**Mr. Waddell:** It is my understanding that a number of new fines will result from the passage of this legislation. It is also my understanding that the moneys so generated are intended to assist in new victim assistance programs. Fines levied against those found guilty of a crime are to be used in the funding of new victim assistance programs.

In my speech on this measure, I raised a concern about provincial Governments spending such funds on new programs. I would ask the Hon. Member for St. John's East (Mr. Harris) to comment on the need for such programs and, more important, on the need to ensure that any moneys generated as a result of the fine schedule set out under this legislation and the Criminal Code in general, are in fact used to fund new programs in respect of victims of crimes.

**Mr. Harris:** I thank my colleague for his question. While the Criminal Code is a federal statute, the administration of justice is carried out by the provinces, and any fines to be paid under this legislation will become part of the general revenue

fund of the province in which that fine is levied. Victim assistance programs will be innovative and, as such, will be expensive to develop, and provincial Governments that are hard strapped, such as my own Province of Newfoundland, often have difficulty in raising funds for such innovative programs.

Under Bill C-89, the federal Government will put in place a regime that will result in increased revenues for the provinces, and certainly it should insist that any funds so generated be used in establishing mediation services, victim-offender reconciliation, where possible, and other such innovative programs in the criminal justice area. Certainly, it should be looked upon as a forward step in the criminal justice system in this country; it should be looked upon as a step to involve victims in the process. Once a conviction has been achieved, the victim is to be given a role in the process.

This is a new step in the criminal justice system in Canada, and any funds generated as a result of the surcharges to be levied against offenders in respect of certain crimes should be allocated to those programs which help this whole process become more effective, as opposed to going into the general revenues of the provinces for use in other areas.

Certainly, the provinces face very great demands in terms of educational funding, highway maintenance and construction, and so forth. Funds should be raised specifically for those purposes. Any moneys flowing into the coffers of the Crown in right of a province as a result of fines levied under the Criminal Code should not be used for such general purposes.

**The Acting Speaker (Mr. Edwards):** There is sufficient time for one brief question or comment, and response.

**Some Hon. Members:** No.

**The Acting Speaker (Mr. Edwards):** Is the House ready for the question?

**Some Hon. Members:** Yes.

**Mr. Waddell:** No.

**Mr. Grisé:** On debate, Mr. Speaker.

**The Acting Speaker (Mr. Edwards):** The Hon. Parliamentary Secretary, on debate.

[*Translation*]

**Mr. Richard Grisé (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council):** Mr. Speaker, I would like to comment briefly on Bill C-89, and I would also like to take this opportunity to thank colleagues from the other Parties and Members of the Committee, some of whom proposed amendments and who all did their share to have this Bill adopted as quickly as possible. It is an excellent piece of legislation, introduced by our excellent Minister of Justice (Mr. Hnatyshyn) and it will provide victims of crime with better protection than is now the case.