

ULCC 2011
JOINT SESSION OF THE CIVIL AND CRIMINAL SECTIONS

COMPLEMENTARY PROVINCIAL LEGISLATION - Report

Presenter: Josh Hawkes, Q.C., Alberta Justice

The Working Group for this joint project was established as a result of a 2009 Criminal Law Section Resolution recommending that a group be formed “to examine provincial legislation initiatives with a criminal law impact, such as civil forfeiture regimes, safe communities and neighbourhoods legislation, or witness protection programs, to share best practices, and to determine if model legislation in any of these areas should be recommended”. A Chart of Complementary Provincial Legislation was prepared, and at the 2010 meeting of the ULCC, it was resolved that the Working Group continue to update the Chart and review it for possible uniform legislation.

The updated Chart, distributed in July of 2011, contains information about legislation from nearly every province and territory in the following areas:

- Civil forfeiture;
- Safe communities and neighbourhoods;
- Mandatory reporting of child pornography;
- Administrative licence suspension and related provisions;
- Restrictions on body armour/armoured vehicles;
- Child protection (in relation to prostitution, drug houses or other illegal activity);
- Witness protection;
- Family violence;
- Mandatory reporting of gunshots and other wounds;
- Enforcement of court orders; and
- Profiting from accounts of crime.

Emerging trends were noted – e.g. restrictions on body armour and armoured vehicles – but no potential areas for uniform legislation were identified.

DISCUSSION:

It was agreed that the Chart is a useful tool and of value to Ministers and Deputy Ministers of Justice. Expanding the Chart to try to identify ‘emerging areas’ was suggested.

RESOLVED:

That the updated Chart on Complementary Provincial Legislation be accepted;

That the Chart be updated for presentation at the 2012 meeting; and

That the Chart be reviewed for possible projects on uniform legislation.