

# Justice Statutes Amendment Act, 2020

## Overview

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### What would this legislation do?

The *Justice Statutes Amendment Act, 2020* would recognize First Nations policing in legislation; modernize the justice system; streamline court procedures, access and flexibility; expand Queen's Counsel eligibility; and reduce red tape. This would be done via amendments to the *Police Act*, *Jury Act*, *Provincial Offences Procedures Act*, *Queen's Counsel Act*, *Victims Restitution and Compensation Payment Act*, and *Referendum Act*.

### Police Act and First Nations policing

If passed, the *Justice Statutes Amendment Act, 2020*, would make changes to the **Police Act** to formally recognize First Nations police services in legislation. Right now, the *Police Act* does not recognize First Nations policing services, despite the fact that First Nations have operated police services for more than two decades. With this legislation, Alberta is acknowledging the valuable role First Nations policing plays in the province and ensuring First Nations police services and the communities they serve can benefit from efforts to modernize policing in Alberta and the *Police Act* review taking place in fall 2020.

### Modernizing the justice system

Amendments to the **Jury Act** would update Alberta's jury selection process by allowing for greater use of technology. This includes allowing juror summons to be sent electronically and removing the need for the courts to use a regulated juror summons form. This will allow the court to quickly adapt the form when needed.

Amendments to the **Provincial Offences Procedures Act** would authorize the courts to allow Albertans to participate in trials and hearings by videoconference or teleconference. It would also let the courts deal with routine matters, like entering pleas and setting trial dates, by email, telephone or other electronic means. Amendments would also allow tickets for more types of offences to be served by mail, freeing up time for law enforcement.

### Additional amendments

Amendments to the **Queen's Counsel Act** will expand the qualification requirements to include individuals who practice in almost all Commonwealth jurisdictions – those with a legal system based in common law. This allows the government to appoint other deserving Alberta lawyers. As well, to be considered for a QC designation, a lawyer would now have to practice for at least ten years in a Commonwealth jurisdiction and in Alberta for at least five years. Amendments would also reduce red tape by automatically revoking a Queen's Counsel designation if a lawyer is disbarred or resigns in the face of discipline and is deemed to be disbarred.

Amendments to the **Victims Restitution and Compensation Payment Act** would expand the offences eligible for civil forfeiture to help deter a larger variety of crimes. Proposed changes would also allow government to use the proceeds of forfeited property to support police through a grant program, while continuing to fund community crime prevention and victims of crime initiatives. Amendments would also help reduce red tape by getting rid of never-used portions of the act, and reflect supports to victims now being provided through the Restitution Recovery Program.

Minor changes to the **Referendum Act** would make sure referendums and senate elections could be held at the same time during a municipal election. This would create efficiencies to cover costs.

An additional amendment to the **Police Act** would also change the census data source that is used to determine population and calculate policing costs for municipalities of more than 5,000. Treasury Board and Finance is the same source the rest of government uses to find out population size.

### Additional information

If passed, the majority of the act will come into force upon proclamation.