

Annual Report
1999-2000

Relationships



Law Commission of Canada

*The mission of the Law
Commission of Canada is to
engage Canadians in the renewal of
the law to ensure that it is relevant,
responsive, effective, equally
accessible to all, and just.*



Roderick A. Macdonald
President



Nathalie Des Rosiers
Vice-president



Gwen M. Boniface
Commissioner



Alan G. Buchanan
Commissioner



Stephen Owen, Q.C.
Commissioner



Law and Relationships

Clarifying the assumptions and attitudes that frame how the law conceives relationships is the first step toward refashioning legal and policy debates.

Society is a complex web of relationships existing at many levels of commitment and taking many forms. Some are merely occasional and not particularly intimate; others are affectionate, ongoing and deeply felt. Some are nurtured within families and communities, and others have their roots in institutions.

We all seek predictability and stability in our relationships. The ability to recognize and find meaning in the actions of others, and the confidence that our own actions will be recognized and understood, allows us to dream, make plans and act in relative security.

Human relationships emerge and develop through the interplay of social, cultural, religious and economic forces, which also shape how the law acknowledges and regulates relationships. In turn, the official law enacted by Parliament and developed by courts plays back into socio-cultural understandings and beliefs. Together, everyday interactions and official law help people realize the aspirations that they have for themselves, their families, their communities and their society.

This does not mean that today's law always reflects these hopes and expectations. In many cases, it does not. The Law Commission believes that clarifying the assumptions and attitudes that frame how the law conceives relationships is the first step toward refashioning legal and policy debates. Reordering these debates so as to imagine other ways of fostering and affirming relationships is the core of its law reform efforts.

Research Themes

The Commission structures its research around four complementary themes:

- *personal relationships*
- *social relationships*
- *governance relationships*
- *economic relationships*



Families, Friends and Personal Relationships

Are the concepts and policies the law now uses to frame different personal relationships of dependence and interdependence adequate to address and overcome power imbalances that can lead to abuse and exploitation?

Many of our most meaningful interactions with others are channelled through face-to-face personal relationships. In a vibrant society, personal relationships are formed and flourish for a variety of reasons, including comfort, security, mutual support, love and fulfillment. Sometimes, however, personal relationships can be a source of sorrow, pain, exploitation and even violence. For better or for worse, personal relationships structure our sense of belonging to a community and help to define our identity.

Canadian law does not fully account for the diversity and intensity of relationships of intimacy and interdependence. It now rests on a number of assumptions about how people organize their private lives and how they relate to their partners, parents and children. Many of these assumptions are mere conjecture; others are obsolete. As a result, the legal policies and social programs derived from them can be ineffective and counter-productive. Even when Parliament directly attempts to prevent abuse and exploitation, it frequently does so with concepts inadequate to its purposes.

INTIMATE AND INTERDEPENDENT ADULT PERSONAL RELATIONSHIPS

Adult personal relationships grounded in a mutual commitment to caring (security, intimacy, respect and recognition) and sharing (economic, psychological, physical and emotional interdependence) are a key feature of modern society. Law now addresses these personal relationships in two ways: by providing recognition that affirms the relationship; and by establishing specific consequences such as the protection of intimacy, entitlement to public and private benefits, and the mutual obligation of economic support.

Parliament and provincial legislatures have not always devoted sufficient attention to defining what it is about adult personal relationships that merits recognition and support. As a result, many existing policies and programs simply rely on status concepts such as marriage to promote substantive goals. By focusing on status instead of identifying specific objectives, the law often fails to reach the very relationships it intends to support.

The Law Commission project on close adult personal relationships rests on the premise that Parliament needs to define the policies it is trying to promote by supporting relationships, and the substantive characteristics of relationships that should receive this support. Only then can it decide whether existing legal concepts and definitions should be recast to recognize a broader range of relationships.

OLDER ADULT RELATIONSHIPS

The idea that there is a moment when a person becomes an older adult is largely a legal creation. And yet the law makes significant policy judgments based on this somewhat artificial status. Some relationships involving older adults are recognized, promoted and protected; others are not. Because age is often the only basis for considering a person to be an older adult, the law sometimes fails to respond to the needs, as well as the particular strengths and vulnerabilities, of older adults.

The law's assumptions about the abilities of older adults need to be exposed and, where unfounded, discarded. Designing legislative regimes that do not prejudice the physical and intellectual capacities of older adults in their relationships in the workplace, the marketplace and the home is a priority. This will allow careful assessment of how, for example, the end of employment and the delivery of social services and health care affect older adults, and the intergenerational impact of relationships between older parents and their adult children.

The Law Commission has sponsored studies to evaluate the adequacy of existing regulatory regimes, including those designed to protect potentially vulnerable seniors. The goal is not to distinguish relationships involving older adults from other adult relationships, but rather to uncover and assess the principles, objectives and adequacy of existing regimes. Further research will address how law can free itself from societal misconceptions about the dependency of older adults, and how policies can be framed to respond effectively as older adults move from independence to greater dependence, and from autonomy to increased vulnerability.

SYMBOL AND SUBSTANCE

Personal relationships are constantly being discovered and developed. They are also constantly weakening and dying. Law can neither create relationships for those who seek them, nor preserve relationships that have ended. It can only structure the conditions for entering into, and some of the consequences of exiting from, certain personal relationships. Attempting to closely control how adults find comfort and security in relationships is the reflex of totalitarian societies.

Law's failure to understand the meaning and dynamics of relationships often results in a failure to resolve the problems inherent in these relationships. The Law Commission has undertaken research to help it think through the following questions: Should legislative policy be designed to promote physical, psychological, economic and emotional well-being within personal relationships? Should it aim to prevent or diminish the potential for abuse in such relationships? And would this shift in legislative focus change our view of which relationships, under what conditions, merit symbolic recognition?

1999

October 20–22, 1999,

*Queen's University, Kingston,
Conference on Registered
Domestic Partnerships*

December 14, 1999,

*Ottawa, Study Panel on Adult
Personal Relationships*

December 16, 1999,

*Quebec City, Study Panel
on Older Adult Relationships*

2000

January 14, 2000,

*Toronto, Study Panel on
Older Adult Relationships*

March 21, 2000,

*Ottawa, Brief to Parliamentary
Committee on Bill C-23*

Social Relationships and Communities



Can the idea of transformative justice better shape how law recognizes diverse social relationships, conceives communities as areas of shared interest, and reconciles the competing demands of individual identity and group identities?

In Canada's socio-demographically diverse society, more people are identifying themselves both as members of society as a whole and as members of groups and communities. They are finding recognition and purpose in the groups and communities with which they choose to be associated, or to which they are assigned by others. In this they acknowledge how much their personal identity is made up of identities formed in relationships with others.

Modern law deals uneasily with these overlapping identities. It focuses on individuals and takes a narrow view of which group identities and communal relationships are legitimate. Only rarely do legal concepts even recognize group identity as an element of personal identity. Especially where community membership and affiliation reflect cultural differences, Canadian law has difficulty both in providing equal access to justice and in responding to alternative visions of what justice entails.

FROM RESTORATIVE JUSTICE TO TRANSFORMATIVE JUSTICE

Conflicts permeate all aspects of our lives — at home, at work and in our communities. They vary in intensity and duration, from mild annoyances to clashes that cause deep and lasting physical and emotional damage.

Despite the harm they can cause, conflicts are not entirely negative. On a personal level, they alert us to how our behaviour affects others and to different ways of looking at situations. On a societal level, conflicts are frequently an impetus for change and

development. Conflicts are a key way in which both personal and community relationships are identified and understood.

A major challenge for law today is to develop processes and remedies that recognize the broader societal relationships involved in all conflicts, even those between individuals. Canadian law has traditionally sought to frame conflict as arising from a unique event between two opposing interests — most often between two people. Judicial procedures, meant to discern the facts and the applicable legal rules, are two-sided, adversarial and backward-looking. They are an imperfect fit for many of society's most important conflicts, which frequently involve many-sided issues, and multiple parties who seek more than just the repair of a harm or retribution for wrongdoing. People in conflict often want to re-establish a relationship or to transform the conflict into an opportunity to build a relationship.

How can we enlarge the range of non-adversarial responses to conflicts? The Law Commission sees the concept of transformative justice as a way to involve broader networks of involvement and responsiveness in resolving civil disputes. The Commission's research in this area aims to evaluate how restorative and transformative justice might reconcile the competing demands of group and individual identity in such different fields of social interaction as family breakdown, consumer bankruptcies, corporate governance, labour relations and anti-discrimination law.

RECOGNIZING COMMUNITIES

Every day, the boundaries that define group identity shift as people change social relationships and develop new ones. Granting rights and specifying obligations are the traditional legal responses to defining the boundaries of a community. However, because the reconstitution of social and cultural boundaries is making group identity more diffuse and complex, this approach to determining group membership is proving inadequate.

Increasingly, the communities in which people find support and enrichment are communities of interest. Law plays a key role in creating and sustaining vibrant communities, whether these are geographic, framed by the pursuit of common purposes or sustained as virtual communities by computer-mediated interaction. The Law Commission has begun projects exploring the diversity of these new communal identities and the declining importance of physical communities like neighbourhoods and public spaces.

1999

September 29, 1999,
*Toronto, Conflict Resolution
Workshop*

October 3, 1999,
*Hamilton, Conference on Crime
and Safety*

2000

February 11-13, 2000,
*Winnipeg, Restorative Justice
Workshop*

MEDIATING SOCIAL IDENTITIES

Evolving social relationships challenge the way the law organizes community membership and responsibilities. They also challenge the processes and institutions by which conflict is created, diffused and resolved within and between communities. As the boundaries of individual and group identity evolve, law must develop new concepts to enhance peoples' capacities to build their own communities.

The Law Commission is studying how law mediates between peoples' commitment to autonomy and self-identity and their attachment to group and community identities. How does law define community boundaries and use these boundaries to frame the social relationships of persons involved in disputes? How are communities of interest framed by law, and how can civil and criminal disputes be transformed into opportunities for strengthening communities?



Restoring Dignity

Responding to Child Abuse in Canadian Institutions

Society's belated acknowledgement of widespread institutional child abuse highlights the need to investigate the causes of, and the legal responses to, abuse and exploitation in all personal relationships of unequal power.

RELATIONSHIPS AND INSTITUTIONS

Outside of our families and communities, most of our closest relationships are formed in institutions. In fact, these relationships largely determine the quality of our daily lives. Schools, workplaces and social organizations can liberate the human spirit, or they can crush it. They can be havens of shelter and protection, or centres of exploitation and abuse.

Public institutions must respond to the needs of citizens and reflect fundamental social values. This is especially the case with institutions that care for those we see as vulnerable — children, the elderly, people with disabilities and the poor. Here our institutions assume a central role in nourishing personal and social relationships. Here they are put to their severest test. Here, unfortunately, they have sometimes failed.

INSTITUTIONAL CHILD ABUSE

How we treat our children says much about our values as a society. In the past 15 years, Canadians have become more aware of the generations of children who were abused in the residential institutions they were placed in for their education, welfare, rehabilitation or even protection. Far from offering children an opportunity to develop positive relationships with their peers and adult caregivers, some of these institutions were places of mistrust, exploitation and abuse. Instead of teaching children to cherish relationships, they destroyed their dignity and undermined the mutual trust that characterizes healthy personal and social relationships.

In November 1997, the Honourable Anne McLellan, Minister of Justice, asked the Law Commission to prepare a report “addressing processes for dealing with institutional child physical and sexual abuse.” In March 2000, the Law Commission released *Restoring Dignity: Responding to Child Abuse in Canadian Institutions*. This report examines different ways of providing redress for people who, as children, suffered physical and sexual abuse in government-run or government-sponsored institutions. The goal was to recommend responses that meet the needs of victims of abuse and address the concerns of their families and communities.

TRANSPARENT RELATIONSHIPS

Identifying the needs expressed by survivors of abuse was a first step to understanding how relationships were destroyed. Equally important was understanding the devastating impact on social relationships within the families and communities of the survivors. This understanding formed the background for assessing several existing approaches: criminal trials, civil actions, public inquiries, ombudsman investigations and criminal injuries compensation schemes. Increased recourse to adversarial processes goes hand in hand with increased scepticism about the legitimacy and capacity of courts to remedy the harms of child abuse. We need to create more accessible and responsive processes, such as community initiatives and comprehensive redress programs, that address the full range of needs expressed by survivors. No program of legal redress, however sensitive and responsive, can ever fully repair the harm done. The engagement and involvement of survivors may, however, provide occasions for building relationships even in the painful experience of confronting and dealing with past abuse.

Redressing past harm is, of course, only a first step. Survivors indicated a need to feel that the harms they suffered would not be suffered by others. The abuse was a product of inadequate accountability; therefore, preventing child abuse in institutions requires both proactive strategies to avoid harm and better reactive strategies to respond when harm occurs. *Restoring Dignity: Responding to Child Abuse in Canadian Institutions* is an opportunity to reflect on how we can make institutions places where healthy personal and social relationships can flourish.



Governance Relationships

Governance through law emerges through constant interaction between citizens and officials.

How can society create just private and public institutions that give better expression to the aspirations of Canadians for more meaningful participation in governance processes?

Community organizations, trade unions, corporations and democratic states all rest on structures and processes meant to enhance participation in decision-making. An open and democratic society depends on public processes like voting, adjudication, mediation and contracting that are accessible and transparent. However, not all kinds of decision-making institutions and not all forms of law enable citizens to assume responsibility for their own governance. Where relationships are weak and one-sided, responsive governance within institutions fails.

A key element of good governance, law provides the means to hold delegates of political and social power responsible for their actions. Law is not a fixed and finished product, complete at some magic moment such as the date a statute is enacted; it is the result of ongoing interaction between those who create rules and those who are governed by them.

GOVERNANCE AS PARTNERSHIP

Effective governance depends on a substantial congruence between formal rules and the informal social practices and conventions governing everyday human interaction. Good governance is not simply the efficient choice of instruments to control behaviour; it is the symbolic involvement of citizens in making and applying rules. A major challenge for law today is to recognize and overcome the deep social stratification that gives those willing and able to invest time, energy and money unfair advantages in law, the stock market, cultural industries, the educational establishment and myriad other activities.

Socio-cultural diversity and technological innovation put new pressures on the law. In particular, the standard form of official law-making, legislation, is becoming ill-adapted to meet these challenges. The governance challenge is to find ways in which official written law can be designed, framed and written so as to be meaningful in such conditions. The Law Commission is studying how formal processes of governance interact with other less formal processes of law-making, such as customs, practices, usages and mediation, that arise directly from relationships between citizens, and how the idea of governance as partnership can inform an interactional view of official law-making through legislation.

GOVERNANCE BY CITIZENS

Governance through law is not a one-way, top-down projection of authority. Citizens are centrally involved in making and applying rules, and in improving law's processes. In fact, the social context and unofficial legal systems that daily engage citizens are as much a part of law as statutes. Governance relationships are concerned with allocating the benefits and burdens of social life within both public and private institutions. In a pluralistic society, governance occurs in a wide variety of settings — indeed, wherever people come together to organize or coordinate their actions.

The Law Commission sees diverse relationships as an appropriate lens through which to study governance. It has launched studies to explore the management of linguistic duality in different public and private sector organizations, the governance of medical research on human subjects and the response of the courts to minority interests. It is the success of the interaction between the means of governance and those who are governed that will be the indicator of a healthy governance regime. Expressed another way, law must come about through a legitimate process, and one measure of that legitimacy is the extent to which it is accepted by those whose conduct it is intended to regulate.

MODES AND SITES OF GOVERNANCE

Governance relationships can be explored fruitfully in two dimensions: first, by looking at the different ways legal institutions may reflect and promote responsible citizen participation; second, by looking at all the different processes by which rules governing human conduct are continually being discovered, identified, framed, applied and interpreted.

The objective of the Law Commission's research into governance relationships is to understand how to enhance the responsiveness of public and private institutions. How can particular modes of governance such as legislation, mediation and education be designed to reflect and promote democratic practices? And how might these modes of governance find application in various sites — for example, voluntary associations, professions, unions, corporations, communities and families — so that the law responds to citizen expectations in a manner that is expedient, accessible and just?

1999

April 22–24, 1999,

Toronto, Building the Momentum — A Conference on Implementing the Recommendations of the Royal Commission on Aboriginal Peoples, co-sponsored by the Indigenous Bar Association, the Canadian Bar Association, the Law Society of Upper Canada, and the Law Commission of Canada

June 8, 1999,

Toronto, Round Table on Citizen Agency

December 10, 1999,

Toronto, Study Panel on Biomedical Research

2000

January 28, 2000,

Montreal, Round Table on Legislation

February 4, 2000,

Montreal, Study Panel on Biomedical Research

March 2–3, 2000,

Vancouver, Speaking Truth to Power, a forum co-sponsored by the B.C. Treaty Commission and the Law Commission of Canada

Reconsidering Economic Relationships



The globalization of trade and the development of international commerce and finance have affected basic economic and social arrangements. How can law best be structured so as to enhance Canada's economic strength, while protecting fundamental social values and ensuring just distributions of wealth?

Economic relationships are regulated through legal institutions designed to recognize, allocate and distribute material resources. Changes in patterns of trade, consumption, education and work pose policy challenges because of their effects on employment, families and communities. The pace and scope of these changes put into question the capacity of the law to respond to the human and social dislocations caused by markets in transition.

The Commission recognizes that many considerations affect the way the law is used to respond to these economic challenges. It seeks to explore the factors that lead governments to adopt policies to either facilitate, resist or structure economic change, and the assumptions that underlie these policies. It also considers the likelihood that certain regulatory approaches generate perverse consequences that can undermine the policy goals being pursued.

ECONOMIC RELATIONSHIPS IN TRANSITION

A key need is to develop a basic policy framework for evaluating responses to different forms of economic relationships in transition. The Commission is conducting a general study of the different policy options that governments might adopt in responding to abrupt changes to markets (economic shocks) — whether these changes flow from natural disasters, new technologies, governmental policies or international developments.

The Commission is also undertaking a joint project with Canadian Policy Research Networks to explore the effects of changes to the way people work, such as the move from full-time to part-time employment, from out-of-home to at-home work, and from salaried to piece or contract work. What kind of new legal regimes, for example, governing workers' compensation, pensions, and workplace safety, do we need to put in place to meet the challenges thrown up by new forms of employment?

The Commission is also collaborating with the Uniform Law Conference of Canada on a project examining the regime governing federal security interests. The goal is to determine whether the current regulation of security interests is unduly privileging stronger economic interests and penalizing consumers and primary producers such as farmers who do not have the same level of legal expertise.

PERVERSE CONSEQUENCES OF LEGAL REGULATION

The law frequently attempts to control essentially economic activities with regulatory frameworks grounded in other assumptions. The effect of adopting these frameworks is often the opposite of what Parliament intended. For example, an early Law Commission study looked at how adopting a high moral threshold and using criminal sanctions to control behaviour in diverse public policy fields can create the conditions that make enterprise crime both possible and profitable. For example, would it be preferable to treat the non-medical use of drugs as a public health issue, rather than as a crime? Would it be better to regulate prostitution as an economic activity, rather than as a moral failing?

The goal is to understand how rules that appear to be desired by Canadians, but in practice no longer enjoy broad public support, may be unenforceable and undermine law's regulatory capacity. In what ways does characterizing certain behaviour as criminal generate significant black-market incomes that can be used to corrupt existing governance structures, and to finance parallel governance regimes such as those found in criminal gangs?

TRANSITIONS AND TRANSFORMATIONS

National and international trends are transforming even the most stable economic relationships. Clarifying the forces that shape the Canadian economy and evaluating governmental responses to economic transformations are the first steps to developing coherent policy prescriptions. A key law reform challenge is finding efficient and effective legal mechanisms that structure these transitions in a way that protects democratic values in diverse economic relationships.

Moreover, changes in values can undermine the capacity of the law to manage human activity in a way that does not generate undesired or perverse consequences. The goal of Law Commission research is to explore how to build a regulatory approach that enhances just economic relationships in response to these transitions and transformations.

1999

**June 24, 1999, Toronto, Round Table
on Federal Security Interests**

**October 16, 1999, Montreal, Workshop
on Consumer and Commercial Law**

**December 13, 1999, Toronto, Round
Table on Economic Shocks**



Reforming Law by Renewing Relationships

We make and discover law almost from our first moments as human beings. Our understanding continually develops and deepens throughout our lives.

It is in childhood that we begin to confront the nuances of human relationships and their reflection in law. Children display a considerable capacity to solve problems, develop fair procedures for dealing with conflicts and invent creative fictions to help build stronger relationships with those around them. As adults, we like to believe that we have completely absorbed these childhood lessons, but each day we confront our surprising inability to put these lessons into practice.

Often forgotten or discounted in the hurly-burly world of adult relationships are two key legal lessons of our youth. First, we forget that the tacit law of everyday interaction — the law not consciously made by anyone — is the ground in which the law we consciously make is rooted. Both rich and subtle, this tacit law reflects and responds to our needs more quickly than the legislation that flows from formal processes specifically designed to make “good” law. Yet we often disparage the wisdom of children and are reluctant to see in the behaviour of youngsters meaningful illustrations of the legal conundrums we face, and often resolve clumsily, in our own lives.

Second, we forget the close connection between law and our desire for justice. The more we think we understand the details of law, the more we seek to keep law and justice in separate compartments. We start by seeing law as a means to achieve justice; we end by only seeking justice according to law. However much we desire a legal system that reflects and is responsive to issues of fairness and justice, the time-consuming difficulty of deciding what is just leads us to prefer the apparent certainty of law. Even more than children, we

COMMISSION MEETINGS

1999

April 22, *Toronto*

June 4–6, *Sherbrooke*

August 3–5, *Orillia*

September 24–25, *Ottawa*

November 12, *Ottawa*

2000

January 7–8, *St. Adèle*

March 23–24, *Ottawa*

ADVISORY COUNCIL MEETINGS

November 13, 1999, *Ottawa*

March 25, 2000, *Ottawa*

are tempted to invent formulas that relieve us of the obligation to question whether our own relationships with others exemplify justice.

VINDICATING LAW

Law is a precious resource. Through our law we negotiate personal and family relationships, social and community relationships, and institutional and governance relationships. Sometimes our reflexes about the forms and purposes of law should give us pause. A failure to ask what we expect of our law is a failure to ask what we expect of ourselves.

Overuse is a symptom of law's malaise. Whenever we see a problem, we say "there ought to be a rule." We do not ask what the problem is, and how it arises. Our societal diagnostic skills leave much to be desired. In our relationships, we have too often made rights and obligations the only measure of our entitlements, duties and expectations. Sadly, the capacity of law to educate and incite debate, as well as to guide and empower, is not well understood. We discount law's role in establishing a framework through which we can pursue our own purposes in concert with others.

In the end, the success of our law depends on us. By remaining engaged in the hard work of building a more just society through conscious attention to relationships, we ensure that law reflects the values we hold. The challenge of law reform is to find in our interactions with others a framework of rules that enable us to build and nurture meaningful relationships. We learn the law by living law. We vindicate law by making it our own.

Management Report for The Law Commission of Canada

We have prepared the accompanying financial statement of the Law Commission of Canada in accordance with the reporting requirements and standards of the Receiver General for Canada. The financial statement was prepared in accordance with the significant accounting policies set out in note 2 of the statement on a basis consistent with that of the preceding year. Financial information included in the ministerial statements, in the Report on Plans and Priorities, and elsewhere in the Public Accounts of Canada is consistent with that contained in this financial statement, unless otherwise indicated.

Some of the information included in the financial statement is based on management's best estimates and judgements with due consideration given to materiality.

To fulfill its reporting and accounting responsibilities, the Commission maintains a set of accounts which provides a centralized record of financial transactions and maintains systems of financial management and internal controls at appropriate costs. They are designed to provide reasonable assurance that transactions are properly authorized by Parliament and are executed in accordance with prescribed regulations, and are properly recorded as to maintain accountability of Government funds and safeguard the Commission's assets. The Commission also seeks to assure the objectivity and integrity of data in its financial statements by careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that its regulations, policies, standards and managerial authorities are understood throughout the Commission.



Roderick A. Macdonald
President



Bruno Bonneville
Executive Director

**Law Commission of Canada Statement of Operations
for the Year Ended March 31, 2000 (in dollars)**

	2000	1999
Expenditures		
Professional and special services	1,118,250	966,539
Salaries and employee benefits	701,969	591,323
Travel, communication and publications	580,826	398,055
Commission meetings	400,960	363,098
Accommodation	65,626	65,626
Advisory Council	45,103	35,574
Rental, repair, equipment maintenance and fit-up	40,806	27,315
Supply, materials and equipment	36,391	47,402
Training, conference and memberships	18,152	8,725
Other	8,068	12,511
Total expenditures	3,016,151	2,516,167
Non-tax revenue		
Refund of previous year's expenditures	657	2,214
Other	12,534	0
Total Non-tax revenue	13,191	2,214
Net cost of operations	3,002,960	2,513,953

The accompanying notes are an integral part of the Statement of Operations.

- Authority and Operations:** The mandate of the Law Commission of Canada is derived from the *Law Commission of Canada Act*, which came into force in 1997. The Commission's expenditures are funded by an annual appropriation from Parliament.
- Significant Accounting Policies:** The Statement of Operations has been prepared in accordance with the requirements and standards for reporting established by the Receiver General for Canada. The most significant accounting policies are as follows:
 - Expenditure Recognition:** All expenditures are recorded for all goods and services received and/or preformed up to March 31, 2000, in accordance with the government's payable-at-year-end accounting policies.
 - Capital Purchases:** Acquisition of capital assets are charged to operating expenditures in the year of purchase.
 - Services Provided without Charge by Government Departments:** Amounts for services provided without charge from government departments are included in the operating expenditures. They consist of accommodation costs and payments to employee insurance plans.

3. Parliamentary Appropriations	2000	1999
Law Commission of Canada – Vote 35	2,861,000	2,791,000
Supplementary Estimates (B)	139,550	124,493
Total	3,000,550	2,915,493
Budgetary Lapsed	237,204	648,867
	2,763,346	2,266,626
Statutory contributions to employee benefit plans	150,000	149,000
Total use of appropriations	2,913,346	2,415,626
Add: Services provided without charge by other government departments	102,805	100,541
Less: Non-tax revenue	657	2,214
Other	12,534	0
Net cost of operations	3,002,960	2,513,953

Relationships

Advisory Council Members

Wendy Armstrong

Edmonton, Alberta

Jacques Auger

Sherbrooke, Quebec

Lorraine Berzins

Ottawa, Ontario

Céline Bureau

St-Lambert, Quebec

Dave Cassels

*Radium Hot Springs,
British Columbia*

Dan Christmas

Sydney, Nova Scotia

Bradley Crawford, Q.C.

Toronto, Ontario

Margaret Denike

Sudbury, Ontario

Priscilla de Villiers

Burlington, Ontario

Emerson Douyon

Montreal, Quebec

Gerry Ferguson

*Victoria,
British Columbia*

Vinh Ha

*Burnaby,
British Columbia*

Bernice Hollett

Goose Bay, Labrador

Andrée Lajoie

Montreal, Quebec

Alcide Leblanc

*Moncton,
New Brunswick*

Wade MacLauchlan

*Stanhope,
Prince Edward Island*

Hans Mohr

Gananoque, Ontario

Michael Morrison

*Charlottetown,
Prince Edward Island*

Irma Murdock

*Saskatoon,
Saskatchewan*

Katherine Peterson, Q.C.

*Yellowknife,
Northwest Territories*

Morris Rosenberg

Ottawa, Ontario

Jennifer Stoddart

Westmount, Quebec

Commission Staff

Bruno Bonneville

Executive Director

Susan Zimmerman

Director of Research

Cathy Hallsesey

*Communications
Manager*

Suzanne Schryer-Belair

*Administration and
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Officer*

Patricia Steele

Executive Secretary

Susan Alter

Research Officer

Dennis Cooley

Research Officer

Laurent Levesque

*Administrative
Assistant*

Natalie L'Heureux

Research Assistant

Publications

REPORT

Restoring Dignity — Responding to Child Abuse in Canadian Institutions

DISCUSSION PAPER

From Restorative Justice to Transformative Justice

RESEARCH STUDIES

1. Institutional Child Abuse in Canada: Civil Cases by Goldie Shea
2. Institutional Child Abuse in Canada: Criminal Cases by Goldie Shea
3. Redress Programs Relating to Institutional Child Abuse in Canada by Goldie Shea
4. Apologizing for Serious Wrongdoing: Social, Psychological and Legal Considerations by Susan Alter
5. The Law and the Relationships of Dependency Experienced by Seniors: the case of privately operated homes for the aged by Michèle Charpentier
6. Older Adults' Personal Relationships and the Law in Canada – Legal, psycho-social and ethical aspects by Charmaine Spencer and Marie Beaulieu
7. Why is it so difficult to combat elder abuse and, in particular, financial exploitation of the elderly by Donald Poirier and Norma Poirier
8. Marriage and Marriage-Like Relationships by Martha Bailey

9. Major Issues Relating to Organised Crime within the Context of Economic Relationships by Margaret E. Beare and R. T. Naylor
10. Democracy in Governance: A Social-Legal Framework by Marianna Valverde, Ron Levi, Clifford Shearing, Mary Condon and Pat O'Malley
11. Agency, Law, and Governance: Some Theoretical Considerations by Barry Cooper
12. Citizen Agency and Social Capital: Embracing the Bright Shadows of the Future in Public Administration by Rod Dobell, Debra Slaco, Justin Longo
13. Legal Governance and Social Relations: Empowering Agents and the Limits of the Law by Alan Hunt
14. Normativity and the Public Domain: Political Theory and Ethical Commitment by Cindy Holder

JOINT PUBLICATIONS

1. Urban Aboriginal Governance in Canada: Refashioning the Dialogue, in partnership with the National Association of Friendship Centres
2. Perspectives on Legislation, in partnership with the Canadian Association of Law Teachers, the Canadian Law and Society Association and the Council of Canadian Law Deans

Please visit our Web site at www.lcc.gc.ca, where you can download our publications, feature stories on Law and Life by Roderick Macdonald, speeches, statutory reports, and other information about the work of the Law Commission of Canada.

SPEECHES AND ARTICLES BY THE PRESIDENT

1999

Law, Justice and Community: The Way Ahead, Symposium on Law Justice and Community, Dalhousie University, Halifax, April 17

Learning to Listen, Listening to Learn, Opening Session at the Conference Building the Momentum, co-sponsored by the Indigenous Bar Association, the Canadian Bar Association and the Law Society of Upper Canada, Toronto, April 24

Perspectives on Informal Legal Relations Between Languages and Law in Canada and Europe, Colloquium on Harmonization and Dissonance: Languages and the law in Canada and Europe, held at the School of Law, University of Moncton, Moncton, May 7

Reforming Law and its State, Annual Meeting of the Law and Society Association, Chicago, May 30

Acts of Commission and Acts of Omission, Annual Conference of the Canadian Association of Statutory Human Rights Agencies, Montreal, May 31

Why Law Teachers Are Law Reformers, Annual Dinner of the Canadian Association of Law Teachers, Sherbrooke, June 5

How Will A.D.R. Affect the Legal Profession and the Delivery of Legal Services? Introductory Workshop of the LL.M. in A.D.R. at Osgoode Hall Law School, Toronto, August 25

Entre l'efficience de Justinien et la justice de Locke, Conference on "L'éthique des affaires, le droit et la justice" — un Forum international des juristes francophones, Quebec City, October 8

Global Law, Local Practices or Local Law, Global Practices, Conference on Best Practices in Administrative Justice sponsored by the Canadian Council of Administrative Tribunals, Vancouver, October 12

Identity (of Judges) and Independence (of the Judiciary) Colloque de formation de la Cour supérieure du Québec, Montreal, October 20

Perspectives on Personal Relationships, Conference on Domestic Partnerships sponsored by the Law Commission of Canada at Queen's University, Kingston, October 22

Governance of Tribunals or Tribunals of Governance, Administrative Law Section – Northern of the Canadian Bar Association (Alberta Branch), Edmonton, October 25

La modernité de Gény restera-t-elle aux enjeux contemporains du droit? International Conference entitled "La pensée de François Gény éclairera-t-elle le troisième millénaire?", Université du Québec à Montréal, Montreal, October 30

2000

By Any Other Name, "Ethics of Negotiation" presented at the forum *Speaking Truth to Power*, co-sponsored by the B.C. Treaty Commission and the Law Commission of Canada, Vancouver, March 2–3

Law Reform is Kids Play, The Kiwanis Club of Ottawa, Ottawa, March 20

Justice is a Noun, but Access isn't a Verb, Delivered to the Deputy Minister's Access to Justice Symposium, Ottawa, March 31

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