

Bill C-591, An Act to Amend the Canada Pension Plan and the Old Age Security Act (pension and benefits)

Thank you for inviting the Canadian Resource Centre for Victims of Crime (CRCVC) to appear before The House of Commons' Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities. We have come here today to voice the support of our Board of Directors for the amendments proposed in Bill C-591, *An Act to Amend the Canada Pension Plan and the Old Age Security Act (pension & benefits)*.

It is the CRCVC's understanding that Bill C-591 will amend the Canada Pension Plan and the Old Age Security Act to deny CPP survivor benefits and the OAS allowance to people convicted of murdering their spouse, common-law partner or parent. We support this legislation so that persons convicted of first and second-degree murder can no longer profit from their crimes in Canada. We believe the majority of Canadians would agree and support this Bill.

Where we would like to see an amendment to the legislation is to include manslaughter as a reason for revoking pension entitlements. We understand that in cases of manslaughter, the principle of *ex turpi causa* does not always apply as clearly as it does in cases of first and second-degree murder convictions since they do not necessarily involve the intent to kill and can involve abuse, provocation, or accident. In his speech last June, the member from Chatham-Kent-Essex stated:

Courts have said that the principle of *ex turpi causa* should not be applied automatically to manslaughter and other offences involving responsibility for a death without examining the specific circumstances of each case.

We feel that not including manslaughter in the Bill creates a huge policy gap, especially when we consider that the largest proportion of family-related homicides are spousal murders and that a great number of those result in a plea bargain to a reduced conviction of manslaughter.

If we are amending the law to ensure that no one convicted of murder can collect pension benefits, we must also address cases where charges are plea-bargained down to manslaughter. We feel it is not acceptable for a killer to collect pension benefits in either case, especially if there is a history of violence toward the victim. Plea bargains are also often a reflection of an over burdened court system. This is a loophole that must be closed.

Intimate partner abuse is a very serious issue in Canada, particularly for Canadian women. Canadian women are overwhelmingly the victims. This is also true in cases of spousal homicide. We know from Statistics Canada data that about half, 49%, of all female murder victims in Canada were killed by a former or current intimate partner. In contrast, only 7% of male murder victims were killed by intimate partners.¹

No one wants to see killers benefit from their heinous act. It is an insult to the families of the victims, to taxpayers as well as an insult to the principles of justice. Certainly no person who pays taxes and personally contributes to an insurance plan wants to see murderers receive a benefit for killing someone.

Thankfully it is a very rare situation. I understand from debates in the House that over the last decade, an average of 48 people a year have been charged with spousal murder. Most of these were young men charged with killing their wives or female partners. Each year between 2003 to 2012, an average of 21 individuals in all age categories were accused of killing a parent or step-parent. We agree that no one wants to see those who suffer the murder of a loved one to suffer the added insult of seeing the one responsible for their death collecting the victim's benefits as well. We look forward to the passage of this legislation and ask once again that you consider amending the Bill to include manslaughter convictions, where the circumstances of the case warrant pension benefits being denied.

¹ [Family Violence in Canada, 2011](#), Statistics Canada, p. 38.