

Short History of the 1955 Criminal Code

Revision

A - On February 22, 1952, The Royal Commission on the Revision of the Criminal Code, which had begun its work in 1949, submitted its Report to the Minister of Justice. On April 7, 1952, the Report was tabled in the House of Commons. The Report included a draft Bill entitled "An Act respecting the Criminal Law".

B - On May 12, 1952, Bill H⁸, "An Act respecting the Criminal Law" was introduced in the Senate and read a first time (Sixth Session, Twenty-first Parliament, Elizabeth II). Its second reading was on May 15, 1952 and on the same date it was referred to the Standing Committee on Banking and Commerce. That Standing Committee on Banking and Commerce in turn referred it to a subcommittee. Because of the adjournment of Parliament, the subcommittee, after twelve meetings, was unable to complete its work and present its final report. It did, however, bring in an interim report recommending certain changes and suggesting certain clauses be stood over for discussion in the Standing Committee. Consequently, on June 20, 1952, the Standing Committee on Banking and Commerce recommended to the Senate that the Bill be not further proceeded with during the session. The Bill died on the Order Paper.

C - As stated by the Minister of Justice (Hansard, January 23, 1953) during the summer of 1952, Bill H⁸ was reviewed by the officers of the Department of Justice in the light of the recommendations made by the subcommittee of the Standing Committee on Banking and Commerce and that a number of recommendations made by the subcommittee were adopted. The Minister also stated, inter alia, that "[t]he views of the criminal law section of the conference of commissioners on uniformity of legislation in Canada were also sought and secured in respect of particular provisions in the bill" (Hansard, Ibid).

D - The Bill was re-introduced in the Senate as Bill 0, "An Act respecting the Criminal Law" and received its first reading on November 24, 1952 (Seventh Session, Twenty-first Parliament, 1 Elizabeth II). It was read a second time on November 25, 1952 and referred on the same date to the Standing Committee on Banking and Commerce which in turn referred it to a subcommittee. The subcommittee held

fifteen meetings and the main committee heard witnesses. The Standing Committee submitted its report on December 16, 1952. The Bill received its third reading on December 17, 1952.

E - The Bill was then introduced in the House of Commons as Bill 93, "An Act respecting the Criminal Law", where it was read a first time on January 13, 1953 (Seventh Session, Twenty-first Parliament, 1 Elizabeth II). The Bill was read a second time on January 23, 1953 and on the same day, the House appointed a special committee to consider Bill 93. This committee held 37 meetings. A subcommittee held 12 sittings to deal, inter alia, with the task of summarizing the great volume of representations made to the committee. The special committee tabled its report in the House of Commons on May 4, 1953. The Bill died on the Order Paper.

F - The Bill was re-introduced in the House of Commons as Bill 7, "An Act respecting the Criminal Law", where it was read a first time on November 16, 1953 (First Session, Twenty-second Parliament, 2 Elizabeth II). It was read a second time on December 15, 1953. The Bill was examined in committee of the whole. It received its third reading on April 8, 1954. The Bill was read a first time in the Senate on May 4, 1954. It was read a second time on May 11, 1954 and then referred to the Standing Committee of Banking and Commerce. The Committee sat between May 18, 1954 and June 9, 1954. The Chairman of the Committee presented its report to the Senate on June 10, 1954 and the Bill was read a third time on that day. The House of Commons subsequently approved the amendments made by the Senate (see Hansard, June 15, 1954). It came into force on April 1, 1955.