



November 17, 2011

10 Reasons to Oppose Bill C-10

Bill C-10 is titled the *Safe Streets and Communities Act* — an ironic name, considering that Canada already has some of the safest streets and communities in the world and a declining crime rate. This bill will do nothing to improve that state of affairs, but, through its overreach and overreaction to imaginary problems, Bill C-10 could easily make it worse. It could eventually create the very problems it's supposed to solve.

Bill C-10 will require new prisons; mandate incarceration for minor, non-violent offences; justify poor treatment of inmates and make their reintegration into society more difficult. Texas and California, among other jurisdictions, have already started down this road before changing course, realizing it cost too much and made their justice system worse. Canada is poised to repeat their mistake.

The Canadian Bar Association, representing over 37,000 lawyers across the country, has identified 10 reasons why the passage of Bill C-10 will be a mistake and a setback for Canada.

1. **Ignoring reality.** Decades of research and experience have shown what actually reduces crime: (a) addressing child poverty, (b) providing services for the mentally ill and those afflicted with FASD, (c) diverting young offenders from the adult justice system, and (d) rehabilitating prisoners, and helping them to reintegrate into society. Bill C-10 ignores these proven facts.

2. **Rush job.** Instead of receiving a thorough review, Bill C-10 is being rushed through Parliament purely to meet the “100-day passage” promise from the last election. Expert witnesses attempting to comment on over 150 pages of legislation in committee hearings are cut off mid-sentence after just five minutes.

3. **Spin triumphs over substance.** The federal government has chosen to take a “marketing” approach to Bill C-10, rather than explaining the facts to Canadians. This campaign misrepresents the bill's actual content and ensures that its public support is based heavily on inaccuracies.

4. **No proper inspection.** Contrary to government claims, some parts of Bill C-10 have received no previous study by Parliamentary committee. Other sections have been studied before and were changed — but, in Bill C-10, they're back in their original form.

5. **Wasted youth.** More young Canadians will spend months in custodial centres before trial, thanks to Bill C-10. Experience has shown that at-risk youth learn or reinforce criminal behaviour in custodial centres; only when diverted to community options are they more likely to be reformed.

6. **Punishments eclipse the crime.** The slogan for one proposal was *Ending House Arrest for Serious and Violent Criminals Act*, but Bill C-10 will actually also eliminate conditional sentences for minor and property offenders and instead send those people to jail. Is roughly \$100,000 per year to incarcerate someone unnecessarily a good use of taxpayers' money?

7. Training predators. Bill C-10 would force judges to incarcerate people whose offences and circumstances clearly do not warrant time in custody. Prison officials will have more latitude to disregard prisoners' human rights, bypassing the least restrictive means to discipline and control inmates. Almost every inmate will re-enter society someday. Do we want them to come out as neighbours, or as predators hardened by their prison experience?

8. Justice system overload. Longer and harsher sentences will increase the strains on a justice system already at the breaking point. Courts and Crown prosecutors' offices are overwhelmed as is, legal aid plans are at the breaking point, and police forces don't have the resources to do their jobs properly. Bill C-10 addresses none of these problems and will make them much worse.

9. Victimizing the most vulnerable. With mandatory minimums replacing conditional sentences, people in remote, rural and northern communities will be shipped far from their families to serve time. Canada's Aboriginal people already represent up to 80% of inmates in institutions in the prairies, a national embarrassment that Bill C-10 will make worse.

10. How much money? With no reliable price tag for its recommendations, there is no way to responsibly decide the bill's financial implications. What will Canadians sacrifice to pay for these initiatives? Will they be worth the cost?

Canadians deserve accurate information about Bill C-10, its costs and its effects. This bill will change our country's entire approach to crime at every stage of the justice system. It represents a huge step backwards; rather than prioritizing public safety, it emphasizes retribution above all else. It's an approach that will make us less safe, less secure, and ultimately, less Canadian.