

Necessity is the plea for every infringement of human freedom; it is the argument of tyrants; it is the creed of slaves.

*- William Pitt
(1759 - 1806)*



Bill C-10 – The Omnibus Bill

As this issue of *The Reporter* is being composed, the Federal Government is proceeding with implementation of the Omnibus Bill (C-10).

An omnibus bill, from the Latin "omnibus" meaning "everything," is a single document that is accepted in a single vote by legislature but packages together several measures into one or combines diverse subjects into a single bill (Source: Wikipedia: The Free Encyclopaedia)

We are concerned that the proposed Omnibus Bill will be extremely expensive, will not promote public safety in the long run, and will endanger the safety of offenders and correctional staff in the short term by increasing the numbers in custody while infringing on rights, undermining principles of justice, hindering rehabilitation, and having a disproportionately harsh impact on the most vulnerable segments of society.

The following is a short list outlining the above issues in greater detail.

1. The proposed federal changes are based on a punishment model. Punishment is based on the theory of deterrence that states that if we have swiftness of punishment, certainty of punishment and only severe enough punishment, an offender will be deterred from committing future criminal events. The proposed changes will lead to court delays thus further decreasing the concept of swiftness of punishment. Further, there is never certainty of punishment. Therefore, a model based on punishment and deterrence cannot work. Lastly, because this Bill is directed toward punishment, there is very little if anything within the changes to look at crime prevention or to help victims.
2. More people in jail and for longer prison sentences will not create safer streets and communities. The evidence from research

All, too, will bear in mind this sacred principle, that through the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal must protect, and to violate would be oppression.

- Thomas Jefferson

<http://static.nicic.gov/Library/023358.pdf> and from people working

within the criminal justice system has shown that most people sent to prison are either released in the same condition as they went in or may in fact come out worse. Therefore, more and longer prison sentences may actually lead to less safe communities.

3. The Omnibus bill will contribute to the current problem of prison overcrowding. Overcrowding endangers both inmates and Correctional staff and reduces access to rehabilitative and reintegration programs needed to support long term community safety.
4. The Omnibus bill will be very costly. Some estimates indicate that there will be increases into the billions. On average it costs \$85,000 to \$120,000 to house an offender in jail for one year with no positive impact on community safety. What if we used this money to hire a teacher or health care worker? Further, some believe that the Omnibus bill may bankrupt Canada similar to how the "tough on crime" 3 strikes law in California passed in 1984 is now bankrupting that State. Further, the majority of the cost of the changes or the results of Bill C-10 will rest on the shoulders of the Provinces and individual tax payers and it is likely that our health care and education systems will pay the price. The

following graphic depicts the estimated cost breakdown:



5. The Omnibus bill attempts to alleviate crime and its consequences. However, the crime rate in Canada is at its lowest point since 1973 and the overall crime rate has been falling every year for 21 years in a row. The question then is, "why are we making such changes at an unbelievable cost if our crime rates have been falling year after year?"
6. Have we learned nothing from the mistakes of our friends to the South? Various States implemented similar "tough on crime" legislation back in the 1980's and are now realizing that it's too costly and the changes did not create safer streets or

communities. In fact, everyone from former President Jimmy Carter to former leader of the House of Representatives Newt Gingrich, have spoken out against the use of mandatory minimums and have urged Canada not to copy U.S. mistakes.

http://www.huffingtonpost.ca/2011/10/17/texas-conservatives-rejection_1016705.html

7. Prison is currently being used to house the most vulnerable segments of our population (the mentally ill – 40% of the prison population; ethnic minorities – First Nations 2.9% of the general population, but 18-22% of the prison population; severely drug addicted – 80-90% of the prison population; and petty criminals – the vast majority of the prison population). Bill C-10 will further marginalize these populations.
8. The proposed changes will restrict access to certain individuals applying for a pardon and will increase the fees from just over \$100 to well over \$600. There is no evidence based justification for either of these changes and will make it virtually impossible for some to get future employment, placing an unnecessary obstacle in the way of those trying to move forward and live crime free lives.
9. Bill C-10 would impose a number of new minimum sentencing requirements, limiting the discretion of judges to impose

shorter and/or conditional sentences for a long list of offences. As these minimum sentences are all under two years, those convicted are most likely to be incarcerated in provincial jails. Minimum sentences will also mean more trials and fewer pleas, resulting in more pressure on provincial courts and longer stays in remand facilities. In short, Bill C-10 will have a negative and immediate impact on a court and correctional system that is already overburdened and working beyond capacity.

We at The John Howard Society of Alberta firmly believe that it's time to focus on evidence based research that has been around for decades, which refutes the claims contained within the Omnibus Bill. Further, it's time we focus on the causes of crime, instead of paying endlessly for the consequences.



Nothing is more destructive of respect for the government and the law of the land than passing laws which cannot be enforced.

- Albert Einstein



Making a Contribution

The John Howard Society of Alberta is an agency composed of citizens in Alberta who are interested in criminal justice reform and preventing crime in our communities. We recognize that dealing with crime is the responsibility of the community, as well as public agencies.

We gratefully accept donations to help offset the costs of our efforts in criminal justice reform and crime prevention. Donations are income tax deductible.

To make a donation or provide feedback, please contact us at the address at left/bottom.

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Prevention, not prisons.

- Vision of The John Howard Society of Alberta