

The true cost of 'tough on crime'

Catherine Gogan and Catherine Latimer, National Post · Jul. 18, 2012 |

In a recent article ("The payoff for being tough on crime", July 11), Public Safety Minister Vic Toews claims that the John Howard Society "distorts the facts," presumably about the consequences of the "tough on crime" agenda. As an evidence-based organization dedicated to effective, just and humane responses to crime, the John Howard Society would like to learn exactly what Minister Toews believes to be these factual distortions.

Our principle concern is that the Omnibus Crime Bill and other reforms will subject a justice system already in crisis to unsustainable pressures. In British Columbia, the courts are so backlogged that [many] charges had to be dropped because of delays threatening to violate rights to a speedy trial. More than half the people behind bars in this country have not yet been convicted and sentenced for the offences charged, but nevertheless languish in pre-trial detention facilities. The conditions in many such facilities are grim - often with three people crammed into cells originally intended for one; without rehabilitative programs; and, in some cases, without even access to books. Many correctional facilities are also experiencing serious crowding. The Saskatchewan Ombudsman has reported that the five adult male correctional facilities in that province were at 200% capacity, and the corrections chair of the B.C. Corrections Employees' Union says their nine provincial prisons are at 170% of capacity.

This level of prison crowding increases the risk of violence for both correctional workers and inmates; impairs access to rehabilitative programs and services that lead to a safer return of prisoners to communities; makes access to core services like medical and psychiatric assistance more difficult; and could violate Charter protections against cruel and unusual punishment.

In claiming that the "tough on crime" agenda did not lead to (federal) prison increases, Minister Toews conveniently overlooks the fact that Bill C-10, the centrepiece of the "tough on crime" agenda, has not yet been fully implemented. For example, amendments to the Youth Criminal Justice Act are not slated to take effect until October 2012. The changes to the conditional sentence provisions and the controversial mandatory minimum sentences for drug offence penalties will not take effect until November 2012.

It is far too early to conclude that the "tough on crime agenda" has resulted in any cost savings, although it is likely that the provinces would welcome the perceived \$1.5-billion federal corrections windfall being transferred to them, since they face the staggering challenge of implementing this agenda. For it is the provinces and territories that will bear the lion's share of the costs. They will also face Charter challenges if their justice and corrections systems are unable to comply with the additional demands imposed by the federal legislation.

The John Howard Society sincerely hopes that Minister Toews is correct in his prediction that there will be no significant increase in prison rates flowing from the Conservative government's "tough on crime" plan. We hope he is not ignoring the impacts on provincial and territorial prisons and remand centres, and we would welcome full access to the data, assumptions and studies on which his predictions are based.

Contrary to Minister Toew's characterization of John Howard Society policies, we believe that the justice system should be just, with swift and fair processes leading to proportionate accountability for those convicted. The corrections system should similarly be corrective, with sentences administered in a humane manner that promotes rehabilitation. We finally believe that the public safety system should really make us safer: with effective measures to prevent crime before it happens and programs that truly promote eventual reintegration into the community.

Actions have consequences, and Canadians deserve to know the true cost and impact of the federal government's crime agenda. Canadians also deserve the best possible strategies for reducing crime in our communities, guided by evidence and fully disclosed, undistorted facts.

Catherine Gogan is President of The John Howard Society of Canada.

Catherine Latimer is Executive Director of The John Howard Society of Canada.