

John Howard

THE JOHN HOWARD SOCIETY OF CANADA
La SOCIÉTÉ JOHN HOWARD DU CANADA

Submission to the House of Commons
Standing Committee on Justice and Human Rights
regarding

Bill C-48, An Act to amend the Criminal Code and
Consequential Amendments to the National Defence Act
(Protecting Canadians by Ending Sentence Discounts for Multiple Murders
Act)

40th Parliament, 3rd Session

December 7, 2010

Mission Statement of the John Howard Society of Canada:

“Effective, just and humane responses to the causes and consequences of crime.”

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Opening Statement, December 7, 2010

I thank the Committee on behalf of the John Howard Society of Canada for the invitation to appear. We appreciate the opportunity to meet with you today to discuss Bill C-48 (Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act).

The John Howard Society of Canada is a non-profit organization whose Mission is the promotion of *“effective, just and humane responses to the causes and consequences of crime”*.

The Society has 65 front line offices across the country delivering programs and services to support the safe reintegration of offenders into our communities.

The John Howard Society of Canada does not support this legislation.

We do not believe that there is within the Canadian public, inclusive of victims, an informed appetite for 50 year minimum sentences. In addition, we do not believe that such sentences can be reasonably seen as effective, just, or humane responses to the causes and consequences of multiple murders.

As was evidenced by testimony before this Committee on Bill S-6 related to the “faint hope clause”, currently periods of incarceration in this country, for those convicted of first degree murder prior to release on parole are already twice as long as most western democracies.

How do we as a country justify a doubling of this already excessive time in prison?

What will motivate a twenty-year old, caught by this legislation, to work towards rehabilitation when their first eligibility for parole release is at the age of seventy?

At what risk are we placing those who work and live with individuals serving a minimum 50 year sentence?

What message as a criminal justice system do we send in terms of our commitment to timely and effective reintegration?

The Backgrounder document released by the Department of Justice in October of this year on Bill C-48 entitled: “Ending Sentence Discounts for Multiple Murderers” reads in part:

“Families of victims argue the fact that, life sentences for multiple murders served concurrently, devalues the lives of victims and puts Canadians at risk by allowing multiple murderers to be paroled earlier than merited, given the seriousness of their crimes. The proposed amendments to the Criminal Code would address this situation by allowing judges to impose consecutive parole ineligibility periods on individuals convicted of more than one first-or-second degree murder.”

First, I do not believe you can put a value on human life. The grief and hurt of family members following the murder of a loved one cannot be reasonably addressed through amendments to the Criminal Code. The process of addressing this pain begins with the provision of individualized support and services within the local community, and through the assurance that timely and relevant information concerning the specifics of their circumstances is made available by the responsible government agencies.

Second, we have currently within our criminal justice system a conditional release process which has as its priority the protection of society. Although the timing of conditional release reviews is governed by legislation, the decisions to release are governed by the assessed risk that individuals pose to the community. As we know the existing system is quite capable of extending periods of incarceration well beyond parole eligibility dates. I am unaware of any instances where a multiple murderer has been paroled “earlier than merited”.

The proposed legislation potentially extending parole ineligibility to a minimum of 50 years addresses neither of the above identified concerns.

Nor does it enhance the concept of truth in sentencing or the public’s confidence in our justice system.

I thank you for your attention and look forward to your questions.