

PROROGUING JUSTICE: IS HARPER TOUGH ON CRIME, OR HARD ON TRUTH

Prorogation - the shutting down of the House of Commons and, indeed, the entire Parliamentary process - causes all legislation to “die on the order paper”. Any Bills (proposed legislation) being debated in the House or the Senate no longer exist.

The exceptions are Private Members’ Bills. These are re-introduced at whichever point they were left prior to the prorogation. All the rest require the government to seek the consent of the House to receive the same treatment. Otherwise, they must be re-introduced as new Bills -as if they had never had been presented before.

Included in this category is all of the government’s “vaunted” justice legislation, some of it worthy of debate, but, in the main, items used in order to accuse the opposition parties of being “soft on crime” and highlighting the “tough on crime” agenda of the Conservatives.

Now we know that not even Stephen Harper and his caucus believe in that anymore, otherwise, they wouldn’t have abandoned 19 crime and justice Bills so flippantly or cavalierly by shutting down Parliament!

Perhaps that’s a good thing. Their “anti-crime package” would have taken the country down a questionable road of increasing an incarceration rate without:

- i. addressing crime prevention;
- ii. increasing the human resources or the technological equipment of the law enforcement agencies,
- iii. providing for increased court capacity or;
- iv. addressing some of the root causes of crime events based on mental illness or substance dependency.

They were, however, prepared (a) to arrest and jail a greater number of criminals (1300, or 10% more than the current 13000 in our jails and (b) to fund the construction and maintenance of that infrastructure at an estimated cost in excess of \$100,000 per cell and a similar amount to service each prisoner annually. Put differently, they were planning to spend an additional \$3 Billion in year one, and a further \$1.5 Billion more in operations every year thereafter to lock more people up.

They did not allocate a single dollar for rehabilitation or reintegration (including substance abuse treatment and mental illness care), even though 90% of prison population will eventually be released into the general public. In fact, Harper has slashed crime prevention funding to half of what it was under the Liberal government and made Virtually no meaningful investment in rehabilitation and reintegration programmes for offenders, leaving the general public insecure, if not helpless.

To ensure safer communities and a secure environment for our children, we need an effective justice system to keep peace and order. Harper’s “lock-em up” and “hang-em high” approach might satisfy a primal urge, but it is hardly a substitute for intelligent proactive planning. His approach in the USA has

resulted in a 500% increase in incarceration, a 70% re-offend rate and only the same decline in overall and violent crime as in Canada. We are still relatively fortunate to have a re-offend rate of only 36%.

But now, with prorogation, we can't even debate the merits of the comparisons, the efficacy of the measures proposed or indeed if the direction itself is anything more than mere Harper "huff". Clearly, if actions speak louder than words, he doesn't believe in a justice agenda anymore.

Liberals and the opposition parties are the only ones researching, debating and looking for solutions that the challenges of a "drug and street gang culture" pose to safe and secure community. Harpers answer is to simply "be tougher" on criminals, not how to catch them or how to prevent crime. Even here, once the short-term political gain of actually expressing a view is accomplished, he has shown he will abandon the hard work of fashioning a legislative framework and convincing others of the value of his approach.

We can thank prorogation for opening our eyes.

The Hon. Joe Volpe, P.C., M.P.
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