

Hoskins, Jeannie SG:EX

From: Labh, Janet AG:EX
Sent: Thursday, November 3, 2011 4:16 PM
To: Hoskins, Jeannie SG:EX
Cc: Philippides, Edna M AG:EX; Nelson, Jacquelyn M AG:EX
Subject: RUSH BN - Federal Bill C-10 Costs - 388372
Attachments: 388372 - Bill C-10 Costs.docx

Importance: High

Here is the amended BN which includes Lori's signature block for her review and consideration. I will send this version to David.

Thanks

*Apparently Brent
has approved.*

*I would like an
electronic copy
please.*

*hw
11/3/11*

**MINISTRY OF ATTORNEY GENERAL and
MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
Justice Services Branch
BRIEFING NOTE**

TOPIC: Costs of the Federal Omnibus Bill -*The Safe Streets and Communities Act* (Bill C- 10)

PURPOSE OF NOTE:

- ONLY FOR INFORMATION OF: ATTORNEY GENERAL
- MEETING REQUIRED: Yes (at Minister's request)

ISSUE:

How significant will the cost impacts of C-10 be on British Columbia's justice system?

EXECUTIVE SUMMARY:

On September 20, 2011 the federal government introduced Bill C-10, a lengthy and complicated piece of legislation that reintroduces nine Bills from the last session of Parliament, with minor changes.

Predicted Costs:

s.13, s.16

Implementation Dates:

The federal government has indicated that they wish to pass C-10 within 100 sitting days of Parliament, and will set implementation dates almost immediately after Royal Assent.

s.13, s.16

BACKGROUND

The Safe Streets and Communities Act (C-10) introduces a wide variety of legislative proposals including:

- increased or imposed mandatory minimum penalties for sex offences against children;
- mandatory minimum penalties for drug crimes;
- amendments to the *Youth Criminal Justice Act*;
- further restrictions on the use of conditional sentences for serious offences;
- allowing victims of terrorism to sue perpetrators of terrorism;
- establishing the right of a victim to make a statement at parole hearings and providing victims with information about offender transfers and participation in correctional programming;
- creating "record suspensions" to replace "pardons," which have longer ineligibility periods and make some offenders ineligible;
- modifying the list of factors that the federal Minister of Public Safety may consider in deciding whether to consent to the transfer of a Canadian offender convicted abroad; and
- allowing Immigration Officers to refuse to authorize foreign nationals to work in Canada in cases where they may be at risk of exploitation.

While provinces and territories were anticipating the Omnibus Bill, they were not involved in developing it, nor were they given the details of what would be included in advance of tabling the bill.

Costs:

s.13, s.16

With the minor exception of the adult-to-adult procuring provision, none of the legislative proposals in Bill C-10 were developed in consultation with the provinces and territories.

s.13, s.16

s.13, s.16

British Columbia Costs

s.13, s.16

s.13, s.16

s.13, s.16

Implementation Dates

The federal government has indicated that they wish to pass C-10 within 100 sitting days of Parliament, and will set implementation dates almost immediately after Royal Assent. (Most of the provisions will come into force on a day or days to be fixed by order of the Governor in Council; other provisions will become law upon Royal Assent.) It is the usual federal practice to ask provinces and territories how much time they require for implementation of major federal crime bills. However, the federal government has indicated that they prefer no delay in the legislation coming into force.

When legislation is introduced, branches require time for developing new operational policies and forms, hiring new staff, training personnel, and in some cases making the necessary adjustments to facilities. Policies, forms and training must be based on the legislation as it received Royal Assent, not as it was introduced, due to changes that can occur over the course of hearings and debates. Therefore, the time at which officials can begin to instruct staff or develop new policies is at the point of Royal Assent.

PREPARED BY:

Jacquelyn Nelson
Director, FPT Criminal Justice
250 387-5004

In consultation with:


Criminal Justice Branch, Court Services Branch,
Ministry of Children and Family Development
PSSG: BC Corrections Northwest Territories, Alberta, Saskatchewan,
Manitoba, Ontario, New Brunswick, Nova Scotia

Approved by: Jay Chalke, QC
Assistant Deputy Minister

Date: November 3, 2011

Approved by:

David Loukidelis QC
Deputy Attorney General


Lori Wanamaker CA
Deputy Solicitor General

Hoskins, Jeannie SG:EX

From: Sitter, Donna GCPE:EX
Sent: Tuesday, September 20, 2011 10:20 AM
To: Hoskins, Jeannie SG:EX; Louie, Toby I SG:EX
Subject: Just FYI - Omnibus federal crime bill introduced today

**GOVERNMENT OF CANADA INTRODUCES THE *SAFE STREETS
AND COMMUNITIES ACT***

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**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
CORRECTIONS BRANCH
BRIEFING NOTE**

PREPARED FOR: Hon. Shirley Bond, FOR INFORMATION

ISSUE:

- Impact on BC Corrections of federal tough on crime legislation (Bill C-16/ C-25)

BACKGROUND:

C-16: Ending House Arrest for Property and Other Serious Crimes by Serious and Violent Offenders Act

- Given first reading in the House of Commons on April 22, and second reading on May 6, 2010.
- It is now being reviewed by the Justice and Human Rights Committee.
- The Bill will amend section 742.1 of the Criminal Code to eliminate the use of conditional sentencing for serious personal injury offences.
- It also restricts the availability of conditional sentences for (a) all offences for which the maximum term of imprisonment is 14 years or life and (b) specific offences such as prison breach, luring a child, and sexual assault when prosecuted by way of indictment, for which the maximum term of imprisonment is 10 years.

C-25: Truth in Sentencing Act

- This legislation became law on February 23, 2010 and provides the courts with clear guidance and limits for granting credit for pre-sentencing custody.
- In June 2010, Parliamentary Budget Office released report projecting C-25 will increase provincial custody by 57%.
-

s.13, s.17

DISCUSSION:

-
-

s.13, s.16

- The Correctional Service Canada adopted a new policy due to anticipated increases from legislation. Commissioner's Directive 550 now allows up to 20% of inmates to share a cell in secure custody.

s.13, s.16

s.13, s.16

s.13 s.16

KEY POINTS:

- s.13 s.16
- In June 2010, Parliamentary Budget Office released report projecting C-25 will increase provincial inmates count by 57%.
-
- s.13

Prepared by:
Ken Nygaard
Planning Analyst
Corrections Branch
250 387-5098

Approved by:
Brent Merchant
Assistant Deputy Minister
Corrections Branch
250 387-5363

Hausmann, April LCTZ:EX

From: Dicastri, Steve JAG:EX
Sent: Wednesday, September 28, 2011 6:45 AM
To: Steele, Karyne JAG:EX
Subject: FW: BILL C-10

-----Original Message-----

From: Coulson, Peter SG:EX
Sent: Monday, September 26, 2011 10:59 AM
To: Doherty, Patrick SG:EX; Anderson, Lisa R SG:EX; Davis, Gordon E SG:EX; Dicastri, Steve SG:EX; Green, Dina I SG:EX; Hawboldt, Debbie J SG:EX; Hawkins, Joanne SG:EX; Hodgson, Rick SG:EX; Pastorek, John SG:EX; Vike, Evan SG:EX
Subject: FW: BILL C-10

For Information...

Pete Coulson
Provincial Director
BC Corrections - Adult Custody Division
Min. of Public Safety and Solicitor General
office: (250) 387-5959
mobile: (250) 508-7806
fax: (250) 952-6883

-----Original Message-----

From: Merchant, Brent SG:EX
Sent: Wednesday, September 21, 2011 2:19 PM
To: Currie, Sylvia SG:EX; Gress, Carmen SG:EX; Balicki, Stan SG:EX; Clark, Elenore SG:EX; Coulson, Peter SG:EX; Hawboldt, Debbie J SG:EX; Hendricks, Susan SG:EX; Howard, Tedd SG:EX; Mayhew, Marnie SG:EX; Merchant, Brent SG:EX; Small, Bill R SG:EX; Vallance, David E SG:EX
Subject: FW: BILL C-10

The links below may help define the impact some of the legislative changes may have on our system.

Brent Merchant
Assistant Deputy Minister
BC Corrections Branch

Brent.Merchant@gov.bc.ca
Office: 250-387-5363
Cell: 250-588-8959

Pages 13 through 14 redacted for the following reasons:

s.16

Hausmann, April LCTZ:EX

From: Dicastri, Steve JAG:EX
Sent: Wednesday, September 28, 2011 8:33 AM
To: Steele, Karyne JAG:EX
Subject: FW: For Information

Well looks like bigger people than me are doing this study.
Just focus on what implications this could have on our district
Thanks

From: Coulson, Peter SG:EX
Sent: Wednesday, September 28, 2011 8:09 AM
To: Doherty, Patrick SG:EX; Anderson, Lisa R SG:EX; Davis, Gordon E SG:EX; Dicastri, Steve SG:EX; Green, Dina I SG:EX; Hawboldt, Debbie J SG:EX; Hawkins, Joanne SG:EX; Hodgson, Rick SG:EX; Pastorek, John SG:EX; Vike, Evan SG:EX
Subject: For Information

Federal crime law reform may cost B.C
Times Colonist (Victoria)
Wednesday, September 28, 2011
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Hausmann, April LCTZ:EX

From: Dicastri, Steve JAG:EX
Sent: Wednesday, September 28, 2011 8:32 AM
To: Steele, Karyne JAG:EX
Subject: FW: For Information

Dont distribute but FYI

From: Coulson, Peter SG:EX
Sent: Wednesday, September 28, 2011 8:14 AM
To: Doherty, Patrick SG:EX; Anderson, Lisa R SG:EX; Davis, Gordon E SG:EX; Dicastri, Steve SG:EX; Green, Dina I SG:EX; Hawboldt, Debbie J SG:EX; Hawkins, Joanne SG:EX; Hodgson, Rick SG:EX; Pastorek, John SG:EX; Vike, Evan SG:EX; Buckham, Nathan SG:EX; Dadachanji, Jasmine SG:EX; Davies, Robert SG:EX; Dix, Steve SG:EX; DuTemple, Teri SG:EX; Gunnarson, Erin N SG:EX; Hutchinson, Julie SG:EX; Luknowsky, Myrna L SG:EX; Ooms, Tracey L SG:EX; Ormsby, Sherry SG:EX; Pater, Lori SG:EX; Porter, Tony SG:EX; Reese, Robert SG:EX; Saunders, Peter SG:EX; Trotter, Paula SG:EX
Subject: For Information

\$458-million for one year

Globe and Mail

Wednesday, September 28, 2011

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By Bill Curry

OTTAWA

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