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Press Release For Immediate Distribution

Bill C2 –Nasty Criminal Law Will Achieve Nothing for Public Safety

Like laboratory chimpanzees who learn that putting two sticks together helps them knock down bananas from the top of a cage, Canadian politicians have learned that passing so-called tough-on-crime laws gets them a low-hanging reward. This intoxicating discovery has given us nastier criminal laws but not much else.

Toronto, ON, February 29, 2008 – The Criminal Lawyers' Association (Ontario) deplores the passage of laws like Bill C-2, which achieve cheap headlines but do not improve public safety. The Bill should never have been passed. It is constitutionally suspect. It will tie up the criminal justice system for years in procedural confusion. Its long sentences will fill our jails, a dangerous and expensive addiction. It will not make our cities and towns any safer.

Mandatory minimum sentences simply do not work. We have learned this lesson from the United States. Just yesterday, the *New York Times* reported that 1 in 100 American adults are incarcerated. Much of this is due to mandatory minimum sentences. Yet the Government insists that mandatory minimum sentences will work here. Three strikes laws have also been a demonstrated failure in the U.S. Yet our Government insists they will work in Canada.

Suggesting that we need to raise the age of consent to protect minors from sexual exploitation ignores the fact that the Criminal Code already has numerous criminal offences that address this very issue. Hastily passing legislation to combat drug and alcohol impaired driving without respecting the constitutional limits on such laws shows politicians putting expediency ahead of effectiveness. All of this ignores the fact that the violent crime rate has fallen dramatically over the last two decades. We already have tough criminal laws and a judiciary that hands out tough sentences to criminal offenders.

The Government and the opposition politicians who supported the passage of this law ought to have their bananas confiscated.

The Criminal Lawyers' Association (CLA) is one of the largest specialty legal organizations in Canada, with more than 1,000 members. The CLA is a voice for everyone concerned with the quality of criminal justice. Our advice and perspective is sought often by all levels of government and the judiciary on issues relating to legislation and the administration of criminal justice. The CLA also strives to assist its members in every aspect of the practice of criminal litigation.

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For copies of the CLA submissions on Bill C2

http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/lega-e/45157-e.htm?Language=E&Parl=39&Ses=2&comm_id=11
<http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/lega-e/45157-e.htm?Language=E&Parl=39&Ses=2&comm_id=11>

And here is a copy of the Senate Committee Report with comments (which adopt many of CLA's submissions)

<http://www.parl.gc.ca/39/2/parlbus/commbus/senate/com-e/lega-e/rep-e/rep08feb08-e.htm>