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House of Commons  
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**CRIME PREVENTION IN CANADA:  
TOWARD A NATIONAL STRATEGY**

**TWELFTH REPORT OF THE STANDING COMMITTEE ON  
JUSTICE AND THE SOLICITOR GENERAL**

**Dr. Bob Horner, M.P.  
Chairman**

**February 1993**

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Chairman**

**February 1993**

HOUSE OF COMMONS

Issue No. 87

Tuesday, February 23, 1993

Chairperson: Bob Horner

CHAMBRE DES COMMUNES

Fascicule n° 87

Le mardi 23 février 1993

Président: Bob Horner

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*Minutes of Proceedings and Evidence of the Standing Committee on*

*Procès-verbaux et témoignages du Comité permanent de la*

## **Justice and the Solicitor General**

## **Justice et du Solliciteur général**

---

RESPECTING:

Pursuant to Standing Order 108(2), consideration of questions relating to Crime Prevention

INCLUDING:

THE TWELFTH REPORT TO THE HOUSE

CONCERNANT:

Conformément à l'article 108(2) du Règlement, l'examen des questions relatives à la prévention du crime

Y COMPRIS:

LE DOUZIÈME RAPPORT À LA CHAMBRE

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Third Session of the Thirty-fourth Parliament,  
1991-92-93

Troisième session de la trente-quatrième législature,  
1991-1992-1993

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Russell MacLellan  
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Richard Dupuis

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The Standing Committee on Justice and the Solicitor General has the honour to present its

**TWELFTH REPORT**

Pursuant to Standing Order 108(2), your Committee has considered questions relating to Crime Prevention.

Your Committee adopted the following Report with recommendations which read as follows:

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The Committee also wishes to express its appreciation to the central staff for their excellent work and commitment and for the long hours devoted to this study.

The Committee owes a special debt of gratitude to its advisors for their dedication and great expertise. We especially thank Patricia Begin who provided research support and drafted the Report in collaboration with Philip Rosen and Marilyn Pilon of the Library of Parliament Research Branch.

In particular, we wish to thank the Clerk of the Committee, Richard Dupuis, who ably scheduled the activities and managed the administrative, financial and logistical aspects of the Committee's work. We also appreciate the contribution of Nancy Hall, Assistant Clerk, Lise Tierney, Administrative Support Officer, as well as Georgette Dubeau, Administrative Assistant to the Clerk who has worked faithfully for the Committee since the beginning of its mandate.

Finally, the Committee would like to thank the staff of the Committees Directorate, and all the support services of the House of Commons in particular the Centralized Support and Publications Service (CSPS) for their co-operation and publication of this report. Thanks also to the interpreters and to the translators of the Secretary of State.



# ***CRIME AND PREVENTION IN CANADA***

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## **INTRODUCTION**

The problem of crime affects the quality of life throughout the world, especially in cities. It is now widely recognized that traditional criminal justice responses, while necessary, are insufficient deterrents to acts that threaten public safety and security.

The “police, courts and corrections” approach to crime comes into play once an offence has been committed. Critics maintain, however, that the identification and punishment of criminals are, on their own, ineffective means of reducing the future risks of victimization and promoting community safety. The conventional crime control model

- 1) *fails to cope with the actual quantity of crime*: An unknown number of crimes are undetected, and many of those discovered are not reported to police. For example, a 1988 national victimization survey in Canada found that only 54% of household victimizations and 33% of personal victimizations are reported to law enforcement agencies.<sup>1</sup>
- 2) *fails to identify many criminal offenders and bring them to justice*: The perpetrators of a significant number of reported crimes are never identified.
- 3) *fails to rehabilitate those offenders who are identified by the justice system*: When an offender is apprehended, convicted and incarcerated, the protection of society may be, at best, short term. Offenders who serve custodial sentences and participate in prison programs are not necessarily rehabilitated when they return to society. Even if correctional institutions were successful in reforming 100% of the inmate population, this would have only a marginal impact on public safety; the prison population does not encompass all offenders; some people are more susceptible than others to be caught, charged, convicted and sentenced to a jail term.
- 4) *fails to address the underlying factors associated with crime and criminality*.

In recognition of the inherent inadequacy of the criminal justice system as a response by society to crime and the fear it inspires, and in response to public appeals for preventive action, the Standing Committee on Justice and the Solicitor General unanimously agreed on May 6, 1992, to commence a national study of crime prevention in the Fall of 1992.

Over a four month period, from November 1992 to February 1993, the Committee heard and received written submissions from over 100 witnesses. They included crime prevention practitioners, academics, crime victims, government officials, community groups, volunteers and law enforcement agencies.

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<sup>1</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Criminal Victimization in Canada: the Findings of a Survey*, Vol. 10, No. 16, Minister of Supply and Services, Ottawa, October 1990.

From the evidence presented to the Committee, which is discussed in this report, the members of the Committee are convinced that threats to the safety and security of Canadians will not be abated by hiring more police officers and building more prisons. The following chart sets out the imprisonment rate (adults and juveniles) in several countries. The rate is per 100,000 total population.<sup>2</sup>

United States	426.0
Canada	112.7
United Kingdom	97.4
France	80.3
Australia	78.7
Sweden	56.0
The Netherlands	40.0

If locking up those who violate the law contributed to safer societies then the United States should be the safest country in the world.

In fact, the United States affords a glaring example of the limited impact that criminal justice responses may have on crime. In 1991, the U.S. Senate Judiciary Committee described the U.S. as "the most violent and self-destructive nation on earth." The Committee concluded from FBI data on violent crime that in 1990 "the United States led the world with its murder, rape and robbery rates."<sup>3</sup> Every hour, approximately 200 Americans become victims of violence,<sup>4</sup> despite the fact that United States' annual expenditures on police, courts and corrections exceed \$70 billion<sup>5</sup> and that the United States imprisons its population at a higher rate than any other country for which data on incarceration rates are available.<sup>6</sup> Though, admittedly, the Canadian crime situation is not as critical as that of its neighbour to the south, evidence from the U.S. is that costly repressive measures alone fail to deter crime. The Committee unanimously agrees that crime prevention is the best policy choice.

The Committee accepts that crime will always be with us in one form or another, and will require police, court, and correctional interventions. At the same time, it believes that our collective response to crime must shift to crime prevention efforts that reduce opportunities for crime and focus increasingly on at-risk young people and on the underlying social and economic factors associated with crime and criminality. This comprehensive approach involves partnerships between governments, criminal justice organizations, and community agencies and groups. And it situates the crime problem in a community context and sees its solution as a social question.

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<sup>2</sup> Correctional Services Canada, *Basic Facts About Corrections in Canada 1991*, Minister of Supply and Services, Ottawa, 1991.

<sup>3</sup> Tim Weiner, "The Most Violent Nation On Earth," *The Ottawa Citizen*, 13 March 1991.

<sup>4</sup> *Ibid.*

<sup>5</sup> Irvin Waller, *Introductory Report: Putting Crime on The Map*, International Conference on Urban Safety, Drugs and Crime Prevention, 18-20 November 1991, p. 25.

<sup>6</sup> *Ibid.*

The crime prevention approach adopted by the Committee is not a conventional one, nor does it yet engage the efforts of numbers in any way commensurate with those involved in traditional crime control programs. Yet the challenge it represents is aptly expressed in the following metaphor of Henry David Thoreau:

There are a thousand hacking at the branches of evil to one who is striking at the roots.

This report represents the Committee's unanimous view, developed in light of the testimony it heard. The following section sets out the crime situation in Canada as described in official statistics for 1991 and in a national crime victimization survey conducted in 1988. The costs and impact of crime are then discussed. This is followed by a description of the characteristics of the offenders who are responsible for most breaches of the law. Finally, the proposed approach and measures to enhance community safety and the federal role in crime prevention are examined.

## CANADIAN CRIME IN 1991<sup>7</sup>

The Committee is in agreement with the witnesses who stated in their submissions that crime levels in Canada are unacceptably high.

In 1991, the crime rate (number of *Criminal Code* offences per 100,000 population) in Canada was 10,736 offences, representing a 9% increase over the previous year's rate. This was the third consecutive year in which an increase was recorded. *Criminal Code* offences accounted for 84% of all offences reported to police. Violations of federal and provincial statutes and municipal by-laws comprised the remaining reported offences.

Canadian crime is, in the main, a problem of property loss and damage committed by males; that is the majority of non-highway offences are crimes against property rather than crimes of violence, and the majority of those charged with *Criminal Code* offences are male.

Sixty percent (60%) of all *Criminal Code* offences known to police in 1991 were property crimes, while 10% were crimes of violence. The remaining *Criminal Code* offences include mischief, bail violations, disturbing the peace, etc.

Between 1981 and 1991, there was a significant increase (65%) in violent offences. The increase reflects both an actual increase in crimes of violence and a greater willingness on the part of victims of violence, particularly violence that occurs in the home, to make reports to the authorities. In fact, while past research has found that men were more likely to be victims of violent crime,

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<sup>7</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Canadian Crime Statistics 1991*, Cat. 85-202, Minister of Industry, Science and Technology, Ottawa, 1992.

statistics on adult victims of violent crime in 1991, reported by 15 Canadian police departments, indicate that women are now as likely as men to be victims of violent offences and the majority of these offences occur in their home.<sup>8</sup>

The 1991 data reveal gender differences in the relationship between the victim and the assailant and in the location of the victimization. Women were more likely to be victimized by spouses or ex-spouses (43%) while this was the case for only 3% of male victims. More than one half (51%) of the males were victimized by strangers compared to 20% of the female victims. Sixty-two percent of incidents of violence against women occurred in their residence. Men, on the other hand, were more often victimized outdoors (43%) or in a public place (27%). Young offenders made up 23% of those charged under the *Criminal Code* in 1991; two-thirds were charged with crimes against property. The caseload in youth court during 1991-92 (excluding the provinces of Ontario and British Columbia), increased by 15% over 1990-91 and by 35% over 1986-87. The most common offence heard in youth court was theft under \$1000 (21%), followed by break and enter (15%).<sup>9</sup>

### **A. Crimes of Violence**

Nationally, there were 296,838 violent offences known to police in 1991, of which 87% were assaults. Of the total assault offences 12% were sexual assaults and 88% non-sexual assaults. The majority of assaults did not involve a weapon or result in serious injury. The violent crime rate was 1,099 violent crime offences per 100,000 population, representing an 8% increase over the 1990 rate.

Robbery, which accounted for 11% of violent offences, was the next most frequent crime of violence known to police. The robbery rate of 123 offences per 100,000 population represents an increase of 16% over the 1990 rate.

Of the known violent offences in 1991, homicides represented less than 1% (0.3%) of the total. The national homicide rate during that year was 2.8 offences (or victims) per 100,000 population. The 1991 rate is 7% higher than the average homicide rate of 2.6 per 100,000 population for the previous ten years.

### **B. Property Crimes**

There were 1,726,726 crimes against property in 1991. The national rate of property crime was 6,395 offences per 100,000 population. The 1991 rate is 9% higher than the property offence rate recorded in 1981.

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<sup>8</sup> Official counts of crime in Canada are provided by all police forces from across the country through a system of Uniform Crime Reports (UCR). The UCR system provides similar, comparable and national crime statistics. However, these statistics do not provide information on the characteristics of crime incidents or of victims and accused. A "revised" UCR survey is being tested by Statistics Canada in a number of non-randomly selected police departments. The "revised" survey captures information on criminal incidents reported to police and the characteristics of both victims and offenders. The data from these survey must be treated with caution because they are not derived from a representative sample of police departments and are therefore not indicative of any national or regional trends in Canada. (Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Gender Differences Among Violent Crime Victims*, Vol 12, No. 21, Cat. 85-002, Minister of Industry, Science and Technology, Ottawa, November 1992).

<sup>9</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Youth Court Statistics 1991-92 Highlights*, Vol. 12, No. 16, Minister of Industry, Science and Technology, Ottawa, September 1992.

Approximately two-thirds of all property related crime is comprised of thefts of over and under \$1,000 and of motor vehicles; break and enter offences account for a further 25% of property crimes.

Increases were recorded in 1991 in all property crime categories. Theft of motor vehicles increased by 20% from 1990, break and enters by 13%, possession of stolen goods by 13%, theft over and under \$1,000 by 7%, and fraud offences by 3%.

### **C. Drugs**

In 1991, the offence rate under the *Narcotics Control Act* was 203 offences per 100,000 population. Cannabis offences comprised 58% of all drug offences. The rate of cannabis offences declined by 16% from 1990 and the rate of cocaine increased by 25%.

## **CRIME VICTIMIZATION—1987**

The preceding section describes offences that have been reported by the public or that have otherwise come to the attention of police; however, crimes known to police do not represent the totality of criminal occurrences. Many crimes are not detected or reported. Victimization surveys collect information about crimes that are detected and that have a direct victim but are not reported. Such surveys ask people whether they have been victims of acts defined as criminal by the *Criminal Code*.

As mentioned earlier, in 1988 Statistics Canada conducted a national crime victimization survey in which a representative sample of Canadians were questioned about their experience with personal and household crime and the criminal justice system during the previous year.<sup>10</sup> Eight crime categories were surveyed, four of them comprising offences against the person (sexual assault, robbery, assault, theft of personal property) and four comprising household offences (break and enter, theft of motor vehicles or vehicle parts, theft of household property, and vandalism).

It was found that an estimated 4.8 million Canadians, or 24% of Canadian adults 15 years and over, were the victims of 5.4 million criminal incidents in 1987. (This compares with 2.4 million *Criminal Code* offences recorded officially during that year.<sup>11</sup>) Crimes against households comprised 40% of the victimizations. Personal offences accounted for more than one half (53%) of the incidents—31% involved violent offences and 22% theft of personal property. Only 40% of the victimizations revealed in the survey were reported to the police.

## **COSTS OF CRIME**

Processing the consequences of crime—apprehending, prosecuting, sentencing, incarcerating and treating offenders—costs Canadian taxpayers billions of dollars annually. In 1989-90, the services of the Canadian criminal justice system cost \$7.7 billion to maintain and employed over

<sup>10</sup> Statistics Canada, Canadian Centre for Justice Statistics, Vol. 10, No. 16, (October 1990).

<sup>11</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Crime Trends in Canada, 1962-1990*, Vol. 12, No. 7, Minister of Industry, Science and Technology, Ottawa, March 1992.

100,000 people. Police services accounted for the largest proportion of justice expenditures, followed by adult corrections.<sup>12</sup> The 1991–92 total annual budget of Correctional Services Canada (CSC) was \$950 million. In 1991 CSC was responsible for 74 parole offices, and 46 correctional institutions and 12 community correctional centres housing approximately 12,000 offenders. On a given day, there are 7,921 federal offenders on conditional release (parole, day parole and mandatory supervision, which since November 1992 has been referred to as statutory release) from a correctional facility. The average annual cost of housing an inmate in a federal institution is \$51,047 compared to \$7,916 to supervise an offender in the community on parole or mandatory supervision (now statutory release).<sup>13</sup>

The cost of constructing a new 400-bed, federal medium security correctional facility in 1992 dollars is \$60 million. The average annual cost to house an inmate in a medium security institution is \$45,356. If a 400-bed, medium security prison operates at full capacity, the yearly operating costs are approximately \$18.1 million. The Committee notes that incarcerating an additional 7,000 offenders in 400-bed, medium security prisons would require some 17 new prisons at a capital cost of approximately \$1 billion with yearly operating costs of approximately \$300 million.

Crime also imposes physical, emotional and psychological damages on victims which cannot always be quantified in monetary terms. An urban victimization survey conducted in Canada in 1981 reported that crimes involving contact between victims and offenders resulted in 50,500 nights spent in a hospital and 404,700 days lost due to some form of incapacitation.<sup>14</sup> For some victims, long term emotional harm can result.<sup>15</sup> Victims who have experienced the violent death of a child or another family member suffer a devastating loss. Victims of physical and sexual abuse endure life-long emotional trauma, leading some to abusive use of alcohol and drugs.<sup>16</sup>

Crime imposes a financial burden on victims. The 1988 Canadian victimization survey estimated that in the previous year the costs resulting from property loss and damage exceeded \$1 billion. The survey found that victims suffered a financial loss in 64% of all criminal incidents and in 93% of property victimizations.<sup>17</sup> Brian Stanhope, of the Insurance Bureau of Canada, estimates that residential, commercial and automobile thefts currently cost insurance companies \$2 billion a year in claims.(83:64) Jack Hamilton, of the British Columbia Insurance Brokers Association, noted

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<sup>12</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Government Spending on Justice Services*, Vol. 11, No. 7, Minister of Supply and Services, Ottawa, April 1991.

<sup>13</sup> Correctional Services Canada (1991).

<sup>14</sup> Solicitor General Canada, *Canadian Urban Victimization Survey: Cost of Crime to Victims*, Bulletin 5, Minister of Supply and Services Canada, Ottawa, 1985, p. 4.

<sup>15</sup> *Ibid*, p. 5.

<sup>16</sup> Judith Groeneveld and Martin Shane, *Drug Use Among Victims of Physical and Sexual Abuse: A Preliminary Report*, Addiction Research Foundation, July 1989.

<sup>17</sup> Statistics Canada, Canadian Centre for Justice Statistics, Vol. 10, No. 16, (October 1990), p. 7.

that the insurance industry recovers these costs from consumers of insurance through rate increases and higher deductibles. Moreover, he pointed out, in residential areas that have experienced continuous break-ins some residents may have difficulty purchasing insurance at any cost:

Insurance companies obviously can't charge enough premiums in some cases to keep paying for the losses. People cannot afford these premiums. A \$10,000 loss on a \$350 homeowners' insurance policy. . .it obviously takes a great number of them to pay up those losses. . .The result is that some areas become almost uninsurable and many residents have difficulty in obtaining any insurance after a while. (83:61)

In addition to insurance costs, Canadians spend an unknown amount annually on alarms, locks lighting and private security.

Crime negatively affects a community in a number of interrelated ways. The desirability of a neighbourhood, community, or city as a place to live and visit is influenced by safety considerations.<sup>18</sup> Michel Hamelin, of the Montreal Urban Community and of the Federation of Canadian Municipalities, emphasized in his submission to the Committee that the quality of life in a city is primarily determined by public safety. Economic development and environmental and urban planning efforts designed to improve the quality of life are destined to fail if high levels of crime and fear prevail, he said. (70:25) Sergeant Don Evers of the Saskatchewan Crime Prevention Network described the problem in a striking metaphor.

Just as cancer eats away at people, crime eats away at our communities and societies. If we do nothing about it, it will continue to grow and it will erode everything. (83:25)

Crime, and media reports of increased crime, produce insecurity and fear in homes, neighbourhoods and cities. In a Maclean's/CTV poll published in January 1993, 50% of Canadians reported that their feelings of personal safety from crime had become "much worse" or "somewhat worse" over the past five years.<sup>19</sup> Fear is controlling; it restricts autonomy and can result in withdrawal from normal movement and activities. Nationally, one quarter of Canadians in 1989 indicated that they did not feel safe walking alone in their neighbourhood after dark; in 1992 this view was held by 33% of Canadians—55% of women and 11% of men.<sup>20</sup> Gender, age and place of residence are factors that influence perceived risk of personal victimization. High levels of concern for personal safety were expressed by women and the elderly living in urban areas.<sup>21</sup> In her testimony before a Parliamentary Committee studying violence against women, Dr. Glenda Simms, President of the Canadian Advisory Council on the Status of Women, was critical of the limits that concerns for personal security impose on women's autonomy.

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<sup>18</sup> Irvin Waller, (1991), p. 6.

<sup>19</sup> Maclean's/CTV Poll, "The Fear Index", *Maclean's*, 4 January 1993, p. 24-26.

<sup>20</sup> *Ibid.*

<sup>21</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Juristat, Public Perceptions of Crime and the Criminal Justice System*, Vol. 11, No. 1, Cat. 85-002, Minister of Industry, Science and Technology, Ottawa, January 1991.

Women's fear is perhaps the most pervasive and widespread cost of violence. More than 50% of women in urban areas are afraid to walk on their own streets at night. It is an intolerable situation when women cannot use and enjoy facilities for which they have paid with their taxes.<sup>22</sup>

## FACTORS ASSOCIATED WITH CRIME

Studies conducted in Canada, England and the United States have found that a *minority* of male offenders are responsible for the *majority* of all crimes committed. Lorraine Audy, President of the Quebec Association of Police and Fire Chiefs and Director of the Hull Police Force, described to the Committee research findings showing that 80% of crimes are committed by approximately 20% of offenders. And the repeat offenders, with few exceptions, use drugs. (78:9)

Self-reports and arrest records of offenders who have long criminal histories tend to reveal that offending began when they were very young and that their offending became progressively more violent. A significant proportion of persistent young offenders become the adult offenders of the future. According to Dr. Marc LeBlanc, with the School of Psychoeducation, at the University of Montreal, half of the youths who appear before the youth justice system become criminals as adults. (75:5) Moreover, Dr. Tom Gabor, a criminology professor with the University of Ottawa, estimates that about 75% to 80% of incarcerated adults were persistent offenders in their youth. (75:29)

Concern about rates of youth crime, especially crimes of violence, was expressed by a number of witnesses. They pointed to crime statistics showing that over the four-year period 1988 to 1992, the rate of violent crime charges heard in youth court (excluding Ontario and British Columbia) increased by 34% in Canada. Moreover, nearly half of the young offenders charged in 1990-91 were recidivists.<sup>23</sup> These statistics, and media reports that tend to over-represent violent crimes relative to their occurrence,<sup>24</sup> have created widespread feelings of insecurity among Canadians towards young people. In 1990, 47% of Canadians felt that the behaviour of young people had "become worse" in the past five years. The percentage of the public expressing this view in 1993 had increased to 64%.<sup>25</sup>

Practitioners working with persistent young offenders have found that by the time some of them are twelve years of age they have been involved in anti-social activity for a number of years, often before they reached adolescence and before the justice system became involved with them. In its written submission to the Committee, the Canadian Criminal Justice Association (CCJA) indicated that it is possible to identify the young people who are likely to become adult offenders. The CCJA wrote:

Statistically speaking, a 10-year-old boy identified by teachers as troublesome is more likely to become delinquent by the age of 13, which makes him more likely to be convicted by the age of 16, and so on until the age of 25. It is more than platitude to say that causes of adult criminal convictions can be traced back to childhood. (p. 8)

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<sup>22</sup> Report of the Standing Committee on Health and Welfare, Social Affairs, Seniors and the Status of Women, *The War Against Women*, 3rd Session, 34th Parliament, June 1991, p. 13.

<sup>23</sup> Statistics Canada, Canadian Centre for Justice Statistics, Vol. 12, No. 16, (September 1992).

<sup>24</sup> Julian Roberts and Michelle Grossman, "Crime Prevention and Public Opinion", *Canadian Journal of Criminology*, Vol. 32, No. 1, January 1990, p. 79.

<sup>25</sup> Maclean's/CTV Poll, (4 January 1993), p. 24-26.



The Committee often heard during its deliberations that the level of crime in a society cannot be separated from the social, economic and political milieu in which it occurs. Social science research has identified many interrelated factors in the social environment of persistent offenders that contribute to their criminality. These social factors, which are mainly evident in conditions of poverty and relative disadvantage, were identified to the Committee by witnesses from across the country.

A number of witnesses emphasized the relationship between dropping out of school and coming into contact with the juvenile justice system. Young people who cannot succeed in the classroom become discouraged and abandon their studies. They lack marketable skills in an economy that is experiencing de-industrialization and high unemployment. Unable to find work, some turn to crime.

In her submission to the Committee, Sharron Hilsen of the British Columbia Crime Prevention Association spoke of the connection between illiteracy, school failure, low self-esteem and crime:

... a lot of young offenders who are getting into trouble are ones who were identified in elementary school as not being good students, not able to read and write very well.

She added:

The education system is identifying these children, but the programs are not available to do anything about it, or they don't have enough special education people to work hands-on, one to one, to bring these children up to par. By the time they're in grade 8 or 9 they can't take it any longer and they drop out. (80:19)

Superintendent Randy Cunningham, of the Moncton Police Force, also emphasized the relationship between illiteracy, dropping out of school and crime. (72:29)

Dr. Irvin Waller, an active crime prevention proponent and a criminology professor with the University of Ottawa, informed the Committee that Canada is number two among the G-7 countries in levels of child poverty. In his view, this is one of the major factors contributing to Canada's current levels of interpersonal property crime and violence. (70:6)

Gloria Nicholson of the Urban Representative Body of Aboriginal Nations Society told the Committee that the lack of available and affordable sports and recreation programs contributes to youth crime. She suggested that aboriginal youth socialize on the street, where the likelihood of becoming involved in criminal activity is high, because they have few positive alternatives. (82:23-24) Dr. Calvin Lee of the B.C Coalition for Safer Communities also spoke of the role of recreational programs in developing resiliency in immigrant children undergoing the stress of relocation in a new country. (80:36)

Dr. Marc LeBlanc told the Committee that one of the causes of delinquency is inappropriate disciplinary methods of parents. Parents who use methods of discipline that lack consistency and coherence, and that are too punitive or, occasionally, too permissive, produce children who do not adapt well to the school environment and are likely to be delinquent. (75:13)

Similarly, Dr. E. Barker, President of the Canadian Society for the Prevention of Cruelty to Children, emphasized the importance to crime prevention of the proper care of children in their first three years of life:

. . .if we don't do it right in the earliest years—and I put that figure at three years; other people put it at two or five—when affection and the capacity to respond to affection are learned, then a vigorous system of trying later on to stamp on social values that are crime-free is doomed. You have to have people who are nurtured to do that. (76:6-7)

A number of witnesses gave evidence to the Committee that many violent young and adult offenders had either witnessed or directly experienced physical and/or sexual abuse as children. Howard Sapers of the John Howard Society of Alberta read into the record of the Committee's proceedings a portion of an article published in *The Province* on 17 January 1993. The article presents findings from research on violence conducted by Simon Fraser University professor Steve Hart and University of British Columbia professor Don Dutton.

Childhood abuse breeds abusers. . .abused children are three times more likely than the rest of the population to become violent adults. Physically abused children are five times as likely to be violent as adults towards a family member. Sexually abused children are eight times as likely to be sexually violent as adults towards a family member. And severity of childhood abuse does not predict adult problems. . .It's not how badly you were beaten. It's whether you were beaten. (81:47)

The Committee is aware of recent research that demonstrates sexual abuse plays an important role in the development of a sex offender. A 1992 Manitoba study of 35 sex offenders, all aged 14, found that by the time they entered treatment they had collectively assaulted over 70 children in 750 incidents. On average, the boys were aged twelve and a half when they began committing sexual assaults. Over half of their victims were seven years old or younger. Over 90% of the boys had been sexually abused themselves and came from families in which physical and sexual abuse had occurred for generations.<sup>26</sup>

The Committee heard of the impact of child sexual abuse on Aboriginal women from Carol Hutchings of the Elizabeth Fry Society of Edmonton.

The progression we see over and over again is sexual abuse, truancy, running away from home, prostitution, drug abuse, and criminal behaviour. The first year I worked with the Elizabeth Fry Society 17 of our clients died. Fourteen of those clients were aboriginal and all were victims of early childhood sexual abuse. (81:30)

Dr. Barker's extensive experience with adolescents charged with murder and rape has led him to conclude that the unequal status of women is at the root of much of the violence in our society. He told the Committee:

. . . I think we need to look at the repercussions of a patriarchal society in which arbitrary male dominance is still a factor, which penalizes half of the population, and the subtle and not-too-subtle reverberations of that for women and for children and for men. . . if we were to create a social system in which men and women were equal, then it might be possible to begin to look at children as equals as well. (76:8)

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<sup>26</sup> Ruth Teichroeb, "Study Uncovers Cycle of Abuse", *Winnipeg Free Press*, June 12, 1992.

The Committee heard that the susceptibility of women to being victimized by violent crimes is linked to their lack of equality with men in social, economic and political spheres of life. In other words, women's inequality is a contributing factor to the fear and types of violence women experience in the home and in public. Violence against women that occurs in the context of the family has profound negative impacts on the direct victim as well as on the children who observe it.

Indeed, the negative ramifications that violence against women in the family has on the children who witness the violence was emphasized by Kathryn Wahama, of the Port Coquitlam Women's Centre. In her view, family violence is an antecedent to crime (81:52) This was confirmed by much of the evidence heard by the House of Commons Sub-Committee on the Status of Women in 1991 in its study of violence against women. For example, a London, Ontario study conducted in 1987 found that more than 50% of young offenders charged with violent crimes had witnessed their fathers assaulting their mothers. Another study found the rate of wife-beating was 1,000 times higher for men who had witnessed violence in their childhood than for men who had not.<sup>27</sup>

Although this study has not dealt in-depth with the issue of violence against women, the Committee acknowledges that it poses significant risks to the community. The Committee is aware that this element of the crime problem is currently under study by the Canadian Panel on Violence Against Women. The Panel has conducted consultations across the country, over the past year and a half, with survivors of violence and has held meetings with various populations of women. They include: the disabled, refugees, women of colour, the elderly, youth, women living in rural and isolated communities, linguistic minorities and aboriginal women. The Panel will be reporting on its findings no later than the summer of 1993.

Hugh Baker, of the Native Courtworker and Counselling Association of British Columbia, described some of the conditions in aboriginal communities that breed exploitation and crime. He cautioned the Committee that any attempt to reduce crime and violence in aboriginal communities will not succeed unless the social and economic deprivation suffered by native people is addressed.

Crime is greater in the aboriginal community because pimps come to the aboriginal community knowing there are women who are desperate to earn an income. Drug dealers come to the aboriginal community knowing there are people who are desperate to escape, even if only mentally. People come to the aboriginal community knowing there are going to be people who are intoxicated who they can take advantage of, either by beating them or robbing them. People come to the aboriginal community trying to start youth gangs because they know the youth have no future. . .and the gang can offer them something better than what they have. (82:16-17)

Calvin Lee stressed the importance of courses in English as a second language, as well as acculturation and social services, to keep new immigrants of student age from becoming frustrated and involved in criminal gangs. (80:35) Appropriate housing and other social measures to prevent the creation of disadvantaged ethnic ghettos, according to Marc LeBlanc, would also have a considerable impact on crime among immigrant youths. (75:10)

These accounts of the conditions that contribute to crime and criminality make clear that there is no single root cause of crime. Rather, it is the outcome of the interaction of a constellation of factors that include: poverty, physical and sexual abuse, illiteracy, low self-esteem, inadequate housing,

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<sup>27</sup> Report of the Standing Committee on Health and Welfare, Social Affairs, Seniors and the Status of Women, (June 1991), p. 13.

school failure, unemployment, inequality and dysfunctional families. Witnesses stressed in their submissions that the evidence clearly indicates that crime cannot be prevented solely by the criminal law and criminal justice services. It is a social problem that requires all sectors of society to work together for safer communities.

## **APPROACH TO CRIME PREVENTION: SAFER COMMUNITIES**

On the basis of the evidence it heard about the rise in criminal activity, the harm done to victims, the increases in resources to fight crime, and the factors associated with crime and criminality, the Committee believes the time has come for Canadians to get serious about crime prevention and fear reduction. It agrees with witnesses who appeared before it that Canada should develop and promote a strategy to reduce the opportunities for crime to occur and to respond to the underlying factors associated with criminal behaviour.

The strategy supported by the Committee has national scope and involves partnerships and information sharing among all levels of government, all agencies in the criminal justice system, and non-governmental organizations and interest groups. It is a comprehensive response to crime problems referred to by witnesses as the *safer communities* approach to crime prevention.

In her appearance before this Committee, the then Minister of Justice, Kim Campbell, indicated that the Canadian delegation to the eighth United Nations Conference on the Prevention of Crime and the Treatment of Offenders promoted the safer communities agenda. She added:

The congress accepted this concept and adopted a resolution on the prevention of urban crime which describes factors relating to crime and measures to respond in a preventive measure. This framework has guided much of my department's work in the area of crime prevention. (77:5)

The principles of the safer communities approach to crime prevention are:

- the community is the focal point of effective crime prevention;
- the community needs to identify and respond to short- and long-term needs;
- crime prevention efforts should bring together individuals from a range of sectors to tackle crime;
- strategies for preventing crime should be supported by the whole community.

The Committee believes that the safer communities approach is a positive reaction to the inherent limitations in traditional responses to public safety issues. A major limitation, noted by a number of witnesses, is a lack of awareness among politicians and bureaucrats that responsibility for crime problems goes beyond the criminal justice system. The Committee was advised there is little recognition among government departments when setting budgets and initiating programs and policies of the impact their activities may have on levels of violence and interpersonal property crime. Even federal departments responsible for housing, immigration, and social and economic policy, and provincial and territorial ministries responsible for health, education, and social services

do not, as a general rule, perceive public safety issues and crime prevention to be components of their roles and responsibilities. Consequently, there is a lack of coordination between government programs that do, in fact, impact on crime levels.

According to Gaston St-Jean of the Canadian Criminal Justice Association (CCJA) education is needed to help bureaucrats and politicians link crime and its prevention to departments and agencies other than police and corrections. In their attempt to establish a list of crime prevention programs operating in Canada, the CCJA sent a letter to federal departments and provincial ministries such as Ministries of Social Affairs, Attorneys General, and so forth. The responses it received are illustrative

In some cases we received a letter from the minister stating that he had forwarded the letter to his colleague, the Solicitor General, since he as Attorney General, was not responsible for crime prevention. Social Affairs gave the same reply. We say there is a lot of educating to do. It is important that the Minister of Social Affairs or the Minister of Education understand that he or she can do something about juvenile delinquency or single-parent families. (75:25)

The Federation of Canadian Municipalities' Urban Safety and Crime Prevention Program provides assistance to municipal leaders to develop crime prevention programs applicable to the situation in their own cities. The program is funded by six different federal departments—Justice, Solicitor General, Health and Welfare, Secretary of State, Employment and Immigration, and the Canada Mortgage and Housing Corporation. Paul Sonnichsen of the FCM told the Committee that it took a year and a half to negotiate funding because many of the departments do not see themselves as having a responsibility for crime prevention. (70:29)

An example of a coordinated crime prevention strategy at the provincial level, that reflects the safer communities approach, is the Quebec Round Table on Crime Prevention. Representation is drawn from municipalities, police and corrections, education, and community organizations. The objectives of the Round Table are to identify effective crime prevention policies and programs, establish objectives and determine the roles of the partners in the prevention of crime at the municipal and community level. Another example of a provincial crime prevention structure is the B.C. Coalition for Safer Communities. The Coalition is made up of partnerships between the Federation of Canadian Municipalities, the provincial Union of British Columbia Municipalities, and local community agencies and organizations.

The safer communities approach also emphasizes the importance of municipal inter-agency coordination to prevent crime. Coordination is promoted among social agencies providing services to youth, the unemployed, offenders, the under-educated, families, early school leavers, substance abusers, the homeless, victims of physical and sexual violence and others. Some of the programs to unblock opportunities and foster a sense of self worth are: recreational services, child care, school initiatives, emergency and affordable housing, job training and skills development, literacy programs, language training, counselling and violence prevention programs. The Committee heard that these services are interdependent and that they should be coordinated with police services and directed at specific high-risk populations.

The B.C. Coalition for Safer Communities notes in their brief that:

...it is important to emphasize that while Canada has many statutory and funded social and community programs, which provide a foundation for this approach, they are not structured, integrated or targeted to meet the objectives of a safer community strategy. (p. 8)

According to Jill Lightwood, of the Prince Edward Island Department of Justice and Attorney General, one factor inhibiting the development of the safer communities approach to crime prevention is the segmentation of programs and services.

One of the reasons it is so hard to coordinate and target services to the people who need them is that we have services in these little boxes. Education is over here, addictions is over there, welfare is over here, courts are over there, and whether you are a victim, offender or first-time offender, you tend to go shopping for services, which are often delivered from contradictory philosophies. So we do need some really broad structural changes. (73:26)

In other words, community-based agencies, like government departments, must form partnerships, coordinate their efforts and recognize they are providing preventive services to enhance community safety. To facilitate partnerships and coordination, local infrastructures such as municipal inter-agency safety committees are recommended. Local crime prevention committees diagnose community crime problems and adopt, coordinate and implement short-term and long-term measures specific to the crime situation with assistance from other orders of government.

TANDEM Montreal is an example of a municipal inter-agency crime prevention committee. Serge Bruneau described TANDEM Montreal as follows:

In each of the city districts, we are opting increasingly for the creation of a type of security committee with representatives from the public agencies, such as community health departments or the local community service centres. These committees may also have representatives from municipal housing offices, the police department, and the community. (70:47)

Marguerite Delisle, President of the Federation of Canadian Municipalities, informed the Committee of the unintended benefits of inter-agency collaboration, such as identification and prevention of overlap and duplication in service delivery. (70:22)

The Committee believes that Dr. Carol Matusicky, of the B.C. Coalition for Safer Communities, is a positive example of people who have begun to link the human services work they perform to crime prevention. She stated to the Committee that:

I've spent probably the last 15 or 20 years of my life involved in work that focused on education and prevention and in developing support programs and opportunities for parents and children. It is only in the last three or four years, perhaps thanks to the Coalition, that I see that what I do has everything to do with crime prevention. I am probably an example of a lot of people who are beginning to see the connections and the interconnections when working in the area of education, prevention, social policy as having so much to do with crime prevention. (80:31)

In summary, the safer communities approach recognizes that social and economic conditions are associated with crime. It emphasizes the need for governments and community agencies to recognize that what they do has an impact on crime, to coordinate their efforts to target

disadvantaged groups and individuals at risk of offending, and to avoid duplicating services. Coordinated responses to crime involve both vertical and horizontal coordination. Vertical coordination integrates responses among the various levels of government. Horizontal coordination involves inter-departmental and inter-agency cooperation at the federal, provincial and municipal levels.

## MEASURES TO PREVENT CRIME

The safer communities approach integrates various strategies to reduce fear and prevent crime. These strategies include the reduction of opportunities to commit crime, social development and community-based policing as well as traditional legal measures.

### A. *Opportunity-Reduction*

Reducing opportunities for crime involves action by individuals and communities, often in cooperation with local police forces, to protect themselves from becoming victims of property crime. To inhibit a potential offender, targets of crime are made less vulnerable and harder to penetrate. Measures include installing better lighting, locks, and alarms in business and residential premises, ensuring unoccupied residences appear lived-in, providing better street lighting, and maintaining buildings. Opportunity reduction programs involving police and community participation include Block or Neighbourhood Watch and Block Parents. Neighbours monitor and report suspicious activities and provide assistance to children. It is estimated that in a number of communities across the country over one-third of residences have become involved in Neighbourhood Watch.<sup>28</sup>

These measures attempt to modify the behaviour of victims or alter the physical environment to prevent crime and reduce fear. The focus is on criminal acts of those already involved in offending. As noted earlier in the report, about two-thirds of youth crimes are property offences. The Committee heard from Dr. LeBlanc that many of these offences are relatively minor and are perpetrated by youths who are taking advantage of opportunities to commit crime

...80% of teenagers aged 12 to 17 are in a situation where they commit an offence over the course of one year, according to surveys conducted here and in other countries. Often these offences are minor—shoplifting, vandalism, and other small things—but all the same these are offences that disturb the community and affect people. (75:5)

According to Jack Hamilton, of the Insurance Brokers Association of B.C., programs such as Block Watch are effective in deterring these occasional property offenders and they must be supported by police forces, communities and all levels of government. (83:62) The Committee agrees. At the same time, it is aware of the empirical evidence that the majority of criminal acts are committed by a relatively small number of habitual or persistent offenders, who, when confronted with increased surveillance and security, simply target less secure neighbourhoods.<sup>29</sup> Opportunity reduction initiatives can have the unintended effect of displacing or re-locating crime rather than preventing it.

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<sup>28</sup> Waller (1991), p. 36.

<sup>29</sup> Patti Pearcey, *Reducing Crime: How to Build Safer Communities*, B.C. Coalition for Safer Communities, June 1991, p. 8.

Moreover, the Committee heard from Susan McCrae Vander Voet, of the Metro Action Committee on Public Violence Against Women and Children, that such measures are unlikely to have an inhibiting or deterrent effect on violence in the family. (78:14) Measures to reduce criminal opportunities are defensive strategies against crimes that are typically perpetrated by strangers against property.

Patti Pearcey of the B.C. Coalition for Safer Communities emphasizes that, despite their limits, these are essential individual and community initiatives because “they encourage ordinary people to join in and share responsibility with the police for crime prevention and crime fighting.”<sup>30</sup>

The Committee believes that opportunity reduction programs are valuable because they offer protection to potential victims of property crimes perpetrated by the occasional offender. It also believes we must also develop and support long-term measures to eradicate the root causes of crime that motivate serious, persistent offenders.

## ***B. Social Development***

Crime prevention through social development involves positive interventions in the lives of the disadvantaged and neglected in order to bring about a reduction in deviant tendencies. In other words, reducing crime and creating safer communities involves addressing the social and economic conditions which breed crime. Waller and Weiler define crime prevention through social development in the following way:

[It]...refers to interventions targeted to certain Canadians who are not only socio-economically disadvantaged but are also living through experiences that make a career of persistent crime a probability. Their predisposition to crime starts with their early childhood upbringing and is enhanced by frustration in school, employment and the community.<sup>31</sup>

If childhood neglect and disadvantage are not altered or interrupted, there is a strong likelihood that delinquency and crime will develop in a sequence over time. Waller and Weiler describe this process:

A history of parental mishandling, family crime, school failure and economic deprivation makes delinquency in the next three years probable. Truancy, economic deprivation, and delinquent friends in the early teenage years combine to make delinquency from ages 17 to 20 more likely. Any unstable job record and anti-establishment attitudes, combined with delinquency by age 20, makes criminal behaviour from ages 21 to 24 more likely.<sup>32</sup>

Witnesses from across the country told the Committee that if we are serious about reducing fear and enhancing public safety, we must identify youths at-risk of offending and provide them with opportunities and an environment to reduce their motivation to become offenders, particularly repeat offenders.

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<sup>30</sup> *Ibid.*

<sup>31</sup> Irvin Waller and Dick Weiler, *Crime Prevention Through Social Development*, Canadian Council on Social Development, 1985, p. 3.

<sup>32</sup> *Ibid.*, p. 22.



The typical profile of a persistent offender was described to the Committee by Pat Gorham, of the Island Alternative Measures Society. She is project coordinator of programmes to Cape Breton Island youth in conflict with the law.

This youth may be contending with a combination of the following burdens: poor school performance, social isolation, troubled family life, poor peer relations, poor anger management, low impulse control, tendency to blame others, low self-esteem, drug and alcohol abuse, a sense of boredom and futility, and an alternative or anti-social value system. When this kind of person adds criminal activity and conflict with the law to the mix, we have a very poor candidate for citizenship. This is the person in our communities we must reach and change. (74:5)

The Committee heard that these background factors can serve to identify children at risk of becoming frequent and serious offenders. And early interventions targeted to these youth can produce positive effects. Dr. LeBlanc told the Committee that in his experience a long-term social development measure such as a pre-school program that prepares disadvantaged children for school can produce a long-term impact. (75:6) Successful interventions must begin early however, he said:

If you wait until elementary school, it is almost too late. Preventive action directed at young children from disadvantaged areas must be taken in pre-school years. (75:12)

An early childhood program often mentioned to the Committee during its hearings is the Perry Preschool Project.<sup>33</sup> It was developed and implemented in Michigan in 1962, and is an example of the benefits of early investment in children. For two years children aged three and four from deprived families received daily preschool programs for 2.5 hours per day and a home visit once a week for 1.5 hours. The children were followed up to age 19 along with a control group that did not participate in the preschool project. Compared to the control group children, more project children completed high school, attended post-secondary schools and were employed; fewer were dependent on welfare and had an arrest record.

A cost-benefit analysis of the Perry Preschool Project showed that for every \$1 invested in a one-year program, there was a return of \$5. This figure was reached by estimating the value of the decreased demand for public services from those who participated in the program. It was found that the pre-school participants absorbed fewer public resources because they were more likely to have finished high school and to be employed as adults, and less likely to commit criminal offences.<sup>34</sup> Irvin Waller informed the Committee that these estimates of the cost-effectiveness of early intervention programs were produced by accountants with the General Accounting Office of the U.S. Congress. (70:13)

The Committee agrees with the testimony of witnesses that chronic young offenders display a myriad of problems that, in effect, marginalize them from the mainstream of society and weaken their commitment to its laws. It believes that the quality of people's lives can be improved and safe communities can be created through effective policies and targeted programs that unblock opportunities and foster a sense of self worth.

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<sup>33</sup> Barry MacKillop and Michelle Clarke, *Safer Tomorrow Begins Today*, Canadian Council on Children and Youth, Ottawa, 1989, p. 5.

<sup>34</sup> *Ibid*, p. 7.

### ***C. Community-Based Policing***

In light of the increase in crime levels in this country, it is not surprising that a number of witnesses expressed the view that traditional policing methods work imperfectly. And the point was made that increases in police resources, both human and financial, can not keep up with increases in crime rates.

A recent Statistics Canada report reveals that the number of police officers in Canada has doubled since the 1960s, while *Criminal Code* offences reported to the police were five times greater. Total operating expenditures for police services, which account for the largest proportion of justice expenditures, were \$5.3 billion in 1991.<sup>35</sup> Lorrain Audy, President of the Quebec Association of Police and Fire Chiefs and Director of the Hull Police Force, expressed his view of increased police workloads and limited resources:

We have hit a plateau. Public security costs can't keep on increasing. The crime rate won't decrease if we increase the number of police officers. (78:9)

The public and the police have tended to regard community safety and security as the primary responsibility of the police, according to the Canadian Association of Chiefs of Police (CACP). In their brief, the CACP stated:

Thoughtful students of police administration, as well as most observers of the crime phenomenon who view the problem systematically, realize that the police have been assigned a disproportionate amount of responsibility for both the present level of crime and the efforts to cope with it in the future. (p. 3)

With few exceptions, police forces tend to view their mandate as one of law enforcement and, in enforcing the law, they operate at an arm's length from the community. Generally, police are visible in the community only after a criminal event has occurred. Witnesses who addressed the Committee on the role of the police in crime prevention acknowledged the importance and necessity of reactive police work. What they challenged was the predominant focus on law enforcement to the exclusion of other means of dealing with crime problems. They pointed to the need to establish a balance between prevention and traditional repression.

The Committee was told that prior to the introduction of patrol cars, police officers had direct contact with the population they served. They knew the community, the local residents, merchants, youth, and others at risk of offending. And they knew the problems the community was experiencing. Chief Greg Cohoon, Chair of the Crime Prevention Committee of the Canadian Association of Chiefs of Police, told the Committee that in the early stages of policing in Canada, the police were proactive: they examined the problems in the community, in partnership with the public, and dealt with them before they became crime problems. (72:4)

Witnesses noted the need for preventive and community-based approaches to policing that put emphasis on an increased police presence among citizens and the development of partnerships with organizations at the community level to develop local crime prevention initiatives.

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<sup>35</sup> Statistics Canada, Canadian Centre for Justice Statistics, *Police Personnel and Expenditures in Canada—1991*, Vol. 12, No. 20, Minister of Industry, Science and Technology, Ottawa, October 1992.

Lorrain Audy, a veteran police officer, regards community-based policing as a cost-effective measure that we must adopt if we are serious about creating safer communities. He stated:

It is only by taking a community approach that the police will be able to vanquish crime without increasing costs or resources. We must insist on taking a community approach if we are to reach our objectives. (78:9)

Increasingly, police administrators and rank-and-file officers are recognizing that effective policing must be preventive and involve the community at large in defining and solving local problems. This view has currency internationally. Among the recommendations contained in the draft resolution made to the United Nations Economic and Social Council by the Committee on Crime Prevention and Social Control was a proposal that member states take steps to ensure that

...one of the essential tasks of the police is to prevent crime and that, in order to carry out this task, it must develop prevention initiatives that involve citizens and community organizations.<sup>36</sup>

The Committee learned that in the province of British Columbia the Attorney General has established a community policing advisory committee to study the concept of community policing. The advisory committee defines community policing as

...an ongoing commitment by the police and the community to work in partnership to increase safety in the community and enhance the quality of life, with the corollary that community policing places emphasis on the ongoing police-community partnership in problem solving. (83:48)

Norm Brown of the Police Services Branch of the B.C. Ministry of the Attorney General, a staff person to the B.C. Community Policing Advisory Committee, told the Committee that crime problem-solving and a sustained relationship between the police and the public are central to community-based policing. (83:49) Dr. Andre Normandeau, a Canadian expert on community policing, itemized in his brief and in his oral submission to the Committee five “practical prevention elements” of the community policing model. They are as follows.

The *first* practical prevention element is the presence of community crime prevention programs led by police and community agencies. Neighbourhood Watch is an example of such a community crime prevention program.

To establish and sustain a cooperative relationship with the community, the police must be accessible. The *second* practical prevention element of community policing is increased police presence through police mini-stations or neighbourhood police stations.

Police must not only be accessible, they must be visible. The *third* prevention element is neighbourhood police foot patrols. Neighbourhood police stations and foot patrols foster direct contact between the police and community in a non-confrontational context and enhance their problem-solving relationship in tangible ways.

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<sup>36</sup> United Nations, *Continuation of Preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Committee on Crime Prevention and Control, 11th Session, 5-16 February 1990.

The *fourth* element is the establishment of citizen consultative or advisory committees. These committees, made up of citizens from a city or city district, are a forum for the public to talk directly to police management and rank-and-file officers about their community and its problems.

The *fifth* practical prevention element is the active involvement of local elected officials on police boards or commissions. Normandeau makes a distinction between political interference and legitimate political involvement in police issues. (69:10-12)

The model of community policing indicated by these prevention elements emphasizes the involvement of the community, the police organization, mayors and municipal councillors. Indeed, Norm Brown highlighted the agreement among experts that:

...adopting various community policing strategies is not, of itself, community policing unless the philosophy of community policing is embraced by all levels of the police organization, the community and its elected representatives. (83:48)

Training that instills a commitment among rank-and-file officers to the concept of preventative policing is imperative, according to Russ Hellard of the Coquitlam/Port Coquitlam Community Policing Committee:

There has to be a concerted effort to develop a comprehensive training standard on the concepts and the role of the community police officer. This first stage of development has to be at the recruit-training level. The need and value of community policing has to be shown to the police officers so they can see that working with the community to solve social and crime problems will in the long term save calls for police service, and that this method of policing is cost-effective and also rewarding. (81:6)

Witnesses told the Committee that cultural and language differences between police and the public can inhibit both law enforcement and crime prevention efforts. A police-community model developed in Vancouver to prevent crime and improve the level of trust between police and the native and the immigrant communities, was described to the Committee. Vasa Sramek, Executive Director of the Vancouver Police and Native Liaison Society, (82:45-58) and Bill Yee, president of the Chinese Benevolent Association of Vancouver and chair of the Chinatown Police Community Service Centre, (82:4-15) are associated with police-community pilot projects in Vancouver. Both the Vancouver Police and Native Liaison Society and the Chinatown Police Community Service Centre are urban store-front operations, with mandates to foster cooperation and to improve the level of trust between the Vancouver police department and the aboriginal community and the Chinese community, respectively; to mitigate fear of crime through intervention, referral and follow-up; and, to reduce criminal opportunities through crime prevention education and information.

Representatives of the Mohawk Council of Kanesatake (79:5-16) and of the Mohawk Council of Akwesasne, (79:17-35) told the Committee that the appropriate way to meet the security and crime prevention needs of their communities, which are largely rural, is through police services provided by native peacekeepers. At present, the Sûreté du Québec provide policing services at Kanesatake. In Akwesasne the Mohawk Council has developed a local native police force and police commission. Ernie Houghton, the interim Chief of Police at Akwesasne, is an inspector with the Ontario Provincial Police with over 25 years service. He described the benefits of a police force that is representative of the culture and community it serves.

The closer the ties between the community and the police officer, the more credibility the police officer's words have. If the person who is speaking to those people is a Mohawk police officer, the credibility increases substantially over what it would be if it were myself or someone else from an outside community talking to those people. (79:24)

These examples illustrate that there is no one model of community-based policing.

The Committee is in agreement with witnesses who indicated that community-based policing can improve relations between the police and the public and foster partnerships to prevent crime. It is also of the view, based on the evidence, that models of community policing will vary depending on the composition of the community. The Committee supports the concept of community-based policing and it is favourably impressed with the view of Chief Greg Cohoon, of the Canadian Association of Chiefs of Police, that it can contribute to the social development of the community:

...it's now time to use community policing as a vehicle to look at social development and at the underlying problems of crime. As police practitioners, I think we know them best. We are the ones on the front line. Policemen and policewomen across the country respond on a daily basis to problems, and we're simply attacking the symptoms. (72:5)

## **FEDERAL ROLE IN CRIME PREVENTION**

The Committee is of the view that responses to crime must be coordinated and come from all levels of government, criminal justice agencies, and non-governmental organizations and interest groups. The provinces and territories, through ministries and community agencies, are responsible for the delivery of health, education, welfare and justice services. However, the Committee sees a strong, leadership role for the federal government, in partnership with other levels of government, to promote the safety and security of all Canadians.

### ***A. National Crime Prevention Policy***

Witnesses before the Committee expressed concern over the lack of national leadership on crime prevention in Canada. They called on the federal government to develop and support a national crime prevention policy that sets out the government's approach to and support for crime prevention and community safety.

The Regional Network, an organization comprised of crime prevention practitioners and academics committed to the development of safer communities, and the B.C. Coalition for Safer Communities, among others, recommended that the following initiatives and principles be included in a national crime prevention policy.

- In recognition of the multiple causes of crime, federal departments and agencies should incorporate crime prevention into their mandates. Departmental officials would then be required to consider future policy, program and legislative initiatives in light of their impact on crime and its prevention in Canada.
- The federal government should work with the provinces and territories to promote the safer communities approach to crime prevention and it should identify social development as an essential component.

- The government should promote and support partnerships at the local level between agencies and services that have an impact on crime. They include the schools, recreation, urban planning, housing, police and social services. Responsibility for identifying and adopting crime prevention measures must rest with the municipalities.

The Committee supports the development of a national strategy to prevent crime that involves partnerships and information sharing among all levels of government, all agencies in the criminal justice system, and community organizations and interest groups. It is convinced that the prevention of crime is the responsibility of all orders of government, civic and social groups, businesses and citizens.

### **Recommendation 1**

**The Committee recommends that the federal government, in cooperation with the provinces, territories and municipalities, take on a national leadership role in crime prevention and develop a national crime prevention policy. The policy should set out the following principles and initiatives:**

- Crime prevention will be included in the mandates of federal departments and agencies responsible for criminal justice, policing, immigration, housing, and social and economic development;**
- All levels of government are responsible for crime and they must work together to prevent it's occurrence;**
- Crime occurs in communities and priorities concerning crime prevention are best determined at the local level;**
- The primary approach taken to prevent crime and create safer communities entails a coordinated, multidisciplinary effort to address the root causes of crime; and**
- Prevention measures include law enforcement, community-based policing, social development and reduction of criminal opportunities.**

### ***B. National Crime Prevention Council***

Witnesses from across the country spoke of the lack of leadership in crime prevention. They expressed disappointment over the fragmentation of programs and absence of coordination from coast to coast. They were critical of the dearth of information sharing about crime prevention initiatives currently in place, successes and failures, and funding sources. Herb Chapman of the Crime Prevention Society of Nova Scotia aptly articulated the frustration felt by practitioners when they look for funding support to develop a crime prevention initiative.

If I want to develop a project, to whom do I go? You almost have to hire a consultant to find out what the funding sources are in order to get a project going. . . We actually had a consultant come to us recently to say that for 10% of the take, they would find out what

were all the funding projects. . . I thought to myself, how incredible that was. All these funding sources are so mysterious that you have to hire a consultant to find out what they are. (73:13)

The Committee heard that there is a need for federal leadership to coordinate, communicate, and share information about crime and its prevention, to financially assist local communities to develop crime prevention initiatives, and to evaluate the effects of initiatives implemented to create a safer community. Irvin Waller told the Committee that Canada is one of the few industrialized countries in the world without a national program to prevent crime. Professor Waller and a number of other witnesses called on the government to establish a national crime prevention council.

Witnesses recommended that the mandate of a national crime prevention council should include the following activities: promote safer communities, advise the federal government and participate in policy development on matters related to community safety, gather and analyze information about crime and crime trends, stimulate local crime prevention initiatives, and provide training, research, evaluation and public education on crime prevention at the local level. As well, the national council would be responsible for providing funding to local governments and community organizations to implement community safety initiatives.

It was recommended that the council should involve the participation of those federal departments that have an impact on levels of crime. As well, it should include leadership from the provinces and municipalities and community members representing diverse backgrounds with experience in social and economic affairs broadly related to crime prevention.

The Committee concurs that Canada should establish a national crime prevention structure to promote a safer communities approach to crime prevention.

## **Recommendation 2**

**The Committee recommends that the federal government, in consultation with the provinces and territories and the Federation of Canadian Municipalities, support the development of a national crime prevention council. The council's mandate should deal mainly with issues of reducing crime. Specifically, it should:**

- a. promote community safety;**
- b. provide the federal government with advice and participate in policy development on matters related to safer communities;**
- c. gather, analyze and disseminate knowledge about crime, crime trends and crime prevention;**
- d. provide training, research, evaluation and public education on the prevention of crime;**
- e. provide funding assistance to local governments and community organizations to implement community safety initiatives; and**
- f. include membership from federal, provincial and municipal governments, and professionals and practitioners involved in crime prevention, health, social services, housing and education.**

### ***C. Funding***

Witnesses told the Committee that the federal government's commitment to crime prevention must be buttressed by financial resources to help establish local crime prevention committees to coordinate programs and services and implement local crime prevention strategies. They indicated that there are a number of initiatives at the municipal and provincial level that address crime and fear. In order for the safer communities approach to expand however, federal support is needed.

It was pointed out that a key aspect of the safer communities approach is the more cost-effective use of existing social programs and services through coordination and integration. Additional funding will nonetheless be required to support new initiatives and to ensure that some existing local strategies can be continued.

According to the Federation of Canadian Municipalities we could "spend smarter" on crime prevention initiatives if funding decisions were made in consultation with representatives of local crime prevention councils and funds were channelled into these infrastructures to ensure that program dollars are going to meet real community needs. (70:23)

Mindful of the federal government's limited fiscal capability to fund new programs, it was recommended by witnesses that funds for crime prevention be allocated from the proceeds of crime and from a reallocation of funds within the federal government. When the Solicitor General appeared before the Committee, he advised that consultations have been undertaken with municipalities and provinces to share the money realized from forfeited proceeds of crime. The Committee agrees with the Minister's position that there should be a fair and equitable sharing of forfeited proceeds between the various jurisdictions involved. However, the Committee also believes that these consultations provide an ideal opportunity to build in the allocation of at least part of these proceeds for crime prevention activities, by all those who receive a share of the monies. As well, the Committee agrees with the recommendation that 1% a year of what is currently spent by the federal government in the criminal justice system be put into prevention over five year period. At the end of five years, Canada would have 5% of the current federal criminal justice budget devoted to prevention.

The Committee agrees with the sentiment expressed by Serge Bruneau, of TANDEM, Montreal. He stated:

Crime prevention should not be perceived as an expenditure, but rather as an investment. (70:43)

#### **Recommendation 3**

**The Committee recommends that a share of the monies forfeited as proceeds of crime be allocated to crime prevention activities and that the federal government allocate 1% a year of the current federal budget for police, courts and corrections to crime prevention over a five year period. At the end of five years, Canada should spend 5% of the current federal criminal justice budget on crime prevention.**



#### ***D. Minister and Senior Official Responsible for Crime Prevention***

Michel Hamelin of the Federation of Canadian Municipalities (70:30), Irvin Waller (70:9) and other witnesses, made the point that crime prevention is not a clearly visible policy area of the Department of Justice, although it is that department's responsibility at the federal level. It was recommended that the Minister of Justice appoint a senior official, such as an Assistant Deputy Minister, to be responsible for crime prevention, in order to give the issue weight and priority.

The Committee believes that if crime prevention is to represent a serious policy initiative in the federal government that has influence in the bureaucracy, then a senior official in the Department of Justice must be identified as responsible for crime prevention policy and program development, and the Minister of Justice must be accountable for developments in the prevention of crime in his or her department.

#### **Recommendation 4**

**The Committee recommends that the Department of Justice maintain its role as the Department responsible for crime prevention and that it appoint a senior official responsible for crime prevention policy and program development.**

#### ***E. International Crime Prevention Centre***

In her submission to the Committee, the then Minister of Justice, Kim Campbell, noted that the concept of crime prevention has been developed and refined through international conferences. In fact, over the last two decades United Nations congresses on the prevention of crime and the treatment of offenders have taken the notion of crime and delinquency beyond the realm of illegal behaviour and law enforcement. Acts that violate criminal norms are increasingly seen to be linked with economic and social development.<sup>37</sup>

The first "comprehensive statements" on crime and social development were made at Kyoto in 1970 and contained in the *Declaration of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*. The declaration, endorsed in 1971 by the Economic and Social Council, "stresses that effective steps should be taken to coordinate and intensify crime prevention efforts within the context of the economic and social development that each country envisages for itself."<sup>38</sup>

The *Caracas Declaration* of the Sixth Congress, endorsed by the General Assembly in 1980, "relates crime prevention to . . . social conditions and the quality of life, seeking to improve them and to reduce the social and material costs of crime."<sup>39</sup>

In 1985, the Seventh Congress, held at Milan, adopted the *Milan Plan of Action and the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and the New International Economic Order*. The *Milan Plan* recommends ways of toughening international and

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<sup>37</sup> United Nations, *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*, Centre for Social Development and Humanitarian Affairs, New York, 1992, p. 3.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

national crime prevention initiatives. The Guiding Principles, recommended by the General Assembly in 1985, "provide a comprehensive framework to the future course of crime prevention and criminal justice in the context of development needs."<sup>40</sup>

The U.N. General Assembly also adopted the *Recommendations on international co-operation for crime prevention and criminal justice in the context of development*, of the Eighth Congress, held at Havana in 1990. The recommendations assert "the importance of criminal law reform to keep pace with developments in crime, the incorporation of crime prevention policies into national development planning, and the promotion of international, scientific and technical cooperation in these areas."<sup>41</sup>

A noteworthy initiative supported by the Canadian government was the 1989 European and North-American Conference on Urban Safety and Crime Prevention held at Montreal. The Conference produced the *Agenda for Safer Cities* which calls for local, national and international action "to improve the quality of life by making communities safer from crime."<sup>42</sup>

It is clear that many developments in crime prevention and community safety are occurring around the world. Witnesses told the Committee that Canadian governments and communities could benefit from being informed about the experiences and latest developments in urban safety in other countries, particularly in countries that have established national crime prevention structures and policies such as France, the Netherlands and Sweden.

To expand our knowledge about what works and why, through the exchange of information between cities and countries, they recommended that the federal government support the creation of an international crime prevention centre affiliated with the United Nations. In his brief to the Committee, Irvin Waller highlighted the benefits of such a centre.

It will provide a new tool to reduce violence, interpersonal property crime, illicit drug use and fear across the world. It will facilitate the exchange of skills, knowledge and resources of what works to prevent crime between countries and communities.  
(p. 11-12)

The Committee agrees that the establishment of an international crime prevention centre in Canada merits consideration by the federal government. It believes that exposure to international developments in urban safety will enhance Canada's ability to effectively deal with crime. As well, the Committee is of the view that Canada has crime prevention expertise and successes that should be shared with other countries.

### **Recommendation 5**

**The Committee recommends that federal government support the establishment of an international centre for the prevention of crime to be affiliated with the United Nations.**

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<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*, p. 4.

<sup>42</sup> Final Declaration of the European and North-American Conference on Urban Safety and Crime Prevention, *Agenda for Safer Cities*, Montreal, October 13, 1989.

## ***F. Preamble to Criminal Justice Statutes***

Witnesses before the Committee advocated various legislative amendments to emphasize the importance of crime prevention and to demonstrate Parliament's commitment to the objectives involved. In their brief to the Committee, the John Howard Society of Alberta suggested "the inclusion of a statement of principles reinforcing prevention as a goal in all federal legislation."(p.7) Irvin Waller's brief also suggested that provisions in the *Criminal Code* and other relevant legislation be used to identify crime prevention as a government priority and "to clarify the responsibility of different actors for crime prevention."(p. 14)

The Committee notes that a number of federal acts currently include general policy statements of that nature. For example, s. 3 of the *Young Offenders Act*<sup>43</sup> contains a declaration of principles that enunciates a "policy for Canada with respect to young offenders." Similarly, the *Corrections and Conditional Release Act*,<sup>44</sup> provides statements of purpose and principles to guide both the Correctional Service and the National Parole Board in carrying out their respective mandates. Bill C-90, An Act to Amend the *Criminal Code* (Sentencing),<sup>45</sup> also attempts to provide clear policy guidelines for sentencing, again in the form of a statement of purpose and principles.

The Committee agrees that the various actors within the criminal justice system should be offered guidance in the exercise of their respective roles and responsibilities and that such guidance can best be provided in the form of appropriate statements of legislative intention. The Committee also believes that official recognition of the importance of crime prevention will serve as a useful reminder to those responsible for policy development and the administration of programs within the criminal justice system.

### **Recommendation 6**

**The Committee recommends that Parliament's commitment to crime prevention be given clear expression in principles contained within the *Criminal Code*, the *Young Offenders Act*, the *Corrections and Conditional Release Act*, the *Royal Canadian Mounted Police Act* and related criminal justice statutes.**

## ***G. Victimization Surveys***

The Canadian Centre for Justice Statistics (CCJS) is a division of Statistics Canada responsible for developing Canada's system of justice statistics. In its brief to the Committee, the CCJS states that the current system of justice statistics is inadequate to address policy development issues in the area of crime prevention. The methods used to collect data on the justice system are not capable of providing detailed information to evaluate crime prevention programs or community-based policing, or to understand the experience of crime victimization from the perspective of victims. The CCJS notes that the federal government currently conducts a victimization survey with the potential for addressing emerging policy issues related to crime prevention. However, it states that

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<sup>43</sup> R.S.C. 1985, c. Y-1.

<sup>44</sup> S.C. 1992, c. 20.

<sup>45</sup> First reading, 23 June 1992.

...this survey is not sufficiently refined to address important issues in depth nor is it adequate to examine sub-groups of the population. An expanded program of crime victimization surveys is necessary for meaningful trend analysis, and in order to respond to the need for useful information about vulnerable peoples who may be among those at greatest risk of crime victimization and who have the most limited access to criminal justice and social service agencies. (p. 3)

The Committee agrees that a comprehensive program of victim surveys will assist in policy and program development in the area of crime prevention and support part of the mandate of the proposed national crime prevention centre which is to gather, analyze and disseminate information about crime, crime trends and crime prevention.

#### **Recommendation 7**

**The Committee recommends that the federal government expand Statistics Canada's program of victimization surveys to allow for the analysis of trends in crime victimizations at regular intervals and to allow for population samples sufficiently large to capture the experiences of important sub-groups of the Canadian population. The information collected from the victimizations surveys should be used to support the research agenda of the proposed national crime prevention centre.**

The Committee believes that information on repeat offenders who come into contact with the criminal justice system is also necessary to assess the impact of crime prevention initiatives. It is aware that with the Adult Court, Youth Court and Uniform Crime Report Surveys becoming national, there is ever-increasing potential to measure recidivism within these components of the criminal justice system. The Committee is encouraged that there is ongoing feasibility work at the Canadian Centre for Justice Statistics to pursue data on recidivism and it awaits the availability of these national statistics.

#### ***H. Violence-Prevention Education***

The Committee is dismayed over the level of crime in this country, particularly crimes involving violence that occur in the home. The Committee heard over and over that those who experience and witness physical and sexual abuse in their family environment lack self-esteem and have a high probability of becoming school bullies, school drop-outs, substance abusers and future perpetrators of physical and sexual assaults. It has concluded that violence does, indeed, breed violence.

The Committee believes that if Canada develops a comprehensive approach to crime prevention that includes social development, in the long term we will create an environment that is less violent and in which everyone will have the opportunity to participate and succeed. It agrees that we need a national public education campaign, as an immediate preventive measure, targeted to schools to denounce violence and to raise awareness of prevention strategies. Donna Birch of the East Prince Committee on Family Violence recommended education, beginning in the elementary grades, that instills positive self-esteem and age-appropriate knowledge of the types of abuse that occur in the family, available services, and prevention strategies. (73:43) Lisa Cheyne, of the Saskatoon Sexual Assault and Information Centre, told the Committee that to break the cycle of violence, human relations should be a core subject in school:

. . .where children learn communication skills, anger management, substance abuse prevention, sexual abuse prevention, learn to understand sexuality, learn their rights and responsibilities, and learn to develop a sense of self-acceptance and self-worth. We can all think of programs that are aimed at some or most of these issues, but they are provided sporadically and as a sideline to core curriculum. (83:17)

The Committee agrees that an integral part of the curriculum in the schools across the country should include violence prevention programs that begin in elementary school and continue to the final year of high school.

#### **Recommendation 8**

**The Committee recommends that the federal government work with the provinces, the territories and relevant professions to promote violence-prevention education as an integral part of the curriculum in elementary, junior and high schools across Canada.**

#### ***I. Select Criminal Justice Responses***

During the hearing process, a number of witnesses made recommendations that relate more to enforcement issues than to crime prevention as the Committee has chosen to define it. Acknowledging that crime control measures do not address the underlying causes of crime, the Committee has nevertheless become convinced of the need for a timely response to certain shortcomings within the system.

The Committee heard from witnesses that women and children's safety and security could be improved if the criminal justice system responded in a more sensitive and effective manner to threats and actual violence.

Susan McCrae Vander Voet of METRAC, (78:18) and Debi Forsyth-Smith, of the Nova Scotia Advisory Council on the Status of Women, (71:8) highlighted the need to find a way to separate violent men from their spouses and children other than the current practice that essentially forces the victims to seek refuge from violence by leaving the family home. Susan McCrae Vander Voet told the Committee:

One. . .measure that could make quite a difference to women is the abuser is removed from the home rather than the woman, at least overnight. We used to do that with people who were drinking and staggering around the streets. . .and we probably still do to some extent. Why can't we do that with a man who is out of control? There is nothing in the law to prevent us from doing that, but nobody is. (78:18)

The Committee is concerned with those instances when victims of wife assault and their children are required to flee the family home in order to protect themselves from further abuse. The Committee agrees that even a short-term "cooling off period" could provide victims time to determine an appropriate course of action and to defuse the emotional climate surrounding the event so as to decrease the immediate likelihood to continued violence.

#### **Recommendation 9**

**The Committee recommends that the Minister of Justice in consultation with provincial Attorneys General review existing charging policies and powers of arrest in domestic violence situations to ensure that, where appropriate, abusers are**

**removed from the home, for a reasonable period, to allow victims adequate time to determine an appropriate course of action and to defuse the emotional climate thereby reducing the immediate likelihood of continuous violence.**

The Committee also heard evidence that the justice system has repeatedly failed to provide adequate protection for women who are threatened or abused by the men in their lives, especially former husbands or boyfriends; a number of tragic examples were cited where that failure eventually culminated in murder. Arguing that existing Canadian laws are inadequate to address the problem, the Metro Action Committee on Public Violence against Women and Children (METRAC) recommended that “anti-stalking” legislation be implemented, similar to those recently enacted in a number of United States jurisdictions.(78:19)

The Nova Scotia Advisory Council on the Status of Women (NSACSW) argued that women’s vulnerability to abuse by former partners is compounded by a failure on the part of the justice system to treat such offences seriously.(71:7) Their solution would be to amend s. 423 of the *Criminal Code*, which prohibits various forms of intimidation, to make it an indictable offence.<sup>46</sup> They believe that the option of prosecution by indictment would better reflect the seriousness of the charge and encourage a more appropriate judicial and system response to the behaviour.

It is apparent that some Canadian women do not enjoy the same freedom as other citizens to move about their homes and communities unmolested. According to the NSACSW, even when threats are not carried out, victims may be robbed of their peace of mind by the constant fear engendered by “offences that cripple the day-to-day living of women and children.”(71:7) Although various jurisdictions have attempted to address the issue of women’s safety through better enforcement techniques, the problem remains substantially unresolved and the Committee agrees that further legislative steps are required to strengthen the system’s response.

The Committee is aware that more than half of the state legislatures in the United States have passed “anti-stalking” laws since 1990. These laws are by no means uniform and some may be vulnerable to challenge on constitutional grounds.<sup>47</sup> At the same time, many are so new that their effectiveness has yet to be tested. It is also not clear which, if any, would be useful in the context of our criminal justice system and the *Canadian Charter of Rights and Freedoms*. For example, some would expand the scope of existing criminal sanctions by allowing a conviction for simply following a person, while others require accompanying threats of death or great bodily injury, activity already prohibited by section 264.1 of the *Criminal Code*.<sup>48</sup>

Consequently, the Committee is attracted to the NSACSW recommendation to expand existing *Criminal Code* provisions rather than create an entirely new offence. Although amendments were suggested to render section 423 an indictable offence, the Committee notes that the language and

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<sup>46</sup> Offences under s. 423 of the *Criminal Code* are currently classified as summary conviction.

<sup>47</sup> Kenneth R. Thomas, *Anti-Stalking Statutes: Background and Constitutional Analysis*, Congressional Research Service, 26 September 1992, Library of Congress.

<sup>48</sup> Section 264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat

- (a) to cause death or serious bodily harm to any person;
- (b) to burn, destroy or damage real or personal property; or
- (c) to kill, poison or injure an animal or bird that is the property of any person.

present location of that provision would also tend to limit its usefulness in sanctioning behaviour that is primarily intended to convey a threat.<sup>49</sup> The Committee considers it more appropriate to deal with offences of that nature in Part VIII of the *Criminal Code*, along with assault, uttering threats and other “offences against the person”.

#### **Recommendation 10**

**The Committee recommends that a hybrid offence of intimidation be included in Part VIII of the *Criminal Code* that would prohibit following or other forms of harassment, with intent to convey a threat. The Committee also recommends that violation of an existing court order should be an aggravating factor that would allow for greater penalties.**

#### **J. Powers of Arrest and CPIC**

In the course of hearings, the Committee was asked to address certain deficiencies in the law that slow police response times when dealing with parolees, probationers and accused who are free on judicial interim release.

The Committee accepts that police response times in such instances may be critical to the safety of both the officers themselves and the public at large.

#### **Recommendation 11**

**The Committee recommends that s. 495 of the *Criminal Code* be amended to allow police arrest, without warrant, of parolees found committing a breach of their parole conditions. The Committee further recommends that C.P.I.C. publish, as part of the information concerning persons identified in their records, complete conditions of parole, probation and interim release.**

### **ISSUES FOR THE FUTURE CONSIDERATION OF THE COMMITTEE**

The Committee also heard evidence from witnesses concerning the protection of children from sexual exploitation and abuse. The committee learned from Detective Noreen Wolff of the City of Vancouver Police Department of a paedophile organization in the United States that puts out a newsletter and other published material that “glorifies sex with children and those with paedophilic tendencies”. (84:7) The North American Man–Boy Love Association (NAMBLA) is trying to gain a foothold in Canada, according to Detective Wolff. Copies of NAMBLA material have been seized by Canadian customs and found on the shelves in book stores in some Canadian cities. Detective Wolff expressed concern that those who would subscribe to NAMBLA material are the type of people who sexually abuse children. Although Canada has laws protecting children from sexual abuse, the Committee was told we need additional legislation to protect children from sexual exploitation.

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<sup>49</sup> Section 423 is found in Part X of the *Criminal Code*, which deals with “Fraudulent Transactions Relating to Contracts and Trade.” It prohibits violence or threats of violence, following, intimidation, etc. “for the purpose of compelling another” to act or to abstain from acting in a particular manner.

We need to have laws to make it an offence to possess child pornography and also NAMBLA-type material, because the pictures in themselves are not pornographic. What we want for the protection of children is that people who have a tendency to abuse children should not be able to possess this sort of material. (84:8)

Monica Rainey, President of Citizens Against Child Exploitation (C.A.C.E.) also expressed her organization's concern about the inadequate response of the criminal justice system to the sexual exploitation of children. Among other reforms, C.A.C.E. advocated minimum sentences to reflect the seriousness of offences, mandatory treatment of convicted offenders, better access to treatment for victims and a stronger voice for children in court. A national register of convicted child abusers was also suggested, as well as "sexual predator legislation", similar to that recently implemented in Washington State.

The Committee acknowledges that the sexual assault or exploitation of children must be addressed. It is victimization of a kind that causes children and their families untold physical and emotional pain and is a major contributing factor in higher levels of criminality among adults; the abused become the abusers. In light of this enormous impact, the Committee believes that issues raised by the witnesses demand immediate consideration. At the same time, the Committee believes that long term solutions are more likely to result from an in-depth, systematic examination of all aspects of the problem. For that reason, the Committee proposes to address the issue in the context of its review of the child sexual abuse provisions of the *Criminal Code* scheduled to begin in April of this year.



## ***LIST OF RECOMMENDATIONS***

### **Recommendation 1**

**The Committee recommends that the federal government, in cooperation with the provinces and municipalities, take on a national leadership role in crime prevention and develop a national crime prevention policy. The policy should set out the following principles and initiatives:**

- a. Crime prevention will be included in the mandates of federal departments and agencies responsible for criminal justice, policing, immigration, housing, and social and economic development;**
- b. All levels of government are responsible for crime and they must work together to prevent its occurrence;**
- c. Crime occurs in communities and priorities concerning crime prevention are best determined at the local level;**
- d. The primary approach taken to prevent crime and create safer communities entails a coordinated, multidisciplinary effort to address the root causes of crime; and**
- e. Prevention measures include law enforcement, community-based policing, social development and reduction of criminal opportunities. (Page 22)**

### **Recommendation 2**

**The Committee recommends that the federal government, in consultation with the provinces and territories and the Federation of Canadian Municipalities, support the development of a national crime prevention council. The council's mandate should deal mainly with issues of reducing crime. Specifically, it should:**

- a. promote community safety;**
- b. provide the federal government with advice and participate in policy development on matters related to safer communities;**
- c. gather, analyze and disseminate knowledge about crime, crime trends and crime prevention;**
- d. provide training, research, evaluation and public education on the prevention of crime;**
- e. provide funding assistance to local governments and community organizations to implement community safety initiatives; and**
- f. include membership from federal, provincial and municipal governments, and professionals and practitioners involved in crime prevention, health, social services, housing and education. (Page 23)**

### **Recommendation 3**

**The Committee recommends that a share of the monies forfeited as proceeds of crime be allocated to crime prevention activities and that the federal government allocate 1% a year of the current federal budget for police, courts and corrections to crime prevention over a five year period. At the end of five years, Canada should spend 5% of the current federal criminal justice budget on crime prevention. (Page 24)**

### **Recommendation 4**

**The Committee recommends that the Department of Justice maintain its role as the Department responsible for crime prevention and that it appoint a senior official responsible for crime prevention policy and program development. (Page 25)**

### **Recommendation 5**

**The Committee recommends that federal government support the establishment of an international centre for the prevention of crime to be affiliated with the United Nations. (Page 26)**

### **Recommendation 6**

**The Committee recommends that Parliament's commitment to crime prevention be given clear expression in principles contained within the *Criminal Code*, the Young Offenders Act, the Corrections and Conditional Release Act, the Royal Canadian Mounted Police Act and related criminal justice statutes. (Page 27)**

### **Recommendation 7**

**The Committee recommends that the federal government expand Statistics Canada's program of victimization surveys to allow for the analysis of trends in crime victimizations at regular intervals and to allow for population samples sufficiently large to capture the experiences of important sub-groups of the Canadian population. The information collected from the victimizations surveys should be used to support the research agenda of the proposed national crime prevention centre. (Page 28)**

### **Recommendation 8**

**The Committee recommends that the federal government work with the provinces, the territories and relevant professions to promote violence-prevention education as an integral part of the curriculum in elementary, junior and high schools across Canada. (Page 29)**

### **Recommendation 9**

**The Committee recommends that the Minister of Justice in consultation with provincial Attorneys General review existing charging policies and powers of arrest in domestic violence situations to ensure that, where appropriate, abusers are**

**removed from the home, for a reasonable period, to allow victims adequate time to determine an appropriate course of action and to defuse the emotional climate thereby reducing the immediate likelihood of continuous violence. (Page 29)**

#### **Recommendation 10**

**The Committee recommends that a hybrid offence of intimidation be included in Part VIII of the *Criminal Code* that would prohibit following or other forms of harassment, with intent to convey a threat. The Committee also recommends that violation of an existing court order should be an aggravating factor that would allow for greater penalties. (Page 31)**

#### **Recommendation 11**

**The Committee recommends that s. 495 of the *Criminal Code* be amended to allow police arrest, without warrant, of parolees found committing a breach of their parole conditions. The Committee further recommends that C.P.I.C. publish, as part of the information concerning persons identified in their records, complete conditions of parole, probation and interim release. (Page 31)**

## *Appendix A*

### *List of witnesses*

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Professor André Normandeau</b> International Centre for Comparative Criminology, University of Montréal.	69	Thursday, November 19, 1992
<b>Salvation Army</b> Stewart King, Executive Director, Correctional and Justice Services	69	Thursday, November 19, 1992
<b>Canadians Against Violence Everywhere Advocating its Termination (CAVEAT)</b> Priscilla de Villiers, Executive Director.	69	Thursday, November 19, 1992
<b>Canadian Police Association</b> Neal Jessop, President and Chairman of the Legislation Committee; Scott Newark, Legal Counsel; James M. Kingston, Chief Executive Officer.	69	Thursday, November 19, 1992
<b>Professor Irvin Waller</b>	70	Tuesday, November 24, 1992
<b>Federation of Canadian Municipalities</b> Marguerite Delisle, President and Mayor of the City of Sillery; Michel Hamelin, President, Montreal Urban Community; Paul Sonnichsen, Co-ordinator, Urban Safety and Crime Prevention.	70	Tuesday, November 24, 1992
<b>City of Montreal (Tandem)</b> Serge Bruneau, Responsible for the Urban Security; Charles Couture, Training Co-ordinator.	70	Tuesday, November 24, 1992
<b>Nova Scotia Advisory Council on the Status of Women</b> Debi Forsyth-Smith, President.	71	Thursday, November 26, 1992
<b>McNaughton Consulting</b> D. McNaughton, President.	71	Thursday, November 26, 1992

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>LeClair Consulting</b> Lorraine LeClair.	71	Thursday, November 26, 1992
<b>Canadian Association of Chiefs of Police</b> Chief G. Cohoon Chairman, Crime Prevention Committee.	72	Monday, November 30, 1992
<b>Moncton Police Force</b> Superintendent Randy Cunningham .	72	Monday, November 30, 1992
<b>Education Alternatives Program, P.E.I.</b> Michael Trainor, Program Teacher.	72	Monday, November 30, 1992
<b>Crime Prevention Society of Nova Scotia</b> Herb Chapman, Secretary, Mark Joseph, Chairman.	73	Tuesday, December 1, 1992
<b>Community Legal Information Association of P.E.I.</b> Ann Sherman, Executive Director.	73	Tuesday, December 1, 1992
<b>Department of Justice and Attorney General of P.E.I., Justice Resources Centre</b> Jill Lightwood.	73	Tuesday, December 1, 1992
<b>East Prince Committee on Family Violence, P.E.I.</b> Sheila McDonald, Co-ordinator; Donna Birch.	73	Tuesday, December 1, 1992
<b>Citizens Crime Prevention Association of Newfoundland</b> Margaret Hancock, President.	73	Tuesday, December 1, 1992
<b>Gander Crime Prevention Committee</b> Doug Cudmore, Chairman.	73	Tuesday, December 1, 1992
<b>Island Alternative Measures Society, N.S.</b> Pat Gorham, Project Co-ordinator.	74	Tuesday, December 1, 1992
<b>Nova Scotia Teachers Union</b> Harold Doucet, Past President; John MacDonald, President.	74	Tuesday, December 1, 1992
<b>University of Montreal</b> Professor Marc LeBlanc, Ph.D., School of Psychoeducation.	75	Thursday, December 3, 1992

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Canadian Criminal Justice Association</b> Paul J. Williams, Association President; John W. Braithwaite, Past President; Gerald Ruygrok, Member of the Board of Directors and Chair of the Parliamentary Monitoring Committee; Gaston St-Jean, Executive Director; Tom Gabor, Professor of Criminology at Ottawa University and advisor to the Association. Dr. Barbara Fulford, Ph.D. Psychologist.	75	Thursday, December 3, 1992
<b>Canadian Society for the Prevention  of Cruelty to Children</b> Dr. E. Barker, President.	76	Tuesday, December 8, 1992
<b>Comité provincial de prévention  de la criminalité économique</b> Niquette Delage, Présidente.	76	Tuesday, December 8, 1992
<b>Royal Canadian Mounted Police</b> Frank L. Dickins, Assistant Commissioner, Director of Community and Aboriginal Policing; Inspector D.W. McCallum, Officer in charge of the Community Policing Branch.	76	Tuesday, December 8, 1992
<b>The Hon. Kim Campbell</b> Minister of Justice and Attorney General of Canada	77	Wednesday, December 9, 1992
<b>Department of Justice</b> Richard Mosley, Chief Policy Council, Criminal and Social Policy.	77	Wednesday, December 9, 1992
<b>Quebec Association of Police and  Fire Chiefs (ADPPQ)</b> Lorrain Audy, President and Director, Hull Police Force.	78	Thursday, December 10, 1992

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Metro Action Committee on Public Violence against Women and Children (METRAC)</b> Susan McCrae Vander Voet, Executive Director.	78	Thursday, December 10, 1992
<b>Perry Winston Schulman, Q.C.</b> Barrister and Solicitor.	79	Tuesday, January 12, 1993
<b>John William Campbell</b> Constable, City of Winnipeg Police Department.	79	Tuesday, January 12, 1993
<b>Mohawk Council of Kanesatake</b> Grand Chief Jerry Peltier.	79	Tuesday, January 12, 1993
<b>Mohawk Council of Akwesasne</b> Grand Chief Michael Mitchell; Chief Brian David; Harris Cole, Akwesasne Police Commission; Ernie Houghton, Interim Chief of Police; Cheryl Jacobs, Constable; Russell Roundpoint, Intergovernmental Liaison Officer; Louise Thompson, Co-ordinator, Justice Department.	79	Tuesday, January 12, 1993
<b>John Howard Society of Canada</b> Jim MacLatchie, Executive Director.	79	Tuesday, January 12, 1993
<b>British Columbia Crime Prevention Association</b> Al Fouquette, Vice-President; Sharron Hilsen, Executive Director.	80	Monday, January 18, 1993
<b>British Columbia Coalition</b> Patti Pearcey, Co-ordinator; Carol Matusicky, Executive Director of British Columbia Council for the Family; Dr. Calvin Lee, Member; Phil Hall, Member of the First Nations Assembly, Skowkale Band, Stolo Nation.	80	Monday, January 18, 1993

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Malaspina College, Nanaimo, B.C.</b> John Anderson, Co-ordinator, Criminology Department.	80	Monday, January 18, 1993
<b>National Action</b> <b>Committee on the Status of Women</b> Shelagh Day, Vice-President; Lee Lakeman, Vancouver Rape Relief; Sunera Thobani, Member at Large; Shirley Masuda, Dawn Canada.	80	Monday, January 18, 1993
<b>Coquitlam/Port Coquitlam</b> <b>Community Policing Committee</b> Russ Hellard, Chairman; Corporal George Braithwaite, Royal Canadian Mounted Police.	81	Monday, January 18, 1993
<b>W.J. Stelmaschuk &amp; Associates</b> Mauro Conzatti, National Director, Residential Corrections Services.	81	Monday, January 18, 1993
<b>John Howard Society of Alberta</b> Gerard O'Neill, President; Howard Sapers, Executive Director.	81	Monday, January 18, 1993
<b>Elizabeth Fry Society of Edmonton</b> Carol Hutchings, Executive Director; Marilena Carminati, Barrister and Solicitor.	81	Monday, January 18, 1993
<b>John Howard Society of Manitoba</b> Graham Reddoch, Executive Director.	81	Monday, January 18, 1993
<b>Bread and Roses Women's Centre, Kitimaat</b> Elizabeth Botz.	81	Monday, January 18, 1993
<b>Port Coquitlam Women's Centre</b> Lynne Brown, Co-ordinator; Kathryn Wahamaa, Researcher.	81	Monday, January 18, 1993
<b>Chinese Benevolent Association of Vancouver</b> Bill Yee, President; Edmond Chang, Co-ordinator, Chinatown Police Community Services Centre.	82	Tuesday, January 19, 1993
<b>Urban Representative Body of</b> <b>Aboriginal Nations Society (URBAN)</b> Lawrence Redwood, Executive Co-ordinator; Gloria Nicholson, Board Member.	82	Tuesday, January 19, 1993



<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Native Courtworker and Counselling Services of British Columbia</b> Hugh Braker, President.	82	Tuesday, January 19, 1993
<b>Native Counselling Services of Alberta</b> Allen Benson, Assistant Executive Director.	82	Tuesday, January 19, 1993
<b>Vancouver Police and Native Liaison Society</b> Vasa Sramek, Executive Director.	82	Tuesday, January 19, 1993
<b>Committee for Racial Justice (Vancouver)</b> Aziz Khaki.	83	Tuesday, January 19, 1993
<b>Saskatchewan Crime Prevention Network</b> Sergeant Don Evers, Board Member.	83	Tuesday, January 19, 1993
<b>Saskatoon Sexual Assault and Information Centre:</b> Maureen Jones, Executive Director; Lisa Cheyne, Board Member.	83	
<b>Linda Meyer</b> Student.	83	Tuesday, January 19, 1993
<b>British Columbia Ministry of Attorney General, Police Services Branch (Vancouver)</b> Norm Brown, Senior Program Manager, Crime Prevention, Preventative Police Program.	83	Tuesday, January 19, 1993
<b>Canadian Real Estate Association</b> Michael Ziegler, Past President; Linda L. Thériault, Director, Communications and Government Relations, Vancouver Island Real Estate Board.	83	Tuesday, January 19, 1993
<b>British Columbia and Yukon Insurance Bureau of Canada</b> Brian Stanhope. Vice-President.	83	Tuesday, January 19, 1993
<b>British Columbia Insurance Brokers Association</b> Jack Hamilton, General Manager.	83	Tuesday, January 19, 1993
<b>City of Vancouver Police Department</b> Noreen Wolff, Detective, Investigation Division (Pornography).	84	Wednesday, January 20, 1993

<b>Associations and Individuals</b>	<b>Issue</b>	<b>Date</b>
<b>Citizens Against Child Exploitation</b> Monica Rainey, President.	84	Wednesday, January 20, 1993
<b>The Hon. Doug Lewis</b> Solicitor General of Canada.	85	Tuesday, February 2, 1993
<b>Ministry of the Solicitor General of Canada</b> Joseph S. Stanford, Deputy Solicitor General; Wendy F. Porteous, Assistant Deputy Solicitor General, Police and Security Branch; Richard Zubrycki, Acting Assistant Deputy Solicitor General, Corrections Branch.	85	Tuesday, February 2, 1993

## ***Request for Government Response***

The Committee requests that the Government provide a comprehensive response to its Report in accordance with Standing Order 109.

A copy of the relevant Minutes of Proceedings and Evidence of the Standing Committee on Justice and the Solicitor General (*Issues Nos. 69 to 85 and 87 which includes this Report*) is tabled.

Respectfully submitted,

ROBERT HORNER,  
*Chairman.*

## *Minutes of Proceedings*

**TUESDAY, FEBRUARY 23, 1993**

(111)

The Standing Committee on Justice and the Solicitor General met *in camera* at 10:35 o'clock a.m. this day, in Room 536, Wellington Bldg., the Chairman, Bob Horner, presiding.

*Members of the Committee present:* Bob Horner, Russell MacLellan, Blaine Thacker, Scott Thorkelson, Ian Waddell and Tom Wappel.

*Acting Members present:* Douglas Fee for Carole Jacques and Larry Schneider for Jacques Tétreault.

*Other Members present:* Derek Blackburn and Derek Lee.

*In attendance: From the Research Branch of the Library of Parliament:* Patricia Begin and Marilyn Pilon, Research Officers.

The Committee, pursuant to Standing Order 108(2), resumed consideration of questions relating to Crime Prevention. (*See Minutes of Proceedings and Evidence, dated Thursday, November 19, 1992, Issue No. 69*).

The Committee considered its Draft Report.

It was agreed,—That the Draft Report, as amended, be concurred in.

It was agreed,—That the French version and the English version of the report be printed separately.

It was agreed,—That the Chairman be authorized to make such grammatical and editorial changes to the report as may be necessary without changing the substance of the report.

It was agreed,—That the Chairman table the report as the Twelfth Report to the House.

It was agreed,—That the Committee request that the Government provide a comprehensive response to this report.

It was agreed,—That the Committee print an additional 2,000 copies in English and 1,000 copies in French of Issue No. 87 which includes the present report and that the additional cost be charged to the budget of the Committee.

At 12:30 o'clock p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis  
*Clerk of the Committee*