

## By The Numbers: Facts about the Costs of Tough on Crime Measures

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- Canada's crime rate is declining.
  - Canada's crime rate has been steadily decreasing for decades; the 2012 crime rate was the lowest it has been since 1972.<sup>1</sup>
  - Violent crime rate has also been declining; Canada's 2012 violent crime rate was the lowest since 1987.<sup>2</sup>
- But criminal justice expenditures are increasing.
  - From 2002-2012, total expenditures have increased by 66% in nominal terms, reaching \$20.3 billion.<sup>3</sup>
  - In real terms (using 2002 dollars), expenditures have increased by 37%, starting at \$12.2 billion in 2002 and reaching \$16.7 billion by 2012.<sup>4</sup>
- The Federal Government has provided no complete costing analysis of Bill C-10.
  - The Government estimated that only two of the nine bills combined in the Omnibus Crime Bill would add costs federally.
    - Increased penalties for drug crimes estimated to cost \$67.7 million over five years.<sup>5</sup>
    - New mandatory minimums for sexual offences estimated to cost \$10.9 million over two years.<sup>6</sup>
  - The Parliamentary Budget Office estimated that *one aspect* of Bill C-10 (changing eligibility criteria for conditional sentences of imprisonment) will add up to \$156,562,459 in trial, corrections and parole costs.<sup>7</sup>

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<sup>1</sup> Samuel Perrault, Statistics Canada, Police-Reported Crime Statistics in Canada, 2012 *Juristat* 33(1) Statistics Canada Catalogue No. no. 85-002-X (Ottawa: StatsCan, 2013), online: Statistics Canada <<http://www.statcan.gc.ca/pub/85-002-x/2013001/article/11854-eng.pdf>>

<sup>2</sup> *Ibid.*

<sup>3</sup> Rod Story & Tolga R. Yalkin, *Expenditure Analysis of Criminal Justice in Canada* (Ottawa: Office of the Parliamentary Budget Officer, 2013), online: Office of the Parliamentary Budget Officer <[http://www.pbo-dpb.gc.ca/files/files/Crime\\_Cost\\_EN.pdf](http://www.pbo-dpb.gc.ca/files/files/Crime_Cost_EN.pdf)>

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

<sup>5</sup> Tolga R. Yalkin & Michael Kirk, *The Fiscal Impact of Changes to Eligibility for Conditional Sentences of Imprisonment in Canada* (Ottawa: Office of the Parliamentary Budget Officer, 2012), online: Office of the Parliamentary Budget Officer <[http://www.parl.gc.ca/pbo-dpb/documents/Conditional\\_sentencing\\_EN.pdf](http://www.parl.gc.ca/pbo-dpb/documents/Conditional_sentencing_EN.pdf)> at 17.

<sup>6</sup> *Ibid.* at 17.

- The Government of British Columbia has provided no complete costing analysis of the costs of implementing Bill C-10 in BC.
  - In a 2011 Audit, BC estimated that one of the bills combined into Bill C-10 would add 200 inmates to its correctional system, and that the Truth in Sentencing Act would add 270 inmates at a combined cost of approximately \$31 million per year.<sup>8</sup>
- The social and human costs of incarceration are staggering and difficult to measure.
  - Longer terms of imprisonment affect family health outcomes and the viability of our communities.
    - An estimated 20,000 children are separated from their mothers because of incarceration every year.<sup>9</sup>
    - Children of incarcerated parents exhibit withdrawal, low self-esteem, depression, substance abuse and aggression.<sup>10</sup>
  - Incarceration affects health outcomes for prisoners.<sup>11</sup>
    - Prisoners are about three times as likely as the general public to suffer from serious mental illness.<sup>12</sup>
    - Nearly four out of five offenders arriving at a federal prison have a serious substance-use problem.<sup>13</sup>

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<sup>7</sup> *Ibid.* at 68-69.

<sup>8</sup> British Columbia Ministry of Finance, Internal Audit & Advisory Services, *Review of the Provincial Justice System in British Columbia* (Victoria: Ministry of Finance, 2011), online: Ministry of Attorney General <<http://www.ag.gov.bc.ca/public/JusticeSystemReview.pdf>>

<sup>9</sup> Ruth Elwood Martin, et al., "The Scope of the Problem: The Health of Incarcerated Women in BC" (2012) 65 *BC Med. Journal* 502.

<sup>10</sup> See, e.g., Shimica Gaskins, "Women of Circumstance: The Effects of Mandatory Minimum Sentencing on Women Minimally Involved in Drug Crimes" (2004) 41 *Am Crim L Rev* 1533.

<sup>11</sup> Joshua Lau & Ruth Elwood Martin, *Health Impacts of the Safe Streets and Communities Act (Bill C-10) Responding to Mandatory Minimum Sentencing* (Vancouver: Collaborating Centre for Prison Health and Education, 2012); Office of the Provincial Health Officer, *Health, Crime, and Doing Time: Potential Impacts of the Safe Streets and Communities Act (Former Bill C-10) on the Health and Well-being of Aboriginal People in BC* (Victoria: Office of Provincial Health Officer, 2013), online: Ministry of Health <<http://www.health.gov.bc.ca/pho/pdf/health-crime-2013.pdf>>

<sup>12</sup> Alexander I.F. Simpson, et al., "Challenges for Canada in Meeting the Needs of Persons with Serious Mental Illness in Prison" (2013) 41 *J Am Acad Psychiatry Law* 501.

<sup>13</sup> Correctional Service of Canada Review Panel, *A Roadmap to Strengthening Public Safety* (Ottawa: Ministry of Public Safety, 2007) at 4, online: Ministry of Public Safety <<http://www.publicsafety.gc.ca/cnt/cntrng-crm/csc-scc-rvw-pnl/report-rapport/cscrprprt-eng.pdf>>.

- Unsafe injection drug use in prisons is a public health problem:
  - HIV prevalence among federal prisoners is 15 times the Canadian population.<sup>14</sup>
  - Hep-C among federal prisoners is 39 times more prevalent in prisons.<sup>15</sup>
  
- Mandatory minimums disproportionately impact Aboriginal offenders.
  - As of Feb 2013, 23.2% of the federal inmate population was Aboriginal (First Nations, Métis or Inuit), while making up just over 4% of the Canadian Population.<sup>16</sup>
  - Aboriginal women accounted for over 33.6% of all federally incarcerated women in 2010-2011.<sup>17</sup>
  - Aboriginal offenders experience prison more harshly.<sup>18</sup>
    - Aboriginal offenders are more likely to receive higher security classification levels based on risk assessment.<sup>19</sup>
    - Aboriginal offenders are more less likely to receive appropriate programming, educational and training opportunities in prison.<sup>20</sup>

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<sup>14</sup> D. Zakaria, et al., Summary of Emerging Findings from the 2007 National Inmate Infectious Diseases and Risk Behaviours Survey (Ottawa: Correctional Service of Canada, 2010), online: Correctional Service of Canada <<http://www.csc-scc.gc.ca/research/005008-0211-01-eng.shtml>>

<sup>15</sup> *Ibid.*

<sup>16</sup> Office of the Correctional Investigator of Canada, *Spirit Matters: Aboriginal People and the Corrections and Conditional Release Act* (Final Report) (October 22, 2012) at 11, online: Office of the Correctional Investigator <<http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022-eng.aspx>> [*Spirit Matters*]; Statistics Canada, Aboriginal Peoples in Canada: First Nations, Métis and Inuit, National Household Survey, Catalogue No. 99-011-X2011001 (2011), online: Statistics Canada <<http://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.pdf>>

<sup>17</sup> *Spirit Matters, ibid.* at 11.

<sup>18</sup> *R. v. Gladue*, [1999] 1 S.C.R. 688 at 725.

<sup>19</sup> *Spirit Matters*, supra note 16 at 5.

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