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# **CCJA- News, November 2, 2009**

## **Nouvelles-ACJP, le 21 novembre, 2009**

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### **1. Justice - Les conservateurs ajouteront un verrou aux portes des prisons**

**Ottawa mettra un terme aux libérations prématurées**  
Finies les libérations de prisonniers n'ayant purgé qu'un sixième de la peine imposée par le juge. Ottawa resserre la vis aux criminels non violents, mais il est probablement déjà trop tard pour l'ex-dirigeant de Norbourg, Vincent Lacroix.

À peine 60 millions de dollars. Ottawa calcule que c'est ce que lui coûtera sa décision de resserrer les règles de remise en liberté des prisonniers fédéraux. Mais des voix s'élèvent déjà pour dire que ce chiffre n'est pas réaliste et que le gouvernement fédéral se dirige vers une facture pénitentiaire exponentielle.

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## 2. Homicide in Canada 2008 - StatsCanada

Police reported 611 homicides in Canada in 2008, 17 more than the previous year, resulting in a 2% rise in the national homicide rate. The 2008 increase was due almost entirely to increases in Alberta and British Columbia, much of which was gang-related.

After peaking in the mid-1970s, the homicide rate generally declined until 1999 and has been relatively stable since. Gang-related homicides, however, have been on the rise since the early 1990s and accounted for almost 1 in 4 homicides in 2008.

There were 200 homicides committed with a firearm in 2008, 12 more than in 2007. The rate of homicides committed with a firearm has increased 24% since 2002.

There were 146 female homicide victims, 17 fewer than in 2007. Women accounted for 24% of homicide victims in 2008, the lowest proportion since statistics were first collected.

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## 3. Trends in police-reported serious assaults 2008 -StatsCanada

Serious assaults, as well as assaults against peace officers, have increased by more than 20% during the past decade. They are among the few police-reported violent crimes on the rise in Canada.

In 2008, police reported about 3,500 aggravated assaults and 54,000 assaults with a weapon or assaults causing bodily harm.

In addition, police reported almost 10,000 assaults against peace officers in 2008. Almost 70% of these occurred in conjunction with at least one other offence, most commonly obstruction of a peace officer, level 1 assault and uttering threats. The large majority of these assaults were committed without a weapon.

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## 1. Justice - Les conservateurs ajouteront un verrou aux portes des prisons

*Ottawa mettra un terme aux libérations prématurées*

**HÉLÈNE BUZZETTI**

Le devoir, Édition du mardi 27 octobre

Finies les libérations de prisonniers n'ayant purgé qu'un sixième de la peine imposée par le juge. Ottawa resserre la vis aux criminels non violents, mais il est probablement déjà trop tard pour l'ex-dirigeant de Norbourg, Vincent Lacroix.

Ottawa -- À peine 60 millions de dollars. Ottawa calcule que c'est ce que lui coûtera sa décision de ressermer les règles de remise en liberté des prisonniers fédéraux. Mais des voix s'élèvent déjà pour dire que ce chiffre n'est pas réaliste et que le gouvernement fédéral se dirige vers une facture pénitentiaire exponentielle.

Les conservateurs l'avaient promis en campagne électorale en 2005 et, cinq ans plus tard, ils mettent finalement leur promesse à exécution. La remise en liberté d'un prisonnier après avoir purgé le sixième de sa peine ne sera plus possible en aucune circonstance. Quant aux libérations conditionnelles totales, au tiers de la peine, elles s'obtiendront plus difficilement. À l'heure actuelle, le détenu remplit des documents et, s'il peut démontrer qu'il ne commettra pas de crime violent, il obtient sa libération de manière quasi automatique. Désormais, il devra démontrer qu'il ne commettra pas d'autre crime, violent ou pas, lors d'une audience à la Commission nationale des libérations conditionnelles.

«Les gens ont l'impression qu'ils peuvent commettre des crimes impunément», a expliqué le ministre de la Sécurité publique, Peter Van Loan, de passage à Montréal. Comme cela est devenu l'habitude du gouvernement conservateur, l'annonce a été faite avant que le projet de loi ne soit déposé au Parlement. Sans détails, il a été difficile d'interroger le ministre.

M. Van Loan a soutenu que cette mesure coûterait au maximum 60 millions de dollars. Plusieurs doutent de cet optimisme. Il y a 13 179 prisonniers dans les 57 prisons fédérales du pays. Chacun coûte 102 000 \$ par année en moyenne. Une somme de 60 millions permettrait de payer pour seulement 588 détenus supplémentaires. Or, depuis 2004, on a relâché en moyenne par année 1038 prisonniers ayant purgé seulement le sixième de leur peine. De plus, on a relâché en moyenne 1163 détenus ayant purgé le tiers de leur peine.

Notons en outre que les prisons fédérales frisent la pleine capacité. Il ne reste que 1853 places pour un taux d'occupation de 88 %. «La surpopulation carcérale est pour bientôt. Inévitablement, il faudra construire de nouvelles prisons», prédit le criminaliste Jean-Claude Hébert. Selon lui, le chiffre de 60 millions «n'a pas de bon sens». «Ça va coûter bien plus cher que cela.» Il note que, dans les prisons provinciales du Québec, les personnes soumises à des peines de fin de semaine sont renvoyées chez elle par manque de place. «Ça craque de toutes parts. Au Québec, on l'a déjà en pleine face. Au fédéral, ça s'en vient.» Le ministre Van Loan a déjà indiqué récemment qu'il songeait à agrandir les prisons existantes. Il songe aussi à bâtir des mégaprisons régionales.

Si M. Hébert critique la démagogie du gouvernement fédéral lorsque celui-ci prétend rentabiliser cette dépense en évitant ainsi des fraudes financières, il n'applaudit pas moins à la mesure. «La justice doit être crédible et lorsque la main droite [le système carcéral] défait ce que la main gauche [les tribunaux] fait, ce n'est pas crédible. Je connais beaucoup de juges frustrés que les peines qu'ils donnent soient ainsi diluées. Ils prennent cela comme une gifle! [...] Permettre la libération après le sixième de la peine a été une erreur.»

C'est d'ailleurs le point de vue qu'a défendu le Bloc québécois au cours des deux dernières campagnes électorales et qui entend donc en principe appuyer le projet de loi. Au Parti libéral, on préférerait conserver la libération au sixième de la peine pour certaines exceptions. Le chef néodémocrate, Jack Layton, lui, ne voulait pas se prononcer sur le principe lui-même hier.

## Pas de rétroactivité

Notons enfin que le projet de loi ne sera pas rétroactif. Les règles du jeu seront modifiées seulement pour les personnes condamnées après l'adoption du projet de loi. L'ex-dirigeant de Norbourg, Vincent Lacroix, pourrait donc rester admissible à une libération au sixième de sa peine. Toutefois, les experts ne s'entendent pas pour savoir ce qu'il adviendra s'il est aussi condamné au terme de son second procès.

Le président de l'Association des familles de personnes assassinées ou disparues, Pierre-Hugues Boisvenu, a applaudi à la mesure. Il ne s'inquiète pas d'une surpopulation carcérale. «Le taux d'occupation de nos prisons n'est pas lié au taux de criminalité, soutient-il, mais plutôt à la récidive.»



## 2. Homicide in Canada 2008 - StatsCanada

Police reported 611 homicides in Canada in 2008, 17 more than the previous year, resulting in a 2% rise in the national homicide rate. The 2008 increase was due almost entirely to increases in Alberta and British Columbia, much of which was gang-related.

After peaking in the mid-1970s, the homicide rate generally declined until 1999 and has been relatively stable since. Gang-related homicides, however, have been on the rise since the early 1990s and accounted for almost 1 in 4 homicides in 2008.

There were 200 homicides committed with a firearm in 2008, 12 more than in 2007. The rate of homicides committed with a firearm has increased 24% since 2002.

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In 2008, 55 youth aged 12 to 17 were accused of committing homicide, well below the peak of 85 in 2006. About 1 in 5 homicides committed by youth in 2008 was gang-related.

### Rise in gang-related homicides

Police reported 138 homicides in 2008 as gang-related, 20 more than in 2007. These include homicides linked to organized crime groups or street gangs, as well as the death of any innocent bystanders during the incident.

Most gang-related homicides occurred within Canada's largest census metropolitan areas (CMAs). The 10 largest CMAs accounted for just over half of all homicides in the nation in 2008, but slightly more than two-thirds of all gang-related homicides.

Police in the metropolitan area of Toronto reported 24 gang-related homicides, the most of any CMA. However, accounting for population, Calgary's 16 gang-related homicides in 2008 gave it the highest rate among the 10 largest metropolitan areas.

Firearms were used more often in gang-related homicides than in other types of homicide. In 2008, about three-quarters of gang-related homicides in Canada were committed with a firearm, compared with about 20% of homicides unrelated to gangs.

#### Homicides committed with a firearm generally on the rise since 2002

The overall rate of homicides committed with a firearm gradually declined from the mid-1970s to 2002. Since then, this rate has generally been increasing.

Of the 200 firearm homicides in 2008, 121 or 61% were committed with a handgun, 34 with a rifle/shotgun and 17 with a sawed-off rifle/shotgun. Over the past 30 years, the use of handguns to commit homicide has generally been increasing, while the use of rifles or shotguns has generally declined.

Police in the Toronto metropolitan area reported 50 firearm homicides in 2008, the most of any CMA. Taking population into account, however, the 12 firearm homicides in Winnipeg and the 16 in Edmonton gave those metropolitan areas the highest rates among the 10 largest CMAs.

#### Lowest rate of female homicide victims

Both the rate of females killed (0.87 per 100,000 population), as well as the proportion (24%), were the lowest since 1961.

Two possible explanations for the declining proportion are, first, a drop in rates of spousal homicide over the past 30 years, which usually involves female victims. The second is the growth in gang-related homicides since the early 1990s, which typically involve male victims.

Of all solved homicides in 2008, 15% were committed by a spouse, 19% by a family member other than a spouse, 41% by an acquaintance and 9% by someone known to the victim through a criminal relationship. The remaining 17% of victims were killed by a stranger, consistent with previous years.

Police reported 62 spousal homicides, unchanged from 2007. In 2008, the spousal homicide rate was at its lowest point in over 40 years.

Women are about three times more likely to be a victim of a spousal homicide than men. In 2008, 45 women and 17 men were killed by a current or former spouse. In addition, 27 homicides were committed by a current or former boyfriend/girlfriend or intimate partner, 8 more than the previous year.

#### Homicide rates highest in the West and North

The highest homicide rates per 100,000 population continue to be reported in the western provinces and territories. Manitoba reported the highest rate among the provinces in 2008, followed by Alberta, Saskatchewan and British Columbia.

New Brunswick, Newfoundland and Labrador and Quebec reported the lowest rates. Homicide rates in New Brunswick, Quebec and Ontario were at or near their lowest level in 40 years.

Among the largest centres, rates were highest in the western metropolitan areas of Abbotsford-Mission, Winnipeg, Regina, Edmonton, Kelowna, Calgary and Vancouver.

Police in Toronto reported 103 homicides, the most of all CMAs. However, Toronto's rate of 1.9 homicides per 100,000 population was slightly higher than the national average of 1.8.

Montréal and Hamilton each reported their lowest homicide rates since 1981, when data first became available at the CMA level.

#### Residents of largest cities not at highest risk of being a victim

Residents of large urban areas tend to be at slightly less risk of being a victim of a homicide than those living in smaller urban or rural areas. In 2008, the 22.9 million Canadians living in 1 of the 34 CMAs had a lower homicide rate (1.8) than the 10.4 million Canadians living outside a CMA (2.0).

Homicide rates in CMAs declined 7% in 2008, while rates in areas outside CMAs increased 25%. The increase in small urban and rural areas occurred mainly in Alberta and British Columbia.

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Table: Homicides by province and territory

	2008	2008
	number	rate (1)
Canada	611	1.83
Newfoundland and Labrador	5	0.98
Prince Edward Island	2	1.43
Nova Scotia	12	1.28
New Brunswick	3	0.40
Quebec	92	1.19
Ontario	176	1.36
Manitoba	54	4.47
Saskatchewan	30	2.95
Alberta	110	3.07
British Columbia	117	2.67
Yukon	3	9.05
Northwest Territories	3	6.93
Nunavut	4	12.72

1. Rates are calculated per 100,000 population.

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Table: Homicides by census metropolitan area

	2008	2008
	number	rate (1)
500,000 and over		

population		
Winnipeg	31	4.07
Edmonton	39	3.44
Calgary	34	2.87
Vancouver	54	2.37
Toronto	103	1.86
Montréal	48	1.27
Ottawa (2)	11	1.20
Québec	8	1.09
Hamilton	6	0.85
Kitchener	4	0.78
100,000 to less than 500,000 population		
Abbotsford-Mission	8	4.71
Regina	8	3.82
Kelowna	6	3.43
Windsor	7	2.10
Halifax	7	1.77
Saskatoon	4	1.55
Brantford	2	1.46
Victoria	5	1.44
St. Catharines-Niagara	6	1.36
Gatineau (3)	4	1.35
Greater Sudbury	2	1.22
Oshawa	4	1.12
Saint John	1	0.98
Peterborough	1	0.83
Trois-Rivières	1	0.68
Kingston	1	0.64
St. John's	1	0.55
London	2	0.41
Barrie	0	0.00
Guelph	0	0.00
Moncton	0	0.00
Saguenay	0	0.00
Sherbrooke	0	0.00
Thunder Bay	0	0.00

1. Rates are calculated per 100,000 population.
2. Ottawa refers to the Ontario part of the Ottawa-Gatineau census metropolitan area.
3. Gatineau refers to the Quebec part of the Ottawa-Gatineau census metropolitan area.

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Table: Gang-related and firearm homicides, census metropolitan areas over 500,000 population

	2008	2008	2008	2008
	Firearm homicides	Firearm homicides	Gang- related homicides	Gang- related homicides
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	number	rate (1)	number	rate (1)
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500,000 and over population				
Winnipeg	12	1.58	6	0.79
Edmonton	16	1.41	9	0.79
Vancouver	29	1.27	19	0.83
Calgary	13	1.10	16	1.35
Toronto	50	0.90	24	0.43
Montréal	14	0.37	17	0.45
Ottawa	3	0.33	3	0.33
Québec	0	0.00	1	0.34
Hamilton	0	0.00	0	0.00
Kitchener	0	0.00	0	0.00

1. Rates are calculated per 100,000 population.

### 3. Trends in police-reported serious assaults 2008 -StatsCanada

Serious assaults, as well as assaults against peace officers, have increased by more than 20% during the past decade. They are among the few police-reported violent crimes on the rise in Canada.

In 2008, police reported about 3,500 aggravated assaults and 54,000 assaults with a weapon or assaults causing bodily harm.

In addition, police reported almost 10,000 assaults against peace officers in 2008. Almost 70% of these occurred in conjunction with at least one other offence, most commonly obstruction of a peace officer, level 1 assault and uttering threats. The large majority of these assaults were committed without a weapon.

#### Increase in assaults seen across the country

The increase in serious assaults over the past 10 years occurred in virtually every province and territory. Some of the largest increases were reported in Nova Scotia, although rates in the province for these offences are similar to the national average.

Ontario reported a much smaller increase than other provinces between 1998 and 2008. The rate for aggravated assaults was up 6%, while that for assaults with a weapon or assaults causing bodily harm rose 2%.

Among the provinces, the highest rates for serious assaults and assaults against peace officers occurred in Saskatchewan, while the lowest were in Prince Edward Island, similar to overall violent crime.

**Spouses, acquaintances and strangers each account for about one-third of serious assaults**

There are three primary situations in which serious assaults occur, each accounting for about one-third of all serious assaults: incidents of family violence, disputes between acquaintances and disputes between strangers.

Females were most often seriously assaulted by a family member, usually a spouse, whereas males were most often assaulted by an acquaintance or a stranger.

**Increases in serious assaults greatest for youth**

In 2008, youth aged 12 to 17 accounted for 20% of all persons accused of committing serious assaults, slightly lower than the proportion of youth for all violent crimes. However, the growth in the rate of youth committing serious assaults was much higher than that for adults.

The 28% increase in the rate of youth committing aggravated assaults or assaults with a weapon or assaults causing bodily harm was more than double the 12% growth for adults over the past 10 years.

With respect to assaults against peace officers, the difference was even greater. The increase among youth was 52%, compared with 7% for adults.

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 Table: Police-reported serious assaults, by province and territory

	2008	2008	1998 to 2008
	Aggravated assault	Aggravated assault	Aggravated assault
	number	per 100,000 populati on	rate % change in rate
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Newfoundland and Labrador	29	5.7	62.3
Prince Edward Island	2	1.4	...
Nova Scotia	87	9.3	41.6
New Brunswick	59	7.9	69.3
Quebec	245	3.2	-37.7
Ontario	1,290	10.0	6.1
Manitoba	324	26.8	46.7
Saskatchewan	357	35.1	70.3
Alberta	659	18.4	46.0
British Columbia	433	9.9	59.4
Yukon	12	36.2	2.5

Northwest Territories (1)	24	55.4	-9.8
Nunavut (1)	33	104.9	369.1
Canada	3,554	10.7	22.6

	2008	2008	1998 to 2008
	Assault with a weapon or causing bodily harm	Assault with a weapon or causing bodily harm	Assault with a weapon or causing bodily harm
	number	rate per 100,000 populati on	% change in rate
Newfoundland and Labrador	713	140.4	54.7
Prince Edward Island	105	75.1	56.9
Nova Scotia	1,498	159.6	110.7
New Brunswick	1,059	141.7	59.0
Quebec	11,259	145.3	67.4
Ontario	14,762	114.2	1.5
Manitoba	3,976	329.2	23.3
Saskatchewan	3,921	385.9	61.4
Alberta	6,914	192.9	43.5
British Columbia	9,104	207.8	26.6
Yukon	158	476.7	78.9
Northwest Territories (1)	413	954.2	167.5
Nunavut (1)	369	1,173.4	249.7
Canada	54,251	162.9	31.7

... not applicable

1. The percent change is calculated from 1999 to 2008 as  
Nunavut was part of the Northwest Territories before 1999.

Table: Police-reported assaults against peace officers, by province and territory

	2008	2008	1998 to 2008
	Assault against peace officers	Assault against peace officers	Assault against peace officers
		rate per 100,000 populati on	% change

	number	on	in rate
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Newfoundland and Labrador	103	20.3	92.1
Prince Edward Island	13	9.3	-25.7
Nova Scotia	362	38.6	168.3
New Brunswick	259	34.7	15.1
Quebec	2,753	35.5	23.6
Ontario	2,834	21.9	23.7
Manitoba	439	36.3	35.1
Saskatchewan	532	52.4	66.0
Alberta	1,166	32.5	33.0
British Columbia	1,102	25.2	17.6
Yukon	23	69.4	35.1
Northwest Territories (1)	60	138.6	101.3
Nunavut (1)	53	168.5	73.9
Canada	9,699	29.1	28.7

1. The percent change is calculated from 1999 to 2008 as  
Nunavut was part of the Northwest Territories before 1999.

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