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JIM BROWN (Host): The federal government won over the Canadian public with its tough-on-crime approach. But it looks as if the battle for the hearts and minds of the premiers may be a tougher sell. The final cost of the Conservatives' omnibus crime bill must still be tallied. But Public Safety Minister Vic Toews and Justice Minister Rob Nicholson told the Justice and Human Rights Committee that the federal cost of Bill C-10 would be 78.6 million dollars over the next five years. How much will be billed to the provinces is unclear. As the crime bill gets closer to becoming law, there are serious questions about who will pay for what.

JEAN-MARC FOURNIER (Quebec Minister of Justice): We will not pay for it because it is not our responsibility to create more costs for taxpayers. It is a short-term solution bringing back people in front of the court and in prison again and again.

FELIX COLLINS (Minister of Justice, Newfoundland and Labrador): Our justice system is strained in accepting the people that we have. We're going to be certainly looking for help.

DARRELL DEXTER (Premier of Nova Scotia): It affects very materially the amount of money that we have to spend on other things like health care and education.

DALTON MCGUINITY (Premier of Ontario): I demand of the feds if you're going to, if you're going to require, for example, that we build new prisons in Ontario, that we staff those prisons with highly trained personnel, that's an additional cost to us and it's incumbent upon you as the creator of those costs to come up with the money to ensure that those costs are paid.

CHRISTY CLARK (Premier of British Columbia): Yes, the costs are something we have to work through. But you know what? There are lots of things in that bill that I support and I want to see it happen.

BROWN: Those are the opinions of Quebec Justice Minister Jean-Marc Fournier, Newfoundland and Labrador Justice Minister Felix Collins, Nova Scotia Premier Darrell Dexter, Ontario Premier Dalton McGuinty and that last voice, BC Premier Christy Clark. For Prime Minister Stephen Harper, however, there is no ambiguity.

STEPHEN HARPER (Prime Minister): The crime measures we're proposing are overwhelmingly supported by Canadians. They're not, in our judgement – we put the numbers before Parliament – they're not terribly expensive. They obviously cost some money. But compared to the costs of having dangerous

and repeat offenders walk the streets, they're pretty modest. And this is a fundamental responsibility of government to make sure there's a criminal justice system that does what it can to protect people. And you know, all the data I've seen suggests, whether it's Ontario, Quebec or anywhere else in the country, these measures are popular, they're supported, they're certainly supported by law enforcement people across the country. And we were elected and we've been promising these a long time. We've been elected specifically to move forward on them and that's what we're going to do.

BROWN: That's Prime Minister Stephen Harper speaking on Global TV's The West Block with Tom Clark. Ontario Premier Dalton McGuinty is very clear about where his province stands. If there are going to be any additional costs, Ottawa is going to have to pay. Madeline Meilleur is Ontario's Minister of Community Safety and Correctional Services and she joins us from Toronto this morning. Hello.

MADELINE MEILLEUR (Ontario Minister of Community Safety and Correctional Services): Good morning Jim.

BROWN: Do you have any idea right now how much implementing this new legislation is going to cost your province.

MEILLEUR: My ministry has undertaken a preliminary analysis of Bill C-10 and determined that there will be significant financial

implications for Ontario if the legislation becomes law. Further analysis of course is being completed. But we anticipate the inmate population to increase by hundreds and our operating costs to rise by millions.

BROWN: So, significant costs, but you haven't put a dollar figure to that yet.

MEILLEUR: Not a dollar figure. We have preliminary figures. But I'm not going to speak this morning about it because I want to have better analysis to be done. We have added new beds, new capacity in Ontario. We have, we are building, as we speak, two new correctional facilities. We will add 800 new beds to provide new capacity to address provincial needs. But that does not account for the added capacity pressures that the federal crime bill, C-10, will have on Ontario's correctional system.

BROWN: So, new prisons will require new staff. There'll be additional costs too I'm sure within the justice system.

MEILLEUR: Of course, of course. And that's why I'm calling on the federal minister, Vic Toews, to, to work with our government to provide appropriate funding to address this potential impact.

BROWN: Now, we just heard the Prime Minister say that the cost, his words are, the cost is not terribly expensive. How do you respond to that?

MEILLEUR: I don't know where, you know, what analysis he has done on it. But I can tell you that the preliminary study that was done in Ontario does not agree with, with Prime Minister Harper.

BROWN: Now, your premier, Dalton McGuinty, has been very public with his criticisms. Have you or has he had a chance to express these concerns to the federal government yet?

MEILLEUR: My office, as we speak, is drafting a letter to the minister, Minister Vic Toews. And we will make it very clear that Ontario cannot be expected to pay the full cost for federal public safety initiatives.

BROWN: Now, these opinions that you're expressing this morning, they were put to the Prime Minister last week during that interview on Global TV, The West Block with Tom Clark. Here was his response.

STEPHEN HARPER (Prime Minister): There's constitutional responsibilities of all the governments to, to enforce laws and protect people. And I think, you know, I've seen the data. The people of Ontario and Quebec expect that their government will work with the federal government to make sure we have safe streets and safe communities.

BROWN: Now Minister Meilleur, is Ontario constitutionally bound to pay for these justice programs?

MEILLEUR: I believe that the, you know, we have a responsibility to, to make sure that our, our streets are safe and that we, we make sure also that the laws are being obeyed. But we need support, financial support because, you know, we have a lot of financial responsibilities with health care and education and help to grow the economy. And we, we have to work as partners. And in the New Year we will have this federal-provincial-territorial ministers meeting and that will be on the top of my agenda.

BROWN: Now, you mentioned that you're building new prisons. What else will change? For, for accused people, for inmates who are going through the justice system under these new rules, what will be different?

MEILLEUR: Of course we will need more, more beds. We will need more correctional officers. We will need more staff, highly qualified staff in this area. We'll need more police officers. We'll need more, probably more judges. And so, those are costly for the provinces and I think that provinces are kind of united on that.

BROWN: Now, how do you respond to the position that these costs are nothing compared to keeping our streets and our communities safe?

MEILLEUR: I, you know, I agree that we need to keep our streets safe. But you know, it's, it's too our opinion it's the federal responsibility to

support the province in, in the additional costs that Bill C-10 will, will bring to, to provinces.

BROWN: Beyond the increased costs that are associated with these new laws, what's the Ontario government's position about the legislation itself?

MEILLEUR: I will say to you that others can debate the ideology in the House of Commons and elsewhere. But what is not up for debate is that this is going to cost the Province of Ontario more and we need to be compensated by the federal government.

BROWN: So you, your government has no position on the legislation itself.

MEILLEUR: We, we support, you know, better safety in our community. But we, we need, we need the help, financial help from the federal government due to our other responsibilities as a provincial government.

BROWN: Minister, thank you for joining us this morning.

MEILLEUR: My pleasure.

BROWN: That's Madeline Meilleur, Ontario's Minister of Community Safety and Correctional Services. The governments of Quebec, Newfoundland and Labrador, and Prince Edward Island have also expressed

concerns about covering costs of the crime legislation. But there are the provinces that support the new bill too and their role in paying for it, Manitoba, Alberta, BC, New Brunswick and Saskatchewan. Brad Wall, the Premier of Saskatchewan, stands behind the federal crime bill and promises his province will do its part. Don Morgan is Saskatchewan's Justice Minister and he is in Saskatoon. Good morning to you.

DON MORGAN (Saskatchewan Minister of Justice): Good morning.

BROWN: Has your province been able to calculate yet just what kind of an economic impact these new laws will have?

MORGAN: We are in the process of doing some work on it. As you're aware, we just went through an election the day before yesterday. So, we've been occupied with other things.

BROWN: Yes. Congratulations by the way.

MORGAN: Thank you very much. The, the costs I think are, are impossible to do an accurate calculation because we don't know how the courts are going to interpret certain sections of it and we have not worked through the detail yet. We know there's going to be a significant additional cost. We share the other provinces' concerns about the cost. But we support the initiatives that are in

this bill. And in fact, most of the provinces, including our own, these are things that were asked for at federal-provincial-territorial ministers meetings.

BROWN: I'm sure if someone asked me to figure out the cost, the first number I'd try to come up with the expected number of additional prisoners. Do you have that number worked out yet?

MORGAN: We don't have because we don't know what the (inaudible) policies are going to be or how the courts are, or what deterrent effect it may have on crime in a general sense.

BROWN: So, you don't know this morning whether more prisons in Saskatchewan are going to be required.

MORGAN: We know that the current facilities that we have, both federally and provincially in our province, and I suspect in most of the country, are operating at or near capacity. So, we know that we will have to expand our capacity.

BROWN: Now, we heard Ottawa's projected cost of this, a little under 80 million dollars over five years. Canada's Parliamentary Budget Office, which is an independent office, they have a slightly different estimate. They say that provinces are going to see an increase in costs of between six and ten billion dollars over five years. Is Saskatchewan able to deal with its share of that kind of increase?

MORGAN: You know, we would look to having discussions with the federal government as to whether they're willing to make an investment in this, whether there are things that we could do on a joint or shared basis either by sharing facilities or common programming and other, other methods of, of dealing with inmate population. We have a successful program in Saskatoon called The Urban Camp, where low-risk offenders are housed in a dormitory style facility and then are allowed to work in the community. We have more halfway houses and those are the type of things that we should be looking at to try and integrate people in any event. It's easy to say there's a huge cost to building a secure facility. That may not be everything that's required. There may be other things that would be required that are less expensive. So, it's, it's difficult to make a clear assessment. But I think there's no doubt there will be a significant expense.

BROWN: So, you're saying that if you are turning to Ottawa for money it's not necessarily to build prisons or hire guards. There are other places where that money can be spent.

MORGAN: Certainly. You know, everybody talks about the ideology behind the legislation. And you know, we certainly support the idea that people should be held accountable and that there's a need for denunciation. We're also making a strong focus on dealing with the root causes of crime, things like lack of education, poverty, addictions, socioeconomic issues. It's easier to deal with

things at the front end rather than at the back end. But as justice minister my role is to try and deal with things as the offences occur and we'll do that.

BROWN: Now, your counterparts in other provinces, most prominently Ontario and Quebec, have come out quite strongly against carrying these extra costs that are associated with this bill. Do you understand their positions?

MORGAN: Well, I appreciate where they're coming from. They're certainly entitled to make their case when they, when they have their discussions with, with Ottawa. The point I would make to everybody is these are things that were asked for by most provinces when we went through federal-provincial-territorial ministers meetings earlier. When we had the discussions, you know, nobody came and said, well, don't do it unless you agree to pay for it. Everybody said these are things that we need to make our communities safe and the things that are in the bill will do that. I mean, they deal with protecting children from sexual predators, which will remove sexual predators from the street. We'll have greater penalties for people that are actively engaged in, in drug trafficking or having drug trafficking near where schools and children are. Those are things that I think the public supports, the public has asked for. And if there's a cost, if that is what it takes to make our communities safe, then those things are, are good. Now, I also, you know, made the point earlier, we still need to deal with root causes and

deal with having a better community as well as we can in other areas. But crime we need to deal with on an aggressive manner.

BROWN: That's interesting that you, you talk about a united voice among the provinces. Now, you heard my interview with the Ontario minister who didn't want to express an opinion on the legislation itself. The Quebec Justice Minister has come out quite strongly against it. Are you not hearing any kind of a, of a debate about the bill itself in some of these cost concerns that are being raised?

MORGAN: Well, we certainly hear the discussion about the cost concerns that are there. We have, in our province, decided that we want to have our communities safe. In the last four years of, previous four years of our government we've increased the number of police officers by 120. We've added additional prosecutors, some additional judges and we've built a new correctional facility. We know that we're going to add, or made a commitment in the election to add another ten officers to deal with the most serious and the most violent offenders, the ones that have been targeted by police officers as likely to re-offend or likely to pose a major threat. So, I think we want to target our resources carefully in dealing with crime. And one of the things that will be a product of that is going to be some additional costs in correctional facilities. And we certainly want to work with the federal government and try and reduce or share the costs wherever we can.

BROWN: Minister, thanks for your time this morning.

MORGAN: Thank you very much.

BROWN: That's Don Morgan, Saskatchewan's Minister of Justice and he was in Saskatoon. Now, the Conservatives promised to have the Safe Streets and Communities legislation written into law within 100 days of the start of the current session of Parliament. With a majority government chances are good they will keep their promise. The fight over how to pay for it though may take longer. Kerry-Lynne Findlay is the Parliamentary Secretary to the Minister of Justice and the Member of Parliament for Delta-Richmond East, BC. And we've reached her at home today. Good morning to you.

KERRY-LYNNE FINDLAY (Conservative MP, Parliamentary Secretary to the Minister of Justice): Good morning Jim.

BROWN: How much can you tell us this is going to cost? What's, what's the best guess on what portion of this crime bill the provinces will have to pay for and what that's going to total out to?

FINDLAY: Well, as, as you've heard – and I was very interested in listening to the remarks of both Madame Meilleur and Mr. Morgan – we have a constitutional responsibility as a federal government to deal with criminal law. The provinces have the constitutional responsibility to administer it. This is part of an ongoing dialogue. So, when the criticisms come about the cost, people are talking in a vacuum because we are just bringing this legislation in. And

as Mr. Morgan very aptly put it, we are not entirely sure where savings can come, where extra costs will come, how this will roll out. And this is part of an ongoing dialogue. You mentioned I believe in your opening the tabling by the Minister of Justice of the 78.6 million dollar cost over five years at the federal level. And I believe, yes, it was Madame Meilleur who said, who mentioned that in the new year there's going to be federal-provincial-territorial talks. This will be on the agenda. Of course it will be. That's expected. You also heard Mr. Morgan say – and we agree – that many, many initiatives in this bill were asked for by the provinces.

BROWN: Right, no, I know. I'm just trying to get at the cost of this though, because you know, we're hearing different numbers. We're hearing one number from, from the Ministers, Minister Toews and Nicholson. We're hearing another number from the Parliamentary Budget Office. Let's just break it down a little further. When the ministers presented their number, how many extra prisoners was that number based on?

FINDLAY: I can't answer that. We have the division between the Justice Ministry and Public Safety. Public Safety is more involved with prisoner counts and that sort of thing. Being that I'm from the Justice Ministry, we are the ones who are spearheading the legislation. So, I can't answer that specifically. But I think you've heard and I believe the former public safety minister, Stockwell Day,

had said when he was in government that he thought it may mean a few hundred more prisoners. It's possible that it could mean that.

BROWN: Will we be able to see these figures? Will we be able to see the cost estimate breakdowns before the legislation is passed?

FINDLAY: Well, a lot of this has to roll out. It's, this is legislation that we did promise to bring in. We are standing up for victims. We're trying to hold the most serious offenders accountable in this legislation. And this will roll out over time. There's, there's elements here of what will the deterrence factor be, what will it mean when the actual case comes before a judge. A lot of, this is very targeted legislation. It's aimed at those who would exploit our children sexually, the most vulnerable in society. It's aimed at drug traffickers, but with aggravating factors, those involved in organized crime. So, for instance, say there was charges brought against a group who are involved in organized crime. We just brought into law the mega-trials bill that streamlines that procedure.

BROWN: So, there could be some savings as well as some additional costs.

FINDLAY: Exactly.

BROWN: When it all evens out you'll know then.

FINDLAY: Exactly, because this isn't just one, it is one comprehensive bill, but we have a series of initiatives that have come forward and

gone through. Ending the two-for-one in sentencing, for instance, was something the provinces asked for and we did this. So, when they were at the table asking for these things, these very same people would have had it in mind that this may mean changes within their budgets.

BROWN: Now, the Premier of Saskatchewan, Brad Wall, he agrees that his province will help with any additional costs. But he's hoping that Ottawa will consider some kind of investment. Will that happen?

FINDLAY: It's premature for me to say in terms of actual numbers. But I will say this, that since our government took power we have increased transfers to the provinces by 30 percent. Last year was 54 billion dollars transferred to the provinces, up 2.4 billion from the year before. So, this whole issue of transfers between the federal government, the provinces and territories is an ongoing discussion. And of course there are pressures at both the federal and provincial and territorial levels as to what the priorities are in terms of spending. Health care has come up more than once. We're just about to start entering into further talks on the Health Accord, which comes up in 2014.

BROWN: Right.

FINDLAY: So, this is all part of pressures on government to deliver what Canadians want.

BROWN: Now, we're very short for time. I just wanted to get the Justice Department's take on one last question. The constitutional obligation that the provinces have when it comes to federally mandated changes to justice, how does that obligation get enforced if you look around you and you see that it's not happening?

FINDLAY: It's really not a matter of enforcement. It's the way our country runs. It's one of the basics of our federalist system going back to the beginning of our confederation. So, it is something that everyone recognizes, takes seriously. All of the component parts work together. And the provinces and territories have done an excellent job of administering justice in each of their jurisdictions. So, we're looking forward to continuing to dialogue with them. We know costs are an issue on the table. We will continue in those talks. But we're also answering the demands they made that the Canadian public has made.

BROWN: Mr. Findlay, thank you very much for your time this morning.

FINDLAY: Thank you Jim.

BROWN: That's Kerry-Lynne Findlay, the Parliamentary Secretary to the Minister of Justice and the MP for Delta-Richmond East, British Columbia.

