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SENATE HARDLY THE BIGGEST OBSTACLE TO TORY CRIME BILLS

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Prime Minister Stephen Harper said in an interview Tuesday night with the CBC's Peter Mansbridge that the Liberal-dominated Senate has been blocking Conservative government legislation.

"We obviously can't get our legislation through," Mr. Harper responded when asked why he has reversed his decision not to appoint Senators. "What the Senate is blocking isn't just government crime legislation, it's blocking Senate reform legislation."

Well, no.

The Senate may be blocking Senate reform legislation – that’s a matter for debate. But it is not blocking crime legislation.

An auto-theft bill was dispatched to the Senate legal and constitutional affairs committee where it languished until prorogation. And a bill that would impose harsher sentences for drug crimes was amended and sent back to the House of Commons.

But the government’s organized crime bill? That was passed by the Senate. And the act that stopped criminals from getting extra credit for the time they spent in jail before sentencing? That was passed by the Senate.

Meanwhile, 17 other bills that aim, directly or indirectly, to get tough with criminals died on the order paper when Mr. Harper decided to prorogue.

They include the bill that would repeal the faint hope clause, the bill that would restrict the use of conditional sentences for property offences, the bill that would crack down on white-collar crime, the bill that would tighten rules around parole, the bill that would require the reporting of child pornography on the internet and the bill that would end what the government calls “discount” sentences for multiple murders.

A couple of those bills passed in the House of Commons and went on to the Senate with the support of Liberal MPs who are afraid to be labeled soft on crime. But senators have not yet had the time to deal with them.

Most have simply not been passed by the House.

On the other hand, Anthony Doob, who teaches at the University of Toronto and is one of the country’s foremost criminologists, says the fact that all of those proposed bills are off the table – at least until they can be reintroduced in a new session – is not a bad thing.

“I would say it would be a good thing,” Prof. Doob said. “None of them deals with crime. I mean that in a serious way. They are not going to make anything safer. Largely they deal with how punishments are handed down and how punishments are administered.”

The government has never actually taken a look at the way in which they want the system to work, he said.

For instance, the bill that would limit access to early parole means that criminals, when they are eventually released, go back into society without the benefit of extended supervision, Prof. Doob explained.

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“Good supervised release is important to keep people from committing offences after they are released from prison,” he said.

“I would rather that the government do something about crime and by calling these crime bills, they are pretending that they are doing something about crime and they are not.”

(Editorial cartoon by Brian Gable)

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