

The Church Council on Justice and Corrections

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Le Conseil des Églises pour la justice et la criminologie

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May 15, 2015

Stephen Harper
House of Commons
Ottawa, Ontario, Canada
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Dear Prime Minister Harper,

The Church Council on Justice and Corrections (CCJC) is a faith-based coalition of churches working to promote restorative approaches to crime. As an organization rooted in the Christian tradition, CCJC is committed to a vision of justice that offers hope to those who are suffering: hope for victims who seek healing and hope for offenders who seek the possibility of living a better life and reconciling with their communities. In order to preserve the human capacity for transformation and growth, it is essential that the Canadian justice system has an element of hope.

It is for this reason and others that we write to express our concerns about Bill C-53, the Life Means Life Act. First, the safety of Canadians is well protected by existing laws and sentencing guidelines concerning murder and high treason. Canadian laws ensure that people convicted of murder or high treason will remain in custody if they are considered a 'high risk to re-offend'. The criteria for the Parole Board of Canada's decisions whether to grant parole to individuals serving sentences focus on the risk to public safety posed by those individuals. The Parole Board evaluates an individual's level of risk at the time they are considering an offender's application – after an offender has served part of his sentence and has had the opportunity for reflection, access to programs, and taking accountability for the harm caused by his crimes. Under this framework, a high-risk 'lifer' will remain incarcerated. But the system offers space for human growth and transformation. Under this system an offender, even one who has committed a brutal crime, has a motivation to transform himself into a caring and responsible citizen. He has reason to try to earn the privilege of living a crime-free life and rejoining the community. He can have hope for a future different from his past. This hope is necessary for an offender to become a productive, law-abiding citizen.

Bill C-53 proposes to determine at the time of sentencing whether an individual's crimes "...compel the conclusion that the accused's behaviour in the future is unlikely to be inhibited by normal standards of behavioural restraint." We do not think this proposal is prudent. CCJC's 43 years of work in the criminal justice field – as well as our members' varied experience as chaplains, faith leaders, lawyers, correctional staff, restorative justice practitioners, and also victims of crime – indicate that it is not appropriate or possible to make such a judgement at the time of sentencing. Through our involvement with re-integration programs such as the Circles of Support and Accountability (CoSA), we have witnessed the tremendous potential of human beings to transform their lives for the better.

Recognition of “the human capacity for positive change”¹ is one of the pillars of CCJC’s work, and indeed one of the pillars of Canada’s correctional service. Canada’s parole system as it is currently configured effectively manages the risk posed by individuals convicted of murder and high treason. To condemn an individual to life (or minimum 35 years) in prison without the possibility of parole undermines our openness to the possibility of correction within our correctional system. We are convinced this represents a step down the wrong path for Canada.

Of further concern to CCJC is the proposed involvement of the Minister of Public Safety and the Governor in Council (i.e. the Cabinet) in the process of granting ‘executive release’ to individuals serving indeterminate sentences. The existing framework relies on the expertise of the Parole Board in close collaboration with CSC to evaluate the risk to public safety posed by an individual’s release; this is an effective and appropriate means of determining whether an individual ought to be released or ought to remain in custody. Bill C-53 proposes to introduce into this process the judgement of political decision-makers, a change which places an unsuitable burden of responsibility on the Minister of Public Safety and his cabinet colleagues while at the same time failing to provide the cabinet with criteria on which to base their decisions. This change opens the review process to considerations other than, and possibly at odds with, risk-management. This change runs counter to the Canadian government’s internationally-recognized research on the Risk-Needs-Responsivity Model on offender assessment and rehabilitation (RNR).²

As a faith leader from one of CCJC’s member denominations recently reminded the world, a sentence of life without the chance of parole is a hidden death penalty. Given the lavish mercy and forgiveness we are called to as Christians, as well as the inherent and eternal dignity of all human beings, CCJC is called to speak out against the form of death penalty represented by life without parole. A life without hope for the possibility of future freedom is not a human life. We expect every person in Canada to have the opportunity for a human life. With this in mind, and with the acknowledgement that current Canadian sentencing guidelines effectively safeguard public safety, we ask you to reconsider the necessity of Bill C-53.

Sincerely,



Nancy Steeves
President,
The Church Council on Justice and Corrections

cc: Minister Stephen Blaney, Minister Peter MacKay

¹ <http://www.csc-scc.gc.ca/about-us/006-0026-eng.shtml>

² https://cpoc.memberclicks.net/assets/Realignment/risk_need_2007-06_e.pdf