



Canadian Police Association 2023 Legislative Conference

LEGISLATIVE FACT SHEET: BAIL REFORM AND PUBLIC SAFETY

OVERVIEW

The Canadian Police Association (CPA) is an umbrella organization that represents almost 60,000 civilian and sworn front-line law enforcement professionals from across Canada. Our members serve every municipal and provincial police service, and include personnel from First Nations police agencies and the Canadian National and Canadian Pacific Railway police.

On behalf of our members, we work in a non-partisan fashion with Members of Parliament from all political parties to advocate for policies that promote public safety while improving the health and safety of those who serve their communities. We regularly appear before Parliamentary Committees to offer expert testimony during the consideration of legislation, and are always available to facilitate meetings with Parliamentarians in their home ridings to provide a local policing perspective on important issues.

As you are no doubt aware, recent events in Canada and around the world have put a significant focus on the roles and responsibilities of police personnel. It is important to emphasize that policing in Canada remains one of the most trusted public institutions in our country, and while there will always be room for evidence-based reforms that ultimately benefit both our members and the communities they serve, we should not hesitate to recognize our sector's successes, while being willing to constructively address areas where we can and must improve.

From discussions around activist calls to "defund the police", to confronting the unique but now well documented mental health challenges facing first responders, to ensuring that our members are equipped and trained to respond to modern threats to community safety and security such as our recent and ongoing experience with the Covid pandemic, the CPA has a strong interest in working with our elected officials at all levels to ensure that Canadian policing continues to be a global example of progressive and accountable law enforcement.

It is because of these factors that it should be emphasized that policing in Canada is, appropriately, the profession subject to the most regulation and oversight possible. Our members know, and expect, that the split-second decisions they make will be scrutinized by both the public, and by the independent agencies established to ensure Canadians continue to trust those who police their communities.

There's no doubt that the cost of policing will continue to be debated, but there should also be no question that our members provide tremendous value to their communities, and that value goes beyond just dollars and cents. Police personnel are often the agency of only resort when confronting societal challenges. Our officers are on-duty 24/7, and receive training that allows them to address the myriad of challenges they face on a regular basis. Our Associations will be the first to work with community stakeholders to identify areas where alternate responses may make more sense to reduce the current workload our officers face, but we need to work collaboratively to build that capacity without sacrificing community well-being.

As Members of Parliament, we look forward to continuing our work with you in this 44th Parliament. The need to protect our communities with evidence-based strategies supported by professional public policing is the ultimate non-partisan goal. Thank you for taking the time to meet with us, but also don't hesitate to reach out to us in Ottawa through our National Office, or just as importantly, back home in your ridings any time you might need to discuss public safety issues, or have specific concerns or questions you might like us to address.

The Issue

Front-line police personnel play a crucial role in protecting the public and maintaining law and order. While we generally agree that our justice system often works as intended, there are exceptions within our existing system that result in tragic circumstances. Recent cases, such as the murders of Sergeant Maureen Breau of the Surete du Quebec, Constable Brett Ryan and Constable Travis Jordan of the Edmonton Police Service, Constable Grzegorz Pierzchala of the Ontario Provincial Police, Constable Shaelyn Yang of the Royal Canadian Mounted Police, Constable Devon Northrup and Constable Morgan Russell of the South Simcoe Police Service, and Constable Andrew Hong of the Toronto Police Service, highlight the need for all partners in the justice system to come together to address the very specific problem that repeat violent offenders pose, not just for police personnel, but for all Canadians. These 8 murders, all committed in just the past 7 months underscore the urgency of addressing this problem.

We want to be absolutely clear that we are not asking for a "tough on crime" solution. As law enforcement officers, we are not asking for an approach that focuses solely on punitive measures. Instead, we ask for a more balanced approach that prioritizes prevention and rehabilitation as well. We believe that bail reform could contribute to this approach, by ensuring that those who pose a significant risk to the public are kept in custody until their trial, while those who do not pose such a risk are granted bail with appropriate conditions.

We also recognize that bail is a fundamental right, and the presumption of innocence is a cornerstone of our justice system. However, we are hopeful that this Parliament can work collaboratively to identify potential evidence-based legislative and administrative changes to address the concerns that many Canadians have expressed, when highlighting their concerns of deteriorating public safety in their communities. We believe that by implementing these recommendations, we can better protect the public and ensure a fair and effective justice system.

For more information please contact:

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Our Recommendations

- Establish a specific definition of prolific or repeat violent offender, to give Crown prosecutors, Justices of the Peace, and Judges a framework or set of guidelines to work within when considering bail applications, particularly in situations where reverse onus provisions already exist.
- Establish a dedicated program of Crown Prosecutors and Justices of the Peace to consider bail applications by repeat violent offenders to ensure that these specific cases are considered promptly, and that those arguing and deciding these cases recognize the significant consequences that can arise from their decisions.
- Consider stronger emphasis on obligations for sureties, and ensuring that there are consequences for those who act as sureties, particularly when there is established evidence that they are aware of breaches of conditions taking place.
- Provide increased resources, both within the justice system (to provide for dedicated Crown prosecutors who are specifically trained to argue these particular cases, and to facilitate quicker access to trials for accused who are held without bail), and for police services across Canada to target those offenders who are in breach of their conditions.
- Increase the use of technology within the criminal justice system, particularly electronic monitoring of offenders on bail, to help maintain public safety in our communities.
- Advocate for better data collection, to ensure that any new policies that are developed are evidence-based and can be evaluated for effectiveness.

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