

Prof. M. Yeager

Criminal Justice Policy

SOC 3326G

**A Critical Analysis of Bill C-10 : The Safe Streets and
Communities Act**

Kate Rowe
250538914
15/04/2013

In 2010, the Conservative government introduced a series of proposed amendments to the Youth Criminal Justice Act (YCJA) that were aimed specifically at violent and repeat young offenders. The proposal entitled Sébastien's Law - Protecting the Public from Violent Offenders¹, endeavored to create a safer society and ensure public protection by implementing mandatory minimum sentencing and harsher, longer prison sentences for deviant youths.² The Liberal Government strongly opposed this legislation arguing that it "aimed to shift the youth criminal justice system away from rehabilitation and toward retribution"³ with stricter punishments of our Canadian children. However, the amendments which were enacted by Parliament were implemented as part of Bill C-10, the Safe Streets and Communities Act. This paper will provide a criticism of Bill C-10, specifically the portion of the legislation that imposes harsher sentencing for youth. The effectiveness of the new amendments to the Criminal Code in terms of their ability to reduce crime and creating deterrence for youths is questionable as the application of sociological theories will illustrate. Theories like labeling theory, conflict theory, differential association, strain theory, and control theory will point out serious flaws with Bill C-10, including the targeting of marginalized segments of society such as Aboriginals, the blatant disregard of the declining crime rates over the last few decades, and the serious psychological effects that labeling individuals at a young age can have on their perceptions of a criminal lifestyle.

Labeling theory argues that demonizing an individual as criminal or deviant will cause that person to internalize those beliefs, resulting in self-identification as a criminal and therefore higher a likelihood of committing future crimes. It emphasizes how the perception of ourselves, as well as the perception others have of us, influence how we behave.⁴ Labels are the result of social, individual, and cultural factors. Howard Becker described the main argument of labeling theory in his assertion that

deviance is not a quality of the act a person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender.' The deviant is one to whom

that label has been successfully applied; deviant behaviour is behaviour that people so label.⁵

Consistent with this definition, Edwin Lemert recognizes two main types of deviance. Primary deviance is “situationally induced and not part of the self-image”⁶. In other words, primary deviance is the initial act of deviance that has not yet been labeled. Secondary deviance, conversely, is the direct result of labeling. Lemert argues that “once ostracized... the individuals may incorporate the deviant self-concept into the “me” part of the social self”⁷ and as such be more likely to commit crimes.

Bill C-10 will dramatically increase the number of first time offenders. Prior to this new legislation, Canadian official charge rates were purposely monitored to ensure that the rate at which young people were charged under the Youth Criminal Justice Act was not too high. In the past, cases involving young offenders were examined individually. Judges had the latitude to designate informal provisions (i.e. give warnings) or suspend formal charges all together, replacing them with extra-judicial punishments.⁸ Under the YCJA the rate of youth offenders who were given deferrals from charges was around 60-80%.⁹ The punitive approach adopted by Bill C-10 “would effectively eliminate individualized sentencing for hundreds, if not thousands, of offenders every year.”¹⁰ Now that mandatory minimums have been established, there will be a huge increase in the number of youth who must be charged under the YCJA and therefore significantly more youths labeled as first time offenders. According to Lemert, this label will considerably increase the amount of secondary deviance committed by youths who have accepted the designation as criminals.

Bill C-10 espouses a neo-conservative approach to criminal justice,¹¹ which means that it advocates for strict punishment that will *fix* individuals who do not meet certain standards of normalcy in society. The proposed amendments to the Youth Criminal Justice Act favour “get tough” policies that identify and stigmatize individuals in society, placing the blame on citizens

rather than on the state of the social system itself. The more punitive focus of Bill C-10 in creating longer, harsher prison sentences for youth is based “on the empirically unconfirmed assertion that such sentences cause [young offenders] to think in a manner that will deter them or prevent them from committing future crimes after being released from custody.”¹² The problem with this, however, is that the experiences youth have while incarcerated cannot be determined empirically, nor can their perceptions of themselves during imprisonment or afterwards be adequately measured.

As young people are processed through the criminal justice system and undergo arrest, detention, court hearings, and incarceration, they are labeled as ‘youth offenders’. This labeling will increase the likelihood that these individuals will actually view themselves as criminals, and thus accept illegitimate actions as a way of life. Accordingly, alternative measures have existed to divert certain individuals away from the criminal justice system so that they do not “see themselves” as criminals and thus “become” criminals.”¹³ Unfortunately, Bill C-10 has greatly eliminated many of these substitute options to prison.

The implementation of Bill C-10 will allow the names of youth offenders to become public knowledge, causing the labeling affects on these youths to not only come from internal factors but to also be imposed on them externally by society. Russel Smandych, at the University of Manitoba, argues that “[k]ids will end up having their names in the newspaper. Anyone who forever Googles their name is going to find that they were in the Winnipeg Free Press or in the CBC News and that they were shamed when they were 14 years old because they did this stupid thing.”¹⁴ Critics have insisted that damaging the reputation and name of offenders early on in their lives will make it much more difficult for them to turn their lives around and live stigma-free.¹⁵ In addition, Bill C-10 will “lead to more physical and mental “degradation” among prisoners and [risk] their reintegration back into society.”¹⁶ According to the Canadian Criminal Justice Association, more than 10% of Canadians currently have a criminal record:

The majority of them suffer the consequent and ongoing emotional, social and financial impacts related to criminalization. Their families are affected along with them. As more Canadians are criminalized and experience encroachments on freedoms [...] the more desperate and angry people will become.¹⁷

Conflict theory argues that inequality in society is the most prominent factor in influencing criminal behaviour, and that the “source of deviance... [resides] in the unequal relationships between people”.¹⁸ Conflict theorists maintain that the designation of deviant labels, such as through the application of law, is a social construction developed by those with the most power in order to exercise and preserve control over the functioning of society and its civilians. One of the most notable conflict/critical theorists is Richard Quinney. In his book *The Social Reality of Crime*, Quinney gives a pluralistic conflict position in six propositions. Of most significance are propositions 1, 3, 4, and 5.

Proposition 1 states that “[c]rime is a definition of behaviour that is made by authorized agents in the political process;”¹⁹ in other words, an increase in the amount of criminal definitions will correspondingly increase the number of crimes committed. In combination with proposition 1, proposition 3 states that “[t]he manner in which the rules [constructed by those with the greatest influence] are enforced depends on the extent to which authorities see particular infractions as a threat to their interests”.²⁰ Otherwise stated, laws and regulations tend to criminalize actions in a manner which most benefits and is of the most convenience to the powerful segments of society. It has been shown in countless studies that the crime rate in Canada has been declining. Statistics Canada reported in 2010 that crime rates were down five per cent, with serious crime rates having fallen six per cent.²¹ “The data confirmed that “... 2010 closed “with the 33rd consecutive drop in both the rate and the severity of crime across Canada”²² Additionally, although Statistics Canada reported that a disproportionate amount of the crimes were committed by young offenders, they also conveyed that youth crime severity has been declining since 2001,²³ which is most troubling considering the direct focus of Bill C-10 is on increasing the severity of the punishments given to

youth offenders in order to reduce crime rates. In addition, crime rates in general in Canada have been cited as reaching their lowest since 1973. Given that “longer prison sentences, increasing the number and capacity of prisons, and mandatory minimum sentences have shown to be ineffective in numerous jurisdictions around the world”²⁴ it seems ironic that the government would choose such a time to impose legislation that will actually serve to increase crime rates because it creates more prospective activity that can be defined as criminal.

The Harper government has maintained that Canadians are ‘unsafe’ and that “only by restricting our freedoms further will we achieve safety.”²⁵ Given the evidence, however, it seems that the government will actually increase crime rather than public safety. “As our freedoms are increasingly made illegal, and social programs which stave off desperation are de-funded, our “crime” rates will soar, thus justifying the prison-building boom and tough-on-crime rhetoric.”²⁶ Arguably, the government is creating these laws in order to imprison the undesirables in society, without having to fund social programs; it aims to justify its tough-on-crime attitude and increased spending through creating more definitions of crime to simultaneously produce more criminals, and thus the need for more jails.

Similar to proposition 3, proposition 4 claims that the behaviour of those people who occupy less powerful segments of society is more likely to be defined as criminal, rather than preventable by means of social intervention and programming.²⁷ Currently, the Conservative government is using an exorbitant amount of taxpayer money to fund “get tough” policies that arguably do not work instead of using those funds to increase efficiency of decaying social programs.²⁸ Bill C-10 cracks down on crime and introduces more mandatory minimum sentences for minor offences, especially drug related crimes. These laws will target the most marginalized and vulnerable people in society, namely those living in ghettos and poorly maintained town housing, or even the

homeless, because these are the people who resort to drug trafficking out of necessity.²⁹ The Bill is not designed to go after white collar criminals who commit embezzlement or fraud.

Lastly, proposition 5 supposes that “media and other communications institutions play a major role in conduction and dissemination images of crime,”³⁰ which correspond to the definitions set out by those in power and thus tend to unfavourably represent those without power. In regards to youth offenders specifically, the vast majority of cases involve the committing of non-violent offences, including property crimes which account for approximately 40% of all of the charges that are laid.³¹ Only around 25% of youth offences involve any kind of violence, and most of these are level 1 assaults.³² While public perception of youth violence is that adolescents are committing an ever increasing amount of violent crime³³, this is not the case. This attitude can be almost entirely attributed to an overrepresentation of violent offences in the media. For example, homicide cases involving youth offenders make up on average less than 0.05% of all charges laid in a given year, yet media coverage tends to focus only on these extreme cases of violence, thus making it appear much more common than it actually is. The real statistics for youth crime in Canada are very distinct from media and popular image accounts. By overemphasizing the seriousness of youth violence, the government aims to gain public support for Bill C-10 and the implementation of stricter punishment for our alleged ‘increasingly violent’ youth.

Differential Association, as proposed by Edwin Sutherland, has been used to explain why certain individuals engage in deviance and others do not. The theory claims that attitudes favourable or unfavourable to deviant behaviour are learned and absorbed as a result of interactions and communication with others.³⁴ These attitudes are influenced by who the individual interacts with and for how long. Deviance occurs when attitudes favourable to criminal action outweigh those that are unfavourable. Research suggests that significant amounts of time spent in incarceration increase the likelihood that a person will continue to support crime as a way of coping with life’s obstacles,

and therefore the longer sentencing advocated by Bill C-10 will actually increase recidivism rates among prison populations.³⁵ Differential Association would argue that lengthy prison sentences give offenders greater opportunity to develop attitudes conducive to crime. Through this legislation, the government is intending to put more people in jail in order to ‘learn a lesson’; however, as Sutherland would suggest, these lessons will not be what the government intends, and instead, inmates will learn “how to be an addict and manufacture drugs, how to be violent and how to avoid getting caught after their eventual release.”³⁶

According to a 1999 Canadian review of 50 studies involving over 330,000 offenders,³⁷ longer sentences of incarceration do not produce lower recidivism rates and instead are actually associated with a 3% increase in recidivism. The study concluded that:

future criminal activity would decrease if we limited or even avoided the incarceration of [youth offenders], and instead developed individualized and appropriate treatment for those offenders to follow in the community, so long as the treatment is considered to be reasonably and reliably effective in reducing recidivism.³⁸

Similarly, it has been noted that with Bill C-10, more youth offenders will spend increasing amounts of time in custodial centres before their trials. Studies have found that youth who are exposed to pretrial custody tend to have their criminal behaviour reinforced and are more likely to learn further deviant acts.³⁹ Currently, Canada has some of the safest streets and communities in the world in addition to a falling crime rate. The evidence overwhelmingly suggests that putting people in jail for longer elevates criminal propensities, because exposure to other, potentially more serious delinquent peers is likely to create attitudes in support of future criminal behaviour.⁴⁰ The irony of *The Safe Streets and Communities Act* is that the bill will arguably facilitate the very problems it aims to eradicate.⁴¹

Strain Theory was developed “to explain how ‘crime’ and ‘deviance’ arises from a strain between the attainment of the goals set by cultural expectations and the limited opportunities to achieve those goals”.⁴² Cultural norms and expectations of economic and social success set by the

middle and upper classes of society creates strain on the lower and working classes to obtain the same goals without having the legitimate means of doing so. This strain produces motivation toward illegitimate or criminal behaviour; the greater the social gap between those with power and those without, the more crime will result. Factors such as poverty, lack of access to material necessities and education, and discrimination influence crime rates in a given area.

Recently, a longitudinal national survey of young people in Canada has shown that a large percentage of children who come from poor, single mother families suffer from issues related to deviant behaviour.⁴³ This is because single parent households experience more stress and possess fewer resources, resulting in increased difficulty providing effective social control for children.⁴⁴ According to Shahid Alvi, a professor at the University of the Ontario Institute of Technology (UOIT), the implications of this are that although similar incidences of delinquency may occur in middle and upper class families, lower classes tend to experience them disproportionately in comparison. Alvi maintains that this does not mean that criminal or deviant behaviour “is a property of the “lower classes,” but it does mean that children living in such circumstances face higher risks for criminal behaviour.”⁴⁵

Bill C-10 and its call for harsher punishments for youth will further target Canada’s most marginalized youth who will be sent to prisons in greater numbers, further weakening their social situation. There is overwhelming evidence available that suggests that factors such as inequality, extreme poverty, and social exclusion are the main causes of youth crime.⁴⁶ Research has concluded that those at the greatest risk for engaging in crime and violence are those youth who are deprived of the most basic things in life.⁴⁷ “Youths who experience the structural humiliation of poverty and inequality and lack the support and controls of a protective family or community often attempt to transcend their humiliation through violence”⁴⁸ and therefore often end up in the penal system as a result. Those who spend time in prison are more susceptible to poverty, poor health, unemployment,

and loss of autonomy and self-esteem, all of which create social obstacles and lower a person's chances of being able to achieve economic or social success, thus increasing the likelihood of recidivism.⁴⁹ Those in opposition to Bill C-10 instead support the elimination of inequalities in society that "underlie criminal activity instead of punishing those who have grown up in a society designed for failure."⁵⁰

Control theories emphasize the influence of social barriers, or lack thereof, that contribute to the likelihood of an individual committing a crime. Walter Reckless, who supported the social control perspective, proposed Containment Theory, which stresses the influence of internal and external controls on an individual, the strength of each contributing to the probability of deviance.⁵¹ In essence, Reckless' theory identifies an individual's amount of self-control and the strength of societal obstructions, such as law enforcement, as the key factors in the prevention of criminal actions. The Conservative government imposed Bill C-10 as a means of social control; their aim is to crack down on youth crime and drug offences by legislating stricter punishments and mandatory minimums that will deter youth from offending. However, Cullen et al. argue that crime is better tackled "not through greater amounts of control but by increasing social support."⁵² The increased spending delegated toward keeping people in jail could be more effectively spent on reducing crime through preventative measures,⁵³ such as the eradication of poverty and inequality, which serve to undermine the ability of both internal and external social controls to avert criminal behaviour.⁵⁴

There are many social factors that have been discovered to increase the likelihood of an individual engaging in criminal activity. These include "family violence; poor parenting; negative school experiences; poor housing; a lack of recreational, health and environmental facilities; inadequate social support; peer pressure; unemployment; and lack of opportunity and poverty."⁵⁵ In opposition to the ideas expressed in Bill C-10, Shahid Alvi suggests a social development approach to crime, which advocates the importance of investing in social programs as a means of social

control in order to reduce crime rates, rather than a punitive method. As such, educational and economic interventions and support programs, aimed at young Canadians and their families who are at the most risk for becoming involved in crime, would target those underlying issues that cause crime in the first place and prevent conflicts with the law from happening at all.

Louise Botham, president of the Ontario Criminal Lawyers' Association, argues that because most criminal offenses – especially those of a violent nature – occur spontaneously and without prior planning, it's unlikely that stricter control and harsh punishments will effectively deter youth from committing crimes.⁵⁶ Botham proposes instead to redirect the billions of dollars set for prisons “to health, education, housing, welfare, employment programs, addictions and sexual-abuse treatment – and to agencies like the Elizabeth Fry and John Howard societies, which assist offenders to re-enter society as law-abiding citizens”.⁵⁷

In 2006, a study of 18 countries in the Organization for Economic Cooperation and Development found that the countries who spent the most on social programs such as welfare also recorded the lowest rates of imprisonment.⁵⁸ Similarly, another study concluded that the Scandinavian countries recorded the lowest crime rates in all of Western Europe in addition to low rates of public concern regarding crime. It was discovered that the Scandinavian countries choose to impose fines in a large portion of criminal cases rather than prison sentences; as a result, they have small prison populations, shorter periods of incarceration, and a smaller police force, and therefore more funds to delegate to other, more necessary prevention programs.

One of the major criticisms of Bill C-10 is the negative impact it will have on the already suffering Aboriginal population. Currently, Aboriginal peoples represent 3-4% of the total Canadian population, and yet they make up about 17-19% of the provincial and federal prison populations.⁵⁹ In the Prairie provinces, Aboriginal offenders represent up to 80% of total inmates.⁶⁰ The new amendments will increase this overrepresentation, furthering the devastation experienced by these

already marginalized Aboriginal communities.⁶¹ National Chief Shawn Atleo argues that Bill C-10 will have an incredibly negative effect on Aboriginal communities. In front of the Senate's Legal and Constitutional Affairs Committee, Atleo stated that "the bill will make it even harder to break the cycle of crime that many [A]boriginal youth find themselves in. That will make it harder to end the poverty and lack of education on reserves the Conservatives have promised to address."⁶²

Aboriginal history in Canada includes appalling examples of abuse. The effects of colonization, residential schools, and intergenerational poverty, were previously taken into account when sentencing Aboriginal offenders in Canadian courts. This allowed judges to "hand out less severe sentences based on an aboriginal defendant's personal history, and allow them to enter rehabilitation programs based in aboriginal culture."⁶³ However, mandatory minimum sentencing will eliminate the options for judicial discretion when sentencing any offender, let alone Aboriginals. Section 718.2(e) of the Canadian Criminal Code previously stated that "all available sanctions other than imprisonment should be considered for all offenders, with particular attention to the circumstances of Aboriginal offenders"⁶⁴ and was designed to help eradicate the serious overrepresentation of Aboriginals in the penal system. Additionally, sections 742 to 742.6 provided "a conditional sentence of custody [which allowed offenders to] serve their sentences in the community"⁶⁵ which was especially relevant for reducing Aboriginal populations in prisons. With the new legislation, these sections of the Criminal Code have been removed. This will have serious consequences for Aboriginal populations in the criminal system. Conditional sentencing had been used to promote the preferred Aboriginal restorative approach to crime and provide opportunities for offenders to reconcile with the victim(s) and be restored into his or her community.⁶⁶ Bill C-10's harsher sentencing and mandatory minimums will further victimize the most vulnerable population in Canadian society.⁶⁷ It will not only cause a large increase in Aboriginal populations in Canadian penitentiaries, causing the currently disproportionate numbers to worsen, but it will also disrupt and

increasingly weaken a community of people already suffering extreme poverty, discrimination, and marginalization.

Aboriginal youth...do not turn to [crime] as an alternative to medical school or operating their own businesses. They turn to [crime] as an alternative to grinding poverty and the perceived lack of opportunity. If we do not address those factors that contribute to racism, alienation and poverty, no criminal justice sanction will be sufficient to deter, and no number of prison cells will be sufficient to hold, the new offenders. Mandatory penalties fall most often on the most disadvantaged. Mandatory minima lead to increased incarceration rates of poor visible minorities and in particular Aboriginal and African-Canadians. Such sentencing practices are viewed as racist by many of those from minority communities. This only intensifies the anger and alienation they feel.⁶⁸

Decades of research have concluded that what reduces crime it not harsher punishments, but instead addressing the issue of poverty, especially for children, providing community and social services for marginalized individuals – such as those who suffer mental health issues – and diverting youth from the criminal justice system and instead providing rehabilitation programs that help youth offenders better integrate into society.⁶⁹ Critiques argue that the billions of dollars being used to fund prisons and keep youth offenders incarcerated would be much better spent on prevention and social programs and addressing the social and economic factors that create circumstances of desperation and subsequently drive individuals to commit crimes,⁷⁰ as well as alternatives to imprisonment which have been shown to reduce reoffending. For example, in 2006 Statistics Canada conducted a study on offenders who served their sentence under supervision in the community. The study concluded that, compared with offenders who served their sentence in the penitentiaries, those individuals who had conditional sentences were far less likely to recidivate within one year of their release. Implications of this study were used to help criminal offenders address underlying factors that motivated them to commit crime, such as addictions and unemployment.⁷¹

The Conservative government advocates for a neo-classical approach to crime, and as such they argue that deterrence is the best way to reduce crime rates. Additionally, according to recent

polls, Canadian's show more support for the crime control model, indicating that deterrence, crime prevention, and public safety are viewed as more important than the protection of the rights of accused persons within the justice system.⁷² Yet despite this wide acceptance of deterrence theory by policy makers and the public, "relatively little agreement has been shown in the research and literature on the key question of the role deterrence plays in the decision-making process of young offenders."⁷³ Research has shown that youth do not react in the same way to punitive sentences as adults do, and as such the deterrence factor is weakened.⁷⁴ Additionally, organizations that vary from the Canadian Criminal Justice Association to the Canadian HIV/AIDS legal network have identified that

almost every study conducted reports that harsher, longer periods of incarceration don't deter crime: They don't deter gun crime or drug crime or even drug use. A 2002 federal government review reported that longer sentences caused a three-per-cent increase in reoffences [sic] or recidivism."⁷⁵

Bill C-10 will not decrease crime rates. Instead, the amendments to the Criminal Code will cause crime rates among youth and Aboriginal populations to skyrocket. The bill ignores individual treatment that reformatory and restorative social programs and alternative measures previously provided; it mandates incarceration for minor, non-violent offences while justifying poor treatment of offenders that make their eventual reintegration into society much more difficult and recidivism more likely.⁷⁶

Endnotes

¹ S. Alvi. (2012). *Youth Criminal Justice Policy in Canada: A Critical Introduction*. New York: Springer. Retrieved February 14, 2013 from: http://books.google.ca/books?id=SHVsu1HEXIC&pg=PR4&source=gbs_selected_pages&cad=2#v=onepage&q&f=false.20.

² Bill C-10 (Updated) - Young Offenders Sentenced as Adults. (2011, September 8). Retrieved February 12, 2013, from Online Party of Canada website: <https://www.onlineparty.ca/issue.php?ISSUEID=511>

³ Alvi. 20.

⁴ L. Deutschmann. (2007). *Deviance and Social Control*. Toronto: Nelson Education. 324.

⁵ H. Becker. (1963). *Outsiders*. New York: Free Press. 9.

⁶ E. Lemert. 1951. *Social Pathology*. New York: McGraw-Hill.76-77.

⁷ Deutschmann. 325.

⁸ Alvi. 55.

⁹ Alvi. 55

¹⁰ S. Bayes. (2007). Harper's Crime Laws. *Canadian Dimension*, 41(2), 22-24. Retrieved from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/204204299>

¹¹ Alvi. 78-79

¹² R.R. Corrado, I. M. Cohen, W. Glackman, & C. Odgers. (2003). Serious and Violent Young Offenders' Decisions to Recidivate: An Assessment of Five Sentencing Models. *Crime & Delinquency*, 49(2), 179-200. doi:10.1177/0011128702251043. 180.

¹³ Alvi. 12.

¹⁴ Young offenders act changes concern criminologist. (2011, November 16). *CBC News*. Retrieved from

<http://www.cbc.ca/news/canada/manitoba/story/2011/11/16/mb-crime-bill-youth-manitoba.html>

¹⁵ Young offenders act changes concern criminologist.

¹⁶ S. Kirkey. (2012, November 6). Critics say bill could worsen prisons. *Star - Phoenix*, sec. A, p. 8. Retrieved from

<http://search.proquest.com.proxy2.lib.uwo.ca/docview/1143718066>

¹⁷ S. Jarvis. (2012, March 6). C-10 passes in the Senate: Why the Conservatives' crime bill is wrong for Canada. *Rabble.ca*.

Retrieved from <http://rabble.ca/news/2012/03/c-10-passes-senate-why-conservatives-crime-bill-wrong-canada>

¹⁸ Deutschmann. 370.

¹⁹ R. Quinney.(2001). *The Social Reality of Crime*. New Jersey: Transaction Publishers. 15.

²⁰ Quinney. 18.

²¹ Canada's crime rate continues to fall. (2011, July 21). Retrieved from ProQuest database. (Accession

No. 878758296)

²² C-10 passes in the Senate.

²³ Bill C-10 (Updated) - Young Offenders Sentenced as Adults

²⁴ B. Foster & B. Ravelli. (2011, October 17). Don't waste billions on 'tough-on-crime'. *National Post*, sec. A, p. 8. Retrieved

from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/899078436>

²⁵ C-10 passes in the Senate

²⁶ C-10 passes in the Senate

-
- ²⁷ Quinney. 20.
- ²⁸ Alvi. 78-79.
- ²⁹ M. Sweetman. (2011, October 25). Bill C-10 will create the prisoners to fill Conservative prisons. *Rabble.ca*.
- ³⁰ Quinney. 22.
- ³¹ Alvi. 62
- ³² Alvi. 62
- ³³ J. V. Roberts & Michelle G. Grossman. 2012. *Criminal Justice in Canada: A Reader*. Toronto, Canada. Nelson Education, Inc. 8.
- ³⁴ Deuschmann. 300-304.
- ³⁵ Bill C-10, Omnibus Crime Bill - Unwise, Unsafe, Unconstitutional. (n.d.). Retrieved February 14, 2013, from Canadian Civil Liberties Association website: <http://ccla.org/omnibus-crime-bill-c-10/>
- ³⁶ Foster & Ravelli.
- ³⁷ John Howard Society of Alberta. (2010). *Recidivism and Short Term Inmates*. Retrieved from http://books1.scholarsportal.info.proxy2.lib.uwo.ca/viewdoc.html?id=/ebooks/ebooks0/gibson_cppc/2010-08-20/1/10398200 (Original work published 2002)
- ³⁸ John Howard Society of Alberta. (2010). *Recidivism and Short Term Inmates*.
- ³⁹ T. L. Ernst. (2011, November 14). 10 reasons to oppose Bill C-10. *Canadian Bar Association*. Retrieved from http://www.thestar.com/opinion/editorialopinion/2011/11/14/10_reasons_to_oppose_bill_c10.html
- ⁴⁰ G. G. Gaes & S. D. Camp. (2009). Unintended consequences: experimental evidence for the criminogenic effect of prison security level placement on post-release recidivism. *Journal of Experimental Criminology*, 9(5). doi:10.1007/s11292-009-9070-z. 147.
- ⁴¹ Ernest.
- ⁴² D. Whyte, David. (2009). *Crimes of the Powerful: A Reader*. Berkshire, England: McGraw-Hill Education. 132.
- ⁴³ Alvi. 39.
- ⁴⁴ R. C. Kramer. (2000). Poverty, Inequality, and Youth Violence. *The Annals of the American Academy*, 567.132.
- ⁴⁵ Alvi. 39.
- ⁴⁶ Kramer. 124.
- ⁴⁷ Kramer. 125.
- ⁴⁸ Kramer. 134.
- ⁴⁹ Bayes
- ⁵⁰ C. Pancyr. (2011, November 29). Oppose crime bill. *Star - Phoenix*, sec. A, p. 8. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/907142783>
- ⁵¹ Deuschmann. 351.
- ⁵² Cullen, et. al. 190.
- ⁵³ John Howard Society of Canada. (2006, November). *Brief to the House of Commons Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness - Regarding Bill C-10*. Retrieved from <http://www.johnhoward.ca/document/billC-10/billC10.pdf>
- ⁵⁴ Kramer. 131.

-
- ⁵⁵ Alvi. 40.
- ⁵⁶ Bayes.
- ⁵⁷ Bayes.
- ⁵⁸ Bayes.
- ⁵⁹ J. Roberts & R. V. Melchers. (2003). The Incarceration of Aboriginal Offenders: Trends from 1978 to 2001. *Canadian Journal of Criminology and Criminal Justice*, 45(2).212.
- ⁶⁰ Ernst.
- ⁶¹ Bill C-10, Omnibus Crime Bill - Unwise, Unsafe, Unconstitutional.
- ⁶² Bill C-10, Omnibus Crime Bill: Natives Unfairly Punished, Says National Chief Shawn Atleo. (2012, February 20). *The Canadian Press*. Retrieved from http://www.huffingtonpost.ca/2012/02/20/bill-c-10-omnibus-crime_n_1289536.html
- ⁶³ Bill C-10, Omnibus Crime Bill: Natives Unfairly Punished.
- ⁶⁴ Roberts & Melchers. 214.
- ⁶⁵ Roberts & Melchers. 216.
- ⁶⁶ Roberts & Melchers. 216.
- ⁶⁷ Ernst.
- ⁶⁸ *Brief to the House of Commons Standing Committee on Justice*
- ⁶⁹ I. Mulgrew. (2011, November 18). Bar association blasts tough-on-crime bill; Organization representing Canada's lawyers says proposed Bill C-10 has been rushed, ignores evidence and will create out-of-control costs. *The Vancouver Sun*. Retrieved from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/905044085>
- ⁷⁰ Foster & Ravelli.
- ⁷¹ Bayes.
- ⁷² Roberts & Grossman.
- ⁷³ Corrado et. al. 182.
- ⁷⁴ Corrado et. al. 182.
- ⁷⁵ Bayes.
- ⁷⁶ Foster & Ravelli.

References

- Alvi, S.. (2012). *Youth Criminal Justice Policy in Canada: A Critical Introduction*. New York: Springer. Retrieved [date]. http://books.google.ca/books?id=SHVsu1-HEXIC&pg=PR4&source=gbs_selected_pages&cad=2#v=onepage&q&f=false
- Backgrounder: Safe Streets & Communities Act:. (2011, September). Retrieved February 12, 2013, from Department of Justice website: http://www.justice.gc.ca/eng/news-nouv/nr-cp/2011/doc_32633.html
- Bayes, S. (2007). Harper's Crime Laws. *Canadian Dimension*, 41(2), 22-24. Retrieved from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/204204299>
- Becker, H. S.(1963). *Outsiders*. New York: Free Press.9.
- Bill C-10, Omnibus Crime Bill: Natives Unfairly Punished, Says National Chief Shawn Atleo. (2012, February 20). *The Canadian Press*. Retrieved from http://www.huffingtonpost.ca/2012/02/20/bill-c-10-omnibus-crime_n_1289536.html
- Bill C-10, Omnibus Crime Bill - Unwise, Unsafe, Unconstitutional. (n.d.). Retrieved February 14, 2013, from Canadian Civil Liberties Association website: <http://ccla.org/omnibus-crime-bill-c-10/>
- Bill C-10 (Updated) - Young Offenders Sentenced as Adults. (2011, September 8). Retrieved February 12, 2013, from Online Party of Canada website: <https://www.onlineparty.ca/issue.php?ISSUEID=511>
- Blanchfield, M. (2012, March 29). Budget says no new prisons despite predictions of soaring inmate populations: Budget says no new prisons despite crime bill. *The Canadian Press*. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/963391944>
- Canada's crime rate continues to fall. (2011, July 21). Retrieved from ProQuest database. (Accession No. 878758296)
- Cohen, T. (2012, March 12). Tories use majority to pass omnibus crime bill. *National Post*. Retrieved from <http://news.nationalpost.com/2012/03/12/contentious-tory-crime-bill-passes-as-countrys-biggest-provinces-voice-concerns-over-costs/>
- Corrado, R. R., Cohen, I. M., Glackman, W., & Odgers, C. (2003). Serious and Violent Young Offenders' Decisions to Recidivate: An Assessment of Five Sentencing Models. *Crime & Delinquency*, 49(2), 179-200. doi:10.1177/0011128702251043
- Cullen F. T., J. P. Wright & M. B. Chamlin (1999) Social support and social reform: a progressive crime control agenda. *Crime Delinquency* 45(2):188–207.

Dauvergne, M., & Turner, J. (2009). Police-reported crime statistics in Canada, 2009. Retrieved February 14, 2013, from Stats Can website: <http://www.statcan.gc.ca/pub/85-002-x/2010002/article/11292-eng.htm#a15>

Deutschmann, Linda B. (2007). *Deviance and Social Control*. Toronto: Nelson Education.

Ernst, T. L. (2011, November 14). 10 reasons to oppose Bill C-10. *Canadian Bar Association*. Retrieved from http://www.thestar.com/opinion/editorialopinion/2011/11/14/10_reasons_to_oppose_bill_c10.html

Foster, B., & Ravelli, B. (2011, October 17). Don't waste billions on 'tough-on-crime'. *National Post*, sec. A, p. 8. Retrieved from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/899078436>

Gaes, G. G., & Camp, S. D. (2009). Unintended consequences: experimental evidence for the criminogenic effect of prison security level placement on post-release recidivism. *Journal of Experimental Criminology*, 9(5), 139-162. doi:10.1007/s11292-009-9070-z

Glover, C. (2008). *Crime and Inequality*. Portland, OR: Willan.

Jarvis, S. (2012, March 6). C-10 passes in the Senate: Why the Conservatives' crime bill is wrong for Canada. *Rabble.ca*. Retrieved from <http://rabble.ca/news/2012/03/c-10-passes-senate-why-conservatives-crime-bill-wrong-canada>

John Howard Society of Alberta. (2010). *Recidivism and Short Term Inmates*. Retrieved from http://books1.scholarsportal.info.proxy2.lib.uwo.ca/viewdoc.html?id=/ebooks/ebooks0/gibson_cppc/2010-08-20/1/10398200 (Original work published 2002)

John Howard Society of Canada. (2006, November). *Brief to the House of Commons Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness - Regarding Bill C-10*. Retrieved from <http://www.johnhoward.ca/document/billC-10/billC10.pdf>

Kestler-D'Amours, J. (2012, February 12). Canada: Tough New Crime Bill May Violate Child Rights. *Global Information Network*. Retrieved from ProQuest database. (Accession No. 921231457)

Kirkey, S. (2012, November 5). Crime bill could increase mental, physical problems among prisoners, researchers say. *Postmedia News*. Retrieved from ProQuest database. (Accession No. 1140854983)

Kirkey, S. (2012, November 6). Critics say bill could worsen prisons. *Star - Phoenix*, sec. A, p. 8. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/1143718066>

Klaszus, J. (2011, November 14). Prison plan worthy of criticism. *Calgary Herald*, sec. A, p. 12. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/904179975>

-
- Kramer, R. C. (2000). Poverty, Inequality, and Youth Violence. *The Annals of the American Academy*, 567, 123-139.
- Mulgrew, I. (2011, November 18). Bar association blasts tough-on-crime bill; Organization representing Canada's lawyers says proposed Bill C-10 has been rushed, ignores evidence and will create out-of-control costs. *The Vancouver Sun*. Retrieved from <http://search.proquest.com.proxy1.lib.uwo.ca/docview/905044085>
- Pancyr, C. (2011, November 29). Oppose crime bill. *Star - Phoenix*, sec. A, p. 8. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/907142783>
- Quinney, R. (2001). *The Social Reality of Crime*. New jersey: Transaction Publishers.
- Roberts, J., & R. V. Melchers. (2003). The Incarceration of Aboriginal Offenders: Trends from 1978 to 2001. *Canadian Journal of Criminology and Criminal Justice*, 45(2), 211-242.
- Roberts, J. V. & Michelle G. Grossman. 2012. *Criminal Justice in Canada: A Reader*. Toronto, Canada. Nelson Education, Inc.
- Sweetman, M. (2011, October 25). Bill C-10 will create the prisoners to fill Conservative prisons. *Rabble.ca*.
- White, M. (2011, December 9). Omnibus crime bill could cost \$19 billion, study says. *Calgary Herald*, sec. A, p. 12. Retrieved from <http://search.proquest.com.proxy2.lib.uwo.ca/docview/910187107>
- Whyte, David. (2009). *Crimes of the Powerful: A Reader*. Berkshire, England: McGraw-Hill Education.
- Young offenders act changes concern criminologist. (2011, November 16). *CBC News*. Retrieved from <http://www.cbc.ca/news/canada/manitoba/story/2011/11/16/mb-crime-bill-youth-manitoba.html>
- Youth Criminal Justice Act, H.R. 2012, c. 1, 41st Cong. s.167 (2012).