BILL C-10: THE TRUTH ABOUT CONSEQUENCES

The Canadian Centre for Policy Alternatives, MB and The John Howard Society of Manitoba, Inc.
BILL C-10:
The Truth About Consequences

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We are pleased to acknowledge the generous financial support of the Community-University Research Alliances (CURA) program of the Social Sciences and Humanities Research Council through the Manitoba Research Alliance for Transforming Aboriginal and Inner-city Communities.
On September 20, 2011, a few months after winning a majority election, Stephen Harper’s Justice Minister, Rob Nicholson, tabled Bill C-10, the Safe Streets and Communities Act. The bill was passed in the House of Commons in early December and has proceeded to the Senate.

The bill is intended to prevent crime by increasing the amount of time an individual would spend in jail or youth custody. Jail time will increase through the restrictions on conditional sentences and the additional mandatory minimum sentences. This strategy is known as a ‘punitive approach’ and has been widely used — and subsequently rejected — in both the United States and Great Britain over the last 35 years or so.

Even the most reactionary members of the American right know that Harper’s approach is out of touch with reality. For example, Newt Gingrich used to be a staunch supporter of a punitive approach to crime however he now argues that increased incarceration has had little impact. He is now part of the ‘Right on Crime’ coalition, which is calling for Americans to spend less on prisons and more on prevention. In 2011, Gingrich observed:

This report does just that: it fundamentally rethinks how we treat and rehabilitate our prisoners. It tells the truth about limiting solutions to those that focus only on making offenders deal with the consequences of their actions (the punitive approach doesn’t always work) and it goes to the root causes of crime. In other words, it invests in prevention and rehabilitation rather than in ineffective and costly punishment.

Incarceration is extremely expensive, costing anywhere from $65,000 to $130,000 a year to house a single inmate, depending on the type and level of custody. These are just the operating costs — rising inmate populations mean increased capital expenditures as well. Neither the federal government nor the government of Manitoba have revealed how much Bill C-10 will cost the
provinces. The John Howard Society of Manitoba has calculated that Bill C-10 will cost the Province of Manitoba an additional **$60 million** a year in operating expenses, plus **$30 million** in capital expenses for a total of **$90 million**.

Justice Minister Andrew Swan has stated that Manitoba will find the money, whatever the amount, to cover the costs of Bill C-10. But when anti-poverty advocates point out the link between poverty, social exclusion and crime (a connection the federal government itself acknowledges), there is never any money available to deal with the root causes. Why then is there so much money available to dispense punishment once the crimes have been committed and the harm is done?

This report recommends how to better spend the $90 million/year that Bill C-10 will cost the Province of Manitoba. It begins by examining some of the risk factors and lived experiences commonly found in the prison population. Those risk factors include: living in poverty, dealing with racism, being chronically unemployed, living with a lack of education, suffering the effects of colonization, not having access to adequate housing, and struggling with mental illness. The cumulative effects of these risk factors leave people in desperate conditions.

Our recommendations inject hope into the lives of those at risk of offending and those who have already had contact with the system. We direct the $90 million into four areas where the prison population is most in need: employment; education; public housing; and, addictions treatment and mental health supports. As experience has shown in the US, these sorts of investments will reduce crime; filling more prisons with more inmates will not.

Because the $90 million price tag will be split between capital and non-capital costs ($30 million capital; $60 million non-capital) we have proposed more effective spending that is split between capital and non-capital expenses. A summary of that spending follows:

**Capital Spending: $30 million**
- New Social Housing: $24 million
- New Childcare Spaces: $6 million

**Non-capital Poverty Reduction and Crime Prevention Initiatives: $60 million**
- Housing: $30 million
- Employment: $10 million
- Mental Health and Addictions: $8 million
- Education and Family Supports: $12 million

This report gives details as to why $90 million dollars would be much better spent in these areas: it represents an investment in prevention rather than a cost for punishment.
Welcome to Bill C-10

On September 20, 2011, a few months after winning a majority election, Stephen Harper’s Justice Minister, Rob Nicholson, tabled Bill C-10, the Safe Streets and Communities Act. The bill was passed in the House of Commons in early December and has proceeded to the Senate. Bill C-10 combines nine separate bills that had failed to pass in previous sessions of parliament. Included as part of the Bill were provisions to:

- Place restrictions on the use of conditional sentencing;
- Create a number of new mandatory minimum sentences for sexual offences.

The Bill is intended to prevent crime by increasing the amount of time an individual would spend in jail or youth custody. Jail time will increase through the restrictions on conditional sentences and the additional mandatory minimum sentences. This strategy is known as a ‘punitive approach’ and has been widely used — and subsequently rejected — in both the United States and Great Britain over the last 35 years or so. In both these jurisdictions the use of a punitive approach drove up the cost of incarceration — at the expense of preventative programs (such as drug rehabilitation, and reintegration programs) — with little or no real decrease in crime. There is no reason to think the Canadian experience will be any different.

Felix Collins, Justice Minister in Newfoundland and Labrador and member of the Conservative party, said recently he has never seen a study that favours more prison time as a way to cut rates of re-offence and improve public safety. His government has publically spoken out in opposition to Bill C-10.

Welcome to Bill C-10
During the last 35 years or so, when the United States whole-heartedly adopted a punitive approach to crime, US incarceration rates increased 600 per cent (with a similar increase in cost) to the point that now 25 per cent of the world’s prisoners, are in the United States. And for all the money spent, it cannot be assumed that the slight decrease in crime has anything to do with US policy— the crime rate shrunk between 20-30 per cent in the US. There was a similar decrease in Canada indicating other factors are at play.

Even the most reactionary members of the American right know that Harper’s approach is out of touch with reality. For example, Newt Gingrich used to be a staunch supporter of a punitive approach to crime however he now argues that increased incarceration has had little impact. He is now part of the ‘Right on Crime’ coalition, which is calling for Americans to spend less on prisons and more on prevention. In 2011, Gingrich observed:

Our prisons might be worth the current cost if the recidivism rate were not so high, but, according to the Bureau of Justice Statistics, half of the prisoners released this year are expected to be back in prison within three years. If our prison policies are failing half of the time... it is time to fundamentally rethink how we treat and rehabilitate our prisoners.

Many Americans, not just the Right on Crime coalition, have openly urged Canada not to repeat their mistakes:

Republican governors and state legislators in such states as Texas, South Carolina, and Ohio are repealing mandatory minimum sentences, increasing opportunities for effective community supervision, and funding drug treatment because they know it will improve public safety and reduce taxpayer costs. If passed, C-10 will take Canadian justice policies 180 degrees in the wrong direction, and Canadian citizens will bear the costs.

Bill C-10 will have a direct impact on rates of incarceration. The Correctional Service of Canada is predicting an 8 per cent increase in inmates per year. At the provincial level, the increase will likely be three or four times higher (putting it in the range of 24 to 32 per cent) given that the vast majority of minimum sentences will be served as ‘provincial time’. Added to that, the provinces will see an increase in remand wait times, as mandatory minimums make plea bargains less attractive, causing more cases to proceed to trial.

Incarceration is extremely expensive, costing anywhere from $65,000 to $130,000 a year to house a single inmate, depending on the type and level of custody. These are just the operating costs — rising inmate populations mean increased capital expenditures as well. In April 2010, the Manitoba government announced that it would be constructing a new 64 bed unit at Milner Ridge Correctional Centre for a total cost of $17 million. This works out to $265,000 per bed, assuming no cost over-runs. Yet even with recent jail expansion in Manitoba, provincial corrections remain over capacity and an additional increase in numbers resulting from Bill C-10 would require additional capital and operating costs.

The $90 Million Question
Neither the federal government nor the government of Manitoba have revealed how much Bill C-10 will cost the provinces. The Ontario government announced in January that Bill C-10 would cost them an additional billion dollars, primarily for the immediate construction of a huge new jail to accommodate all the extra inmates. The John Howard Society of Manitoba has calculated that Bill C-10 will cost the Province of Manitoba an additional $60 million a year in operating expenses, plus $30 million in capital expenses for a total of $90 million.

This figure assumes a 25 per cent increase in increase in jail populations in Manitoba as a result of Bill C-10; in other words on any given
day, there will be 2500 inmates in jail rather than the current 2,000. The operating costs alone to handle this increase would be an additional $30 million per annum; as well a minimum of $30 million a year would have to be spent on capital for new beds (which would only add 100 to 110 beds a year — so that it would take five years just to catch up with the increase expected in the first year following Bill C-10).

There is no question that additional capital expenditures are needed. Manitoba’s inmate population has been steadily growing at about 10 per cent a year for the last several years. Despite the fact that the amount spent on Corrections by the Province of Manitoba has almost doubled since 2004, a recent story in the Winnipeg Free Press revealed that there are some 900 more inmates in jail than there are beds for. A former director of Adult Correctional Services has stated that an investment of $600 million is needed just to allow Corrections to catch up. Not only is Corrections already well behind in terms of capacity, it is now facing increases in inmate population of two and a half times as a result of Bill C-10. Given the current overcrowding crisis, our $30 million estimate for additional capital spending needed each year, just to handle the C-10 increase, is very much on the conservative side.

Our estimate also assumes an additional $30 million a year in indirect operating expenses associated with Bill C-10 such as increased court and remand costs as more individuals charged with an offence opt for a trial instead of entering a plea.

With restrictions limiting the court’s use of conditional sentences and a number of new minimum sentencing guidelines in place, Bill C-10 significantly raises the sentencing stakes, making it more attractive for the accused to gamble on the outcome of a trial. This will add considerable pressure to the courts in all cases, driving up costs and increasing delays. According to an internal study carried out by Justice Canada in 2008 which looked at remand wait-time in six major cities (Vancouver, Whitehorse, Winnipeg, Toronto, Ottawa and Halifax), remand wait times in Winnipeg were far higher than any other city studied. On average, the remand stay in Winnipeg was 120 days compared with only 17 days in Toronto. More demand on the courts will immediately translate into increased remand wait times in Winnipeg, Manitoba’s largest city, at a cost of $165 per day, per inmate. Added to that are increased costs for Legal Aid, crown prosecutors, court staff and judges. The Province has not publicly released any costs expected as a result of Bill C-10, but it is logical to assume in this case that indirect costs will equal (if not exceed) the direct costs.

The Province should expect Bill C-10 to directly increase jail populations by at least 25 per cent. This figure is approximately three times the increase the Correctional Service of Canada predicts for federal prisons. The effects of Bill 25 — which changed the two-for-one pre-trial custody — were studied by the Parliamentary Budget Officer, Kevin Page. He found that the financial impact for the provinces would be three times more than that for the federal government. While the actual costs were debated, this percentage went unchallenged. The majority of minimum sentences and the restrictions on conditional sentences that Bill C-10 will bring about would be served in provincial jails rather than federal prisons, so it is reasonable to assume that the impact of this Bill would be at least three times more at the provincial level as well.

Given that such a huge cost increase will no doubt jeopardize other programs needed to prevent people from resorting to crime, the Manitoba government should be joining other provinces to insist the federal government cover the provinces’ costs. Instead, Justice Minister Andrew Swan has boldly stated that “we will pay the cost”.

The Truth About Consequences
An obvious flaw of a punitive approach to reducing crime is that it assumes those break-
ing the law will think logically and consider the consequences of their actions in advance. In reality this simply doesn’t happen. People don’t always think before they act, or they assume they won’t get caught; they may be high, intoxicated or mentally ill which impairs their ability to think about or understand the potential consequences of their actions. Obviously a punitive approach will have little or no impact in deterring crime when someone isn’t acting or thinking logically.

Another flaw in the punitive approach is its ‘one size fits all’ approach which doesn’t look at the specific needs of different regions. As a result, inner-city neighbours, suburban areas, northern and rural areas all receive the same strategy despite huge differences in crime rates. What is needed instead is an approach that begins by examining the problem and seeks to address specific issues that cause crime.

A logical place to begin is to look at who is currently incarcerated. Some characteristics are immediately apparent:

• Those incarcerated are overwhelmingly male; however women make up the fastest growing prison population and according to the Correctional Service of Canada, the number of adult females in prison in Canada increased 75 per cent from 1981 to 2002. The population of women in custody has tripled in the last 15 years, while the male population only doubled.

• Almost half of those in custody have a record of previous criminal offences.

• Inmates are also disproportionately young, most being between the ages of 20 and 30.

• A disproportional number of inmates are of Aboriginal descent. While Aboriginal people make up about 3 per cent of Canada’s population according to the 2006 census, they are about 17 per cent of the population in jail or prison. Here in Manitoba, Aboriginal people make up less than 15 per cent of the total population, but are 70 per cent of those behind bars.

• Those incarcerated are likely to have had a parent who was incarcerated, and to have been in foster care at some point (perhaps because their custodial parent was in jail or prison).

• Men and women in custody are more likely to have been unemployed at the time of arrest than those in the general population.

• 38 per cent of Aboriginal men and women in custody have not completed high-school, while 19 per cent of non-Aboriginal adults in custody do not have Grade 12.

• Those incarcerated are more likely to have been living in poverty and/or in poor or substandard housing at the time of arrest than the general population.

• Those in custody, especially adult Aboriginal men and women, are more likely to have had family or marriage issues, than those who are not incarcerated.

• Men and women behind bars are more likely to have significant mental health issues — at least 30 per cent of people incarcerated in Canada suffer from mental illness.

• Those incarcerated are more likely to have substance abuse or addiction issues. Sixty-seven per cent of non-Aboriginal adults and 82 per cent of Aboriginal adults in prison have substance issues at the time of admittance.

• Some common issues women in custody face include:
  1) substance abuse and drug dependency;
  2) childhood victimization; e.g., physical and sexual abuse;
  3) parenting issues; it is common for female offenders to begin having children prior to 18 years of age;
  4) mental illness;
5) lack of education;
6) prolonged periods of unemployment and a lack of skills needed to gain stable employment.19

In short, those in jail are likely to have been there before, are less educated, more likely to be unemployed, have mental health and addictions issues, a history of institutionalization, and in Manitoba are most likely to be Aboriginal. While the great majority of inmates are men, the number of women in jail and prisons is steadily increasing.

Prevention, Not Consequences
The following are four broad strategies intended to address some of the root causes reflected in the characteristics shown above. Spending $90 million in these four areas makes far more sense than throwing it towards a punitive strategy that will offer no value added or proven returns for such a huge expenditure.

Focusing On Education
According to Statistics Canada, 46 per cent of Aboriginal youth who do not finish high-school end up being incarcerated. In Winnipeg’s inner-city, where the Aboriginal population is the most concentrated, high school graduation rates are already as low as 50 per cent, suggesting that approximately one quarter of the Aboriginal youth in those neighbourhoods will end up in custody. Improving educational opportunities for Aboriginal youth is imperative as a strategy to reduce crime (and the harm caused by crime) in Winnipeg’s inner city, and in northern and rural communities as well.

Improve Public Housing
Many of those incarcerated did not have a stable, safe and affordable place to live at the time they were arrested, nor do they have appropriate housing to go to when they are released. As a result, ex-offenders are leaving jail/prison and have to turn to homeless shelters and drop-ins, located in the parts of the city with the highest rates of crime and addiction. Many studies have shown the importance of stable, secure housing as a way of getting individuals back on their feet and addressing some of the other challenges they face. On the other hand, sending someone from jail to a shelter increases the likelihood he or she will end up right back in custody after victimizing someone else in the process. Increasing the quantity, quality and affordability of public and private market housing would help reduce crime.

Related to this, there is an extremely high correlation between youth who were once in foster care, and those who end up in jail or prison. According to a 2001 study,21 two thirds of Aboriginal offenders had been in foster care, along with one third of non-Aboriginal offenders.

It is very important to provide more support to families. Safe, stable housing is a key strategy for helping families become stronger and reducing the number of children placed in foster care. There are many more ways to look at building
healthy, strong families as well, all of which would have a direct impact on crime rates.

*More Addictions Treatment And Mental Health Support Options*

As noted above, at least 30 per cent of prisoners have significant, diagnosable mental health issues, and more than two-thirds of inmates have addictions. Other jurisdictions have decreased their incarceration rates by increasing treatment supports for people living with addictions. The best known example is what was done in Texas— the State government cut back on the number of people they incarcerated and invested the savings in treatment programs. For the first time in recent history there is no waiting list for those trying to get help with an addiction and the crime rate dropped as well. Front line staff in inner-city agencies and other agencies working with vulnerable families in Winnipeg agree that there are a lack of treatment opportunities for people living with addictions and mental health issues here as well. Clearly, addressing these issues before they result in an individual ending up in jail are cost effective solutions to reducing crime.
As a result of the Federal Government’s ill-advised and ill-conceived crime plan, the Province of Manitoba will now need to allocate some $90 million in its budget each year to cover additional costs. This money would be put to much better use if spent on initiatives aimed at the four areas outlined in the previous section. The community organizations that have come together to challenge the current course of action all agree...if we had $90 million we would reduce poverty; support individuals with mental health related disabilities and addictions; and create social and economic opportunities through education and job creation.

We wouldn’t build more jails, put people in them for longer periods of time, and make it more difficult for individuals to reintegrate into society after serving their time.

The idea that poverty reduction is related to crime prevention is not new. The Government of Canada’s own website\(^3\) shows that “Social and economic disadvantage has been found to be strongly associated with crime”; yet there is no talk of poverty and disadvantage in the context of the crime bill. In fact, this federal government is setting aggressive policies that will make it much more difficult for those caught in the criminal justice system to escape poverty, and much of the considerable social and economic cost of these regressive policies will be borne by the provinces.

Several provinces resent having to pick up the bill; for example, Ontario’s Correctional Services Minister “will be calling on the federal government to provide funding to cover their $1 billion piece of legislation for Ontario”.

Manitoba, however, has not challenged the erroneous assumptions underlying the crime bill, nor the attendant burden the bill will place on provincial revenues. In stark contrast to Ontario’s response, Manitoba’s Justice Minister Andrew Swan stated “we will pay the cost” that will be incurred\(^4\). As we saw in the previous section, we have conservatively estimated that this legislation will cost Manitoba $90 million a year.

Anti-poverty advocates are consistently told by governments that they do not have money to do the kinds of things that would alleviate poverty. We argue that if the province can find $90 million dollars each year to cover the costs that will incur as a result of the federal crime bill, they should also be able to find $90 million dollars to contribute to preventive initiatives that will serve to reduce poverty. We suggest that reducing poverty as a means toward crime prevention should be a political priority and we provide a
package of spending including both capital and operating funds totalling $90 million which would have broad social and economic benefits and make communities safer.

### Capital Spending: Details

We have allocated one third of our budget toward capital spending for a total of $30 million per year. We know that at least this much will be spent for the creation of new jail space to accommodate an increase in the number of people sentenced and the longer time they will spend incarcerated. However, instead of allocating these funds to jails, we have allocated $24 million toward the development of more social housing units and $6 million toward the building of new childcare spaces.

#### Housing: $24 Million

Providing safe, low-cost housing is the first line of defense against poverty because it provides children and families with a sense of security, consistent connection to communities and
The Province has stepped up to the plate in recent years by committing to the development of 1500 social units across Manitoba over a 5 year period. We are pleased to see that they are reaching this target — a target that was put forward by housing advocates as one that, while far from sufficient, would begin to make a dent in the housing crisis.

The Province knows full well that this number of units only begins to meet the need and since there is money to be spent on new jails, we propose that they increase their efforts on social housing.

Using the cost of $180,000 per unit, a commitment of $24 million annually would result in an addition 133 new units each year increasing the current target of 300 per year to 433 units. In recognition of the overwhelming number of Aboriginal families living in crowded and/or unaffordable condition, we propose that 30 per cent of these units be targeted toward Aboriginal people. We also propose that a significant number of these units have a minimum of 3 bedroom rooms to accommodate larger families. Low cost three-plus bedroom units to accommodate large families are in high demand and short supply.

Finally, we would dedicate a number of units to accommodate single men and women who are leaving prison and have nowhere to live. It is unlikely that the private market will fill the need for these types of housing.

Childcare: $6 Million

Childcare is not only an essential social service, the childcare sector provides a substantial return on public investment. It increases economic productivity by providing members of the labour force with the means to balance childcare with work; by allowing parents to further their education, improve skills and increase earnings; and, by improving children’s cognitive and social skills, thereby allowing them to do better in school.
As a single mother it is really hard to find day cares and that’s a big thing...I had a very hard time finding day cares in my area so I had to look elsewhere...that was difficult...I know a lot of other mothers have mentioned that they would like to pursue an education and go to school or get a job but now there is a shortage of day cares so that plays a really, really important role.

Early learning and childcare programs that promote the growth and development of children are one of the most cost-effective ways to reduce poverty and promote economic growth. Every $1.00 spent on childcare in Manitoba generates $1.58 of economic activity in rural and northern regions and returns $1.38 to the Winnipeg economy.

We know that Manitoba’s prison population is disproportionately made up of Aboriginal people. This tragic situation is linked to the poor educational outcomes in many Aboriginal communities, which in turn can be traced to a host of historical and systemic issues and a lack of access to quality early childcare and educational opportunities. According to Healthy Child Manitoba, 36 per cent of Aboriginal children are not ready for school, compared with 22 per cent of non-Aboriginal children. Investment in early childhood education and care is a crucial prerequisite to improving the lives of Aboriginal Manitobans.

We also know that there is a shortage of childcare spaces available. Manitoba has over 29,000 registered childcare spaces available for almost 180,000 children aged 0-12 of whom over 113,000 have mothers in the paid labour force. Only between 14.5 per cent to 24 per cent of children in Manitoba have access to registered childcare spaces. While the cost of building community-based childcare facilities will vary depending on characteristics including size and location, we estimate that 3 new centres per year could be built with an allocation of $6 million dollars creating the potential for approximately 150 new spaces annually when sufficient operating funds are also made available. This would make a significant dent in waiting lists thereby ensuring access to a greater number of families. Consistent with the theme of our budget, priority should be given to the creation of spaces in communities with a high percentage of Aboriginal children. When possible, new spaces should be created alongside new or existing social housing and/or public housing units to help ensure childcare services are accessible to those who need it most.

Non-Capital Poverty and Crime Prevention

If a person is low-income or they are poor, they generally have a whole list of problems, from not having a decent education to not having decent housing, to not having any connection to their neighbourhood...[and] not having the self-esteem or the capacity to say ‘I deserve a decent life’.

We have allocated $60 million toward funding in 4 key areas that we believe to be the foundation for poverty reduction and crime prevention. These include housing; employment; mental health and addictions; and education.

Housing: Total Cost: $30 Million

There is general consensus that access to safe affordable housing is a foundation without which individuals and families are made vulnerable in all aspects of life. Safe, affordable, permanent and quality housing improves socio-emotional and physical health and safety, and promotes social inclusion by providing both stability and a base from which to access services and social networks, including employment. Without housing individuals can’t find and maintain work; are more vulnerable to illness; and children do poorly in school making them more vulnerable to a life in poverty. Without sufficient income to pay for housing, families are forced to scrimp on
other necessities such as food, requiring a growing number of households to rely on food banks and the kindness of strangers. Decent housing provides a foundation from which people grow stable lives, helping them to stay away from crime.

If you have a decent place to live, it’ll give you that grounding, that, you know getting a good night’s sleep, having a place to cook your meals, having entertainment at night, you know with TV, or movies, or...a safe place, a quiet safe place. Ideally, I think that’s what people want. It’s something to call home, that they can feel is secure and not have to worry about everything else that’s going on, like the bedbugs.34

Because the profit motive of the private housing market inhibits its ability to provide housing for low-income households, we believe that the most equitable and cost efficient solution is to increase the number of social housing units (public and non-profit) thereby decreasing the need for private market housing for low-income Manitobans. We are pleased that the Manitoba government has increased its commitment to social housing. Nonetheless, even with increased investment as described in the previous section, the private market will remain the primary source of rental housing for low-income individuals and families.

Those most vulnerable are those who rely on Manitoba’s Employment and Income Assistance (EIA) program. We estimate that there are approximately 16,500 (48 per cent) EIA recipient households renting in the private market. Increasing their rental allowances will improve their ability to access decent rental housing.

Increase EIA Household Shelter Allowance: $25 Million

EIA households are provided with a shelter allowance based on guidelines that have not changed since 1992, even though rents have increased dramatically. The Province has introduced new programs but they are limited in scope. For example, the portable housing benefit of up to $200 per month is available to a limited number of individuals with mental health disabilities who are accepted into the program. The RentAid program, recently increased to provide up to $60 to EIA recipients is accessible only to individuals with disabilities, single persons and childless couples.

Rather than increase the EIA guidelines to be more in line with the cost of rental housing, the Province has created a patchwork of programs that many EIA recipients are not aware of. Even when they are, the programs are not sufficient to cover the soaring costs of rental housing.

With the welfare they should be giving more on rent, because the places that they have today for that rent they’re giving isn’t good enough for us and when CFS [Child and Family Services] gets involved with it, saying that the home isn’t fit for us and right away the children are taken from our care35...

There is growing consensus from a broad cross section of society that we can no longer justify the meager allowance that is provided to EIA recipients renting in the private market. A good start would be to increase EIA rent allowances immediately and move toward a minimum of 75 per cent of the median market rent to ensure that all EIA recipients receive income sufficient to access units in the private market.

We do not have sufficient data on caseloads and housing size needs to know precisely what the cost would be each year to bring EIA rental allowances more closely in line with median market rents. What we do know is that for the majority of households reliant on EIA there is a rent gap of at least $100 per month between what people on EIA receive and that which would give them income sufficient to afford rents at 75 per cent of the median (Table 1). Increasing the rental allowance for all households in receipt of EIA and renting in the private market will not close the gap sufficiently for all households but it would begin to do so at a cost of $25 million annually in the first year. This would also bring
us closer in line with 1992 levels, as at that time EIA rental allowances were close to 75 per cent of median market rents. We would also index rent guidelines to inflation to ensure that they do not fall behind in future years.

Along with this the Province will need to establish regulations to ensure that private market landlords take responsibility for ensuring that accommodations rented to EIA recipients are in good repair before they are allowed to increase rents in line with new rent guidelines. This will help to address the often raised concern that landlords, not EIA recipients, will benefit from increases to rental allowances. These regulations will encourage property owners renting to EIA recipients to better maintain their properties, thereby benefitting property owners and stimulating the economy as people are hired and supplies are purchased.

Increasing EIA rental allowances so that recipients can afford current rental rates is extremely expensive. This situation is largely a problem of governments’ own making as they have not significantly adjusted EIA rental allowances for over 20 years.

Furthermore, the Province must commit to a preventative approach that treats the causes of poverty by increasing targeted investments in the kinds of initiatives described in our budget. This will reduce the need for even more expensive medium- and longer-term expenditures, such as EIA payment, to address the symptoms of poverty. Until the Province adopts a preventative approach, the Province must ensure that EIA recipients receive allowances that adequately meet their needs.

**Increase Funding for Public Housing Supports:**
$5 Million
In addition to increasing EIA rental allowances with a cost of $25 million, we would scale up supports for households living in public housing at a cost of $5 million. Many public housing complexes include or are near resource centres which provide services and supports, including access to food and food banks, essentials like phones, faxes or computers, and provide opportunities for social interaction with friends and neighbours. One tenant said that

... having access to their computer room and doing faxes and stuff like that has made a lot of changes in my life because it saves me from paying the money to do these things, or from finding a way to get to these places, dragging my kids along with me³⁶.

The programs offered by these resource centres support children and adults, and enhance quality of life. The centres can help reduce conflict, and build trust and community among tenants who otherwise might not interact. The centres can also provide a space for learning and growing as individuals and families, and enable tenants to give back to the community.

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<th>Unit Size</th>
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<th>EIA Rental allowance*</th>
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<td>$1200.00</td>
<td>471.00-513.00</td>
<td>825.00</td>
<td>354.00-312.00</td>
</tr>
</tbody>
</table>

* Does not include RentAid supplement. Does not include $200 portable housing benefit available to qualifying people with mental health disability. Range for each category reflects difference based on # of people in household.

** The median market rate for bachelor units was not available. The current average rate is $524, which is almost double the rental allowance for a single adult.
I’m a better person. I find that [participating at the resource centre] wakened me up, it’s made me a better person in the sense that I’m doing something, I feel like I’m accomplishing something, I’m helping people, I think, and I’m giving my time, which is good for me." I’m a better person. I find that [participating at the resource centre] wakened me up, it’s made me a better person in the sense that I’m doing something, I feel like I’m accomplishing something, I’m helping people, I think, and I’m giving my time, which is good for me. "I’m a better person. I find that [participating at the resource centre] wakened me up, it’s made me a better person in the sense that I’m doing something, I feel like I’m accomplishing something, I’m helping people, I think, and I’m giving my time, which is good for me."

The programs and resources offered through the resource centres have proven to be effective supports for children and families. They should be strengthened and replicated in other public housing complexes.

Employment: Total Cost: $10 Million
Many ex-offenders are coming out of jail without resources, skills, networks, essential documentation, education or a secure place to live. We have to provide ex-offenders with a bridge from jail into mainstream society; a job is the first step. The following programs will help ex-offenders and those at risk of offending find and keep decent jobs and stay away from crime.

Establish a Labour Market Intermediary: Total Cost $1 Million
There are several initiatives in Manitoba mandated to provide training and education for people living in poverty. The most vulnerable of these individuals are those that have never had jobs. For many of these individuals making a transition from training to employment is extremely difficult. Even employers with the best of intentions are often ill-equipped to assist individuals in the transition. While community based organizations providing training to the most vulnerable workers do the best they can to assist their graduates find work, they do not have the capacity to continue to assist them once employment is obtained.

There seems to be nothing in between there. Once you’re done your course you’re on your own right? The government pays for this course then there’s nothing there to get you to your next step…they should, like when they have these programs, make sure they have practicum placements where the person can go do what they enjoy doing. There would be so much less hostility and anger and shit like that. [People are frustrated] because they don’t ask you like, what do you like to do? “Oh there’s a course you gotta take it”. You gotta find out what people like to do. What makes them tick, what makes them happy. What makes them want to do it you know?" For this reason, several community-based organizations and employers agree that a labour market intermediary (LMI) that matches trained workers with employers and supports in the employment transition would fill a critical gap in service. While many graduates of community-based training organizations have acquired important skills, many have never worked before and face challenges integrating into the workplace. Even the most empathetic of employers sometimes need support to understand how they can better assist existing employees and new employees transitioning into the work environment. While this is something that training organizations could provide, they are not funded to do so, therefore trainees and prospective employers are left to their own devices.

We propose that it would be most efficient to establish an entity such as an LMI that could serve multiple organizations and employers. This model has proven to be an effective resource in many US cities where poverty has been concentrated in neighbourhoods and where social networks are weak. Community-based organizations in Winnipeg have agreed on a model that they feel would work well in Winnipeg and could be later replicated in other Manitoba communities. The model they have put forward would create a one-stop shop directed by trainers, employers and labour unions that would serve the needs of community based training organizations, their graduates and prospective employers.

The cost of such an entity based in Winnipeg is estimated to be $500K annually. We recommend
the Province of Manitoba fund the initial set up and operating costs of a Winnipeg LMI as a pilot project. A similar project should be implemented in Thompson, for a further $500,000 investment. However once established, other funding partners with equity hiring targets can be identified to financially support this initiative which will help them to meet and maintain their equity hiring objectives. These would include crown corporations, and other government agencies such as the Winnipeg Regional Health Authority, Manitoba Lotteries Corporation, Manitoba Public Insurance Corporation and Manitoba Liquor Control Commission, all of which could provide people at risk of offending with good jobs and opportunity for advancement.

Establish an Aboriginal Skilled Trades Access Program: $4 Million
There continues to be a shortage of skilled-trades people in Manitoba at a time when Aboriginal unemployment continues to be extremely high relative to the non-Aboriginal population. The Manitoba government has been a leader in developing and supporting post-secondary education programs designed to encourage and support Aboriginal and multi-barrièred people obtain university and college certification. To increase the number of Aboriginal people in the skilled trades we would expand Manitoba’s Access programs to include off-site trade specific apprenticeship programs at a cost of $4 million per year.

Public Sector Aboriginal Hiring Program: $1 Million
As the proportion of Aboriginal people continues to grow compared with the non-Aboriginal population, so too should representation of Aboriginal people in public institutions. Fully 10 per cent of Winnipeggers are Aboriginal. The Manitoba government’s Equity Hiring Policy includes Aboriginal people and other under-represented groups in their human resource development plan. The Manitoba civil service has become increasingly diverse as a result, however other public institutions including regional health authorities and some Crown Corporations continue to be insufficiently representative of the population.

In order to increase the number of Aboriginal people working in publicly owned institutions we would introduce a new Aboriginal internship program targeted toward Aboriginal youth between the ages of 16 and 25. This would complement existing initiatives designed to ensure the public sector is representative of the population it serves.

Youth and Jobs: $1 Million
Many of the most vulnerable youth do not have the kinds of networks that can connect them to the formal labour market. Providing youth between the ages of 16 and 21 with an opportunity to earn an income while also contributing to their communities can help to put them on a positive path. We would allocate $1 million dollars to non-profit community based organizations to hire and train youth.

Support for Targeted Community Economic Development Programs: $1.5 Million
There are several organizations in Manitoba that are taking a community economic development approach to employment development while targeting individuals who have a history with the justice system. This approach demonstrates an improvement over existing practices in traditional training initiatives. It ensures local individuals with multiple barriers to employment are offered access to a comprehensive and integrated set of supports and resources that go far beyond technical skills training to include training in life skills and soft skills.

This program [BUILD] has been life changing. Without it I would be back selling drugs... probably dead...It was like I was in the dark and now I got some light on me you know what I mean? ...this very, very bright future.

This approach recognizes that some individuals require more than a job opportunity to over-
come their barriers and get to a point where they are able to successfully enter and remain in the formal labour force. Most employers would not take the time to address the many multi-faceted and inter-connected barriers related to poverty and social exclusion that these individuals face. As a result, many of these individuals would fall back into poverty and destructive lifestyles. The innovative approach taken by organizations like Winnipeg’s Building Urban Industries through Local Employment (BUILD), OPK (Ogijiita Pimatiswin Kinamatwin) and, the Brandon Energy Efficiency Program (BEEP) that provide trainees with jobs and the right mix of tools, supports, and opportunities to succeed and create a sustainable path for their lives, their families, and their communities has shown positive outcomes and needs to be scaled up and replicated. These organizations generate huge societal gains in terms of productivity; community and family sustainability; and reduced costs associated with intergenerational poverty, social exclusion, and environmental benefits such as a reduction in emissions of greenhouse gases, and crime.

Support for Women to Transition to Work: $1.5 Million
There are a growing number of women in Manitoba jails who have unique challenges reintegrating after they have served their sentences. We would provide $1.5 million annually in funding to community-based groups to assist women with training and employment opportunities and support them in the transition to work.

Mental Health and Addictions:
Total Cost: $8 Million
Over 30 per cent of inmates suffer from mental health problems; 67 per cent of non-Aboriginal inmates and 82 per cent of Aboriginal inmates had addictions when they were admitted to prison.

Preventing people from engaging in criminal activities and improving our record on rehabilitation will require significantly greater investment in this area. Of particular concern is the number of Aboriginal people suffering from addictions, largely attributable to the damaging legacy of colonization including residential schools and misguided child welfare policies that resulted in the ‘60s scoop’.

learning about my culture and colonization was as important to me as the technical training I received….it helped me to understand why I had so much difficulty in the past...I needed to do that before I could move forward⁴⁰.

In keeping with the theme of prioritizing prevention for Aboriginal people, we propose an emphasis on cultural reclamation and healing. It has been said by many Aboriginal people that healing and cultural reclamation is a necessary first step for Aboriginal people who continue to be deeply affected by colonial policies and programs.

For example, generations of families and communities continue to be affected by the painful legacy of residential schools and child welfare practices that saw Aboriginal children removed from their families and placed in non-Aboriginal homes in an attempt to assimilate them. The damage of these policies has been demonstrated time and time again, most recently through the federal government’s Truth and Reconciliation Commission. Many people point out that current ‘justice’ initiatives perpetuate colonization because they fail to consider how its ongoing destructive elements force many people to resort to crime.

Cultural Reclamation Programs: $1 Million
Urban Circle Training Centre is an example of a program that has carefully developed and integrated cultural reclamation into their training program. We propose that Urban Circle Training Centre be provided with funds to develop a formal program based on its experience, and that can be replicated by other training and employment initiatives working with Aboriginal people.
We would allocate funding to establish cultural reclamation programming in Winnipeg, Brandon, Thompson, The Pas, Dauphin and Flin Flon.

This initial investment will allow Urban Circle Training Centre and a staff of elders to develop a curriculum and work with cooperating community-based organizations and other organizations working with Aboriginal people across the province.

**Community Supports for People Living With Mental Disabilities: $1 Million**

We would allocate $1 million to the Canadian Mental Health Association to help it advocate for and support Manitobans living with mental disabilities. When people struggling with mental disabilities stay in the community, they are better able to cope and live full lives. This strategy will also reduce the possibility that they will end up in prison where their conditions will only deteriorate and their suffering grow.

**Fetal Alcohol Spectrum Disorder (FASD): $3 Million**

Addictions do not only affect those who are addicted, but they also have a lasting impact on their families, and children born to mothers who consume alcohol while pregnant can be affected with Fetal Alcohol Spectrum Disorder (FASD).

FASD is an umbrella term for a range of characteristics associated with damage resulting from prenatal exposure to alcohol through maternal alcohol consumption. While the number of individuals with FASD in Manitoba is not known for certain, we know that the numbers are not insignificant. It is estimated that 1 per cent of children born in Canada have some form of FASD; this statistic would indicate that every year, approximately 130 children born in Manitoba are touched by this syndrome. A 2005 study determined that 17 per cent of children in foster care in Manitoba were diagnosed with or suspected of having FASD. These same children are at extreme disadvantage in the current child welfare system where in most cases they ‘age out of care’ at the age of 18.

There is evidence to show that individuals with FASD are also at greater risk of involvement in the criminal justice system as a result of their disability. One large-scale study of 415 adolescents and adults with FASD found that 60 per cent of the sample had been in trouble with the law and 50 per cent had been confined. In another study, it was found that 23 per cent of youth remanded for a psychiatric in-patient assessment had FASD. Research on gangs in Saskatchewan showed a high number of Aboriginal gang members to have FASD. Prevention of FASD is of primary importance. However diagnosis followed with appropriate supports and education for those who are affected with FASD can help them better manage negative behaviours that are associated with this disorder and which put them at greater risk of engaging in criminal activity.

Dr. Albert Chudley, a top FASD expert in Manitoba, has recommended that all inmates be screened for FASD so that more appropriate supports can be provided thereby reducing the risk of re-offending. He has estimated that some 17 per cent of inmates have some level of brain damage caused by alcohol exposure in the womb. FASD is clearly a growing concern that has serious societal implications. We would increase the amount the province reports that it currently contributes toward FASD from $11.5 million to $14.5 million. These funds will be allocated to supports for individuals with FASD who are ageing out of care and support for community-based initiatives working with these individuals. This increase is desperately needed. We would also ensure that a portion of new funding be allocated toward supporting adults living with FASD. The current reality is that with the exception of one small and over-extended program in Winnipeg, (Spectrum Connections), an adult with FASD is not eligible for existing support services unless that person has a dual diagnosis of a significant mental illness or below normal IQ.
**North Main Street Drug Outreach Program:**

$1 million

Between 67 and 82 per cent of those in Manitoba’s prisons are fighting drug and/or alcohol addictions and many crimes are committed to feed addictions that begin on the streets. Given the gravity of the problem and its connection to crime, much more must be done to prevent addictions and to help those already struggling with them.

Harm reduction refers to policies, programs and practices that aim to reduce the negative health, social and economic consequences that may ensue from the use of legal and illegal psychoactive drugs... [and] ensures that people who use psychoactive substances are treated with respect and without stigma, and that substance-related problems and issues are addressed systemically.

There are between 350,000-450,000 needles distributed in Winnipeg every year by Street Connections and its secondary distribution sites, indicating great demand for this type of preventative service. We would dedicate $1 million towards a North Main Street drug program with comprehensive outreach services, peer supports and a needle exchange strategy. This program would help reach intravenous-drug-users (IVDU) who share needles, particularly Talwin/Ritalin injectors and youth meth users. To address opioid related overdoses, a Narcan distribution program would also be implemented to deal with overdoses that occur more in homes.

Those who used the needle-exchange and Narcan distribution programs would be referred to other programs to help them fight their addictions. The program would not only help drug users deal with their addictions before they became criminalized, it would also keep healthcare costs down by preventing overdoses and the illnesses spread by sharing needles.

Ideally, there would be a fixed site needle exchange program in every community area where the need exists, and they would run 7 days a week. This first investment is just a start.

**Community-Based, Culturally-Appropriate Drug and Alcohol Treatment:**

$2 Million

Given the high percentage of drug/alcohol addicts in Manitoba’s prisons, combined with the disproportionately large number of Aboriginal inmates, it is clear that targeting addictions in this population is a key preventative strategy. We dedicate $2 million to community-based, culturally-appropriate drug and alcohol treatment programming for Aboriginal people.

**Education And Family Supports:**

Total Cost: $12 Million

Education is undeniably central to social inclusion and poverty reduction. Given the high number of people in the prison system who do not even have a high-school diploma (38 per cent of Aboriginal inmates and 19 per cent of non-Aboriginal inmates) it is clear that ensuring access to education is a key element in crime prevention. We also know that a far-too-high proportion of the prison population is of Aboriginal descent, and that Aboriginal people are more likely to drop out of school than the non-Aboriginal population.

Education must be addressed at all ages: from early childhood care and education, to elementary, junior and senior high school, and even secondary education and training. When culturally appropriate education is available to Aboriginal students who have had little or no contact with their own culture and who have been rejected or mistreated by the dominant one, it can be life-changing and life-saving.

**Operating Revenue for Childcare Centres:**

$3 Million

In addition to an increase in capital expenditures to increase the physical space to accommodate additional childcare spaces, more money is needed for operating costs. We call upon the Province to make this a priority because we
recognize that if we are to increase the number of spaces we will need qualified childcare professionals to ensure Manitoba children have top-notch early learning opportunities.

We would allocate an additional $3 million to be targeted to childcare centres in low-income communities, where need is greatest.

There is a shortage of childcare professionals, making it very difficult to provide quality childcare. This is largely attributable to the fact that incomes are far too low making it difficult to attract and retain workers in this field. Wages for the childcare workforce remain about 20-25 per cent below competitive rates. It is estimated that it would take approximately $10 million annually to achieve this, so our $3 million investment is just a start.

**Aboriginal Childcare Professional Development Allowance: $500,000**

While increasing wages will encourage people to pursue early childhood education as a career, it is also important that early childhood educators are representative of the people that they serve. Given the reality that 36 per cent of Aboriginal children compared with 22 per cent of non-Aboriginal children are “not ready for school”, it is particularly important that more Aboriginal people be encouraged to enter the childcare profession. And given the growing newcomer population and the unique challenges that they face, it also makes sense to increase the number of childcare providers from this population.

We would allocate $500,000 toward tuition and living allowances to support qualifying Aboriginal people and newcomers who wish to pursue training as early childhood educators.

**Annual Indexing of Income Levels so More Families Qualify for Childcare Subsidy: $3 Million**

Access to high quality early learning and childcare programs improves the health, life-long learning, school readiness and school performance of children. It also provides parents with an opportunity to gain training and employment so they can increase their family income. This is particularly important for women as they tend to be the first to limit their participation in the labour market when childcare is unavailable.

Manitoba’s childcare fee subsidy program pays service providers a fee subsidy on behalf of eligible parents. To be eligible for a full fee subsidy, a family’s net income must be under a certain threshold. Families with incomes beyond that threshold may be eligible for a partial subsidy. These income thresholds have not been indexed since 2007, so every time the minimum wage increases, fewer low-income families are eligible for the maximum subsidy. In addition, subsidized parents are required to pay a user fee of $2.00/day which creates an added financial burden.

We propose putting $3 million dollars toward the cost of implementing annual indexing of the income level at which families are eligible for a full fee subsidy. With this annual investment, approximately 660 more preschool aged children would be able to receive subsidized childcare every year.

**Programming for Children Under 2: $500,000**

Many Aboriginal people working in the childcare field express concerns that there is a gap in programming for children under 2. We would provide funding for community based programming specifically designed to support Aboriginal parents and babies to ensure they get the best possible start in life. We would provide $500k for the development of culturally based Aboriginal parent and baby programs.

**Support for Grades 6 Through 9: $500,000**

Another gap in support is programming specifically targeted to vulnerable youth in grades 6 through 9. These individuals tend not to participate in existing youth programs that are primarily designed for younger kids. These kids must be provided with sport and recreation opportunities to counter the lure of gangs. We would
allocate $500,000 dollars in high-needs neighbourhoods to establish a network of programs for this age group.

Increase Support to Community Education Development Association (CEDA) — Pathways to Education: $1 Million

We would also allocate $1 million annually to Pathways to Education across the province. This program encourages vulnerable youth to focus greater attention on their education as a way out of poverty.

Once one person graduates, boy does that open a door. It’s huge! My youngest sister and my nephew went to school there so all together there were five of us that graduated from Urban Circle. My two sisters are in their last year at the inner city social work program. My daughter has graduated and she’s been working and my other daughter is on main campus and is hopefully getting into nursing in the fall. So within a matter of…seven years…we will have five university degrees — every woman in my family will have a university degree. My granddaughter is graduating from grade 12 this year. […] It’s the norm now. It’s not just a dream.

Increase Support to Career Trek’s Children Rise Up Program: $500,000

Career Trek is a government and charity-supported program that helps youth stay in school and find their vocation. The program believes that poor performance in school is linked to a complex variety of circumstances and that by giving low-income students exposure to different approaches to education and experiences, many doors are opened for them.

Career Trek offers a variety of programs; we would dedicate $500,000 to expand the “Children Rise Up” program to more First Nations communities. At the moment, the program is run in Skownan First Nation, with recent expansion into other First Nation communities and the Pembina Trails School Division. Expanding this program would help more First Nations youth to see the value in completing their education and encourage them to choose a career.

Support for Kids and Families in Low-Income Neighbourhoods: $3 Million

There are many wonderful programs continuing to provide important supports for children and families in the inner-city of Winnipeg and in Northern communities and other communities with high rates of poverty. These kinds of supports are cost efficient ways of giving the most vulnerable families the extra supports they need. We would allocate $3 million a year across the province to strengthen initiatives that have demonstrated their effectiveness.
Conclusion

People get involved with crime for varied and complicated reasons. Evidence shows that the approach outlined in Bill C-10 won’t effectively reduce crime and it will cost us a bundle. Reducing crime requires a much more sophisticated and comprehensive approach that will require investments in the kinds of programs we outline in this paper.

We believe that prisons provide an important function in society. But we also believe that simply dispensing harsher punishment to more and more offenders (even those guilty of more harmless offences) is not the most effective means of dealing with crime.

The point of this exercise is to demonstrate that there are many things we could be doing to prevent crime and to assist those who have committed crimes in reintegrating into our communities. Our approach is straightforward: we look at the underlying causes of crime by gathering insights and program ideas from individuals and organizations who know from experience what works. For example, we know that low levels of education, addictions, unemployment, underemployment, homelessness and poverty are common experiences of individuals involved in the criminal justice system— we offer suggestions of how we might invest in programs that will assist people in these circumstances.

We know that some people are more vulnerable than others. For example, if they have: prolonged involvement in the child welfare system; dropped out of school; experienced a lack of reliable adult guidance; been affected by FASD; or, suffered from a mental disability/illness, they will be at higher risk of contact with the criminal justice system. We recommend scaling up investment to support individuals and families struggling with these issues.

We know that a high percentage of offenders are of Aboriginal descent. This reality is a testament to Canada’s long history of oppression and continued systemic racism that won’t be resolved by apologies alone. We must acknowledge the damage done and still being inflicted on Aboriginal people, and expand programs that we know help them heal and to live full lives.

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If for no other reason than a desire to save money, we must adopt a more effective way of dealing with crime. Housing inmates in jails is far more expensive than providing affordable housing to low-income Manitobans, or than ensuring that all children have access to all levels of education. All we need do is observe the hugely expensive
will then have to consider the opportunity cost of NOT spending that money to remove the root causes of crime. In the face of that opportunity cost, which will be much higher than $90 million/year, we really have to question the wisdom of Bill C-10.

experiment taking place in the US, where even the most ardent “tough on crime” advocates are admitting that they can no longer afford their “lock ’em up” approach to fighting crime.

Spending $90 million/year on ineffective prisons will be just the first expenditure; we
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