



Canadian Friends Service Committee (Quakers)

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Honourable Shirley Bond
Minister of Justice and Attorney General
Ministry of Justice
Province of British Columbia
1001 Douglas Street
Victoria, BC
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April 15, 2013

RE: Feedback on the White Paper (Part Two) on Justice Reform

Dear Minister Shirley Bond,

The Canadian Friends Service Committee (CFSC) is grateful for the opportunity to submit feedback on the White Paper (Part Two) on Justice Reform.

Founded in 1931, CFSC is the peace and service agency of the Religious Society of Friends (Quakers) in Canada. It is a federally registered charity and not-for-profit corporation. Quakers Fostering Justice (QFJ) is a program committee of CFSC and is composed of members and associates who are involved with a range of justice-related work in Canada such as: chaplaincy and remedial programs within prisons; re-integration into communities; work with victims, restorative justice and crime prevention in communities.

Based on our experience and concerns in justice work, our key comments are:

Action Item 3: Improve early criminal processes

Under this action, one of the commitments made by the B.C. government is that the:

- Government will act to share evidence-based information about risk assessment practices with police, Crown counsel, defense counsel, the judiciary, and other key justice system participants.

We recommend that evidence-based information include:

- That the best interests of the child be taken into account in all criminal justice proceedings relating to parents, including arrest, pre-trial measures, trial, sentencing and parole/early release considerations. In accordance with their age and maturity, such children should participate in decisions concerning them.

- In the case of sole or primary caregivers for children, the best interests of their children be factored into all decisions and that custodial measures, including pre-trial and at sentencing, should only be used as a last resort.
- The *United Nations Convention on the Rights of the Child* and relevant UN rules and guidelines¹ be used as key reference points when considering standards for children and youth directly affected and for those children and youth affected by parental incarceration.

With regard to restorative justice, the B.C. government made the following commitments:

- Government will continue to expand and support existing Community Accountability Programs, including a training initiative that is currently underway.
- The Committee [Inter-ministry Committee on Restorative Justice] is exploring opportunities for restorative justice within existing resources, and government intends to expand the use of restorative justice as additional funding becomes available.

The Inter-ministry Committee on Restorative Justice was established to articulate a coordinated and connected vision for restorative justice within the B.C. government and to advance a strategy for promoting best practices.

We recommend that:

- The Inter-ministry Committee on Restorative Justice, in articulating a coordinated and connected vision for restorative justice, collaborate and regularly consult with stakeholders working in restorative justice.
- The Inter-ministry Committee on Restorative Justice, in articulating a coordinated and connected vision for restorative justice, ensures that the vision involves the creation of a framework in which diversion and alternative measures such as restorative justice are sustained over time and not just as additional funding becomes available.
- Evidence-based approaches also be used to assist in documenting and developing best practices in diversion and alternative measures such as restorative justice.

Action Item 4: Undertake Public Safety Reform & Action Item 5: Protect Marginalized Women

Under this action the B.C. government made the following commitments:

- Government will establish an Inter-ministry Committee on Crime Prevention that will develop a Provincial Crime Prevention Strategy by March 2014.
- Government will work with the Advisory Committee, led by Steven Point, to identify how government can assist communities to implement locally appropriate measures for supporting their vulnerable youth and women. This will include a review of options for community police-linkages, community mobilization and networks, and legislative measures that could provide additional protection for this vulnerable group.

¹ [*UN Standard Minimum Rules for the Administration of Juvenile Justice \(Beijing Rules\)*](#)
[*UN Guidelines for the Prevention of Juvenile Delinquency \(Riyadh Guidelines\)*](#)
[*UN Rules for the Protection of Juveniles Deprived of their Liberty \(Havana Rules\)*](#)
[*Guidelines for Action on Children in the Criminal Justice System \(Vienna Guidelines\)*](#)
[*Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*](#)

- Government will conduct a study to examine the practices and policies of police agencies in B.C. related to ensuring bias-free policing and will, where required, make sure audits are completed and standards are developed related to bias-free policing and the equitable treatment of all persons.

In the development of a Provincial Crime Prevention Strategy we recommend that:

- Any Provincial Crime Prevention Strategy includes analysis and the development of evidence-based measures to address the underlying causes of crime and harmful behaviour in the province.
- Any youth crime prevention strategy includes early detection and treatment of mental and behavioural health issues that might otherwise lead to criminal activity.
- To ensure locally appropriate measures for supporting vulnerable youth and women, best practices and policies of police agencies and bias-free policing, the Province of British Columbia provide ongoing training on the rights of the child, as reflected in the UN Convention on the Rights of the Child, for all actors in the system at all stages of the criminal justice process, including law enforcement, prison service professionals and the judiciary so that vulnerable youth are also treated in an un-biased manner.

Action Item 7: Require the use of evidence-based approaches

In implementing evidence-based approaches to determine most appropriate intervention and its success, we recommend that:

- The Province of British Columbia enhance the gathering of metrics related to women, children and incarcerated parents within the justice system and implement child impact assessments for any policies developed within the justice framework.
- The Province of British Columbia adopt a knowledge brokering approach for evidence informed decision making, similar to models that are being used in Canada's health sector (e.g. Canadian Health Services Research Foundation).

Yours respectfully,



Clerk,
Lesley Robertson
Canadian Friends Service Committee