

H & K Communications

72 Elvaston Avenue
Nepean, Ontario
K2G 3X9

Phone: (613) 829-1800
Fax: (613) 829-2449
E-mail: hturkow@rogers.com

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PRIME MINISTER'S ANNOUNCEMENT IN BURNABY

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Phone (613) 829-1800 Fax (613) 829-6181 E-mail hturkow@home.com

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(APPLAUSE)

RT. HON. STEPHEN HARPER (Prime Minister of Canada): Merci beaucoup, thank you. Thank you very much, Rob, first of all, for that introduction. Thank you also for your leadership for six years now as Minister of Justice and Attorney General, and for all of your hard work on behalf of the victims of this country. Thanks also to our masters of ceremonies, to the master of ceremonies, to the Honourable James Moore, also James, for your good work as Minister of Canadian Heritage and regional minister for British Columbia, and also your work particularly for victims of crime, and particularly on the matter we're here to discuss today.

Colleagues from the Parliament of Canada, distinguished guests, Mr. Mayor, family members, ladies and gentlemen, mesdames et messieurs, let me begin by offering a few words to the family, friends and neighbours of Darcy Clark. Earlier today I met privately with Ms. Clark. We spoke of the horrific events that robbed her of her children and exposed glaring gaps in the way our justice system deals with violent individuals, particularly those who are found not criminally responsible for their actions. These events illustrate as well how our system does fail victims. Let me be clear about this. While it is true that the arm of the state cannot be everywhere at all times, nor would we want it to be, nevertheless, when atrocious events do occur and the state fails to act, fails to do all it can do to defend innocent citizens, it violates the inherent trust upon which its existence is justified.

Cela m'attriste de le dire, mais le cas de Madame Clark n'est heureusement... n'est malheureusement pas unique. Il existe d'autres cas de personnes violentes partout au pays, jugés non-criminellement

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responsables, qui ont commis des atrocités qui heurtent le sens de justice que tous les Canadiens et Canadiennes partagent et où il en demeure que le système actuel de justice pénale ne protège pas leurs victimes.

It pains me to say, but Ms. Clark is not alone. And no words of mine nor anyone else's can ease the pain felt by the victims of such violence and their families. I can only promise you this: our government has heard these victims. We are committed to change. And we are determined to keep moving forward on our criminal justice agenda. As the law now stands, violent individuals found not criminally responsible for their actions are released when a provincial review board, not a court, determines that, among other things, they are no longer a significant threat to public safety. And so in a few years, they may be released anywhere, even into the community where their victims reside. Currently there is no obligation under law or regulation to warn the families of their victims that these violent people are returning to the community. No warning and no steps taken to protect them. But ladies and gentlemen, here is the biggest problem: Canadians have been shocked to learn that certain violent individuals, who while still in detention, have received unescorted day passes – unescorted day passes – despite still being a significant threat to public safety. We've heard from Canadians loud and clear something here is very wrong. During the last election, we made a clear commitment to Canadians, today we are acting on that commitment.

Je suis heureux d'annoncer que plus tôt aujourd'hui notre gouvernement a déposé à la Chambre des communes une série de réformes afin de régler la question de la non-responsabilité criminelle, et pour enfin rendre justice aux victimes.

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I'm pleased to announce that earlier today our government placed before the House of Commons a series of reforms to address the issue of non-criminally responsible, and to bring justice to victims.
(APPLAUSE)

La Loi sur la réforme de la non-responsabilité criminelle fera en sorte que les Canadiens et Canadiennes qui obéissent à la loi seront davantage en sécurité, que les droits des victimes passeront en premier, et que nous rues et nos communautés seront plus sûres.

The Not Criminally Responsible Reform Act will make law abiding Canadians more secure, place the rights of victims at the forefront, and help make our streets and communities safer.

Premièrement, avec ces réformes, les commissions d'examen provinciales qui décident du sort des personnes jugées non-criminellement responsables devront désormais avoir comme préoccupation déterminante la sécurité du public.

First, this legislation directs that when provincial review boards are dealing with persons found not criminally responsible, henceforth the safety of the public must be the paramount consideration.

Deuxièmement, au cours du processus, nos réformes vont augmenter et renforcer les droits des victimes.

Second, throughout the process, our reforms will elevate and strengthen the rights of victims. When an individual found not criminally responsible is released, the notice requirements will be expanded so that their victims and the families of victims are informed. As well, review boards will be given the power to order non communication between these individuals and their victims. Should the victim ask, provincial review boards will be able to

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order that these individuals stay away from designated places. Above all, and this is of greatest importance...

Nous donnons aux tribunaux les pouvoirs dont ils ont besoin pour laisser les individus jugés trop dangereux pour être libérés là où ils devraient être, c'est-à-dire en détention.

We are giving the courts the powers they need to keep those deemed too dangerous to release where they should be, in custody. (APPLAUSE) This legislation establishes a new category of high risk, mentally disordered accused. Violent individuals so designated by a court will be detained in custody. They will be prohibited from being released into the community by any provincial review board. These boards will have the option of tripling mandatory review periods for such designated persons from the usual 12 months to 36 months. And provincial review boards will no longer be able to issue unescorted day passes to violent individuals who have been so designated by a court. Only a judge will be able to alter this designation, and only if that judge is persuaded that the designated individual no longer presents a high risk. I cannot put it more plainly than this.

Les Canadiens et Canadiennes veulent un système de justice qui met en premier la sécurité de nos communautés et de nos familles.

Canadians want a justice system that puts the safety of our communities and our families first. And that is what these reforms will help us accomplish. Let me be clear on something else.

Ceux qui sont jugés non-criminellement responsables vont continuer à avoir accès aux soins médicaux appropriés que le système leur procure depuis longtemps. Les individus qui sont détenus continueront à l'être dans des instituts psychiatriques sécuritaires, pas en prison. Et la défense

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de non responsabilité criminelle va demeurer un argument à faire valoir devant les tribunaux.

Those found not criminally responsible will continue to have access to the proper medical treatment that the system has long provided. Individuals who are detained will continue to be held in secure mental health facilities, not prisons. And the defence of not criminally responsible remains a plea that an accused may make in court. Now, ladies and gentlemen, these reforms cannot undo the terrible things that have been perpetrated on victims like Darcy Clark and her children. But they will help her and other victims regain control of their lives.

Et elles vont aider à assurer que notre système de justice met les droits des victimes en premier.

And they will help ensure we have a justice system that puts the rights of victims first. As you know, their suffering has often been aggravated by a sense of injustice, the sense that they have been abandoned by the legal system. It is that sense that we can and we must address.

Notre mission depuis notre élection en 2006 a été de maintenir la sécurité dans nos rues et nos communautés.

Our mission since we came to office in 2006 has been to keep our streets and communities safe. We have listened to victims and imposed tougher sentences for perpetrators of the most serious crimes. We've eliminated the faint hope clause, the clause that forced victims to unnecessarily relive terrible events. Our government brought in mandatory minimum sentencing for sex offenders who prey on our children.

Ces criminels, les criminels les plus sérieux vont maintenant devoir purger leurs sentences en prison plutôt que dans le confort de

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leurs salons.

Those criminals, the most serious offenders, now have to serve their sentences in prison, not in the comfort of their living rooms. We've established the federal ombudsman for victims of crime, to finally give victims a stronger voice. And we've invested in the federal victims strategy, set up the child advocacy centres, and enhanced the victims fund. These are all concrete measures that our Conservative government has taken to put the central focus of the criminal justice system back where it belongs, on the rights of victims. We are on the right track. Now, of course, we still face substantial challenges as we move forward, but as Prime Minister Disraeli once said...

« La justice est la vérité en action. »

“Justice is truth in action.” And until every Canadian victim of crime knows that their concerns are felt and heard and acted upon by the justice system, our work will not be done, and we will not stop until it is. Merci beaucoup, thank you. (APPLAUSE)

(1596 words)

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