



Association of Justice Counsel
Association des Juristes de Justice

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September 21st, 2011

Minister of Justice and Attorney General of Canada
The Honourable Robert Nicholson, P.C., Q.C., M.P.
105 East Block
House of Commons
Ottawa, ON
K1A 0A6

Dear Mr Attorney General:

Re: *Safe Streets and Communities Act*

With the resumption of Parliament earlier this week, the government moved quickly to introduce the *Safe Streets and Communities Act*. This proposed omnibus crime law will roll-out sweeping new measures, including stiffer mandatory minimum sentences for drug traffickers and sex offenders, the end of house arrest for terrorism and other serious offences, and tougher rules permitting the refusal of work permits to persons who are vulnerable to human trafficking and other forms of exploitation.

While these priorities underpin the government's crackdown on crime, their implementation will hang in the balance if sufficient resources are not committed to Federal Crown lawyers and prosecutors. We say this because the support that Association of Justice Counsel members have received in recent times is not nearly equal to the ever increasing demands that are being placed on our shoulders.

Since 2009, the Department of Justice and Public Prosecution Service of Canada have taken on record caseloads amidst significant funding cuts. Operational budgets have been frozen since 2010, and will remain so until 2013. In addition, departmental bottom lines have been shed by 5%, and are in the cross-hairs for another 5-10% cut.

These austerity measures risk the long term interest of maintaining public confidence in the administration of justice. Our view --one that we believe you share-- is that Canadians appreciate that the value of living in a fair and just society cannot be readily reduced to conventional economic terms.

We would ask that you bear this closely in mind, along with the following considerations:

- AJC members will be the ones to defend the anticipated constitutional attacks against the *Safe Streets and Communities Act*, many aspects of which fall under exclusive federal jurisdiction, including mandatory minimums for drug traffickers, tougher sanctions for young persons, the elimination of pardons for gang-related and other serious offences, a new civil remedies

framework for victims of terrorism, and stricter work permit rules for those vulnerable to human trafficking and exploitation;

- AJC members are already, in addition to the work that will come from the *Safe Streets and Communities Act*, prosecuting more charges, more contested trials, and more complex pre-trial motions than ever;
- AJC members are facing arduous working conditions as the courts continue to struggle with daily in-take, thereby placing stress on our people and putting serious charges at risk of being judicially stayed due to unreasonable delay; and
- the staying of charges involving serious offences has a profoundly traumatic impact on the individual victims and communities we serve.

Thus, the *Safe Streets and Communities Act* presents you with an opportunity. In this bill, you have a convincing case for greater resources that will give your departments the tools we need to meet the government's priorities.

As always, we are ready to work together with you by bringing forward the unique perspective of the people who serve as your ministerial delegates and who are dedicated to delivering justice for all Canadians.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Marco Mendicino', with a long horizontal stroke extending to the right.

Marco Mendicino
President