

## Standing Committee on Finance (FINA)

### Pre-budget consultations 2012

## Scott Newark

### Responses

#### 1. Economic Recovery and Growth

*Given the current climate of federal and global fiscal restraint, what specific federal measures do you feel are needed for a sustained economic recovery and enhanced economic growth in Canada?*

Multiple Source Funding Strategy for Security and Criminal Justice Initiatives While the Government has recognized the need for enhancements in both the security and criminal justice sectors, the current fiscal situation requires consideration of alternatives to simply allocating new funding for new policy initiatives. It is recommended therefore that to the greatest extent possible and especially in areas where multiple Departmental or Agency spending is involved, that any new initiative be subject to a mandatory consideration of alternative funding sources. These systemic sources should include:

- >Reallocation of funding from existing expenditures This kind of analysis will actually force assessment of the relative value of existing program spending and identify funds which are either unspent or which have not been used to achieve their intended purpose. Such an approach also encourages choice of priorities rather than simply more spending.
- >Identification of supporting program sources Frequently in security and criminal justice initiatives, multiple actors or programs are involved which can be enlisted to achieve the desired outcome. Unless that consideration is consciously made on an informed basis at the outset however, that efficiency is often overlooked which can result in duplication. This consideration must also include all subject related or relevant programs irrespective of Department or Agency. Cutting in silos is as unproductive as spending in silos.
- >Collection of unpaid fines and forfeitures See below.
- >Creation of mandatory costs for failing to appear and fleeing jurisdiction The phenomena of offenders failing to appear in court as required and fleeing the jurisdiction thereby avoiding return because of cost involved has become an issue of national concern for law enforcement and civilian authority alike. Creating a special offence of failing to appear and leaving the jurisdiction with a mandatory restitution order (not exceeding \$2K) that can be enforced while in custody through a garnishee order and as a consideration for parole could also fund a prisoner return program. This offender accountability mechanism would be self funding and effective in preventing crime by a high re-offending group.

#### 2. Job Creation

*As Canadian companies face pressures resulting from such factors as uncertainty about the U.S. economic recovery, a sovereign debt crisis in Europe, and competition from a number of developed and developing countries, what specific federal actions do you believe should be taken to promote job creation in Canada, including that which occurs as a result of enhanced internal and international trade?*

### **3. Demographic Change**

*What specific federal measures do you think should be implemented to help the country address the consequences of, and challenges associated with, the aging of the Canadian population and of skills shortages?*

### **4. Productivity**

*With labour market challenges arising in part as a result of the aging of Canada's population and an ongoing focus on the actions needed for competitiveness, what specific federal initiatives are needed in order to increase productivity in Canada?*

Collection of unpaid fines and forfeitures As a result of changes to the Criminal Code in the mid 90's, (C-41) collecting unpaid fines owed by persons convicted of criminal offences became significantly more difficult. There are also ongoing procedural defects in collecting unpaid provincial offences and municipal by law offences. The result of all of this is the accumulation of well over \$1B owing by persons convicted of offences that remains outstanding. Most of the money outstanding is owed to the Provincial Crown or municipalities although some is owed to the federal Crown for unpaid fines resulting from non criminal offence convictions. Provinces also have been less than effective in collecting moneys owing to the Provincial Crown as a result of persons who have breached their conditions of bail. Estimates of amounts outstanding are in the tens of millions. The Ontario Association of Police Services Boards recently (November 2011) released a Report ([www.oapsb.ca/advocacy\\_postions/2011/11/09/oapsb\\_poa\\_white\\_paper.pdf](http://www.oapsb.ca/advocacy_postions/2011/11/09/oapsb_poa_white_paper.pdf)) that confirms that there is approximately \$1B in outstanding fines in Ontario alone which are uncollected. The Report correctly notes that while different actions can be taken, the key to this issue is modernizing the integration of different databases which is technologically and legally achievable today. This issue has also been explored by the Senate Finance Committee. Acting collectively, the three levels of government can dramatically increase the ability to collect these outstanding debts and moneys recovered by Provinces, for example, can be used to offset the need for requested federal transfers, grants or subsidies. Such a co-operative effort would also mean that law enforcement and public safety measures would increasingly be funded by offenders and not taxpayers and that Government was demonstrating that unlawful action would have enforced consequences. Raising revenues by collecting debts from persons who break the laws rather than increasing taxes on those who obey them is a desirable concept. Ideally, funds realized from these collective efforts could be placed into a statutory provincial dedicated revenue Law Enforcement Fund with specified approved spending purposes. The Ontario Victim's Justice Fund pursuant to the Victim's Bill of Rights Act is an example of this.

### **5. Other Challenges**

*With some Canadian individuals, businesses and communities facing particular challenges at this time, in your view, who is facing the most challenges, what are the challenges that are being faced and what specific federal actions are needed to address these challenges?*