

## EVIDENCE SUBMISSION FOR BILL C-10

From: Shannon Moroney (private citizen and author)

Dear Senators,

Thank you for including the following information in your discussions regarding Bill C-10. As both a victim of crime and family member of an offender, I believe I have valuable insight and information to share.

On my one-month wedding anniversary in November 2005, the life I knew was shattered by the arrival of a police officer at my door who told me that my husband was in custody, charged with the brutal sexual assault and kidnapping of two women in our community of Peterborough. He had called 9-1-1 himself and given a full confession to the crimes, and also reported that he had been committing acts of voyeurism (surreptitious videotaping) of me and many others in our home over the previous 3 months. I became the victim of an offence, but also a victim of the painful and long-term collateral consequences of my husband's offences. In short, I lost my privacy to the press, I was treated as guilty-by-association by my employer who removed me from my position as a respected high school guidance counsellor; I had to turn to employment insurance to help make ends meet, and I began to grieve like a young widow as the police told me my husband would be a candidate for the dangerous offender designation. He had committed 2nd degree murder 18 years before (as a teenager) - a crime I certainly did not take lightly. Professionals from CSC told me he'd been a model inmate, that he'd been rehabilitated, and that there was no concern he would ever reoffend. He'd served his time and had lived safely and successfully in the community for 7 years. He'd worked a full-time job as the manager of a soup kitchen for 5 years before he returned to school and completed a diploma in fine arts at Fleming College where he earned top grades. He'd been given a second chance, was making the most of it, and I became part of that second chance like many, many others had too. When he reoffended, everyone was shocked and devastated.

I turned to CSC for support but was abandoned -- their focus was protecting themselves from public scrutiny. That scrutiny was then turned on me, since I was the one left in the community. I had to answer for him, bear the horrific burden of stigma and judgment, and endure the ending of many relationships and the life I knew in the community. My husband was taken into solitary confinement where he remained for 9 months until he was transferred to federal custody.

I turned to Victims Services for help, but was denied services and told rudely that I needed to give other people time. I asked if there was anything could do to help the assaulted women but was told they didn't need to hear from "the offender's side". Meanwhile, I helped the police in their investigation by watching the voyeuristic videos, identifying all the other victims, and by cleaning up the crime scene in my own home. At my husband's arraignment, the judge assigned me the duty of finding a criminal lawyer and so I worked to do just that as I also sought a lawyer to help me dissolve my marriage. My employer didn't allow me to return to my position or even enter the school without permission, telling me "I represented something terrible", and I was put on leave without pay or benefits. The stress and strain was so overwhelming, and the exposure to such horrific violence so serious that I was soon diagnosed with post-traumatic stress disorder (PTSD). I tried contacting the Attorney General's office for support but was told that because I had not been physically assaulted there was nothing available to me. The local Crown's office never contacted me throughout the 2 1/2 year legal process (the first year of which no Crown was even assigned to the case) even though I was on the official victims list.

As I navigated the painful aftermath of my husband's crimes, what I learned is that jails and prisons do a good job of keeping offenders from harming the public--at least for as long as they are incarcerated (and at massive expense to the public)--but they also keep those same offenders from facing up to what they have done, from being meaningfully accountable to victims and society, from working to make amends, and from engaging in truly meaningful rehabilitation. I made the choice to visit my husband in jail because I deserved answers to my questions and an explanation of why he did what he did. Sometimes he had the answers and sometimes he didn't. He also needed to understand the consequences of his actions, and had I not been the one to tell him, he couldn't have understood the pain he caused to anyone but himself.

After a year and a half in custody, a 6-week psychiatric assessment labelled him with two nebulous diagnoses: 1) sexual sadism, and 2) "a personality disorder not otherwise specified". He signed papers instructing his lawyer not to contest the dangerous offender designation in order to avoid putting victims through a lengthier trial and to demonstrate his level of remorse and responsibility, and my family and I supported him in doing so. This action had never before occurred in Canada in this way. To date (now over 6 1/2 years) he has had no further assessment or treatment of any kind. None of the victims of any of his crimes will get the answers that they deserve and which might help in healing, nor will he. Instead, he will rot in prison for likely the rest of his life, and we and the rest of society will all pay for him to be there, doing nothing meaningful with his time. Our losses as victims - financial and emotional - are up to us to recover. Civil action might recoup some losses, but only if victims have the personal resources to hire lawyers and live through years of trial. Winning a civil case against an incarcerated person seldom leads to actual payment. On a salary of \$2 - \$8/day, people in jails and prisons can't even afford to make their own phone calls, let alone pay restitution or other vital costs like child support.

Since 2008, when I began speaking publicly about my experience, I have worked with thousands of people affected by crime across Canada and internationally. Since the publication of my memoir, Through the Glass (Doubleday Canada) just 3 months ago, I have heard from hundreds of Canadian crime victims and legal/social professionals who agree that it is a waste of our nation's resources to merely lock more people up for longer when there is not a single report available that supports the notion that jail time is a deterrent to crime. It is an absolute insult to ask taxpayers, particularly those like myself and other victims, to pay for bigger prisons and longer incarceration terms while we work with little or no help to recover our own losses. It is a further injustice that our Prime Minister has put forward a bill that will move criminal justice in Canada backwards at a time when crime rates are lower than they have been for over twenty years. Warnings to him from the Governor of Texas--where mandatory minimum sentences caused both the crime rate and prison populations to soar over the past ten years--have simply been ignored.

What most victims say is they need to have their questions answered, but lengthy legal proceedings, prison rules, pleas of not-guilty, and an absence of appropriate facilitated support (like that which restorative justice can offer) put up serious barriers against ever satisfying this need. We all want to be safe, but locking people up in places where they will be exposed to harsh anti-social influences like gangs, drugs, and extortion (the common currencies in our prisons) only for them to be released without meaningful treatment is not the way to go. This is Canada: our prisons should be the most advanced centers of rehabilitation and accountability in the world; our victims services and community-based support services should be given the resources to run the programs that are proven to help all those affected by crime without being under constant threat of funding cuts. Prevention services that address the root causes of crime such as youth centers, mental health agencies, anti-poverty initiatives, schools and alternative education programs, and restorative justice organizations deserve the respect, attention and support of this government.

Yet, the current Government of Canada, through the proposed Bill C-10, sends one clear message to victims overall: that retribution is the answer. That victims should be satisfied and healed by simply knowing a person is locked away for a period of time. The right to participate in parole hearings that influence that time period, or to be notified of when an inmate transfers institutions or is taken to a dentist appointment is a valuable option for some, but others find that that type of stagnant information keeps them tied to the offender. A "good day" can be ruined by a phone call reminding them of the crimes or the offender, or reignite anxiety that they could be targeted again. The retributive or fear-based approach can keep people who have been victimized locked in a vengeful, resentful and angry relationship with the person that harmed them, robbing them of the possibility of a full and meaningful life--labelling them victims for life.

Under the **Increasing Offender Accountability Act**, I ask for

- improved and sustainable funding for restorative justice programs that involve victims in meaningful dialogue and engage offenders in addressing harm and building empathy. Such programs have been shown to reduce recidivism by up to 80% whereas mandatory minimum sentencing shows no decrease to crime rates.

- the reallocation of resources away from simply building new prisons and toward developing meaningful work, education and mental health programs inside the prisons we already have. These should work toward helping some of the forgotten victims of crime, such as the children of inmates.

- the reallocation of resources toward an expansion of victim services

- investment into mental health care and education in order to prevent crime in the first place.

- the reinstatement of psychiatrists and their support staff in jails and prisons.

- rehabilitative programs to be put back into place in jails and prisons--run not only by community volunteers, but by paid professionals.

- offending youth to be treated in an age-appropriate manner (not as adults) and spared from a life-long criminal trajectory by engagement in education, community-based sentences, empathy-building programs, and attachment to a society that cares about them, helps them heal from past abuses, and provides opportunity for pro-social livelihoods.

It need never be concluded that developing crime bills, policy and practice that promote rehabilitation of people who have offended condones their offences in any way. Instead, what I want - and what so many Canadians want - is to get at the root causes of crime, hold offenders to account through more than mere punishment, to engage them turning their lives around and making amends, to accelerate the decline of our already low crime rate and decrease the number of victims, to become world leaders in the treatment of mental illnesses (instead of trying to punish the mental illness out of people), to take care of people who work in or visit jails and prisons, and to grow a healthy economy by investing in social programs that give all Canadians the opportunity to work and prosper.

I thank you for considering my requests.

Sincerely,



Shannon Moroney, B.A., B.Ed., M.A.