



Community and Practitioner Response to the Most Recent ‘Tough on Crime’ Rhetoric and Legislation

The Police Accountability Coalition (PAC) is a coalition of over 100 organizations committed to seeking meaningful change to address police violence and systemic racism. Our brief, [Community Based Organizations Call for Police Accountability and Reallocation of Resources](#), lays out recommendations for all levels of governance over policing and justice systems. Our coalition includes Indigenous, Black, People of Colour led organizations as well as allies.

Objectives

- 1) Effective, Evidenced Based and Humane Approaches to Crime and Its Consequences
- 2) Crime Prevention Through Social Development

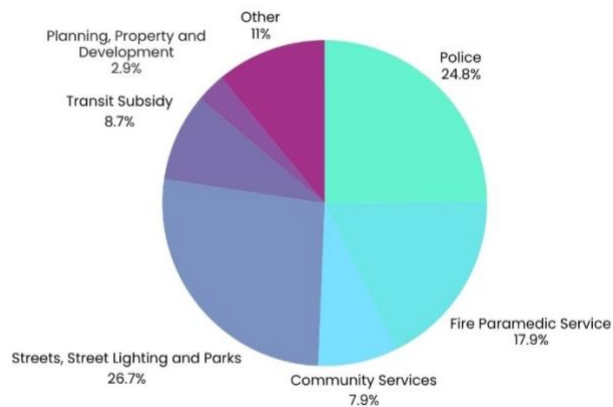
High levels of crime are usually a symptom of the much larger problems of racism, colonization, and unmet social and economic needs. Our current penal system perpetuates inequality, colonization, discrimination, and racism. Instead of promoting incarceration and less access to bail, more supports and investment in social services must be done to reduce crime. The late Conservative Senator, Hugh Segal, as have other experts, often noted the link between crime and poverty: **“If Canadians want to wage an effective war on crime we must first reshape the debate. If crime abatement is the goal, it is time for all Canadians and their governments to become tough on poverty.”**¹

The recent spike in crime has Winnipeggers on edge, but in 2022, 62% of Winnipeggers agreed that to reduce crime more money needed to be spent on poverty reduction rather than on policing. **In other words, more than 6 in 10 Winnipeggers said poverty reduction is the best way to reduce crime.**² Unfortunately, the City of Winnipeg, the Province of Manitoba, and the Government of Canada continue to favour the failed, ‘tough on crime’ approach, rather than addressing poverty. Some examples:

City of Winnipeg:

- 1) While The City of Winnipeg spends almost a full quarter of its Winnipegger tax supported budget on policing (a larger proportion than any other large Canadian municipality), not even 8% is spent on social development through recreation, libraries, community livability, arts, culture and entertainment.^{3,4}

2025 Adopted Budget
Tax Supported
Operating Budget



Source: City of Winnipeg 2025 Adopted Budget³

- 2) While \$1 million in new spending was dedicated to multi-year youth gang-prevention programs, the Community Safety Officers (the transit enforcement program) has received millions more without any publicly available program evaluation.
- 3) While the proposed cut to the Community Grants program was reversed, the program's expansion without additional resources will undoubtedly result in cuts to long-standing and evidence-based community programs.
- 4) The Winnipeg Poverty Reduction Strategy, as does its Newcomer Welcome and Inclusion policy, remain unfunded.

*National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Call for Justice 4.5 "We call upon all governments to **establish a guaranteed annual livable income for all Canadians, including Indigenous Peoples, to meet all their social and economic needs.** This income must take into account diverse needs, realities, and geographic locations.*

Province of Manitoba:

- 1) While the Province doubled the Healthy Baby Benefit, it remains unindexed to inflation, so it no longer provides the same level of support given current economic realities.
- 2) While some positive changes have been made to Employment and Income Assistance, the system remains difficult to navigate and still only brings a single adult receiving social assistance payments (including federal credits) up to 37% of the poverty line (LIM-AT) and a single adult receiving Manitoba Supports for Persons with Disabilities up to 49% (LIM-AT).⁵
- 3) While Manitoba has had a long history as the province with one of the highest rates of incarceration per 100,000 people (only recently surpassed by Saskatchewan), the long-standing issue of unacceptably high rates of crime with recidivism continues.⁶ Despite this, Manitoba continues to invest hundreds of millions of dollars (\$271M in 2025) on incarcerating some 2000 to 2500 people on any given day in a system that routinely fails to deliver on its duty to rehabilitate.⁷
- 4) While releasing its *Safer Neighbourhoods, Safer Downtowns* public safety strategy in November of 2024, the province has prioritized enacting the strategy's more regressive initiatives.

Government of Canada:

- 1) While the Canada Child Tax Benefit, introduced in 2016, was eventually indexed to inflation in 2018, it is still too broadly applied and must either be expanded, or offer more supports to lower income families at the expense of middle and upper middle-class families.
- 2) While the Canada Emergency Response Benefit (CERB) was an essential and life-saving response during the pandemic, the Government of Canada refuses to implement an income

MMIWG Call for Justice 1.1 “As part of the National Action Plan, we call upon all governments to ensure that equitable access to basic rights such as employment, housing, education, safety, and health care is recognized as a fundamental means of protecting Indigenous and human rights, resourced and supported as rights-based programs founded on substantive equality. All programs must be no-barrier, and must apply regardless of Status or location.”

tested amnesty for those who applied in the panic of the pandemic only to find out later they did not qualify. This is an additional expense to people who continue to struggle in the harsh realities of our current economic environment.

3) While evidence shows that, since the pandemic, poverty has risen sharply in every province and territory. Indigenous, racialized, immigrant children and those placed in child welfare disproportionately live in poverty. Nearly 10 million Canadians — about one in four — experienced some kind of food insecurity in 2024, a shocking 15 per cent jump from the previous year. Canada’s Poverty Reduction Strategy commits to cutting poverty in half from 2015

levels by 2030. However, the government’s National Advisory Council on Poverty says Canada will not reach this goal without urgent action.

Racism, Poverty and Crime

Social and economic disadvantage is strongly associated with crime, especially serious offences such as assault, robbery and homicide.⁸ Academic literature shows that neighborhood poverty and the related social and economic conditions link closely to multiple criminal exposure and offending indices. More specifically, studies show that neighbourhood poverty and the associated structural factors can predict crime-related outcomes such as exposure to violence, risk of victimization, youth violent crime, aggression, violent behaviour arrests, intimate partner violence, recidivism and incarceration.⁹ **“There is increasing focus on adverse childhood experiences and the role these experiences play in future violence, both in regards to victimization and perpetration”.**¹⁰ What is also no longer in question is the correlation between poverty, Families Services involvement, being unsheltered and/or criminal activity. The most recent Winnipeg Street

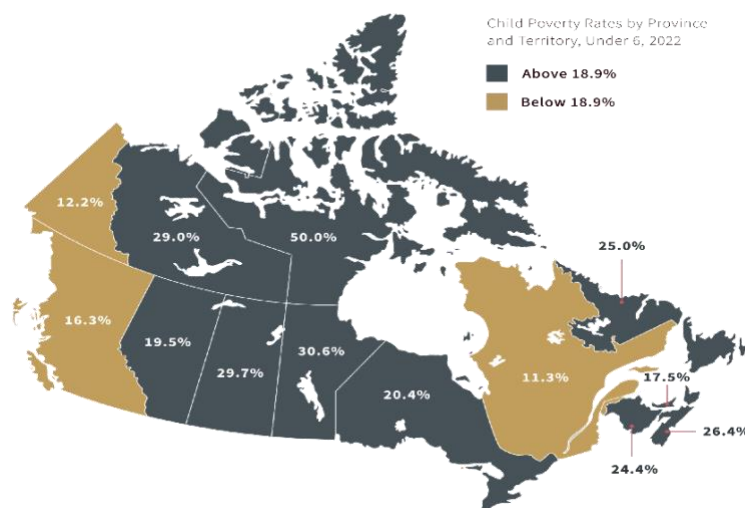
MMIWG Call for Justice 3.4 “We call upon all governments to ensure that all Indigenous communities receive immediate and necessary resources, including funding and support for the establishment of sustainable, permanent, no-barrier, preventative, accessible, holistic, wraparound services, including mobile trauma and addictions recovery teams.”

Census report, and all previous ones, indicates the over-representation of Indigenous Peoples who are unsheltered and the high levels of CFS involvement.¹¹ While being unsheltered does put one at higher risk of both becoming involved in criminal activity and being a victim of criminal activity, being unsheltered and criminal activity should not be conflated. The overarching issue is poverty. **Homelessness has doubled across Canada between 2018 and 2024, and encampments have quadrupled with racialized people over-represented in them.**¹²

Research has consistently shown the link between social services and supports (or lack thereof), as factors that push people into conflict with the law, and the ability for someone to navigate the bail system.¹³ As noted in a 2017 report by the Independent Review of Ontario Corrections: **“When early intervention and prevention strategies fail; when health, social service and education programs, interventions and opportunities are inadequate, denied or rejected; when poverty, mental illness, addiction and trauma overwhelm individuals, there can be conflict with the law.”**¹³ The systems in Manitoba operate in a substantially similar way to those in Ontario.

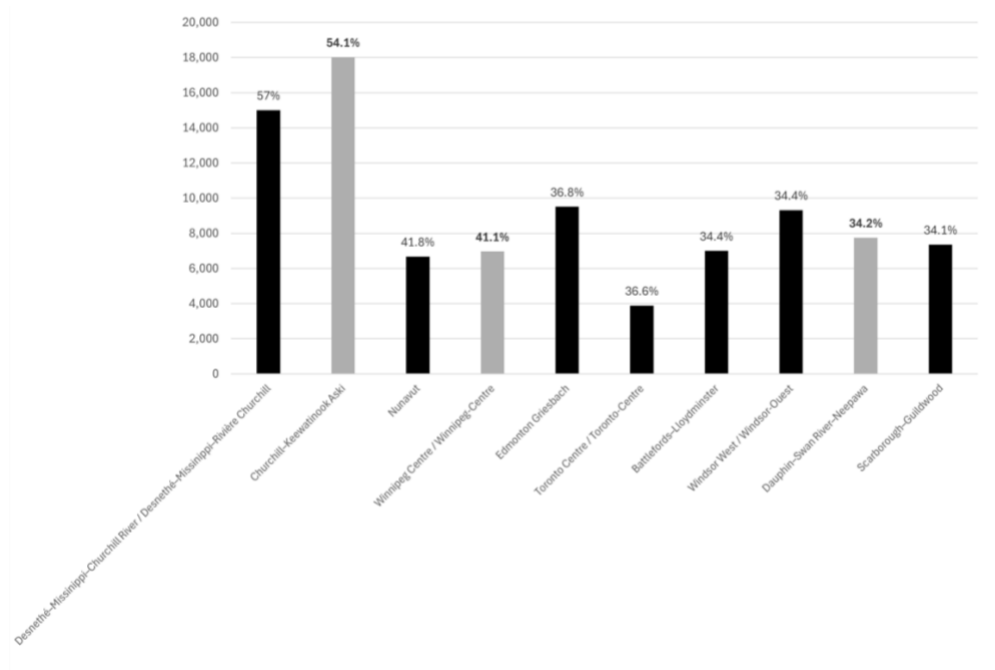
Child and Family Poverty in Manitoba and Its Impacts

Manitoba and Winnipeg have long held some of the highest rates of child and family poverty. The Campaign 2000 MB (C2000) Child and Family Report Cards have highlighted this year after year.



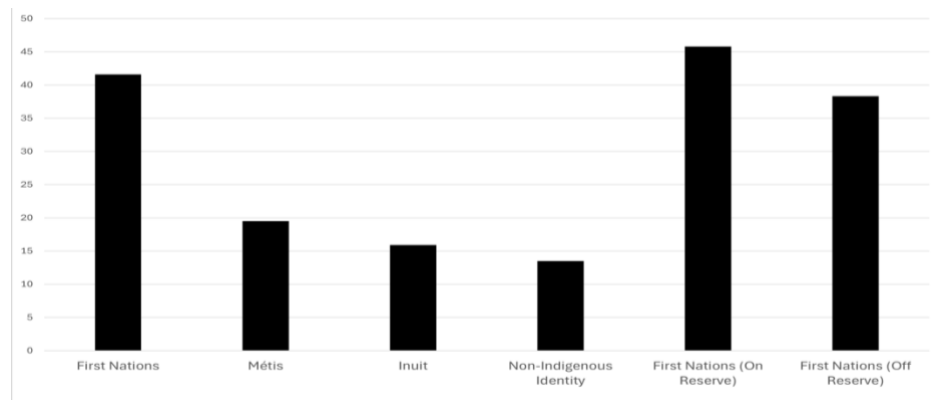
Child Poverty Rates for Children under 6 years, 2022¹⁴

Manitoba has three of the ten federal ridings with the highest rates of child and family poverty, which is significant as people are forced to cycle in and out of Winnipeg, especially from the North, looking for sustainable employment and housing.^{14,15}

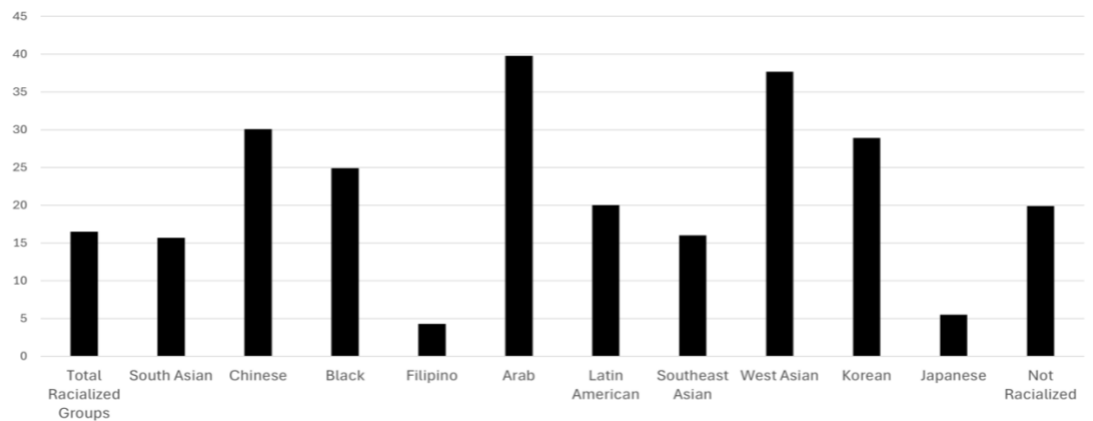


Canada's Federal Riding with highest rates of Child and Family Poverty¹⁴

The following two C2000 charts demonstrate just how racialized poverty is in Manitoba:



Manitoba Child Poverty Rate by Indigenous Identity, 2021¹⁴



Manitoba Child Poverty Rate by Racialized Group, 2021¹⁴

Although some will continue to deny the correlation between crime and poverty, C2000 research, as have others, warns of the detrimental impact of even short stints of poverty on children.

*Truth and Reconciliation Commission (TRC) Call to Action 38 “We call upon the federal, provincial, territorial, and Aboriginal governments to commit to **eliminating the overrepresentation of Aboriginal youth in custody** over the next decade.”*

Manitoba continues to be the province with the highest rates of poverty for children under the age of six. This is particularly alarming as “[t]his preschool period is a crucial developmental stage in which poverty has been shown to impact the full range of developmental spheres, including brain development.”¹⁶ In short, we allow damage to

be done to our children and then punish them for not being able to overcome it as older youth and/or adults.

As further evidence of the detrimental impacts of poverty on children, previous C2000 research has demonstrated that youth in the lowest income quintile are more than four times more likely to die by suicide than the other four income quintiles combined.¹⁵

High rates of child and family poverty also contribute to the long history of Manitoba’s high rates of youth crime. In 2024, the rate for youth (aged 12-17) charged for all Criminal Code violations, excluding traffic violations, was 2,109.49 per 100,000 compared to a national rate of 1,291.26. Over the years the rates for Manitoba have consistently been much higher than the national average.¹⁷ **Both Canadian and international research shows that youth who are convicted of an offence as a juvenile are much more likely than those not convicted to be convicted again as young adults, and that the majority of youth convicted as a juvenile will be reconvicted as an adult.¹⁸**

Racism and Manitoba Justice, Jails and Prisons

According to former Correctional Investigator of Canada, Howard Sapers, the “government recognizes that Indigenous people are ‘jailed younger, denied bail more frequently, granted parole less often and hence released later in their sentence, over-represented in segregation, over-represented in remand custody, and more likely to be classified as higher risk offenders.’”¹⁹

While Manitoba’s police services have yet to implement [PAC’s call to collect race based data](#), when it comes to Indigeneity, Manitoba Justice does. **It has simply been a long-standing reality that about 75% of incarcerated individuals in Manitoba are Indigenous.²⁰ When speaking of youth, it is over 70% and with women it is over 90%.^{21,22}** Manitoba Justice does not track other ethnicities, but anecdotal observation demonstrates that Black and other People of Colour make up most of the rest of the people we incarcerate. The Federal Government does collect some race-based data. According to the federal data available, Black people who represent around 4% of the Canadian adult population make up 9% of the total population in federal corrections.²³ More data is needed to see the full picture of the overrepresentation of racialized groups, but that there is ongoing systemic racism in all aspects of the justice system should not be in question.

One of the exacerbating factors that inhibits effective corrections in Manitoba's penal institutions is overcrowding, with the largest amount of incarcerated people (averaging 75%) on remand or unsentenced status.²⁴ Manitoba General Employees Union (MGEU) President Kyle Ross recently expressed his concerns: "[w]e really need a plan from this government moving forward, because once bail reform comes we're going to be in a tight position in this province."²⁵ However, according to Attorney General and Justice Minister Matt Wiebe, the province's institutions are not over-crowded, asserting that the official capacity numbers are just "optimal."²⁵ As of September 2025, Manitoba jails held 600 individuals more than the 'optimal' capacity with Minister Wiebe promising there was still room for more.²⁵ **PAC's position is that "qualitative research has shown that overcrowding can worsen living conditions, disrupt daily routines, and put a strain on relationships between prisoners and staff – all of which are known to increase the risk of violence."²⁶ "Overcrowding has been linked to negative health outcomes including infectious diseases and mental health illnesses", and "there is general consensus that overcrowding worsens sanitation, violence, and overall well-being."²⁷**

*TRC Call to Action 30 "We call upon federal, provincial, and territorial governments to commit to **eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so."***

PAC is concerned that City, Provincial, and Federal political leadership are not approaching crime and its consequences through an evidence-based and human rights lens. On the issue of bail, while the right to the presumption of innocence is upheld in words, the proposed federal changes to the bail system through Bill C14, *Bail and Sentencing Reform Act*, will lead to some accused being less entitled to that right than others based on past criminal activity. **While these same political leaders mention that more should be done to rehabilitate, the imbalance of the system's approach is evident in the allotment of resources to enforcement rather than rehabilitative programming. This imbalance is very troubling when one considers the above racialized data on poverty and incarceration.**

A recent Winnipeg Free Press article *Cornering a Captive Market* demonstrates how the Province's out-sourcing of essential services to for-profit entities is further exacerbating the situation while highlighting the lack of transparency and profits being made on largely Indigenous and otherwise racialized people.²⁸ The Province receives an unknown portion of these fees which are "put towards inmates' welfare and, specifically, could be used to pay for 'Indigenous initiatives' or other jail programming, as well as modular furniture, exercise equipment and clothing for inmates to wear upon their release."²⁷ **What this means is that sentenced inmates, in order to be able to maintain vital connections with the outside world or to simply have access to pre-approved learning or entertainment opportunities while incarcerated, have to pay exorbitant, single-source fees.²⁸ In addition, since outgoing calls and messages are typically paid for by family members, and "with Indigenous people making up nearly 80 per cent of admissions into Manitoba's jails, it's largely Indigenous women, who already experience high poverty rates, fronting the price of staying connected."**²⁸ Tammy Wolfe, a PhD candidate in

Indigenous Studies at the University of Manitoba, points out that with poverty contributing to the disproportionate number of Indigenous people in Manitoba's jails, it's antithetical to require Indigenous families and their loved ones to bear the cost of staying connected and even for culturally appropriate programming.²⁸

An extremely stark indicator of just how dangerous Manitoba's institutions are is the number of deaths within these institutions, and their causes. Between 2003 and September 2025, not counting deaths in police custody, solely within Manitoba's institutions, there have been at least seventy-four (74) deaths. **Thirteen (13) were a result of homicide. Twenty-two (22), including four (4) youth, were the result of suicide. Fourteen (14) were deemed accidental, including**

*TRC Call to Action 31 "We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to **implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.**"*

overdoses, and injuries from restraints or assault. Sixteen (16) were for unknown causes while nine (9) were deemed to be natural causes.²⁹ For further details please see Appendix A.

In Manitoba three Auditor General Reports, two from 2023 and the third from 2025, detail the lack of proper resourcing which is contributing to systems failure. Of the two reports from 2023, one details concerns and deficiencies in Court Services, the second does the same for addictions treatment services across Manitoba, and the third report from 2025 relates to transitions from custody.^{30,31,32} These reports indicate that resourcing and

coordination are major impediments to a healthy and safe society.^{30,32} **The reports include a series of recommendations which could be a roadmap to better addictions and mental health services, an efficient court system that could better focus on the administration of justice in a timely and effective manner, and supports for those transitioning out of custody.**^{30,31,32} Specific recommendations with regards to addiction treatments include setting target wait times for accessing treatment services. PAC would go even further and ask for the elimination of all wait times for treatment, given the evidence demonstrating the importance of immediate access to treatment. Adopt electronic records management and central data collection processes, take coordinated action to address addiction treatment barriers, review programming and align them to community needs, implement provincial standards for addiction treatment services, and measure the effectiveness of them.³² Specific recommendations with regards to court efficiency include considering greater autonomy to the Provincial Court, ensuring that the Provincial Court has sufficient resources to fulfill scheduling responsibilities, developing a strategy to address staff resource shortages and developing a formal strategy to reduce the backlog and delays.³⁰ In Manitoba the prosecutors are also calling for changes to the system, including more resources and staff, as currently they are not given sufficient time to properly prepare for a contested bail hearing.³³ For more information on the current bail system and legislative framework and further details, please see Appendix B.

The current calls to hold more people on bail, including tabled Bill C-14, without any clear and immediate plan to address the already overburdened penal system will only continue to exacerbate the situation. The Canadian Civil Liberties Association report *Set Up to Fail: Bail and the Revolving Door of Pre-trial Detention* states that “in many courts across the country, however, the bail system is operating in a manner that is contrary to the spirit – and, at times, the letter – of the law. Legally innocent individuals are processed through a bail system that is chaotic, unnecessarily risk-averse, and that disproportionately penalizes – and frequently criminalizes – poverty, addiction and mental illness.”³⁴ This is not increasing public safety, “to the contrary, unnecessarily detaining people prior to trial will, if anything, make our society less safe.”³⁴ People who are in custody for even short periods “can lose income, housing, employment and social connections”, which are stabilizing factors supportive of both individual success and community safety.³⁴ “Over-supervising and placing unneeded release conditions on low-risk offenders can make it more likely that they fail.”³⁴ **In their follow up report *Still Failing: The Deepening Crisis of Bail and Pre-Trial Detention in Canada* the CCLA indicates that Canadian courts have continued to indicate that bail “should not be used as a substitute for shelter, food, mental health or other social measures”, but in reality a lack of accessible community supports and social services can impact someone’s course through the legal system.**¹³

*Aboriginal Justice Inquiry (AJI) Recommendation “The Criminal Code be amended to allow judges to designate the specific place of custody for offenders. The Manitoba Court of Appeal encourage more creativity in sentencing by trial court judges so that **the use of incarceration is diminished and the use of sentencing alternatives is increased**, particularly for Aboriginal peoples.”*

More Effective Solutions:

Bail Support Programs

In the early 2010s, the John Howard Society of Manitoba developed and implemented the Bail Supervision and Support Program. This program was geared towards second and third tier risk individuals. The program developed individualized bail plans, including housing when needed, to help medium to higher risk clients overcome barriers to release. It offered supports for addictions, mental health, literacy and further education, anger management, employment, housing, and more. **Rather than focusing on guilt or innocence, it aimed to reduce the harm of pre-trial detention and support rehabilitation. Clients who showed progress could receive community-based sentences, be referred to other initiatives such as Restorative Resolutions, as it was then known, or have their correctional programs build on their successes if incarcerated.** Despite positive results, unstable and insufficient funding limited the program’s reach. Repeated staff layoff notices weakened its impact, and Manitoba Justice eventually cut all funding, leading to its closure.³⁵

Evidence for a better bail system, one that does not rely on blanket legislative changes that remove judicial discretion, can be found in the recently released report from John Howard Society of Ontario, *Finding Common Ground: Cross-Sector Solutions to Modernize Ontario's Bail System*.³⁶ The Bail Verification and Supervision Program was found to have a 96% appearance rate for court dates with the vast majority of their clients completing the program with no new charges.³⁶ It has received 90% support for it to be expanded to improve the bail system, enhance public safety and reduce over-crowding and other systemic pressures. The report concludes, which again could be equally applied to the Manitoba context, that "[t]he dramatic rise in Ontario's remand population over the past four decades signals a system under pressure - one that increasingly detains legally innocent individuals, many of whom are experiencing poverty, mental illness, and substance use."³⁶ **While remand is intended to promote public safety and ensure court attendance, it has devolved into a response to complex social issues that the criminal legal system is ill-equipped to address.** Today, over 80% of people in provincial custody are held on remand.³⁷ While there has been a recent increase in reported crime, it does not explain the surge in pre-trial detention.³⁶ **If we are serious about addressing public safety, we**

*All Recommendation: "There be a reorganization of the way community service orders are administered and supervised so that **organizations are provided with the necessary resources to ensure that orders are fulfilled and that judges are provided with the necessary information to allow them to match offenders with programs.**"*

must also confront the social and structural issues that are creating deficiencies in the criminal legal system."³⁶

Changes to Correctional Facilities

Other jurisdictions that have adopted and funded evidence-based approaches have seen positive results. In Norway's Halden prison the focus is on rehabilitation, where the deprivation of liberty is considered the punishment, has a recidivism rate

of 25% compared to Canada's recidivism rate of 40%, and of 60% amongst Indigenous inmates.³⁸ Recidivism is calculated in Manitoba as occurring when a person is convicted of a new offence and is returned to provincial custody within two years of release from jail or other correctional supervision. For adults, the recidivism rates since 2020 for those in custody probation averages 21.5%, while those in community probation or conditional sentences are consistently lower (average of 11.9% and 9.0%, respectively).³⁹ Recidivism rates can be complicated to compare and track effectively as they are measured differently across jurisdictions. They can also be affected by several factors including crime reporting and detection, whether charges are laid, and whether individuals fail to appear in court or breach other conditions of probation or release.^{39, 40} **However recidivism is tracked or quantified, it remains an issue that our current approach to the administration of Justice too often continues to fail to resolve.**

Legal Aid Saskatchewan's research document "Systemic Factor: The Detrimental and Sustained Effects of Incarceration" cites research from the Prison Policy Initiative and indicates that "the carceral environment can be inherently damaging to mental health by removing people from society and eliminating meaning and purpose from their lives."⁴¹ It continues that common prison and jail conditions "such as overcrowding, solitary confinement, and exposure to violence — can have further negative effects."⁴¹ **Additionally, it has even been theorized by researchers "that incarceration can lead to 'Post-Incarceration Syndrome', a syndrome similar to PTSD, meaning**

that even after serving their official sentences, many people continue to suffer the mental effects.”⁴¹ Incarceration is often seen as something people live through and from which they can ultimately be released, but in reality time served can create many collateral consequences that stay with individuals after they are released.⁴¹ **“As the research shows, incarceration can trigger and worsen symptoms of mental illness — and those effects can last long after someone leaves the prison gates.”**⁴¹

According to the 2025 Auditor General’s Report on Transition out of Custody, “The Correctional Services Act states ‘facility heads are responsible for making arrangements that will help the inmates of the facility to relocate in the community.’”³¹ Inmates only spend a short time in provincial custody—on average, less than two months serving a sentence.³¹ There is little time, and many barriers to providing interventions in custody, as noted throughout this report. This emphasizes the importance of enabling a supported transition from custody into the community.³¹ **The report finds that better coordination is needed between Custody Correctional and Probation Services and that there is little evidence of inmates being connected to outside resources, including medical services.**³¹ Planning for someone’s release should happen from day one. This should commence from the day of admission and take place regardless of sentencing status or length, including early screening for housing, mental health and other services.³¹ **“This is especially important for populations with mental health issues who may need added support around stabilization post-release. Partnering with community-based organizations with expertise serving populations that are justice-involved and are responsive to the particular needs of BIPOC communities, is critical to ensure re-entry planning is tailored to the needs of returning individuals.”**³¹ The Auditor General’s findings regarding the length of time people spend in Manitoba’s institutions should not be used to support the calls to keep people incarcerated, in order to allow for treatment and/or release planning, instead of being given bail. According to the report this should begin from day one of an individual being incarcerated. As above, the current conditions and harsh realities of Manitoba’s jails demonstrate they are ill-equipped and unsuited for this work.

*MMIWG Call for Justice 5.11
“We call upon all governments
to increase accessibility to
meaningful and culturally
appropriate justice practices
by expanding restorative
justice programs and
Indigenous Peoples’ courts.”*

Problem Solving Courts

Manitoba has three problem solving courts: Winnipeg Mental Health Court, Winnipeg Drug Treatment Court (WDTC), and the Westman Drug Treatment Court. **Michigan is an example of a jurisdiction where problem-solving courts have been used more effectively than in Manitoba, due to their government’s support for evidence-based approaches to crime.** Michigan’s Community Corrections Act encouraged courts to help defendants in ways other than incarceration.⁴² The first problem-solving court in Michigan opened in 1992, and as of 2024 there were 209.⁴² **These courts have “proven effective at leading an individual with substance use and mental health disorders out of the criminal justice system and into a life of employment, recovery, and wellness”.**⁴² **They have led to less recidivism, more employment and education, and have led to safer communities among other metrics.** In 2024, those graduating from drug

courts and sobriety courts were 3 and 5 times less likely, respectively, to be convicted of a new offense within 3 years of admission. Those in mental health courts were 2 times less likely of the same. Unemployment dropped significantly in those groups as well.⁴² Although there are seemingly some discussions in Manitoba around establishing at least one ‘community court’, there seems to be little to no action on moving forward at this point.

Therapeutic Communities

Therapeutic communities, such as Guthrie Therapeutic Community Program at Nanaimo Correctional Centre or Winding River Therapeutic Community Program at Headingley Correctional Centre, are another way of supporting inmates while incarcerated. Guthrie

MMIWG Call for Justice 14.6 “We call upon Correctional Services Canada to provide intensive/comprehensive mental health, addiction, and trauma services for incarcerated Indigenous women, girls, and 2SLGBTQIA people, ensuring that the term of care is needs-based and not tied to duration of incarceration. These plans and services must follow the individuals as they reintegrate into community.”

Therapeutic Community Program approaches addictions treatment from a community focus rather than an individual focus, which allows the residents to support each other and recognize distorted thinking patterns and negative beliefs.⁴³ **It is an experiential learning process to develop “the skills needed for recovery management, relapse prevention, re-entry planning, as well as direct linkages to an ever-growing support network in the community.”**⁴³ The goal is to create a safe, healing environment to prepare residents to live in society.⁴³ While Manitoba’s Winding River has

demonstrated successes since it opened in 2013 it has not been widely replicated in other institutions across the province. In the 2015 Evaluation Report, there were reduced recidivism rates, though not as high as might have been possible if people had access to the program for longer.^{44, 45}

Conclusion

Only half of respondents for the 2023 National Justice Survey reported being moderately to very confident that the Canadian criminal justice system is fair to all people, and 58% believed that it was accessible. With regards to fairness, white respondents were more likely to believe that it was fair to all people, compared to Indigenous respondents.⁴⁶ Wrongful convictions are likely one potential source of a lack of confidence as “it is only after many years of fighting and campaigning that others, outside of the circle of the wrongly convicted person, become aware of the wrongly committed.”⁴⁷ The Independent Justice Review Commission, now based in Winnipeg, was created in 2024 to review and decide on cases of potential wrongful convictions, given Manitoba’s shameful history of wrongful convictions.⁴⁸ Wrongful convictions and false confessions can still happen, as seen in the 2020 case of a woman with a cognitive disability who falsely admitted to killing her child “after police put her through hours of ‘psychological pummelling.’”⁴⁹

Another Manitoba case, that of Janet Goodin, then a 66-year-old grandmother from Minnesota, is an example of just how wrong things can go when all the authorities just follow procedures and not common sense, much less decency.⁵⁰ Ms. Goodin, based on a false positive test for drugs at the border, was strip-searched twice and jailed for 12 days. While her family was able to gather the \$5000 for bail, they could not meet the \$15,000 surety against property requirement set by a judge.⁵¹ According to Ms. Goodin, the only compassion she received was from her fellow inmates at the Winnipeg Remand Centre.⁵² With more reverse onus charges and blanket prohibitions on bail, we risk putting more innocent people at risk of being wrongfully imprisoned.

These cases are not meant to deny that crime is an issue and the harm it causes. When systems fail to meet people's social and economic needs, crime is too often the result. When the justice system fails in its responsibility to rehabilitate people, more crime is the result. The senior legal advisor, and then vocal proponent of the Harper Conservative Government's 'tough on crime' agenda, Benjamin Perrin, has since reversed that position and admits: **"Jails treat people in a way that all but ensures repeat business."**⁵³ **More crime leads to more victims of crime.** Returning to Mr. Segal's advice on poverty eradication as crime prevention, given government interventions have been effective in reducing poverty, we ask the City of Winnipeg, Province of Manitoba, and Government of Canada, while considering any policy and systems change prioritize:

MMIWG Call for Justice 5.16
"We call upon all governments to provide community-based and Indigenous-specific options for sentencing."

- 1) Crime Prevention Through Social Development
- 2) Effective, Evidence-Based Approaches to Crime and Its Consequences

To restore Canadians' flagging faith in our justice and enforcement systems, all levels of government must do everything they can to ensure those systems are both fair and effective.

Recommendations

Government interventions can reduce and could eventually eradicate poverty, which in turn would reduce crime and incarceration rates. There is no question that this will mean large investments and transformational change to established government systems. Please see Appendix C for examples of successful government interventions on poverty. In the meantime, we are calling on:

The City of Winnipeg to:

- ❖ Join PAC's call for the Winnipeg Police Service to collect and publicly report race-based data of all the people charged to help quantify and then address systemic racism in policing.

- ❖ Join [PAC's call for a Civilian Led Community Based Crisis Response](#) thus detasking the Winnipeg Police Service and other enforcement bodies from responding to situations for which they are ill-equipped and ill-suited.
- ❖ Fund both the Winnipeg Poverty Reduction Strategy and Newcomer Welcome and Inclusion Policy.
- ❖ Increase funding to and improve transparency of its Community Grants program.
- ❖ Restore the recently cut Transit stops in Winnipeg's lower income neighbourhoods while engaging with the Province to explore a fully subsidized transit service.
- ❖ Suspend the Encampment Enforcement Bylaw until there is an adequate supply of rent geared to income housing available.
- ❖ Encourage other municipalities to follow similar policies as opposed to the current over-reliance on enforcement.

*MMIWG Call for Justice 4.1 "We call upon all governments to **uphold the social and economic rights** of Indigenous women, girls, and 2SLGBTQQIA people by ensuring that Indigenous Peoples have services and infrastructure that meet their social and economic needs. All governments must immediately ensure that Indigenous Peoples have **access to safe housing**, clean drinking water, and adequate food."*

The Province of Manitoba to:

- ❖ Expand both the scope and number of Manitoba's problem-solving courts
- ❖ Invest fully in restorative justice as both an alternative to incarceration and as the approach within the penal system by expanding therapeutic community approaches in all provincial institutions.
- ❖ Sustainably fund community-based programs that support both victims of crime or those who have committed crimes.
- ❖ Review all Justice related legislation, policies and practices to ensure they align with the evidence-based crime prevention through social development approach. Specifically remove all barriers to accessing supports from Victims Services such as:
 - A previous criminal history
 - An Independent Investigation Unit investigation into a death in police custody or police involved death.
- ❖ Track and publicly report data on the ethnicities of all admissions to custody.
- ❖ Reaffirm support for the evidence-based progressive initiatives outlined in its November 2024 *Safer Neighbourhoods, Safer Downtowns* public safety strategy. Review and revise its enforcement and regressive initiatives. Release a fully transparent Justice budget that demonstrates the levels of investments made to each initiative.

The Government of Canada:

- ❖ Prior to implementing Bill C-14, *Bail and Sentencing Reform Act*, fully ensure its compliance with the Charter of Rights and Freedoms by reviewing and comparing it to all of the Harper Conservative Government's 'tough on crime' legislation that has since been deemed unconstitutional by the Supreme Court of Canada and has been struck down.
- ❖ Invest fully in restorative justice as both an alternative to incarceration and as the approach within the penal system by expanding therapeutic community approaches in all federal institutions.

- ❖ Track and publicly report data on the ethnicities of all admissions to custody.
- ❖ Restate its recognition of the link between poverty, racism, and crime, and develop an action plan that aligns with the evidence-based crime prevention through social development approach.
- ❖ Immediately implement an income-tested CERB amnesty for everyone who applied for the benefit only to be told later they did not qualify.
- ❖ Acknowledge its failure to meet its 1989 all party, unanimous House of Commons pledge to end child poverty in Canada by the year 2000, and commit to reducing the number of people living in deep poverty, defined as 50% below their respective household poverty line, by one third by 2027, measured by the CFLIM-AT.⁵⁴

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Appendix A: Deaths in Manitoba Institutions (not including in police custody)

Name	Cause of Death	Institution	Year
Richard Franklin Lagimodiere	Suicide	Stony Mountain	2003
Alan Nicolson	Suicide	Stony Mountain	2003
Melford William Nickoshie	restraint equipment used, accidental death in custody	Winnipeg Remand	2004
Paul Laurent Joubert	Suicide	Brandon Correctional	2005
David Durval Tavares	Homicide	Stony Mountain	2005
Christopher John Holoka	unknown cause initially after autopsy concluded methadone poisoning	Winnipeg Remand	2005
Sheldon Anthony McKay	Homicide	Stony Mountain	2006
Shawn Jones	Accidental death: toxic quantity of methadone and amitriptyline	Stony Mountain	2006
Grant Ryan Ermine	Suicide	Stony Mountain	2006
Devon Chester Newson	Suicide	Stony Mountain	2006
Raynold Gerling	Accidental death: toxic quantity of methadone	Stony Mountain	2006
Brian Palmquist	Accidental death: toxic quantity of methadone and fluvoxamine	Stony Mountain	2007
Donald Ray Moose	Unknown cause determined to be atheromatous coronary artery disease with a contributing factor of elevated level of amitriptyline/nortriptyline	Headingley Correctional	2009
Unnamed youth	Suicide	Manitoba Youth	2010
CJ	Suicide	Manitoba Youth	2010
CB	Suicide	Manitoba Youth	2010
Tyler Joseph St. Paul	Homicide	Milner Ridge	2011
Cosmo Damiano Valente	Homicide	Stony Mountain	2012
Jean-Paul Beaumont	Accidental Death: autopsy revealed morphine overdose	Brandon Correctional	2012
Gilbert Moise	Suicide	Stony Mountain	2013
Unnamed Youth	Suicide	Brandon Correctional	2013
Devon Sampson	Suicide	Stony Mountain	2013
Dwayne Mervin Flett	Suicide	Stony Mountain	2015
Hollie Hall	Unknown causes: bacterial infection in blood	Winnipeg Remand	2016
Bradley Errol Greene	physical handling and restraint equipment used, unknown causes, had seizures and was restrained, no seizure meds given	Winnipeg Remand	2016
Freeman Thomas Gustave Zong	Suicide	Dauphin Correctional	2016
Lance Abraham Harper	Unknown Causes	Winnipeg Remand	2016
Russell Andrew Spence	physical handling and restraint equipment used, unknown causes: autopsy showed high levels of meth, death as a result of fatal heart rhythm	Winnipeg Remand	2016
Robert McAdam	Unknown Cause: potential suicide	Winnipeg Remand	2016
Lewis Sitar	Homicide	Stony Mountain	2017
Lawrence McMahon	Unknown causes	Stony Mountain	2017

Richard Kakish	physical handling and restraint equipment used, unknown causes: hypovolemic shock due to laceration of the spleen due to blunt force trauma of the torso, punched in head and kicked in abdomen during arrest.	Winnipeg Remand	2017
Max Maurice Richard	Homicide	Stony Mountain	2018
Adam Kent Monias	Homicide	Stony Mountain	2018
Nolan Randal Thomas	Homicide	Stony Mountain	2018
Jeffrey Owen Tait	Suicide	Headingley Correctional	2019
Timothy Koltusky	Suicide	Stony Mountain	2019
Michael Monney	Homicide	Stony Mountain	2019
Adrian Fillion	Homicide	Stony Mountain	2019
Tyson Roulette	Suicide	Stony Mountain	2019
Shawn Poitra	Natural Causes	Stony Mountain	2020
Adrian Young	Unknown Causes	Stony Mountain	2020
Patrick Eaglestick	Unknown causes: determined to be suicide	Stony Mountain	2020
Farron Cory Rowan	Unknown causes: determined to be suicide	Stony Mountain	2020
Kurt Sidney Harper	Unknown causes: determined to be suicide	Stony Mountain	2020
Roger Jackson	Natural causes	Stony Mountain	2020
Melvis Owen	Unknown causes: determined to be suicide	Stony Mountain	2020
Unknown Person	Natural Causes	Stony Mountain	2020
Tommy Edward James Beaulieu	Unknown Causes	Stony Mountain	2021
Hardisty Ballantyne	Natural Causes	Stony Mountain	2021
William Ahmo	Homicide	Headingley Correctional	2021
Bruce Allan Kaiser	Natural Causes	Stony Mountain	2021
Dwayne Simard	Undetermined cause of death	Stony Mountain	2021
Kenneth Edward McDougall	Natural Causes	Stony Mountain	2021
Amanda Lee Zygarliski	Accidental death: result of food being lodged in airway, causing her to choke	Women's Correctional	2021
Clinton McGeough	Accidental death: autopsy showed cause of death to be fentanyl toxicity	Stony Mountain	2021
Jesse Thomas	Unknown causes: found to be drug overdose	Stony Mountain	2021
Darren Wood	Undetermined cause of death: told officers he had taken meth and down (heroin, fentanyl, benzo mix), was vomiting and eventually moved to medical care prior to being found unresponsive	Winnipeg Remand	2021
James Flatfoot	Unknown causes	Stony Mountain	2022
Denis Mutz	Unknown causes: accidental overdose of carfentanil, meth and fentanyl	Stony Mountain	2022
Ryan Nepinak	Suicide	Winnipeg Remand	2022
Robert Hughes	Unknown Causes	Stony Mountain	2022
Oliver Murdock	Natural Causes	Stony Mountain	2023
Unknown Person	Natural Causes	Stony Mountain	2023
Colin Patchinose	Homicide	Stony Mountain	2023
Andrew Rae	Unknown Causes	Stony Mountain	2023

Dean Young	Unknown Causes: died after being assaulted by inmates	Stony Mountain	2024
Unknown person	Unknown causes	Stony Mountain	2024
Jasbir Brar	Suicide	Winnipeg Remand	2024
Michael McKay	Unknown causes	Stony Mountain	2025
Shane Kruchak	Unknown causes	Stony Mountain	2025
Gordon Kornelson	Natural Causes	Stony Mountain	2025
Tyson Harding	Unknown causes	Stony Mountain	2025
Unknown Person	Unknown causes	Winnipeg Remand	2025

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Appendix B: The Current Bail System and Legislative Framework

Recent Bail Reform

Bail has long been a target of misunderstanding of its process and more importantly its purpose. The Liberal Government under Justin Trudeau enacted two sets of bail reform, first was within Bill C-75 in 2019 and the second was within Bill C-48 in 2023. This came after the Harper Conservative government's failed 'tough on crime' agenda. It was a failure in that its measures did not reduce crime, with many measures having been struck down by the Supreme Court of Canada. The senior legal advisor to then Prime Minister Harper was Benjamin Perrin. Mr Perrin was an enthusiastic supporter of this approach at the time. However, he has since reversed that position and admits: **"Jails treat people in a way that all but ensures repeat business."**¹

In 2019, the Liberal Government under Trudeau believed that the amendments in Bill C-75 would "modernize and streamline the bail regime, while ensuring public safety, and help to maintain public confidence in the criminal justice system."² Bill C-75 codified the 'principle of restraint' meaning that a judge shall not make a bail order unless the prosecution shows cause, and with regards to conditions that the prosecution needs to show cause for why any less onerous form of release would be inadequate.³ **In other words, the Crown needed to prove that any conditions they sought to impose before an individual was granted bail were necessary in the interest of public safety. Prior to Bill-75, it was simply routine to add any number of conditions such as abstaining from alcohol whether alcohol was involved in the charges laid, or if the person had a history of substance abuse. The imposition of numerous and/or unreasonable conditions puts someone at a higher risk of breaching those conditions and being returned to custody.**⁴ Bill C-75 also codified that Justices were required to take into account the circumstances of Indigenous accused and other accused from overrepresented populations in the criminal justice system and are disadvantaged at obtaining release.³ This provision was an express recognition of the fact that too many people spend too much time in pre-trial custody.³ **Bill C-75 also created a reverse-onus for bail where "an individual (1) is charged with an offence related to intimate-partner violence and (2) has previously been convicted of an offence related to intimate-partner violence."**³ Bill C-75 also created and streamlined processes to reduce the need for bail hearings, administration of justice offence proceedings, and consolidate release processes.²

In 2023, Bill C-48 added reverse onus for serious offences (those with a maximum penalty of at least 10 years) involving violence and the use of a weapon where the accused had been previously convicted of an offence with the same criteria in the past 5 years. It also expanded reverse onus for firearms related and IPV related offences.⁵ "The preamble reinforces, amongst other things, the shared responsibility of federal, provincial and territorial governments for the criminal justice system and that a denial of bail is justified where it is necessary for the protection of public safety, to maintain public confidence in the administration of justice or to ensure an accused person attends court."⁵ "Further, a proper functioning bail system respects and upholds the rights guaranteed by the *Canadian Charter of Rights and Freedoms*, including the presumption of innocence, the right to liberty and the right not to be denied reasonable bail without just cause."⁵ **Literature from the David Asper Centre for Constitutional Rights state that the changes made in Bill C-48 "are likely to disproportionately impact marginalized community**

members, especially Black and Indigenous accused persons” and “are especially concerning because members of Black, Indigenous and other racialized communities are brought into custody for firearm offences at a higher rate than their average incarceration level. “In Canada, Black and Indigenous people are overrepresented in detention and racial profiling, and over-policing are part of the reason for the elevated numbers.”⁶ The Supreme Court of Canada has repeated that reverse onus provisions, as they are, a limitation on the Charter Rights of the “accused must occur in only limited and narrowly tailored circumstances.”⁶

Forms of Release

Parole is part of a sentence, is granted by a parole board, and always has a period of imprisonment.⁷ “By law, public safety is always the primary consideration in all parole decisions”, conditional release decisions factor in two things: “the offender will not present an undue risk to society before the end of the sentence; and the release of the offender will contribute to the protection of society by facilitating the offender’s return to the community as a law-abiding citizen.”⁷ Individuals on parole are required to follow the law and standard conditions, including reporting regularly to a parole officer, reasonable and necessary conditions can also be imposed “to further manage an offender’s risk in the community”.⁷ Failure to abide by imposed conditions could mean a return to prison.⁸ Probation, on the other hand, is a sentence imposed by a judge in the place of, or in addition to imprisonment. Individuals on probation live in community under supervision from a probation officer.⁸

“Evidence clearly shows that a gradual, controlled and supervised release is the most effective way of ensuring public safety. Research over many years has shown that offenders are more likely to become productive law-abiding citizens when they have been returned to the community through conditional release (parole) than when they stayed in prison until the end of their sentence”.⁸ “In 2021-22, approximately 91% of all federal offenders on day or full parole successfully complete their sentences. Of the 9% who return to custody during the community supervision period, 88% do so because of a breach of conditions rather than for the commission of a new offence.”⁹ “For many years now in Canada, parole has been highly effective yet greatly underused.”¹⁰

Reverse Onus Provisions

“A reverse onus demonstrates Parliament’s intention that bail should be more difficult to obtain.”² Reverse onus means that an accused will be in pre-trial detention unless they can show no just cause for detention.⁶ Reverse onus charges risk exacerbating overcrowding in detention facilities.⁷ “Those who are denied release on bail may spend months, or even years, awaiting trial in overcrowded provincial detention facilities [...] designed for short-term detention and may have no access to recreation, work or rehabilitative programs.”¹¹

Reverse onus bail provisions are also linked to false guilty pleas, “not because they are guilty, but to avoid further restriction of their liberty, financial strain, toll on mental and physical health, and the host of other problems which flow from incarceration.”^{6,11} It is important to note that worse conditions inside detention facilities will only exacerbate this.⁶ “Under these circumstances, the pressure to plead guilty to get out of custody and back to normal life is enormous. Previous

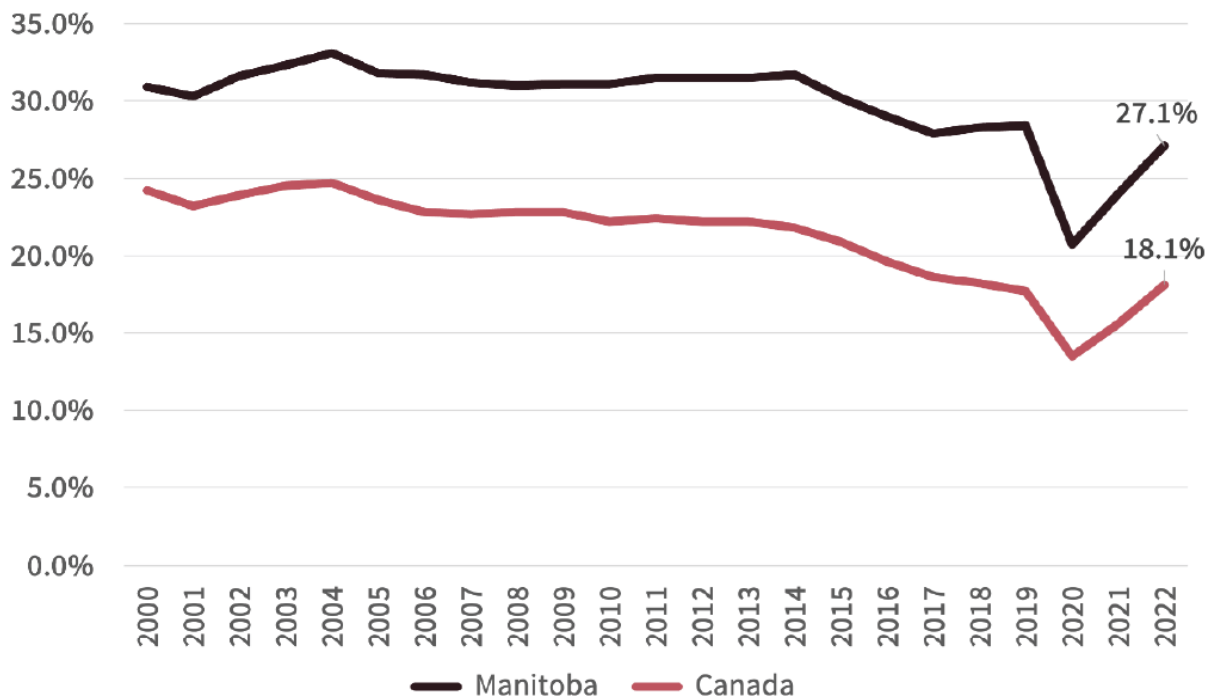
research shows there is a relationship between being held in pre-trial detention and pleading guilty.”¹¹ Most people who are detained pre-trial are there because of non-violent offences or, in the case of around 20%, because of failure to comply with bail or probation conditions. “Again, research suggests that the release conditions being imposed are too numerous and restrictive, frequently unnecessary and, at times, directed towards behaviour modification and punishment.”¹¹

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Appendix C: Government Interventions and Poverty

This chart demonstrates a substantial decline in Manitoba's child and family poverty for 2016. This is due to the federal Canada Child Benefit (CCB) and provincial Rent Assist programs being fully implemented. However, without further actions, not even immediately indexing the CCB to inflation, the poverty rate began to rise again. The second large drop was from 2019 to 2020. C2000 MB linked that drop, at least in Manitoba, to the Canada Emergency Response Benefit (CERB). Through a postal code analysis of who received CERB, C2000 MB demonstrated that the highest areas of poverty were the most CERB dependent.¹ However, again, with no further supports, rising inflation and other costs of living, poverty once again began to rise.



*Child Poverty Rate, Canada and Manitoba (2000 to 2022)*¹

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