**The Costs of Justice:**

As we being, consider the meaning of the phrase: “The Cost of Justice”

**The Costs of Law in Your Life: Did You Know?**

* An adult (over 16 years of age) 24 page Canadian passport costs $87
* A birth certificate in Ontario costs $25 (short form version)
* A G1 Drivers test in Ontario costs $125 (DriveTest Ontario)
* You can expect to pay approximately 2% in addition to the cost of a new home for legal fees and land transfer taxes
* A marriage license in Barrie, Ontario will cost you $150 (costs are set by the municipality)
* A copy of your marriage certificate will cost $15
* Death certificate cost is $15

**Read the Article “Costs of Crime in Canada, 2008” and Answer The Following Questions:**

1. Read the introduction. Indicate whether each of the following statements is true or false. If the statement is incorrect, make the appropriate corrections in the space provided.
	* The total (tangible) social and economic costs of Criminal Code offences in Canada of approximately **$31.4 billion is a** conservative estimate due to the unavailability of data in many areas.
	* The study is organized into three subsections; the criminal justice system, victims of crime and third parties are the groups that bear the cost of crime in Canada.
	* Correctional services used the majority of justice expenditures.
	* Costs borne by victims include productivity losses, stolen/damaged property and health care costs.
	* In 2008, the total costs borne by the third-party were about 5.1 billion.
2. Using Summary Table I, list examples associated with each of the following groups: *criminal justice system, cost to victims,* and *third party*
3. Using Summary Table I, list the total costs for each group. Remembering that the total tangible costs are 31.4 billion dollars, make a pie chart to illustrate the breakdown of costs.
4. Explain your understanding of **intangible costs**.
5. Reading charts: Skim and scan the charts for the following information:
* Average court cost per case 2008
* Proportion of the expenditures spent on crime
* Method of calculating the total cost of prosecution
* Adult federal correction costs 2007/08
* Average cost of an emergency visit at a hospital
* Health care costs due to drinking and driving in Ontario, 2004
1. Read the following scenario.

*Jillian received a phone call from her son’s school at 10:30 am. Jamie had been the victim of assault. The school indicated that he had been taken to the hospital by ambulance. She left work immediately. She will not be compensated for that work day. The hospital decided to admit her son to the hospital. He remained there for two days. Jillian was unable to return to work while he was in the hospital. She will not be compensated for her time off of work as she does not have benefits. When she was able to return to work, she was still upset about the incident and spent at least two hours talking to her co-workers about the incident. Her husband also missed one day of work. Her son was unable to return to school immediately after his release from hospital. In total, he missed 10 days of school. The young person accused of assaulting Jamie will face a trial.*

List all of the elements of the scenario that relate to the charts.

As best as possible, estimate the total cost of this event.

1. Consider the article and charts as a whole. Do you consider this source a valid resource? Why or why not? Are there any concerns or considerations that you had while using this source?

**Read the Following Scenario and Complete the Task:**

A man was charged with assault with a weapon or causing bodily harm. The victim was an elderly neighbour. The man had been drinking alcohol. The two persons engaged in a heated dispute regarding the placement of a fence. The man shouted “Mind your own business old man or I’ll hit you with this bat!” The elderly neighbour backed away. The man chased the elderly neighbour and hit him three times with the baseball bat; twice in the leg and once in the head. A third party telephoned emergency services. The neighbour required medical attention. The man was arrested.

According to The Criminal Code:

*267. Every one who, in committing an assault,*

*(a) carries, uses or threatens to use a weapon or an imitation thereof, or*

*(b) causes bodily harm to the complainant,*

*is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or an offence punishable on summary conviction and liable to imprisonment for a term not exceeding eighteen months.*

**Task:**

1. Identify the aggravating and mitigating factors in this crime.
2. As the Crown Attorney, decide whether you would proceed with an indictable or a summary offence.
3. Assume that he was found guilty. Decide upon an appropriate sentence for this man. Be sure to determine the purposes of sentencing.
4. List all the relevant costs of this crime; human, social and monetary.
5. Using the information provided, calculate the monetary cost of your sentence.
6. After you have determined the cost, consider the following questions:
* Should cost be a factor in sentencing?
* How do we as a society balance public safety with economic realities?
* Would you now reconsider your sentence due to the cost?
* What other options might you incorporate into a sentence that would meet the goals of sentencing?

**The following information is provided to inform discussion. Please be reminded that there are often discrepancies between sources. Don’t forget to consider potential biases:**

**Source: <http://www.cbc.ca/canadavotes2006/realitycheck/crimetime.html>**

* In Ontario, it costs the provincial government approximately $1,600 a year to supervise an inmate under house arrest, double that if the inmate is being monitored electronically. That same inmate in a provincial jail would cost about $52,000 a year.
* It costs Corrections Canada $110,223 to keep a male inmate in a maximum-security institution for a year ($150,867 for a woman). Medium- and minimum-security inmates cost more than $70,000 a year.

**Source:** [**http://www.howardleague.org**](http://www.howardleague.org) **– This is a list of alternatives to incarceration:**

* Supervision, by the probation service
* Compulsory unpaid work - This would involve constructive community work, such as conservation or cleaning up graffiti.
* Participation in specified activities. This may include improving basic skills (such as literacy) or making reparation to the people affected by the crime.
* Prohibition from undertaking specific activities
* Undertaking accredited programmes, which aim to change offenders’ behaviour
* Curfew, where an offender can be ordered to stay at a particular location for certain hours of the day
* Exclusion, where an offender can be excluded from specified areas
* Residence requirement, where an offender may be required to live in a specified place, such as an approved hostel
* Mental health treatment, which can only be required with the consent of the offender
* Drug rehabilitation, which includes both testing and treatment, and can last for between six months and three years; again this can only be imposed with the consent of the offender

**Source:** [**http://www.scribd.com/doc/48966140/Towards-a-smarter-sentencing-policy**](http://www.scribd.com/doc/48966140/Towards-a-smarter-sentencing-policy)

“A recent U.K. study found that community-based alternatives to prison offer better value for money for the taxpayer. In line with a large body of research, it concluded that no alternative sentence was less effective than prison: every alternative sentence was at least as effective as prison, but usually more so. Even when there is little difference in rates of re-offending between a prison and community sentence, the community sentence is still less expensive, more cost effective. Comparing the costs of community sentences versus prison sentences, the study identified savings to the public purse of between £30,000 and £88,000 ($60,000 to $177,000) per offender.”