

# Winnipeg Free Press

## Proposal to restrict pardons hits hard

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OTTAWA -- Proposed changes to restrict criminal pardons would exclude almost one of every four currently eligible applicants, newly released statistics indicate.

When combined with a planned quadrupling of the application fee and new rigour in background checks, so-called "criminal record suspensions" are likely to become far more difficult to obtain.

Even routine speeding tickets and unpaid parking fines are being used to reject pardon applications, according to three large commercial agencies that help former convicts apply.

The triple blow to the pardon regime has critics up in arms, saying the Conservative government is exploiting public revulsion over the pardon of serial sex offender Graham James.

"Frankly, it's the fault of the government, who is trying to conjure up bogeymen on every corner," said Liberal public safety critic Mark Holland.

Adds NDP public safety critic Don Davies: "It's ill-advised, it's arbitrary and it would prevent many deserving Canadians from getting a pardon."

The Canadian Press revealed last spring that James, a former junior hockey coach, had been quietly pardoned in 2007. The resulting public and political furor caused Parliament to rush in immediate reforms, with more still pending.

A spokesman for Public Safety Minister Vic Toews said the changes are necessary. Last June's legislation "gave the Parole Board of Canada the authority needed to decide if granting a pardon is warranted, and ensure that the waiting period to apply for a pardon better reflects the severity of the crimes committed," Chris McCluskey said in an email.

As for proposed Conservative changes that would bar anyone with more than three convictions from ever being eligible for a pardon, McCluskey said "these reforms would make repeat offenders more accountable to their victims for their actions."

But actual pardon statistics, and people who work in the field, suggest the reform will put a pardon out of reach for thousands of minor offenders. "My typical client was in his 20s, got caught drunk driving or shoplifting or smoked marijuana, peed in an alley or got in a

fight," says Azmairnin Jadavji, who started Pardon Services Canada in Vancouver in 1989. "Now they're about 35 years old, they want to grow up, they have families."

According to statistics provided to The Canadian Press by the parole board, during the last five years through April 2010, there were 73,078 pardons granted, including 17,044 (23.3 per cent) to people with more than three convictions.

The proposed three-strike rule is the most problematic element of the reforms, with even Conservative MPs on a Commons committee studying the legislation suggesting amendments may be needed.

-- The Canadian Press

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