

City Council

MM22.21	ACTION			Ward: All
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Request for Federal and Provincial Support in Bail Reform - by Councillor Frances Nunziata, seconded by Councillor Mike Colle

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Frances Nunziata, seconded by Councillor Mike Colle, recommends that:

1. City Council request the Government of Canada and the Government of Ontario to come together to ensure that all bail reform changes made as part of Bill C-48 are being effectively implemented, resourced, and are meeting the goals and outcomes intended in the legislation.
2. City Council request the Government of Canada to work with the Province of Ontario and the Toronto Police Service to optimize the existing bail system using data-driven recommendations made by the Province and local police to best assist with law enforcement and public safety objectives.
3. City Council request the Province of Ontario to allocate additional funding and resources to support the Toronto Police Service and the City of Toronto as critical partners in our justice system, specifically to:
 - a. improve monitoring of individuals released on bail to reduce the risk of re-offending; and
 - b. develop and fund programs addressing the root causes of recidivism, including mental health services, substance abuse treatment, and rehabilitation programs.
4. City Council request the City Manager to collaborate with the Toronto Police Service and other relevant local stakeholder organizations to collect data on the impact of current bail policies on public safety and report to City Council with recommendations for reforms to both the Federal and Provincial governments.
5. City Council request the Attorney General of Ontario and the Minister of Justice and Attorney General of Canada to ensure that bail decisions take into account potential risks to public safety and that imposed conditions are enforceable and sufficient to protect the community.
6. City Council forward this item to the Prime Minister of Canada, the Minister of Justice and Attorney General of Canada, the Premier of Ontario, the Attorney General of Ontario, and the Minister of Community Safety and Correctional Services for their consideration and necessary action.

Summary

The City of Toronto has experienced an increase in violent crimes, with many incidents involving individuals released on bail under conditions that may not adequately prevent further offences. Ensuring the safety of Toronto's residents is a key responsibility of City Council, and collaboration within the justice sector among all orders of government is crucial to maintain the integrity of the justice system. Recent concerns have been raised regarding the risks posed to public safety by repeat offenders and those involved in violent and gun-related crimes.

The Criminal Code of Canada guarantees the right to reasonable bail unless just cause for detention is demonstrated, requiring the court to balance the presumption of innocence with the need to protect public safety. Toronto's police services, along with many other stakeholders across the province, have identified significant challenges in the current bail system, particularly in cases where individuals accused of violent offences are released without adequate oversight or conditions to mitigate public risk.

The Federal and Provincial governments have the authority to implement bail policy changes, including stricter provisions for repeat and violent offenders, increased resources for bail monitoring, and enhanced support for police and justice systems to enforce bail conditions. Toronto City Council recognizes that while justice reform is an ongoing necessity, it must strike a balance between protecting individual rights and ensuring public safety – all while doing a better job with limited resources

Background Information (City Council)

MM22.21

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249184.pdf>)