

Figure 2.1

Selected Changes in Justice Legislation

1976 - Capital Punishment Abolished

In 1976, capital punishment was abolished and replaced with a mandatory life sentence for all those offences for which death sentences existed. The amendment also reclassified murder, from capital and non-capital murder to first and second-degree murder.

1978 – Firearm Legislation Enacted

In 1978, gun control legislation came into effect in Canada. This legislation included the imposition of stricter controls on the issuance of registration certificates which are necessary to acquire restricted weapons such as handguns, the creation of new types of firearm prohibition orders, the creation of new criminal offences in relation to firearm use, and the provision for more severe penalties for the criminal use of firearms.

1983 – Bill C-127 Amended Assault Provisions

In 1983, Bill C-127 redefined the physical and sexual assault sections of the Criminal Code, establishing three levels: level 1 (minor assault/sexual assault), level 2 (incidents involving a weapon or resulting in bodily harm), and level 3 (aggravated assault/sexual assault).

1984 – Young Offenders Act Enacted

The Young Offenders Act (YOA) came into effect in 1984, replacing the Juvenile Delinquents Act. At this time, 12 became the minimum age requirement for criminal responsibility under the YOA. However, it was not until 1985 that the maximum age of 17 (up to the 18th birthday) was established in all provinces and territories.

1985 – Bill C-49 Expanded Definition of Prostitution

Bill C-18 Imposes Stringent Sentences for Impaired Driving

- Bill C-49 expanded the definition of soliciting to include the act of stopping or attempting to stop a person to communicate for the purpose of engaging in prostitution. This amendment resulted in a dramatic increase in the number of prostitution related incidents after 1985.

- Bill C-18 imposed more stringent sentences for drinking and driving. Despite the severity of penalties, impaired driving offences are highly sensitive to changes in police enforcement practices.

1988 – Bill C-15 Child Sexual Abuse Amendments

In 1988, Bill C-15 introduced child abuse amendments to the Criminal Code and the Canada Evidence Act. The Bill created three new offences relating to the sexual abuse of children: sexual interference, sexual exploitation, and invitation to sexual touching. It also changed rules of evidence and procedure with respect to sexual offences and the testimony of young people under the age of 18.

1991 – Bill C-17 Firearms Legislation

In 1991 Bill C-17 was passed which served to control access to firearms, control the availability and accessibility of specific firearms and deter offenders from using firearms in crimes.

1993 – Bill C-126 Criminal Harassment Legislation

On August 1, 1993, Canada's first criminal harassment legislation was enacted. The legislation was in response to a number of highly publicized cases in Canada where women had been killed by their estranged partners. The aim of the legislation is to try and control this type of behaviour and respond to it before it results in serious harm.

1995 – Bill C-68 Firearms Act

In December 1995, Parliament passed Bill C-68 which created a new Firearms Act and amended the Criminal Code. As part of the new legislation, firearm owners will be required to become licensed and to register all of their firearms over the next few years. In addition, new offences related to gun smuggling and trafficking, as well as the prohibition of a number of different types of handguns have been created. Furthermore, mandatory penalties for those who use firearms in the commission of an offence have been implemented.

1996 – Bill C-41 Sentencing Reform

In 1996, Bill C-41 was proclaimed into law. The Bill addresses the problem of sentencing disparity and over-reliance on incarceration in Canada. The sentencing reforms are designed to enhance protection of the public, assist victims of crime, instill greater responsibility in offenders and support the principles of rehabilitation, restitution, and deterrence.