

From: Ministerial Correspondence Unit - Mailout <Ministerial.CorrespondenceUnit-Mailout@justice.gc.ca>

Sent: Friday, January 30, 2026 5:42 PM

To: Warden Penny Smith <Warden@municipalityofshelburne.ca>

Subject: Correspondence from the Minister of Justice and Attorney General of Canada and Minister responsible for the Atlantic Canada Opportunities Agency

CAUTION: This email originated from an external sender.

Dear Ms. Smith:

Thank you for your correspondence concerning the criminal justice system. Please excuse the delay in responding.

As Minister of Justice and Attorney General of Canada, I am committed to taking action to ensure that Canadians feel safe in their communities.

Our government is committed to acting within its federal area of responsibility to strengthen Canada's bail regime and implement tougher sentencing measures. Following extensive consultations, on October 23, 2025, I introduced Bill C-14, the *Bail and Sentencing Reform Act*, in the House of Commons. The Act contains over 80 targeted changes to the *Criminal Code*, the *Youth Criminal Justice Act*, and the *National Defence Act*.

The Bill would make bail laws stricter by amending the *Criminal Code* in the following ways to address violent and repeat offending and organized crime:

- Establishing reverse onus provisions to make detention the starting point for certain offences. In these cases, the accused must demonstrate why they should be released on bail, making it more onerous to obtain bail if they are charged with offences such as violent auto theft, auto theft linked to organized crime, and home invasion, as well as certain trafficking in persons and human smuggling offences.
- Imposing more stringent requirements for obtaining bail, particularly in cases of repeat or violent offending.
- Directing police and courts not to release an accused when doing so would be against the public interest or when detention is necessary to protect victims, witnesses, or children.
- Requiring courts to consider specific factors—such as random or unprovoked violence, outstanding charges, and the presence of weapons—and to set stricter conditions, including weapons bans, when release is granted.

The Bill would also toughen sentencing laws for serious and violent crimes through the following changes:

- Strengthening sentencing laws for repeat and violent crimes, including auto theft and extortion, to ensure that repeat and violent offenders face stiffer penalties.

- Directing judges to impose consecutive sentences for repeat violent offences, auto theft with violence, auto theft linked to a criminal organization, break and enter, extortion, and arson, meaning offenders serve each sentence one after another, not concurrently.
- Introducing new aggravating factors for crimes against first responders, organized retail theft, and theft or mischief that damages critical infrastructure, such as copper theft.
- Ending house arrest for sexual assault and child sexual offences, reinstating driving prohibitions for offences involving criminal negligence causing bodily harm, death, or manslaughter, and strengthening fine enforcement.

For more information about Bill C-14, you may wish to visit the [Department of Justice Canada website](#).

This proposed legislation is one part of a series of reforms to strengthen community safety and Canada's justice system. On December 9, 2025, I also introduced in the House of Commons Bill C-16, the *Protecting Victims Act*, which proposes further changes to address court delays, strengthen victims' rights, better protect people facing sexual and intimate partner violence, and keep children safe from predators. Further details about Bill C-16 can be found on the [Department's website](#).

Canada's bail system is the joint responsibility of federal, provincial, and territorial governments. While the federal government establishes the criminal law within the bounds set by the *Canadian Charter of Rights and Freedoms*, the provinces and territories are responsible for the administration of justice. This includes responsibility for policing, provincial and territorial Crown attorneys, most bail hearings, the enforcement of bail conditions, and most facilities where people awaiting trial are held. I note that you have also addressed your correspondence to the Honourable Becky Druhan, Minister of Justice and Attorney General of Nova Scotia, who is the appropriate authority in this regard.

All orders of government have an important role to play in ensuring that our bail system operates as intended. Law reform is only one important part of maintaining and enhancing public safety; programs, policies, and investments are also critical to fostering safer communities. This includes provincial and territorial investments to enhance bail enforcement, as well as increased access to housing and to mental health and addictions supports. All levels of government agree that improved data collection is necessary to fully understand how the criminal justice system operates.

The Charter gives accused persons the right not to be denied reasonable bail without just cause, the right to be presumed innocent until proven guilty, and the right not to be deprived of liberty except in accordance with the principles of fundamental justice.

However, the right to bail is not absolute. Under Canada's bail system, a person charged with a criminal offence can be detained while awaiting trial if necessary to protect the public (including victims), ensure the accused's attendance in court, or maintain confidence in the administration of justice. In cases where an accused person is granted bail, they may be subject to conditions limiting their freedom while on release; judges determine such conditions based on the nature of the alleged offence and other factors.

The law is clear that police officers and judges must not release accused persons if they believe that doing so would endanger members of the public. The *Criminal Code* prohibits a police officer from releasing an accused where the officer believes, on reasonable grounds, that detention is needed to ensure the safety and security of any victim of or witness to an offence. Similarly, when accused persons are brought before a judge or justice of the peace for bail, the decision maker must detain the accused where it is necessary for the protection or safety and security of victims and witnesses.

A strong Canada means strong protections for our communities. Please be assured that I remain committed to keeping all Canadians safe and to ensuring that the criminal justice system contributes to a peaceful and prosperous society.

Thank you again for writing.

Yours sincerely,

The Honourable Sean Fraser, P.C., K.C., M.P.
Minister of Justice and Attorney General of Canada
Minister responsible for the Atlantic Canada Opportunities Agency