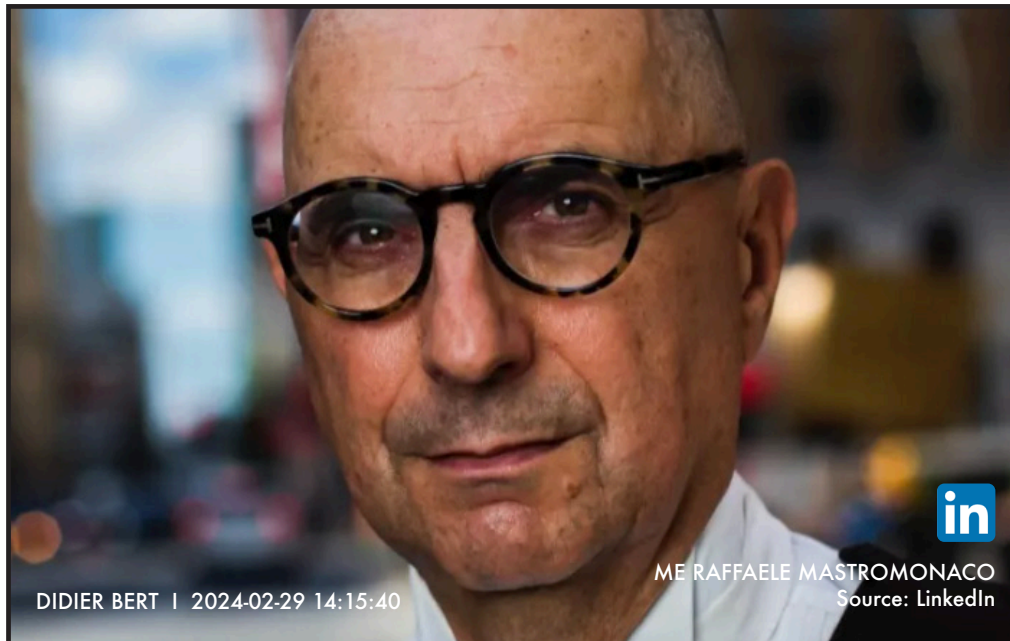




## More judges will not fix our criminal justice system



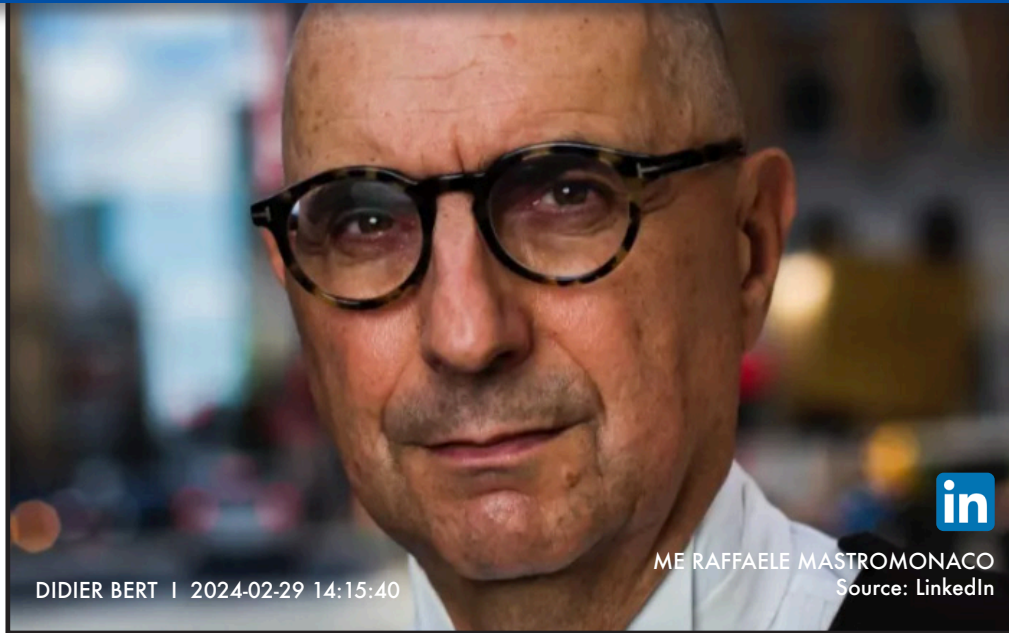
### What is the point of appointing more judges who will have to work in a “duct tape” palais de justice ?

Twice this month, a staffing shortage forced me to wait 3 hours for the courtroom to open due to a lack of support staff not a lack of a judge. The judge also waited 3 hours for his courtroom to open. Our courthouses are understaffed due to low wages and poor working conditions that include being forced to work with outdated office equipment.

Our Minister of Justice refuses to introduce easily accessible information technology into our courthouses that would allow our work to be done more quickly and at a lower cost.

There is an urgent need in 2024 to rethink the purpose of our criminal justice system and examine what social conduct deserves to be considered “criminal” and that requires the commitment of expensive police and judicial resources to investigate, arrest, charge, and prosecute people in order to obtain convictions that allow us to stigmatize the person as a “criminal” and often incarcerate that person.

Our criminal justice system over charges and over incarcerates, especially Indigenous and racialized persons.



DIDIER BERT | 2024-02-29 14:15:40

ME RAFFAELE MASTROMONACO  
Source: LinkedIn

Québec prosecutors continue to adhere to “zero tolerance” guidelines that have no place in a credible criminal justice system as they prevent meaningful plea bargaining. When the law is made tougher, the accused contest more, which adds to the congestion in our courts. Shortly after retiring, former Supreme Court of Canada Justice Michael Moldaver, the author of the majority judgment in *Jordan*, said:

“I think we have to come to grips with the fact that the criminal justice system is not a panacea it’s not a cure for the ills of society. It’s a blunt instrument, and it should be reserved, in my respectful view, for the 10% of the cases that are really serious, and have to be prosecuted with vigour and that would involve removing, as much as possible, from the criminal justice system, a whole lot of offences”.

Quebec urgently needs to heed these words of former Supreme Court of Canada Justice Moldaver. The prosecution’s approach to diversion is anemic. Stopping or reducing prosecutions for shoplifting, simple possession of cannabis, common assault and uttering threats will have little impact on our unacceptable status quo.

We need to eliminate the thousands of cases that are clogging up our courts and that are not in the public interest if that interest is considered seriously and not politically.

Newly appointed judges will do us no good if the system in which they carry out their duties continues to be technologically and substantively outdated. We deserve better.