

Get tougher on assaults, group urges

Conditional terms 'inappropriate' for sexual, violent crimes

By Jackie Fitton

Antigonish

Conditional sentencing has its place but not in sexual or violent crimes, says the director of the Antigonish Women's Resource Centre.

Lucille Harper says conditional sentences send out the message that sexual and violent crimes are not severe enough to deserve jail time.

The recent sexual assault sentencing of Andrew Power, a former St. Francis Xavier University student and X-Men hockey player, underscores the problem, Ms. Harper said.

"Although the Crown recommended incarceration with a minimum sentence of up to three years, Justice Arthur LeBlanc imposed a conditional sentence of 20 months to be served in the community."

As a result of the Sept. 27 decision, Mr. Power, a native of London, Ont., will be under strict house arrest for the first 10 months. But during the second 10, he will be subject only to a 10 p.m. curfew, and he will teach hockey as part of his required community service work.

"This man is a sexual offender

who's been given no treatment, (and) who will have a great resume from teaching young children the skills of hockey," Ms. Harper said.

"What type of a message are we sending the young children? That this sexual offender will become a role model for youngsters? This is extremely inappropriate."

Ms. Harper also says there is no infrastructure in place to monitor the sentence. Strict house arrest in this case means basically self-monitoring.

"Correctional services are not geared for sporadic phone calls, and with sophisticated devices such as cell phones and call forwarding, the person could be anywhere receiving or calling in to the police or probation services."

Conditional sentences often amount to little more than an inconvenience to the offender, she said, while many victims suffer severe and enduring trauma.

"Why is it being given? Is it because these crimes are being deemed not to be severe enough?"

Ms. Harper says courts have always trivialized sexual assault crimes. "Most women take this as a reflection of the court's attitude towards these crimes, which prevents most women coming forward to lodge complaints."

The Antigonish committee to address sexual violence has also come out against the increased number of conditional sentences being given for crimes of violence, including sexual assault.