



Lena Metlege Diab, Chair  
Standing Committee on Justice and Human Rights  
c/o Jean-François Lafleur, Clerk of the Committee

Sixth Floor, 131 Queen Street  
House of Commons  
Ottawa, ON K1A 0A6

December 13, 2023

**Re: Bill C-40**

Dear Honourable Chair and Members of the Standing House of Commons Committee on Justice and Human Rights,

We write today to urge you to pass Bill C-40 before the House rises. Through this letter we want to share the real and saddening consequences of witnessing intentional delays to the clause by clause reading of this committee's study of Bill C-40<sup>1</sup>, and to thank members of the committee who are voicing support for the meaningful and immediate consideration of this legislation.

This committee has heard through much evidence, that miscarriages of justice/wrongful convictions are life-altering and devastating for individuals subjected to them, as well as for their families, and that their occurrence shakes public faith in the administration of justice. After living under a system where overturning wrongful convictions is often unattainable, many people have become hopeful and inspired by this legislation and have been carefully following the committee's proceedings.

For everyone who has been watching every minute of these hearings, from organizations such as ours who support wrongfully convicted people, to impacted people themselves and their families, and to the many others who care about Canada's approach to this issue, it has been deeply troubling to watch three full committee meetings proceed without movement. With the start of each meeting, we have watched, hopeful that members will act in good faith and put forward genuine consideration of the Bill.

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<sup>1</sup> AN ACT TO AMEND THE CRIMINAL CODE, TO MAKE CONSEQUENTIAL AMENDMENTS TO OTHER ACTS, AND TO REPEAL A REGULATION (MISCARRIAGES OF JUSTICE ACT/ DAVID AND JOYCE MILGAARD'S LAW)



We cannot emphasize enough that for every day people remain wrongfully incarcerated for crimes they did not commit, they suffer in egregious manners. You have before you promising legislation capable of making real and positive change in these people's lives—the chance to prevent a future Tammy Marquardt from spending 13 years in a penitentiary. We remain hopeful that this committee will exercise its responsibility and privilege and move Bill C-40 forward without further interruptions.

However, putting our organizational perspective aside, we felt it was important to share that we have received an inpouring of messages from those impacted by this legislation, and that the message they are feeling and receiving by watching these proceedings is that their lives and the lives of their loved ones do not matter.

We offer a direct quote from the mother of a wrongfully convicted woman,

*"It is with an incredibly heavy heart that I watch the hijacking and demeaning of the incredibly important Bill C 40. Canada is too great a nation to have a shameful approach to overturning wrongful convictions. Personally, I like to think they could see the pain of Canadian families who have a wrongfully convicted member in their midst, that is why it is so difficult to watch them to score political points instead of working to make Canada better. There is a myriad of pain for the families of the wrongfully convicted. The unbearable ache of leaving a loved one behind after a visit to cruel and degrading procedures, to watch them wither when they should be flourishing and to see their chances to build and grow a family of their own pass by are but a few of the moments that bring pain. The waiting is long, hard and stretches out over decades. Bill C 40 shows us a better way."*

We take very seriously any opportunity we get to speak before you, and we thank you for the work that you do. There are many people who are looking to you and counting on you to move Bill C-40 forward.

Sincerely,

Emilie Coyle



Executive Director

Nyki Kish



Associate Executive Director

