

The Search For Safer Homes And Safer Streets: Are We Spending Wisely?

John Edwards

I very much appreciate the opportunity to be the 1996 Dr. Abdul Lodhi distinguished lecturer. The timing for me is very good. I am now in my fourth year as Commissioner of Corrections. During this time, I have been in so many prisons and discussed incarceration and parole with so many staff, offenders and colleagues here in Canada and overseas, service deliverers, and special interest groups. I have learnt much, and I am convinced that we need, in this country, a re-assessment of incarceration. I would like to believe that Dr. Lodhi would generally endorse the comments I shall be making. In contrast, I suspect St. Thomas Aquinas would not do so since, despite his enlightened views on so many other issues, he supported the punitive Greco-Roman tradition. I am particularly happy to be in New Brunswick, whose government seems to be perhaps the most open to changes in the correctional field.

The title for my comments is "The Search for Safer Homes and Safer Streets" which would please my political masters since it incorporates a phrase from their 1993 campaign literature. The sub-title "Are We Spending Wisely?" should please the Auditor-Generals everywhere.

Obviously, I do not pretend to have all the answers but rather, today, as in recent weeks, I seek to help stimulate and inform public debate out of which will come, among other things, a re-assessment of incarceration in this country. I say "help stimulate" since so many people in this field are also seeking to bring this about.

I am a little sorry for those of you who have sat through the workshop that took place earlier today since I shall be, inevitably, covering some of the same ground. However, this commonality of measures may be reassuring.

My line of argument is that, out of any full and informed debate about criminal justice, it will become apparent that we over-use incarceration and under-use community corrections and crime prevention. I will argue that the restoration of social order and the feeling of personal and family safety must be the underpinning of how we deal with crime. We must limit the use of incarceration for the right ends: the protection of society from the violent and the most intransigent. In other circumstances, we must aim at restoring the vital balance in society where the victim, the offender, their families, and the community all benefit.

I shall approach this topic by a rather circuitous route, beginning with, first of all, a general perspective on corrections. There are enormous differences in the proportion of

the citizens various countries incarcerate. As is well known, Canada is among the heaviest users of incarceration. The proportion can also vary widely over time in the same county. For example, in the United States the proportion grew from 200 per every 100,000 in 1980 to 500 per every 100,000 in 1995. Another example is the USSR/Russia where the proportion dropped from over 1,000 in the 1950s to 353 in 1989, and then back up to over 600 per 100,000 in 1994.

These differences do not correspond to differences in crime rates. Take the two cities, New York and Rio de Janeiro. Both have about 12-14 million inhabitants, a similar crime rate, and yet New York has 65,000 inmates while Rio has 15,000.

Nor do higher incarceration rates seem to have much impact on reducing crime rates. These differences have much more to do with social values, the attitudes of citizens toward each other, and particularly toward those who break the law. The rate that we have is, therefore, not driven by some irresistible forces, but reflects an implicit choice on the part of Canadians.

I am now going to give you a profile of the federal offender population, a population that, because of all the information we have collected, and the research done on it by us and others, we probably know more about than any other segment of Canadian society.

A population that is seen as those who have committed the most serious crimes - crimes justifying sentences two years or more:

They are overwhelmingly male... 97%, raising basic questions about nature versus nurture

They range from 17 - 89 years of age. The average age, on admission, has now risen to 36 reflecting the aging of the Baby Boomers who numerically overshadow the much smaller Baby Bust generation that follows it.

Few are married (just 12%); more have common-law relationships, but most are single.

They have committed serious violent offenses (75%)

They are mainly white (77%), though, at 12%, aboriginals are represented by a factor of 3 to 4 over their share of the public at large. What they are not are visible minority immigrants, despite high profile to the contrary.

A third of new admissions have done federal time before, and two-thirds have done provincial time.

Most have records going back into juvenile years.

The average educational level of newly admitted offenders is between Grade 7 and 8, as determined by standardized testing on arrival. About 68% test out below Grade 8 in language and mathematics.

A substantial minority, 37%, have been users of cocaine and heroin.

More than half were on alcohol or drugs at the time of their offence.

More than half claim to have been abused as children.

Three quarters have unstable job histories.

A high proportion of their offenses, including the most violent ones, occurred within the family or involved people within the community who knew each other. The terrifying occurrences of what some Americans have termed "stranger danger" are not as prevalent as some well publicized cases would suggest.

In other words, while there are many exceptions, including lawyers, priests and politicians, this offender population is largely drawn from the underbelly of society... people with long records of failure... poor home environments, levels of education inadequate to effective functioning in our society, general lack of employment skills, inability to forge healthy social and sexual relationships. People with little self-respect who turn to substance dependency and impulsively resort to violence to achieve ends otherwise seemingly unattainable to them - violence to get sexual gratification, violence to get money, violence to expel their anger... People who, by the time they reach federal penitentiaries, have deeply ingrained anti-social attitudes and behaviours.

The rest of my comments this evening will explore four questions about this population, addressing them together, not in sequence.

1. Was it inevitable from birth that most of these people should have ended up committing serious offenses and being sentenced to lengthy imprisonment?
2. If not, what steps could have been taken to divert these people from this outcome?
3. What stopped us from taking such steps?
4. And do we have the will to do better in the future?

There are two further contextual points that may be helpful to understand my comments.

I do not believe that criminals can be excused for their actions because they have been victimized or ostracized by society. The notion of personal responsibility for one's actions is, to my mind, an essential building block of civilization. Certainly, extenuating

circumstances can, and should, be weighted but, so long as some resist the temptations of crime, then those who, in similar circumstances, did not, did have a choice.

If some of you sense this is a harsh or unfair view, remember that those of use who believe that individuals are responsible for their past actions must also, logically, accept the proposition that these same individuals can rehabilitate themselves, albeit in many cases, with assistance and encouragement. The corollary to this is that inmates who can see themselves only as victims, or who do not accept personal responsibility for their past actions, are unlikely to be rehabilitated.

The second point I want to make is to recognize that much of what I will be arguing is predicated on a willingness of more citizens to become involved in the workings of their community. For too long in this country - as in many other western countries - communities have abdicated responsibilities in favour of the experts. Robert Putnam, Director of the International Affairs at Harvard University, contends that citizens in the Western world are increasingly detached from their communities - the nuclear family spending their evenings watching television. His evidence is quite persuasive, citing survey results showing a sharp decline, since 1973, in citizens who report they attended, in the preceding year, a public meeting on town or school affairs; a steady decline in the frequently with which we spend a social evening with a neighbour, and declines in the international membership in fraternal type organizations, such as the Lions Club, Shriners, and the Masons.

Putnam, in a recent visit to this country, pointed to an almost steady decline, since 1960, in the proportion of Canadians voting in federal, provincial, and municipal elections. Is it the low hassle allure of TV, the consequence of two family wage earners returning home tired out, or what? This low level of contact between members of the community tends to insulate the advantaged from the disadvantaged - Galbraith, Drucker, and Robert Reich all have expressed concern over possible conflict between the rich and the poor, between the technologically advanced versus low wage service industry workers. It has also led to an undue faith being placed in experts knowing what is best and doing it. One result has been that the criminal justice system became too divorced from other parts of our societal machinery, the domain of professionals operating complex processes and often using terminology incomprehensible to the average person. To use one of the catchy American phrases - keep the experts on tap, not on top.

In recent years, I believe that more and more people are aware that they have been too complacent. The first stage of this awareness is to be found in the often very shrill attacks on politicians and on perceived or actual deficiencies in government performance. It is too easy for people to criticize when they do not feel accountable and often have little understanding of the issues.

Communities will, hopefully, get beyond the slogans and the superficiality of sound bites into more substantive involvement in, and knowledge of, the criminal justice system. To enable the successful re-engagement of ordinary citizens in the things that are important to them, we may need to introduce new ways of involvement. I am thinking here of tools such as "deliberative polling" advocated by James Fishkin which was first demonstrated in the United Kingdom when a cross-section of the population, over a weekend, were first polled as to their views on crime and punishment, then they were exposed to actual case histories, and were finally polled again, with the not unexpected result that hardline opinions had moderated substantially.

If we are to divert people away from crime and achieve "safe homes - safe streets", we need to have an understanding of what encourages people to become criminals.

Some part of criminality may be due to factors arising before birth or at birth. For example:

A Danish study into 4,000 males found a direct relationship between youth who suffered common birth complications and a proclivity toward violent crime later in life - complications, such as breach deliveries, babies born with umbilical cords wrapped around their neck, and injuries during birth. Such complications may cause damage to areas of the brain that control impulsive behaviour.

Some studies have suggested violence is linked to a brain chemical called serotonin (not to be confused with melatonin, the new wonder drug that stops aging and restores long forgotten sexual powers if one believes the publicity brochures!).

I should stress that even the advocates of such factors are not arguing that these are the major factors of criminality but simply that some people may be more susceptible than others. We must await further research in this field.

The 1993 Report of the Standing Committee on Justice and Solicitor General noted expert opinion to the effect that a child that does not establish, by the age of four, a strong bond of trust with an adult may well have trouble establishing bonds with others later. A Canadian study of a sample of juvenile offenders found that the first evidence of conduct disorders, on average, occurred at the incredible age of 4.7 years.

Many elementary school teachers and social workers tell us that they can pinpoint those kids most likely to end up in trouble - they are often the ones who cannot relate to authority or their peers. If we were to examine the cases in more depths, we would likely find dysfunctional families with abuse occurring at one extreme or serious neglect at the other. This is not, of course, to deny that some kids who are bright and come from supportive homes go seriously off the rails, but the fact remains this is not the norm, as anyone who reads the files of our offenders can quickly appreciate. If family

circumstances are, however, a significant factor in the development of anti-social children, and later adults, what more can we do than we are doing through, for example, Children's Aid, the courts, battered women shelters, non-profit organizations, such as Big Brothers, and subsidized summer camps?

A recent set of focus groups, conducted by Canadian Policy Research Networks, into the values of Canadians, may give us some insight - To quote from the report:

"Although Canadians see parenting as one of our biggest challenges and feel that parents do not receive enough support, we are hesitant to provide state support in any way that seems to interfere with parental authority."

I think we can read between the lines a fear of social worker zealots displacing parents and hence a desire to limit state intervention to clear-cut cases of serious abuse or neglect. Is there a case, however, for neighbours and relatives to do more to help problem parents with their children - or to help overwrought parents with problem children? It may be tough to do but, where it is not done, the community may well reap a bitter harvest a decade later.

The reference to the need for parents to get more support may also suggest less threatening forms of state support for families. For example:

The chief dietitian in a province, which provides a daily hot meal to primary school children, is convinced that this has reduced school yard fights... it is hard for children with empty stomachs to concentrate on school work.

The Yukon Government has mounted a first rate campaign to counter family violence called "Keeping Kids Safe", which has three components: community safety; support and education for the family where there is known sexual abuse, as well as training for resource people in the communities; and, risk management of known child sexual offenders.

Many schools are tackling forcibly the presence of weapons on school grounds.

Conversely, the reductions in funding for counselling in schools and for community social service agencies may be increasing the risks of young people adopting increasingly anti-social behaviours.

In 1994, I attended the annual American Correctional Association Congress. Its theme was "Violence in our Society - How Should We Respond?". Three points were repeated, in various forms, over and over again:

- violence is widespread;
- violence is learned behaviour and, therefore, can be unlearned; and

- we have the knowledge to combat violence and the violent.

Some of the speakers spoke of the programs beginning in primary schools that aim at discrediting violence (making it "uncool"), programs that document the prevalence of family violence, the likelihood of the abused becoming themselves abusers, perhaps programs in high schools helping to prepare teenagers for their eventual roles as parents.

To quote a 1994 speech by Ontario Judge David Cole:

"We know that well designed educational programs can change attitudes regarding alcohol, smoking, and staff relations. Likewise, looking to create a climate that produces less crime, we can teach the citizenry, especially children, about sexuality - what is proper touching, what is improper touching... We can teach the dangers of the use of drugs and alcohol... We can teach the realities and dangers of AIDS and the behaviours that are necessary to avoid the disease. We can teach what effects crime has on victims, and we can teach citizens how to be responsible in dealing with events and circumstances where crime may be occurring."

I am very happy that the National Crime Prevention Council identified, last December, one of its priorities to be children and youth at risk of adopting criminal lifestyles. Because I think all of us will agree that the sooner people are helped to avoid the path to criminality, the better. Crime prevention has the same virtue over crime detection and offender treatment programs, as does health promotion over medical treatment, or sustainability over environment clean-up. And when I talk of crime prevention, I am not thinking primarily of alarm systems, walled communities, guard dogs, or the like. This is what is sometimes called "target hardening", making it tougher for criminals, but it is more crime displacement than crime prevention... diverting criminals from my home to my neighbour's..., and it certainly does not describe the kind of society in which most of us want to live. (But in all fairness, I have alarm systems and a large dog!)

Obviously, we cannot prevent all crime, but we can prevent a lot if all parts of society work together. And this is beginning to happen. I have already mentioned the National Crime Prevention Council. It was set up in 1994, and its membership covers a wide spectrum from a national police association representative to the head of an association of halfway houses. The Federation of Canadian Municipalities has become a significant force with a sub-committee on community corrections. Many more cities have strong crime prevention committees than a few years ago, searching out ways of reducing crime in their communities. The Correctional Service of Canada is an active member of many of these committees, sharing its research, its perspectives, and helping others to understand its role and processes, particularly in regard to those offenders serving time in the community. Halifax, and perhaps other cities, have a Youth at Risk Coordinator,

or something equivalent, a person whose full-time job is to try to ensure that all parts of the city administration, and other organizations, are doing as much as possible for this target group.

A dramatic example of what a city can do comes from south of the border. The Mayor of St. Louis decided not to build a new prison in favour of keeping community recreational facilities open until much later in the evening which, he believes, did more to reduce crime by siphoning some part of idle youth out of shopping malls and off street corners. But there are plenty of less dramatic steps, such as literacy programs for high school dropouts, and programs with street kids, such as Toronto's Beat the Streets. It is worth noting that high school dropouts are not necessarily dumb, just unmotivated when they were in school; for example, many of our offenders who, on arrival, score not better than grade 7, can complete high school grade levels without difficulty, sometimes a full grade within two months.

Recognizing that many federal offenders tend not to think issues through with any rigour, we also developed a variety of cognitive behaviour-based programs. After all the investment put into these, their proven success, and given their ready availability, why are we not using these for young people having behavioural problems, before they get into criminal activity or early in their criminal career? This is one of several examples that I shall be giving where tools designed for one part of the criminal justice system would be valuable if applied to another part.

The return of police forces to the community, working within the community to prevent crime and to solve it when it does take place, is another example of the community and the criminal justice system working closer together. I was told by a senior RCMP officer that the day is coming when one indication of police performance will be the proportion of cases resolved without going to court, i.e. a resolution found without charges being laid.

This is echoed in a report last month from the National Crime Prevention Council to Solicitor General, Herb Gray, "Circumventing the criminal justice system whenever appropriate, consistent with public safety, must be considered and utilized at the pre-charge, post charge, and sentencing stages, especially in cases of first-time offenders and non-violent offenses".

I come now to the courts. I am very conscious that the courts face two basic problems. First of all, the workload is swamping them to the point that the kind of pre-sentence assessments required are not being made in many cases. It is ironic that, when an offender reaches a federal penitentiary, he undergoes a minimum of eight weeks assessment, to determine what has caused his criminal acts, so as to design a correctional plan for him, and to determine the risk he represents (so as to know in what

level of security he should begin his sentence). We go to all this trouble... would it not be more effective to conduct such assessments or at least part of these assessments before sentencing? It would cost no more to the taxpayers to do so but it would require an unprecedented level of collaboration between two parts of the criminal justice system! It might well bring savings to the taxpayer in so far as a number of offenders might be found less dangerous than anticipated and hence candidates for non-carceral sentences.

A pilot along these lines was launched in one Canadian city, but did not go very far. The judges were open to it so long as prosecutors and defence lawyers would agree. The prosecutors were prepared to give it a try. Defence lawyers were not, seemingly because better risk assessment might not be to the advantage of their clients.

Secondly, the alternatives to incarceration are not seen as very effective. For very minor crimes, probation is heavily used - at any time some 35,000 young offenders are on probation, and over 100,000 adults are on provincial probation and parole. However, too many probation and parole officers are carrying caseloads in excess of the general yardstick of 25-30. I understand some carry four times this level. As a consequence, the probation option is often seen as tokenism, maybe acceptable, but only for very minor offenses.

As many would agree, I am convinced that we are sending too many to prison. Some would argue this on economic grounds - incarceration is too expensive. If that helps us to search out alternatives, that is fine. But my primary reasoning is in terms of what works best - and to make sense of this, I must explore briefly why we put people in prisons.

There are four reasons generally advanced for incarceration, but I genuinely wonder where the evidence is for three of them. The first reason is incapacitation - lock up seriously violent people until, if ever, they are safe enough to release. This is obviously justifiable but does not apply to, perhaps, as much as 80% of the provincial inmates and 30% of federal inmates.

The second is rehabilitation - lock them up so we can treat them. And those offenders in our penitentiaries receive probably more treatment programming than in any other national prison service, and the quality of the programming is recognized internationally. Yet, while many benefit from the programming, a sizable number simply do not change, hunkering down into what researchers, such as Frank Porporino, have termed "a behavioural deepfreeze", eventually leaving prisons, perhaps after many years, with the same attitudes and behaviours as they had on arrival. In general, it can be said that treatment programming, when the offender is in the community, is more likely to be effective than in prison. To quote a Parliamentary Committee report from the 1970s:

"We cannot train the criminal to live in society according to society's rules by excluding him from that society and confining him to another one which operates on its own code of rules bearing little or no resemblance to those on the outside. Rehabilitation, in short, cannot be effected in a cage.

The third is deterrence, but how much deterrence is there? Most offenders are very impulsive. This is why the service, with its cognitive behaviour-based programs, focuses on teaching offenders how to reason and think before it offers them work and other program opportunities. One Canadian research report from 1985 concluded:

"The research we have reviewed suggests that deterrence may have little reality or meaning for many offenders. Many offenders seldom consider the consequences of their acts. Many underestimate the risks; some are indifferent to the risks; some thrive on them. Many are sublimely optimistic, they believe that they will not be caught, and if caught, not convicted, if convicted, not sentenced, if sentenced not imprisoned, and if imprisoned, quickly released (Ross & Fabiano, 1985: 162).

Put in more specific terms, if the threat of long-term incarceration were really a deterrent, almost no one would commit a murder since, of all crimes, this is the one that is almost always solved.

It is worth remembering that about half of provincial sentences were for less than 30 days in 1993-94 (and in New Brunswick, less than 20 days). How much of a deterrent is this for marginalized members of society?

The final reason is punishment or retribution. I have major philosophical problems with this concept. Unless punishment by imprisonment is the best way to deter others, or to bring about rehabilitation, I cannot see its value. I don't, for instance, know of any evidence that it heals the pain of victims better than other forms of punishment, such as comes about in the context of restorative justice about which I will speak in a moment.

While I favour society coming down very hard on those that cross the line into serious violent crime, I think that we should rarely imprison non-violent offenders. Short sentences, of which we seem so fond in this country, is likely not just a questionable use of public funds, but it is probably an inadequate response to many non-violent criminal acts. Incarceration may be as popular as it is because it is easy to administer, even if horrendously expensive - do your time and you have paid your debt to society.

There is no reason why we cannot create good community-based corrections, based in the community and involving the community. There are dangers we must watch out for - the danger of net-widening, adding further restraints on those who would not, in any case, be in prison, the danger of over-selling community corrections, the danger of

assuming all communities are equally ready and able to take on greater ownership. But if we are alert to the dangers, I think we can largely avoid them.

Thanks to the receptivity of judges like Barry Stuart, there is growing judicial acceptance of aboriginal healing circles, where victims, the offender, and other community members seek to find a solution that best meets the needs of all. (This has on occasion resulted in someone guilty of a serious violent act not being sentenced to imprisonment by the presiding judge, such as the case of an aboriginal male sent to live alone on an uninhabited island. This case became particularly well known when the crown successfully appealed the decision, with the case being referred back for reconsideration to the initial judge, who substantially reconfirmed his original decision). This recognizes, as do other restorative justice initiatives, that crime tears the fabric of a community and it needs to be repaired. In the traditional court system, there is no chance for the victim, the offender and the community to talk out what has happened and why - and all remain aggrieved by perceived injustice in court decisions to which they are not a party. Obviously in some cases, particularly those where extreme violence was a factor, such discussions between the victim, the offender and others may be impossible at the time, or for that matter, at any time. However, where it is possible, what occurs can be a resolution in which the community can continue to keep the offender as one of its resident members, where victims play a role, where restitution is made, and where a sense of social order and community control is reaffirmed.

One restorative justice initiative is underway in my home town of Ottawa, whereby the crown prosecutor can refer cases, in a suburb called Russell Heights, to a panel of justice volunteers, members of the community, to see if they can work out a solution acceptable to all parties and, if they can, the case does not reach the courts.

And we are not alone in exploring restorative justice approaches. In Amsterdam, Holland, for example, many cases are diverted to mediators who seek agreements between the victim and the offender, which happens 70% of the time. In such circumstances, again no court action is launched.

The key to community based sentences is obvious enough - finding the right combination of measures for a particular offender. Equally obvious, that combination in most cases will be made up of three components.

1. Some form of restitution to the victim or the community, where the offender has assets or employment income, this may be in the form of money payments. In Austria, for crimes traditionally punishable by imprisonment for up to three years, reparation and restitution play an increasing role; short prison sentences are generally substituted by fines. In Russia, some 150,000 offenders remain employed, but must surrender 5 - 20% of their income to the state as an alternative to prison... keeping offenders with their

families and in the community. However, since many of our offenders have little money with which to recompense the victim, restitution often becomes a matter of community work.

2. Some type of rehabilitation plan - academic upgrading, treatment for substance abuse, anger management, life skills and so on, depending on the offender's problems.

3. Some arrangement for supervision, including perhaps the use of electronic monitoring devices.

There are those who have a hard time seeing what real work there is for offenders in the community. I find this a little hard to believe in communities where so much more could be done to improve them and where resources available to many community organizations are increasingly tight. Generic areas of work can be readily cited:

- support to the elderly such as transporting them or cleaning their homes;
- support to the poor, painting their houses perhaps;
- improving the quality of life such as crating or maintaining walking and bicycle paths;
- support to the disabled such as reading to the blind;
- environmental clean-up such as taking logs, old tires and so on from rivers.

In fact, I cannot think of any area of volunteerism where some useful contribution could not be made by offenders, and obviously more scope with those offenders possessing special skills such as accounting, computers and so forth.

I am also sure that many offenders would begin to understand the realities of life more from participation in these kind of activities than if they were dispatched to prisons. For someone who has never accepted responsibility in his life, prison can be soft with others continuing to make most of the decisions and with another set of authority figures to blame for his problems.

With our financial support and wholehearted encouragement, the Church Council on Justice and Corrections will be publishing, within about a month, a document likely to be called Satisfying Justice that illustrates the variety of community correction initiatives that exist here and in other countries, and I hope that this will further persuade players in the criminal justice system - and the community at large - that there are approaches for particular types of offenders which constitute good justice, at least equivalent to it, if not more than incarceration. I am not advocating soft justice, but effective justice, justice that causes positive outcomes for the community, the victims and offenders. If we must use the term "punishment", then I advocate punishment that works.

It may be tougher for offenders to face the music while remaining in their communities, to face their family, their neighbours, their store keepers, and others, as part of their daily lives than being banished to a prison - and moreover, in so doing, they would avoid facing the uncertain return to the community after a sentence of imprisonment.

Some other countries have tried alternative forms of punishment. In Italy, I understand the state can suspend a driver's licence or passport for offenses that are totally unrelated to automobiles or travel. Such measures, which could readily be expanded to firearm permits, and to other privileges extended by the state, might be directed at those for whom such losses of freedom would hit them where it hurts.

Within the judiciary, a good number do favour lesser uses of incarceration. The December 1995 Report of the Commission on Systemic Racism in the Ontario Criminal Justice System recommends that:

A) Regional senior judges maintain an up to date catalogue of community services available for non-prison sentences. The catalogues should be distributed to all sentencing judges at local courts, circulated to local probation offices, and made available to lawyers and members of the public attending court houses;

B) Regional senior judges prepare an annual report on local services for non-prison sentences that should be filed with the Chief Justice for analysis and distribution.

Parliament has also given a clear emphasis in the same direction with the recent passage of Bill C-41. When it is proclaimed, judges will be called upon to consider alternatives to incarceration before resorting to prison sentences. And be obliged to "...state the terms of the sentence imposed, and the reasons for it, and enter those terms and reasons into the record of the proceedings".

But some people will not be deterred from serious crime and eventually will end up in our penitentiaries. To quote from a 1993 speech by Norm Inkster, then Commissioner of the RCMP: "There may well be a time when incarceration will be the very last resort, and when necessarily exercised, it will be seen not as an indication that the justice system has worked but rather that it failed".

And what is one of the primary objectives in the management of penitentiaries? To provide an environment as close as security concerns will permit to life on the outside. For example, most of our new prisoners, and expansions of older ones, are made up of separate small units. In each unit live 6-10 inmates who do their own cooking and cleaning, and learn to live in harmony with each other. Fortunately such wood frame construction is less costly than our traditional concrete bunkers and steel bars, and inmates, without exception, have valued this approach and kept the units in fine shape.

Unfortunately, the public tends to see this as mollycoddling crooks rather than as one step to prevent recidivism after release.

We strive to keep our institutions more open to the larger community than most national prison services. An estimated 10,000 Canadians a year do some voluntary work with the 14,000 federal inmate population - all kinds of work from treatment programming, such as provided through AA, or its drugs counterpart NA, through one-on-one prisoner visits, to programs to encourage cross-cultural understanding. The growth in volunteers has been very much ad hoc, but we are now trying to provide more support to this community involvement, including a more formal orientation program for new volunteers, insurance coverage, assessment of its impact, and an exploration into whether there are areas where we could use volunteers.

Representatives of all kinds of faiths visit our institutions and hold ceremonies. In respect to the aboriginal community, the recent report of the Royal Commission on Aboriginal Peoples noted that "...among the most remarkable aboriginal justice initiatives in the last decade are those that have taken place inside Canadian prisons" (page 26). It also noted that "...for many aboriginal offenders, their exposure (in prison) to elders, and the ceremonies of aboriginal spirituality, marked their first experiences with the strength and power of aboriginal culture" (page 130).

We go to considerable lengths to maintain family links - daytime open visits from family members, occasional social gatherings where many inmates and families intermingle, private family visits, whereby an offender and a spouse, and sometimes their children, can spend several days together in a motel-like set-up. Continuing family pressure and support can be a vital factor in rehabilitation.

Every institution has a citizen's advisory committee designed to build bridges between the institution and the community. When they work well, as many do, they can increase two-way understanding, reduce tensions when incidents occur, stimulate work opportunities for offenders and so on. Sometimes when there is unrest in an institution, a member of the citizen's advisory committee is invited to present, which not only opens up the process, but likely reduces the level of tension and the probability of inmates, or staff, over-reacting. Recently, during turmoil at Stony Mountain Institution, near Winnipeg, we had citizen observers covering what was going on essentially around the clock, with each in effect doing a shift.

And eventually our offenders leave our institutions on some form of conditional release or in a few cases, on serving their full sentence. Most offenders leave feeling a mixture of relief, trepidation and a determination to go straight. They return to their communities, sometimes beginning with a period in a halfway house. If they are going to succeed it is most likely because they receive support from family or others, get employment, and

have access to professional relapse prevention programming. Conversely, if they do not have family, or other human support to lean on, do not get work, and do not have access to continuing programming, they are very isolated and vulnerable.

Governments today are largely unable to make the shortfalls in society. If federal offenders do not have family, or other human support, the Correctional Service can provide encouragement through regular contact by parole officers or through supporting a few community chaplaincy projects across the country... over the past two years, we have seen emerge, with some modest financial assistance from us, two dozen of these projects, warm places where federal offenders can go and not be judged. But, if the community wants to limit recidivism, it should find ways of doing more. Isolation of offenders will surely lead to more crime; integration of offenders will prevent crime.

Employment is a central issue. We have begun some modest efforts at job placement, but at the same time, the federal Human Resource Department is reducing its traditional funding for outreach projects for offenders and ex-offenders run by community-based, non-profit organizations. Even with the efforts we have been making, federal offenders within the community and available for work have an unemployment rate of about four times the national average - 35% unemployed among those not in education or treatment, and much higher in communities which have higher unemployment than the national average. Most employment in the community necessarily comes from the community. Neither correctional services nor governments can create employment. Without employment the risk of recidivism rises as the sense of self-worth declines and idleness gets channeled into escapism.

We are beginning to build more capacity for relapse prevention programming, helping offenders not to slip back particularly into substance abuse or into sexual deviancy. However, even when we will have more capacity, we do not have a mandate beyond the completion of the sentence. After that, it is back to the community. Without continuance of programming in the community, in particular for those with records of substance abuse and/or sex offenses, the risk of recidivism rises.

CONCLUSIONS:

Our incarceration rate is not imposed on us by crime rates. The rate is determined by the values of our society.

Canada places a very high reliance on incarceration.

Incarceration is a very imperfect tool for reducing crime - and, if used widely, may, in fact, increase it.

Only if the community uses well the levers available to it can there be a major impact on reducing crime.

To quote again Norman Inkster:

"The police can arrest and detain the individual who gets drunk every Saturday night, or the abusive parent, the child molester, or the thief. The courts will determine innocence or guilt, the prisons will incarcerate and release, but unless we address the underlying causes and break the cycle, nothing will change...to the extent that solutions exist, they will have to be found in our communities...schools, parents, social agencies and elders must be involved. They must be involved to define the problem, and to design their own solutions".

To end with a question. Do we get the best return in reducing crime in our communities by spending each year \$2 billion on the running of prisons? If you feel the answer is NO, then consider attending the conference being held this fall in New Brunswick by the International Community Corrections Association at which I am hoping a debate can take place between many groups in this province, correctional professionals, judges, prosecutors, defence counsel, politicians and the media.

More broadly, on a national plane, but situated in the communities of this country, we need to talk about these issues. Personal and family safety are vital concerns of us all. We cannot delegate that to the state, to police, or to wishful thinking. Justice is served when all those affected by crime are addressed in the process... the victim, the offender, and the community.

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