



# Bulletin

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## CANADA REVIEWS ITS BAIL SYSTEM

The following passages are from a recent address by the Minister of Justice, Mr. John Turner, to a joint meeting of the John Howard Society and Elizabeth Fry Society in Ottawa:

"Crime continues to be a national disgrace and a world-wide problem. It is threatening, alarming, wasteful, expensive, abundant and apparently increasing! It seems to increase faster than the growth of population, faster than the spread of civilization." With these strong words, Dr. Karl Menninger opened his classic work, *The Crime of Punishment*, on criminal justice, the penal and rehabilitation systems. He pointed out that perhaps our worst crime is our ignorance about crime.

At the risk of preaching to the converted, let me ask some rhetorical questions: First of all, what percentage of the Canadian population has ever been accused of a criminal offence that required his or her appearance in a courtroom? What percentage of Canadians has ever been convicted of an offence where a period of incarceration was imposed? How many Canadians have ever spent a night in a city lock-up, or have known the indignity of a "body-

frisk?" How many have been inside a federal maximum security prison?

I doubt that anyone has the detailed numerical results that answer all these questions, but in every instance, the number who could reply "yes" would be very small. And this may be the real problem that those of us involved with the criminal process must face: we toil in an area where most of our fellow citizens do not know what is taking place, do not know of the injustices, past and present, nor of the advances and reforms that have been achieved....

In Canada, and elsewhere, there has been a tendency to subdivide the criminal and penal reform process into tidy little areas of activity: the legislators draft the laws; the police forces enforce the laws; the judges interpret the laws and decide innocence or guilt; the prison wardens have the responsibility for custody and rehabilitation. Each of us has his own part to play in the system and does so as best he can. And yet, as we are apt to forget, one human being is involved throughout - the person who is accused and convicted. The convicted person travels the complete route.

### POSSIBILITY OF ERROR

As a legislator, I have called for "credible laws credibly enforced"; yet still the accused may have been arrested when there was no need for arrest, or held in custody until his trial when he was entitled to bail.

The prisoner is told that the purpose of rehabilitation programs is to make him socially responsible, yet he faces a highly regimented life in prison where he is not allowed to make even the most basic decisions for himself.

The inmate often finds that the demands of the modern labour market, where job mobility and re-training have become the norm, have left his training in prison out-of-date even before his release.

It is no longer sufficient for us to think of crimi-

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