

and the many other factors that influence human behaviour in the wrong directions. The home, the school, the church and the community each has its part to play in this business of prevention but these are broad social problems which time does not permit me to discuss with you. To-day I want to consider with you the individual who stands before the Bar of Justice convicted of a crime already committed and with whom the Court must now deal by way of sentence. The sentence of the Court is the sanction imposed by law for a breach of the rules of society where Parliament has ordered that such a breach merits punishment, and the fear of punishment is one of the deterrents that society considers necessary for the maintenance of social order. Perhaps an even more important deterrent is the probability of quick and certain detection. However, it is the duty of the Courts so to deal with the offender that the sentence imposed upon him will deter others from committing crime, and will, if possible, serve to rehabilitate him and to prevent him from repeating his criminal behaviour. Protection to society lies in the restraint placed upon the offender and in the efforts made to change his anti-social attitude before that restraint is removed.

Apart from the death sentence in cases of murder, the Court has three alternatives open to it in dealing with an offender; it may suspend sentence with or without conditions, it may impose a fine or it may award imprisonment. In some cases the punishment of whipping may also be added.

Suspended sentence without conditions is apt to be regarded by the public as a mere escape from punishment and while it is true that the offender has had the stigma of a conviction registered against him, a mere suspension of sentence without conditions does not result in any supervision of his future conduct to ensure that the lesson of his conviction has been duly impressed upon him.

Unfortunately here in Canada little use has been made of a supervised period of probation after conviction in so far as adult offenders are concerned. This is so because only in a few municipalities are trained probation officers provided to undertake intelligent supervision, supervision that will bring home to the offender that although he has escaped imprisonment, his freedom of action still is restricted and that will, at the same time encourage him to justify the confidence the Court has placed in him in permitting him to retain his freedom, his opportunity for employment and his normal family life.

Experience in the United Kingdom and in the United States provides very convincing evidence that this properly supervised method of release on probation not only saves the public very substantial amounts of money but pays worth while dividends in preventing repeaters in crime and in keeping together homes that would otherwise be broken, with the dependents thrown upon charity. In England more than 50 per cent of those who came before the adult courts are now dealt with under the Probation of Offenders Act. In those States of the American Union where adequately equipped probation services are available, between 40 and 50 per cent of offenders convicted of felonies have been placed on probation with 75 to 80 per cent of such cases resulting in satisfactory final disposals. While the proportion of cases placed on probation, even where adequate probation services for adults are available in Canada, is much smaller, the figures available show that less than 15 per cent of those so treated fail to complete their period of probation successfully. When one considers that