

person before the bench. "The judges shake their heads at us when we offer to take on some cases, but they assign them to us anyway — and shake their heads again when the person actually appears on trial."

Once the person is assigned, the supervisor's first job is to explain the court process. Terry Egan, the third member of the supervisory group, said: "Even if a person has been through the court process before, he often doesn't understand it. We explain that when they have to appear next it isn't for trial, but setting a trial date; and how to get legal aid. We tell them how to get things out of the property room and what a guilty plea means. Since most of them have nowhere to stay, we arrange with the social agencies for accommodation and temporary financial support."

Because of a shortage of judges and courtroom space, most Vancouver courts have to assign trial dates a long time ahead. In April they were being assigned for August. "That's a long time to wait — especially if you've got nothing to do," Mr. Egan said, "so we have some job counsellors who are tremendously good at coming up with positions for these people and, if there's an emotional or family problem involved in the offence, we get them in contact with the community health teams for individual or family counselling."

Initially, most of those under supervision report once a week, but if things are going well check-ins may be as infrequent as once every six weeks.

At first the team feared they would only be assigned people who would normally get bail anyway rather than those the

courts tend to keep in custody. But this has not been the case; they have handled the full gamut from shop-lifting to non-capital murder — and the three people assigned to them accused of non-capital murder all showed up on time for their trials.

At the time of talking, 60 per cent of the males and 72 per cent of the females to have passed through their care had previously served jail terms. About 42 per cent had drug and alcohol problems. The current caseload was about 200 persons, between 50 and 60 to each supervisor, though it was hoped to drop the number to about 40 per supervisor. The team expected to handle about 800 persons — two to three new cases a day — in their pilot year. The province's remand population is now at a fairly constant 375. ♦

## *Solicitor-General answers demands for harsher punishments*

The crime and punishment debate ebbs and flows in Canada, as in Britain and elsewhere, according to events that tug at emotions as the moon pulls at the tides. Fundamentally the debate is always the same — between those who favour harsher punishments as a cure for violent crimes and those who believe violence only begets more violence, whether it is legal action by the state or illegal action by individuals.

As the tide for harsher punishments rose recently in Canada, the Solicitor-General, Mr. Warren Allmand, produced a lengthy statement, well backed by statistics, intended to oppose this view. The statement left no doubt that the present Canadian Government is wary, if not sceptical, of the belief that severe punishment is an effective deterrent to crimes of violence. The two main points in it were that capital punishment is not the solution to murder and that there had not been — contrary to some well-publicised views prevailing at that time — any disproportionate increase in the number of violent crimes in the country. Police, as in Britain, take a less liberal view of the issue. This was illustrated by a recent recommendation of Ontario police chiefs calling for mandatory capital punishment for premeditated murder.

There has not been a hanging in Canada since 1962. Capital punishment has been abolished there since 1967 except for murderers of policemen and prison guards.

The Allmand statement acknowledges that "horrible murders" committed recently in Canada had led some people to believe that homicides and other violent crimes were "on a rapid and uncontrolled increase." Another fear was that any rise

in crime is largely due to a decrease in the use of severe punitive measures against criminals. However, it urged: "Let us look at the facts. Existing data indicate that there has been no disproportionate increase in the number of violent crimes. The proportion of violent offences to all Criminal Code offences has remained relatively constant at around 10 per cent per annum over the period 1966 - 73."

As for the "especially strong concern" over crimes of violence against law enforcement agents, it said — there had been no significant increase in such crimes. The number of police murders annually fluctuated from two to five between 1964 and 1973, rising to six in 1974.

"There is obviously no trend of increasing police murder in the past decade or so and it is too early to conclude that any trend is beginning," the statement argued.

From 1960 to 1974, the most murders — 11 — took place in 1962 when capital punishment was still in force in Canada. Some recent tragic and sensational crimes in Canada had resulted in misconceptions and led to a belief that capital punishment could solve the problem. There was a feeling in some quarters that murders with police officers as victims were increasing due to lack of a strong deterrent.

"It is evident that capital punishment may satisfy the strong sense of moral and emotional outrage that many of us experience when a murder is committed, and there is no doubt that the threat a particular individual has posed to society is terminated absolutely" by execution, the statement said. But there were other crucial issues, including morality.

Personally, the Solicitor-General said he believed it was wrong to take the life of another person except as a last resort in self-defence.

Statistical evidence cast doubt on the effectiveness of capital punishment. "We now know that most types of violent crime are not deliberate or rationally planned," Contributing factors could include a history of quarrels between friends or families; the use of alcohol or drugs; access to firearms, emotional instability or derangement. "Given the sudden, unplanned nature of most homicides, it appears unlikely that most individuals who commit murder take into account the existence or non-existence of capital punishment before carrying it out."

Another factor was the existence of a class of people, who might be called adventurers, for whom the danger of death had little deterrent effect. These included mercenaries, auto racers, parachute jumpers and citizens who volunteered to fight in Indochina. Similarly some criminals knew the risks they were taking but the danger of on-the-spot punishment did not seem to deter.

The more he had studied the problem, Mr. Allmand said, the more "I have become convinced that capital punishment is not the solution to murder." Examination of statistics and research in Europe, Canada and the United States indicated that capital punishment did not effectively lower the murder rate. Lowest murder rates were found in countries and states where capital punishment had been abandoned, such as Sweden, Minnesota, Wisconsin, Rhode Island and Maine. ♦