

STATEMENTS AND SPEECHES

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TREATMENT OF THE CONVICTED CRIMINAL

An address delivered by General R.B. Gibson,
Commissioner of Penitentiaries, to the
Rotary Club in Hull, Quebec, on February 2,
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....The subject of crime has always had an important place in public interest -- many thousands of books, many of them best sellers, have described how crimes were committed and criminals detected, and have played up the mystery and drama of criminal activities. No other news item hits the headlines faster than some sensational crime and the story of crime has even pervaded our young people's reading in the Crime Comics which have recently been banned in this country.

But all this mass of literature and newspaper interest is concerned with the commission and detection of crime, and when the criminal has been detected, brought to justice, and found guilty, public interest fades very quickly and not many people are concerned about what happens to him after sentence has been duly passed upon him.

So to-day I would like you to consider with me what can be done with the person who has been duly convicted of a criminal offence, and to outline to you some of the methods coming into use in Canada to deal with such persons. I think you will agree with me that this is a matter that should have our very serious consideration as citizens and taxpayers. Every year in Canada some 50,000 persons are convicted of indictable offences and the cost of dealing with these offenders runs into staggering figures. The present budget for the Federal penitentiaries alone exceeds \$6,000,000. When to this is added the amounts spent by the provinces and the municipalities all across Canada for the upkeep of jails and reformatories, it is obvious that the total cost of maintaining prisoners in custodial institutions imposes a very heavy burden on the taxpayers. In addition, there is a very large cost of all our law enforcement agencies and the Criminal Courts, to say nothing of the financial losses that result from criminal activities themselves. Surely this is a problem in which all of us as taxpayers should take a very keen interest and to which much greater public concern should be directed.

Of course, the most effective way of reducing the cost of crime is by initial prevention -- by removing in so far as it is possible to do so the causes that contribute to the development of a criminal career -- broken homes, failure of parental discipline, truancy and lack of interest in school, economic insecurity, personal maladjustment, neglect of religious training

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

the cost of maintaining a prisoner in a penal institution runs to between \$800 and \$1,200 a year, the economic saving involved is very striking, to say nothing of the effect upon the individual in avoiding the stigma of incarceration and the evil associations that are inevitably encountered in penal institutions. There can be no doubt that an extended use of supervised probation could be a major factor in reducing our prison populations and preventing the repetition of crime. Perhaps the reason why we have lagged behind other progressive countries in the use of supervised probation is because in Canada the cost of providing probation officers falls upon the municipalities -- and it is easier to sentence an offender to a provincial or a federal institution than to provide the individualized service that the proper use of probation requires. But surely that is a shortsighted view which must be capable of correction or adjustment if we are to make real progress in reducing the repetition of crime.

Whatever use may be made by the courts of probation or of the imposition of a fine as penalty, there will undoubtedly continue to be many cases where imprisonment is necessary both for the protection of society and as a deterrent to others who may be disposed to commit crime. Imprisonment involves the loss of liberty and a strictly regimented life where requirements of custody necessitate constant surveillance, and firm discipline that many of those who are imprisoned have lacked in their lives outside. That is the punishment that the Court imposes upon them for their offence. Since 95 per cent of those who are imprisoned sooner or later are released -- and the great majority of sentences are for less than five years -- it becomes a matter of great importance, if society is to obtain any real protection from imprisonment, that the offender should be released with an improved attitude, and with habits, skills and incentives that will assist him to make his way without reverting to crime. The results of the old mass system of purely punitive custody have demonstrated pretty clearly that while that sort of imprisonment may provide temporary protection, it is a most expensive and ineffective method of dealing with offenders if they emerge at the conclusion of their sentences prepared only to commit further crimes.

And so in our federal penitentiaries we are proceeding to put into effect a different philosophy of the purpose of imprisonment. While not overlooking in any way the necessity for safe custody, we are developing a programme that emphasizes the importance of doing all that is possible to rehabilitate the offender, to change the anti-social attitude that got him into prison and to give to those who are prepared to take advantage opportunities for education, trade training and self-improvement that will assist them to make their way upon release without reverting to crime. We are not approaching this problem from any sentimental point of view but because we believe it represents a practical and understandable way of reducing the chances that a prisoner will continue in criminal activities. Even more important than the acquisition of manual skills and better education is the development of an improved outlook on life, of an appreciation on the prisoner's part that if he does exert himself and take advantage of the facilities available there is a real hope for him to succeed when he is released. Now that requires a constructive, purposeful attitude on the part of the staffs who are dealing with him and the development of a "climate", if I may use the word, within the institution that will encourage the inmate to make constructive use of his time and to resist the ever present influence of the minority to whom such a programme has no appeal.

One of the most important steps undertaken has been the institution of training courses for our penitentiary officers to train them in this new approach to prison administration, because the success of such a programme is obviously dependent upon the co-operation and understanding of those who have to carry it out from day to day. We are now carrying on our tenth course and more than 250 officers from all across Canada have attended the Training School at the Royal Canadian Mounted Police barracks in Rockcliffe. The response of these officers and the interest they have shown, some of them with ten, twenty and even thirty years of penitentiary service, has been most encouraging and has indicated a real willingness on their part to apply the principles of this philosophy in their own daily duties with the inmates with whom they have to deal.

A constructive programme obviously requires individualized treatment and a knowledge on the part of those who have to deal with the prisoner, of his assets and liabilities. Classification officers with professional training have been appointed at all penitentiaries. It is the duty of these officers to interview each newcomer, to investigate his educational, social and economic background, his mental ability and his fields of interest. Information is obtained from other agencies who may previously have been in contact with him and he is interviewed by the other prison specialists. On the basis of the information thus obtained, a programme of treatment and training is planned for him by the institution's Classification Board. In this process counselling has an important place and more and more prisoners are seeking advice and taking advantage of the facilities available as the sincerity of the efforts being made to assist them becomes more apparent.

To assist the rehabilitative process the facilities for education have been greatly increased -- our staff of school teachers has been more than doubled, correspondence courses are now available to all prisoners without cost through the Department of Veterans Affairs or the provincial Departments of Education. More than 1,200 prisoners are at present taking these courses. The libraries have been enlarged, over 30,000 books are now available in the seven penitentiaries, and the yearly circulation is over 100 books per inmate. At four penitentiaries full time vocational training courses have been set up for selected groups of young convicts -- these courses are of about nine months' duration and give full and detailed instruction in all the essentials of the trades taught as well as related training in blue print reading, shop mathematics and other subjects necessary for successful status. The trades taught are brickmasonry, construction, carpentry, cabinet making, painting and decorating, plumbing and steamfitting, tin-smithing and sheet metal work, plastering and rural machinery repairs. These courses are carried out in small classes where each trainee receives individual training and counselling from a competent instructor. While these courses are at present available only to a small number of selected volunteers, the results during the training period have been most encouraging in the changed attitude and interest of the prisoners and of those so far released after completing this training, more than 65 per cent have obtained and held gainful employment in their trades.

During the past two years more than \$500,000 has been spent in providing new equipment, machinery and tools for the 130 industrial shops in the penitentiaries, and in improving the kitchen, medical and other physical facilities. These improvements have resulted in a much higher standard of "on the job" training and, for the prisoner who is willing to profit by his work, greater opportunities for increasing his skill in many lines of manufacturing.

One of the problems of prison life is to find constructive activities for the long periods when the prison is closed, and the prisoners are confined to their cells. Experiments are now being undertaken in the development of hobbies to provide interest and activity during these periods to counteract the inertia and the less desirable activities that develop during the long hours of confinement.

When one considers that more than fifty per cent of our prisoners are under 30 years of age, the importance of providing some outlet for their physical energy becomes apparent if health is to be maintained and a sense of responsibility developed. During the past summer competitive games such as soft ball and basket ball have been introduced at our institutions over the weekends and the effect upon discipline and morale has been very noticeable. These activities are encouraged as privileges subject to forfeiture if abused and our experience has demonstrated that the prisoners appreciate their responsibility in seeing that they are carried out with fair play and good conduct. Although the organization and management of the teams was placed in the hands of the convicts themselves, and even the umpires were selected from the prisoners, not a single incident marred the keen interest and good sportmanship displayed. We feel that activities of this kind help to develop that ability to get along with others that is a very important part of good citizenship. Disciplinary problems and complaints about ill health dropped off sharply with the expansion of these outdoor activities. All these rehabilitative activities within the prison are pointed to the day when the prisoner becomes eligible for release and must once more face the problem of adjusting himself and his conduct to life in the free world. All the efforts that have been made by the prisoner himself and by the authorities are likely to come to naught if he is unable to obtain employment and an opportunity to put into practice to his own advantage what he has learned. Not all our prisoners will profit by their period of imprisonment -- we must realize that a considerable number have developed a pattern of behaviour and a mental attitude that is unreceptive to whatever training can be given to them. But there are a large number, some with serious past records, whom the prison authorities believe have the will and the intention of "going straight". For these the important thing is to have a job and a means of support available before their will is weakened and their ability dulled by disappointment. There are now across Canada a number of Prisoner's Aid Societies, many bearing the name of the great English prison reformer John Howard, that are providing that helping hand and that encouragement to prisoners released from our penitentiaries that often makes all the difference between success and failure. In the province of Quebec, La Société d'orientation et réhabilitation sociale in Montreal and La Société de réadaptation sociale in Quebec, are doing splendid work in this field. The Special Placement Division of the National Employment Service is giving special attention to released prisoners. All these organizations are given opportunities for interviewing prisoners prior to their release, and where the prisoner is willing, plans for his re-establishment are worked out in advance with the Classification Officers of the penitentiaries and the representatives of the Societies. The federal government now gives financial assistance to each of the Societies. But their efforts can only be effective if employers generally are willing to give a chance to those who have demonstrated by their attitude and conduct in

prison that they are reasonable prospects for future good citizenship in spite of past failures. We are prepared, with the prisoner's consent, to give full information to any prospective employer of the prisoner's assets and liabilities, his abilities and his experience, and I can assure you that a considerable number of those released from our penitentiaries have a sincere desire to make good.

s/A