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NORTHWEST TERRITORIES

SESSIONAL PAPER NO. 3
(First Session, 1966)

Y.W.T. CORRECTIONS PROGRAM

DISPOSITION

Accepted as Read.....
Amended.....See Text
Rejected.....See Text
Deferred.....See Text
Not considered.

N.W.T. CORRECTIONS PROGRAM

Foreward

In 1963 the Council of the Northwest Territories gave approval in principle to the development of a "total correctional program" in place of an earlier decision only to construct an institution to house sentenced offenders. At the Thirtieth Session, a paper was presented which outlined briefly the current status of the development of the program.

After discussion, Council asked for "a paper on the philosophy of the corrections program to be circulated to the Members of Council after this Session when ready". (N.W.T. Council Debates, Thirtieth Session, Vol. 1, page 179).

Introduction

From early times to the present every organized society has established sanctions against those individuals found guilty of violating its criminal laws. The general purpose of these sanctions has always been "the protection of society" from criminality. However, this ideal, although virtuous and unobjectionable, is far too generalized a concept; one which does not indicate how it is best achieved. In pursuit of this ultimate goal, more specific objectives have had to be established together with the methods and forms of punishment designed to achieve these objectives.

Objectives and Methods

Specific objectives and the methods and forms of punishment have varied through the ages. Punishment has had as its aims, retribution, restraint, deterrence and reformation. Historically, these have been emphasized roughly in the order given. Similarly, the methods of punishment have included death, mutilation, banishment, imprisonment and rehabilitation. As each of these purposes and methods developed and became formalized in law, custom and practice, it exerted a continuing influence on subsequent policy. No single objective or method ever completely replaced another. Instead, in each era of history there has been a conglomeration of purposes and methods, but with certain purposes and corresponding methods emerging and being emphasized over others.

Generally the objective of punishment has progressed from the offender's direct elimination from society to assisting him to return to society better able to function according to its rules. Like the aims they were designed to achieve, the methods and forms of punishment have evolved from those giving injury to the offender's person, to those calculated to injure his self-respect and standing in the community, and finally, to those designed to appeal to his self-respect and to aid him to regain his position in the community.

Reformation and Rehabilitation

Reformation as an objective of punishment has been given social approval and emphasis for some time. Rehabilitative treatment as a method to achieve this objective is relatively new, and has gained general approval primarily in those forms specifically developed for rehabilitation. Probation and parole are such specific forms which have been accepted by thinking and intelligent members of society.

Imprisonment, on the other hand, was not originally developed to foster rehabilitation, but to achieve restraint and incapacitation. Imprisonment was a progressive step from earlier corporal and capital methods of punishment designed physically to eliminate or handicap offenders, but it needed adaptation to serve as a method for reformation. The adaptation made initially was passive in nature. The physical conditions of imprisonment were improved in order to avoid distraction of the offender and to provide the opportunity for him to do penance and thus eventually achieve salvation. There was nothing dynamic in the adaptation -- nothing designed to act upon the offender. It rested entirely with the offender whether to be penitent or not. Despite its passivity, this adaptation of imprisonment contained the implication that an offender might be worth saving. What remained to be done was to develop a method for doing it.

The introduction of the rehabilitative method into the framework of the institution is of relatively recent origin, and, amongst those laymen who tend to see crime and sin as interchangeable entities, is still a matter of controversy. Leading penologists, however, are generally agreed that the correctional institution serves most effectively for the protection of society against crime when its major emphasis is on rehabilitation.

The best thought in the correctional field is now directed toward developing plants, personnel and programs whose objective is reformation through rehabilitative measures. The proponents of these measures do not rule out the need for custodial segregation, but consider custody a means to an end in most cases, and an end in very few cases. They do not deny the desirability of achieving deterrence if it can be done without impairing the effectiveness of rehabilitative programs that offer greater assurance of good results than deterrence does. Briefly, they believe, all things considered, that the correctional institution, which is not geared toward rehabilitation as one of its primary methods cannot achieve reform and stands condemned on its own evidence.

Among thoughtful citizens there is a growing comprehension that the protection of society against crime is achieved not only by preventive programs and efficient law enforcement, but also by secondary prevention, or the prevention of repeated crimes through rehabilitation of the individual with his satisfactory adjustment to free society as the prime objective. There is an increasing awareness that the rehabilitative method is not merely a set of devices for lessening the severity of sentences and molly-coddling prisoners, but actually is a method which utilizes factual information respecting individual offenders to make careful decisions, and, more likely to assist offenders to become law-abiding citizens than any other method.

Program and Objectives

Society's acceptance of reformation as an aim and rehabilitation as a method has led penologists to a recognition of the continuity of the correctional process from the moment of conviction to the final release from legal control. They recognize that probation, juvenile and adult institutional care and parole are all parts of the same process; that the same offender may pass successively through each stage of the process; that many of the same techniques and methods are employed in each stage; that essentially the same data are significant throughout the process; that decisions made regarding the offender

and his treatment at any time during the process should be based upon his prior history and detailed knowledge of how the correctional process has been applied to him to the present. This continuity of the correctional process is embodied in the corrections program which the Council approved in principle and which includes probation services, juvenile and adult correctional institutions and after-care services.

Since the correctional process begins on conviction, it is essential that the courts have probation services available to provide pre-sentence reports, recommendations with respect to best disposition, supervision and guidance during the probationary period, and the utilization of community resources to assist the probationer and his family. The courts need to be better informed concerning the qualities and requirements of the individual offender, and the probation services can help to provide the information.

Sound information is the foundation, not only for the process of court disposition, but also for the classification of offenders into particular programs of treatment. Detailed social and psychological information is necessary to the making of wise decisions concerning treatment of the offender. Both the physical plant and the staff of the proposed program demonstrate a recognition of this necessity. The staff must be professionally trained and experienced; competent to use the information available. The plant will contain the facilities for obtaining much of the information necessary.

Facilities and staff are also of supreme importance in program planning. The central thesis of the philosophy underlying the proposed program is that effective correction depends mainly upon matching program and offender so as to best meet society's need for protection from offenders and reformation of offenders. This can be done only with correctional versatility and careful planning of programs, and this in turn is possible only when adequate facilities and staff are available.

Correctional versatility implies a diversification of facilities and treatment programs, and this is borne out in the proposed corrections program with the provision of separate facilities for juveniles and adults. The adult facilities are further varied with the provision of a correctional institution and a correctional camp. In order to have an effective program within the various facilities a number of specific elements are essential, including medical services, vocational and academic education, counselling, constructive labour and other services. These elements will all be present in varying degrees throughout the institutions being developed for the Northwest Territories.

Any discussion linking correctional programs with correctional objectives would be incomplete without some comment concerning community attitudes. Public attitudes of hostility and rejection to the offender can undo the effects of even an ideal correctional system. It is therefore necessary and worthwhile to do everything possible to inform the public to see that its own security depends not only on the implementation of a sound correctional program but equally on the provision of a sufficient measure of trust in and aid to released offenders in order that they have a real chance to make good.

Conclusion

This paper has given in barest outline the historical development of modern correctional concepts and standards in order to see in clear perspective the objective of reformation and the method of rehabilitation on which the corrections program of the Northwest Territories is

based. The implementation of the program, and the achievement of its aim, are possible only if we avoid the pitfalls of penal tradition and work to create the vital and versatile system which has been proposed and accepted by you.

As planned, the Northwest Territories Corrections Program is not only up-to-date but forward looking. It gives us a chance to shape those parts of the Program to the special needs that show up in the north and vary from region to region and as time and development bring changes. It only remains for us to put the thing into successful operation. That requires community-wide involvement -- of towns, societies, schools, churches, business, judiciary, industry, police and private citizens.