

trial and therefore detained in custody, the Lieutenant-Governor of the province would be authorized to appoint a board to review at least every six months the case of every person so detained. This same board would also review at least every six months the case of every person who is held in custody in the province following an acquittal on account of insanity at the time the offence was committed.

In regard to sentence, the Bill contains provisions which would enable courts to make more liberal use of suspended sentences, with or without probation. At present, the fact that the offender has more than one previous conviction generally prevents the court from suspending the passing of sentence. The proposed amendments would remove this restriction; would enable probation orders to be transferred from one province to another; would enable the court to make a probation order in addition to a sentence of imprisonment not exceeding two years; and would make it a substantive offence, punishable on summary conviction, for a person on probation wilfully to refuse to comply with the probation order.

The Bill also contains amendments relating to appeals by way of new trial in summary conviction cases which are designed to make the institution of such appeals less complicated and costly. At present, for example, the appellant must supply the appeal court with a transcript of the evidence taken at the trial, unless the appeal court makes an order dispensing with such transcript. Under a proposal contained in the Bill, it would no longer be necessary for the appellant to provide the transcript unless the appeal court specifically ordered him to do so.

The Bill also proposes to narrow the definition of "dangerous sexual offender" which was introduced in 1961 (SC 1960-61, cc. 43-44) and to give the court of appeal express power to order a new hearing in the case of an appeal arising out of an application for preventive detention of a person as a habitual criminal or as a dangerous sexual offender.

Section 2.—Adult Offenders and Convictions

Offences may be classified under two headings, "indictable offences" and "offences punishable on summary conviction". Indictable offences are grouped in two main categories: (1) offences that violate the Criminal Code and (2) offences against federal statutes. These include the graver crimes. Offences punishable on summary conviction—those not expressly made indictable—include offences against the Criminal Code, provincial statutes and municipal by-laws. It is debatable how far some summary conviction offences are of a criminal nature and whether their increase indicates an increase in crime. Many are breaches of municipal by-laws and contrary to public safety, health and comfort, as, for example, parking violations or practising trades without licence but, on the other hand, summary conviction offences may include such serious charges as assault and contributing to juvenile delinquency.

The following Subsection 1 deals with adults convicted of indictable offences, Subsection 2 with young adult offenders convicted of indictable offences, Subsection 3 with convictions for summary conviction offences and Subsection 4 with appeals.

Subsection 1.—Adults Convicted of Indictable Offences

Statistics of indictable crimes are based on persons, so that it may be possible to evaluate the population engaged in prohibited activities and to help in the treatment of anti-social behaviour in terms of subject-centred action. In the present counting system, although individuals may be charged with more than one offence, only one offence is tabulated for each person. This offence is selected according to the following criteria: