



Episode 2: The “Unfounded” Series and the Law of Evidence with Blair Crew and Constance Backhouse

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Guest Speakers: Blair Crew and Constance Backhouse

Interviewers: Olivia Filetti and Alex Sibley, Senior Editors

TRANSCRIPT

Olivia Filetti: Good afternoon everyone and welcome to the *Ottawa Law Review*'s podcast series. My name is Olivia Filetti and I am a Senior Editor with the *OLR*.

I'm here at the Faculty of Law with my colleague, Alex Sibley, and we are pleased to welcome Professors Constance Backhouse and Blair Crew as our first guests of 2018 today. Thank you both for being here.

Blair Crew and Constance Backhouse: Thank you very much.

Olivia Filetti: We will be engaging Professors Crew and Backhouse today in a discussion about the Unfounded series and look forward to hearing their perspectives. Before we begin, I would like to make a few acknowledgements.

First, I would like to acknowledge that we here at the University of Ottawa on unceded Algonquin territory.

Second, as we are a bilingual law review; transcripts of this podcast will be made available in both French and English.

Alright, let's get started.

Alex Sibley: Right, so as Olivia said, thank you very much for being here. Our first question is can you tell us a bit more about the Unfounded series and what exactly it means for a case or complaint to be 'unfounded.'

Blair Crew: The Unfounded series is an amazing piece of investigative journalism done by Robyn Doolittle that looked into the rates at which police forces across Canada have determined that complaints of sexual assault filed with police forces were, in fact, disbelieved or unfounded. The determination that a case is unfounded is tantamount to saying they have disbelieved the complainant and the case is not going to go forward.



Alex Sibley: I know, Blair, that you have been quite involved with the series. How far back does your involvement with tracking these statistics go?

Blair Crew: I guess the answer would need to be my entire legal career, really, since 2000.

I need to acknowledge that the whole reason I came to the movement, the whole reason I was recruited to this, is because of three amazing young women that came to me when I was in private practice that had gone to the Ottawa police claiming that they had been raped and the Ottawa police disbelieved them.

They came to me because they wanted to sue the Ottawa police. One of the things that was astounding to me was that each of the three women said that they got over what the male attacker had done to them but being told that they were being disbelieved by the public authority that was there to protect them was the most traumatic aspect of the sexual violence that they had suffered. Those came to me in 2000, and 2002 is when I did all of that work, and I have been involved with this ever since.

Alex Sibley: It's been a long time in the works, then. What are some of the trends, patterns, and statistics that the Unfounded project has revealed that stand out to either of you most, or what has been the most revealing?

Constance Backhouse: I think the fact that we made public the results of investigations that showed how pervasive a disbelief is in the police system of investigation; I think that's shocking to a lot of people. And having these statistics available, such as research by Professor Crew, over the years, too, gives a foundation for being able to argue that it has to change.

Alex Sibley: So, what is very noticeable is that it's a nationwide issue...this is what the Unfounded series indicates, to some extent, across the country, correct?

Blair Crew: One of the first things that occurred to us when these young women came to me was that I wanted to find out to what extent this was not just anecdotal one-offs—to what extent was this really an indication of something that was systemic.

So, we did an initial study from 2002–2007 focusing only on the major police forces from Ontario, and we found that Ottawa was the worst of the forces in that, in that period, one out of every three complainants that came to them was told her case was unfounded and was therefore closed. Conversely, only sixteen percent of the cases resulted in charges. A woman had twice as good a chance of being told she was lying than she did of seeing her attacker even charged with the offense.

Alex Sibley: Wow, okay. You mentioned Ottawa as one of the worst areas, historically, for unfounded cases. Do you have any sense of why that might be? Is it anything in particular to Ottawa? I'm not sure if you have any comments on that.

Constance Backhouse: I think they're all bad, but Ottawa just excelled at badness.



Blair Crew: What Robyn Doolittle’s studies did was that in the period from 2010–2014 it wasn’t unique to Ottawa. It was true that one out of five cases across Canada from that period was determined to be unfounded. So, I certainly have to agree with Professor Backhouse and say that Ottawa was just particularly bad. They were all pretty bad. There were only some small forces that were one-offs.

But, one remarkable thing that I noticed was that city of Toronto had a much lower ‘unfounded’ rate than any other city at the time. Its rate was down at about eight percent. It’s not to suggest that the trauma police force was great, but they had been through the *Jane Doe* audit process by that time, where there was somebody reviewing their cases to see if they were properly closed. It suggested to me that where there was public scrutiny and a need for public accountability the police force managed to change the statistic.

Alex Sibley: Right. Hopefully this Unfounded series, then, is a wakeup call for rest of the country and the province. Some suggest it is difficult to pinpoint the main reason, or one reason, why cases have been labelled unfounded. It may be a procedural problem with police departments, or perhaps it is a more systemic societal issue. In your opinions, is there one leading cause for cases being labelled as unfounded?

Constance Backhouse: Well, let’s go back just a bit and talk about policing first rather than dip right away to the basic social underpinnings of all of this.

There are a lot of things wrong with our policing system. One of them is the disbelief of women who experience sexual assault, women who experience violence in the home, children who are sexually abused; we’ve got a long history wider than just sexual assault.

Another problem is discrimination on the basis of race and ethnicity, where you see a lot of inequalities in the treatment of different minority groups by police.

Another is class discrimination. We, I think, have realized that crime is a flexible package, and you can find as much or as little of it as you want. A lot depends on the society’s decision of how much money goes into policing, how they define what crimes they’re looking for, and where they tell their police to hang out and investigate. We joke that if we sent a whole delegation of police to look at membership of the Rideau Club, they would discover a whole lot of crime of different kinds. But they don’t. Instead, they go into the poorest neighbourhoods and they check for people who are using drugs that we have criminalized, which are, in many cases, not drugs that are any worse than drugs that are being delivered by physicians to patients.

Again, these things are class, and race, and gender specific, and we put our police in certain formations and certain neighbourhoods looking for certain things and, as a result, we get a skewed population who comes into contact.

I would suggest that if we did a race study and a class study of who gets unfounded and who doesn't, that we would find that victims who are poor and racialized would get even less belief than white middle class women, and we would find that the people who do get charged tend to be poor and racialized.

The policing is not an egalitarian business right now, and we show no signs, as a culture of coming to grips with that. We do not have sufficient public oversight of policing. We do not pay attention to how it is skewed in certain directions and protects certain classes of people against other classes of people. And I think that's our first problem.

One of worries here when we uncover all of this unfounding—a very unfair unfounding—is that we say “well, we need more expertise in the police, we need to hire more women, we need to have more police officers.” And, I guess what I would say is we want to be cautious about trying to add a Band-Aid to a system as fundamentally flawed to start with. We need to look much more deeply about what's going wrong with policing first, because I think a lot us do not want to contribute to more of those problems with the fact that we've discovered an additional problem. We want corrections of the whole system.

Blair Crew: One of the problems with the figures on unfounding, too, is that it does hide some of those variables, whereas other researchers have clearly identified the factors that Constance Backhouse has identified as being those that would lead to a higher possibility of being unfounded and would certainly add to it, encompassed within what she said about race. But, if you have Aboriginal status, much more likely that you are going to be disbelieved. If you are a complainant that comes forward that has experienced in the past mental illness, there is a very high chance that your case is not going to be taken seriously and it will be determined to be unfounded. It is exactly the most vulnerable women that have the highest rates of unfounding out there. That's not to say there's not cases of women that are privileged that come forward when the police forces still determine their case to be unfounded and often wrongfully.

Alex Sibley: So, I guess you've mentioned, Professor Backhouse, that the policing system as a whole seems to be fundamentally flawed to start with. In the current climate we have right now, it may be simpler to discuss the unfounded issue than to identify what will be necessary to create lasting change. Nonetheless, what do you believe is required to solve the unfounded problem? Is an entire re-direction of the way policing works in order? Are there other things that can be done?

Constance Backhouse: Yes, I think we need a very system-wide examination of policing. I, for one, think way too much money is going into policing already. And the solution that everybody demands is more money.

Let's jump out of Ontario into Saskatchewan with the Colten Boushie killing. One of the solutions that was proposed to that is agreeing to a demand by white, rural residents that there be more police with guns out in the rural areas. Now, we know that policing of Indigenous communities leads to a whole lot of arrests, charges, prosecutions, violence. The prospect of adding more resources to the police force as a so-called solution to a white, rural, property owner who took a gun and shot an

Indigenous young man that he suspected of being a threat. That's the whole problem; they expect that they are threats. And so, you put more policing in and the police expect that they are threats and you just see more shooting, more violence, and more damage.

I was really shocked to hear that proposed as a solution there. I would cut these police budgets. They are one of the only areas of government that get automatic increases every year, and now they want to arm them with more stun guns, and they want more equipment and more firearm potential, and hiring more people. I just keep thinking woah...this is creating another firestorm of potential abuse down the road.

I think we need to start right there, and talk with minority communities: Indigenous, racialized, poor, and ask them what they think some of the solutions would be.

Blair Crew: I don't see a way that any more resources or money for a police force is going to help. It's not a question of resources. What we know is that, already, only 1 in 20 women that has experienced sexual violence chooses to come forth to the police. Most of those that do are not interested in jail for the offender. The number one reason women say to me that they go to police is they want to make sure that this doesn't happen to anyone else and they go in good faith believe that they're going to be believed.

But the police have certainly had the resources to conduct some kind of investigation of those cases. So, it's not a question of more resources. The only thing that I've seen that makes any change at all is not resources but is more public scrutiny.

We know that in the wake of the Unfounded series, the police forces all of a sudden announced that some 37,000 cases were being reviewed across Canada. Of those, some 6,000 of them were reclassified. About 400 of the cases were reopened. And there are approximately eight jurisdictions out there that have adopted the Philadelphia model of case review that is championed by the executive director of the Ottawa Rape Crisis Centre, Sunny Marriner, who used a model that worked very well in Philadelphia where they had a similar problem: to bring in outside, frontline advocates that will sit with the police, that will open the cases, and that will review them.

The early reports of the eight forces that are doing this is that they are discovering errors in what they've done. I think now that the police have got out of the idea that this is somehow a "gotcha" or we're just trying to pin some sort of blame or liability on them, they've been more open to the idea. But, it's interesting for me that voices have been crying the in wilderness about this problem for a long time. It was only when it was exposed as a national problem that they felt, even if it was window-dressing, that they needed to get out in front of it. So, it's not more money that will solve the problem, it's more light. It's more public scrutiny. It's more front-line advocates doing those case reviews.

Alex Sibley: Right, so in the current climate of the MeToo movement and the Time'sUp movement and the Unfounded series, it sounds like things are on the right track. But, do you think what's been done is going to be enough to get the majority of police forces in order?



Constance Backhouse: Well, now I'm going to move you back into the social underpinnings of why we have this disbelief. And, as Professor Crew has put it so well, if only 1 in 20 report to police, it seems to me if I were being logical about it, I would say they're very likely telling the truth and the 19 are the ones who aren't telling the truth (the 19 are the ones who are hiding it and not disclosing it). So, who's worthy of belief, the 19 that never say anything or the one that says something? So, I think we've got it backwards in terms of credibility issues.

So, where does that come from? How is it that we developed a culture upon which our legal system operates where the first words out of most people's mouths (if you just go talk to people on the street and say "[w]ell, what do you think about the MeToo movement?") typically is "[w]ell, you know, women tend to lie about those things." There's a skepticism that greets any discussion about the widespread nature of sexual assault in addition to individual stories. So, where does that come from since it's the opposite of the reality on the ground?

I study legal history and I have spent many years looking at the legal history of rape law in England and in Canada. And I traced some of the very earliest statements like this back to several centuries ago. There was a man who was a judge, an eminent jurist. He wrote a text about criminal law and evidence. His name was Sir Matthew Hale. And, he has a very old-fashioned saying, and I'm not going to get the words right in the exact order. He started out by saying "[w]ell, we know rape is a claim easily made." That's [the] first part of his sentence. And of course, I look at that and I think there are 19 out of 20 who aren't making it. So he's wrong on his very first statement, and I can't imagine that several centuries ago things were so fundamentally different that he was right then. So, he's just got it backwards. And then, he says "and it's a crime that's very difficult to defend yourself against," which, I look at that, and certainly in the last two centuries, the conviction rate for people charged of rape is one of the very lowest crimes we've ever seen in terms of conviction rates of all the serious crimes we have, and it's been like that for centuries. So, he's wrong on that score. And then he says, "it's very hard to defend yourself against it, though never so innocent." He has a very lovely line about "though never so innocent." And so, I thought, this is such an odd set of statements to be the grounding. Because as it turns out, Sir Matthew Hale is quoted in virtually every reported rape case in Canada for the next several centuries. Every trial judge, one after another, every appellate court, one after another, "[a]s Sir Matthew Hale said," they begin, "rape is a crime easy to make and very hard to defend against, though never so innocent." And I thought, this is so weird, one man, centuries and centuries ago, gets quoted over and over again as the source for disbelieving women and for low conviction rates.

So, I went back, and there's actually been a little bit of research done on Sir Matthew Hale, not enough. But it turns out he presided over witch burning trials long ago when he was a judge. Now that is not a piece of evidence that makes me think more of the man or his analysis or his credibility in terms of these statements. But those statements entered into English law, came across the ocean to Canada, and were trotted out over, and over, and over again, and gave rise to peculiar rules of evidence that required corroboration.

So, the criminal law [...] came in two directions: one was it was judge made law, it was also legislatively mandated; but as it developed over the next centuries, the rule was there's a presumption of innocence and that the Crown has to prove this beyond a reasonable doubt, and I don't think anyone is arguing against those two points of law. But basically with sexual assault trials, the law decided that even if the judge and jury believed the woman's testimony beyond a reasonable doubt, they actually believed in fact she was raped, beyond a reasonable doubt, they could not convict without corroborating evidence. Now that struck me as extremely pernicious, because I believe sexual assault is a very serious crime and causes a great deal of harm, and I think it's very pervasive. But if you have to have corroboration, what that means is even if you've got persuasive evidence beyond a reasonable doubt it's insufficient if all the evidence comes from the woman. And yet, we know sexual assault often happens without witnesses, without observation, without other evidence.

It got even worse, because the judges decided that only some sorts of corroboration would qualify. And they discounted bit by bit by bit. For instance, if the Crown attorney said "[w]ell we have evidence that the victim," I'm going call her a victim, "was examined medically, and she has evidence of bruising and ripping and scratching and damage to her sexual organs that suggest a violent, forcible, sexual contact" the courts said "[w]ell, that won't count, we're very sorry, but that has to do with her body and that's not independent of her. We're not allowed to believe her without corroboration. That evidence doesn't count." And they began to discount if she made a complaint, if she told somebody else about what happened, you couldn't put that person on the stand because that also wasn't independent of the victim.

They basically disqualified almost any piece of evidence that could corroborate the testimony of a believable, beyond a reasonable doubt believable, witness. So that was really shocking to me; to see that not only do we have a tendency to disbelieve rape victims, based on Sir Matthew Hale the witch burner, but we also have a whole lot of judges and legislators saying "you know, this is really dangerous, we cannot believe these women even if they're believable; we have to have additional independent corroborating evidence."

And there's no justification for that except his fear that women lie about sexual assault. And there's a lot of writing in those decisions about why they think women lie. Again, reading case after case after case for years, I was just astonished. They think that women fantasize sexual assault. They think that women are extorting money by claiming sexual assault. They think that women are seeking revenge because love has gone wrong. They postulate all of these really weird theories as commonplace, regular, and then (and this gets really weird, and this feeds into professor Crew's comment about the most vulnerable women) in essence, what they say is "you must be a respectable, chaste, properly-behaving woman. And if you violate any of that, then we definitely won't believe you." And so, they take the women who are most likely to be raped—homeless women, women with disabilities, racialized women, indigenous women, poor women, women who've been abused repeatedly before—and they say "[w]ell they're definitely not believable." And ultimately, when you go down that route, it turns out nobody's believable.

When I've been interviewing defence lawyers about why they use that line of argument, *i.e.* now, what were you wearing, what were you doing, were you drinking, do you have a sexual past? And all of these lines of cross-examination have been open for decades. It's only recently we've started to pull in on them. We haven't done a good job of pulling in on them fully. Eddy Greenspan, who's one of the most famous of the defence counsel recently died, said to me, "if she is a nun on the way to the convent, in full habit, who is sexually assaulted, that matters." And I thought, this is the oddest argument I ever heard in favour of the whole line of questioning about what women are dressing, and doing, and their sexual reputation. It's a bit like Sir Matthew Hale, it just defies reasoning that somebody would say that, and think that that explains all of these common-sense beliefs that women lie about sexual assault.

Blair Crew: When I came to law school, I remember taking the evidence course, and having the professor stand up at the very first class and say "[u]nfortunately, a lot of the details of the cases that you're going to hear about the cases that we're going to talk about are graphic sexual assault cases, and I'm sorry, that's just the way that it is." There was no recognition that what he was saying might be re-traumatizing to some of the participants in the class. And no discussion of why it was that in the law of evidence we only found ourselves talking about sexual assault cases. I now teach the law of evidence. The only way I make sense of it, and what I say on the first day, is that "a lot of the cases we're going to be reading are sexual assault cases. We will not get into the details where we can avoid doing so. But the only way to understand this as a subject is to understand that it's 400 years of arcane rules that have been invented for the sole purpose of finding a way to acquit men of sexual assaults that probably did occur and to distort the truth in the truth-finding function. And then approximately 40 years, thanks to feminist advocacy, of trying to put Band-Aids onto the law that we had damaged and trying to repair it in a very incomplete way." And it still seems to me that if about 1 in 20 women report, if about 1 in 5 of the perpetrators are charged, if about forty percent of the cases are dropped, and then in what remains only about one-third get convicted; if you do that math, sexual assault is the most frequently perfected crime. And it does seem that those rape myths are still so pervasive, that are often based on the notion of male pornographic fantasies, that would have a woman consenting to sex with a taxi-cab driver that she had just met 15 minutes ago, where she was too drunk to even remember what she might have said, with a law that mistakes the notion of capacity to consent for *de facto* consent.

Alex Sibley: So then it sounds like hundreds of years after Judge Hale is gone and you contrast that with what Justice Camp has recently said. So clearly, it still seems like there's an issue. And is that a legislative gap that needs to be filled, is it the law of evidence that does need to change, or is it really a broader social policy [issue]?

Constance Backhouse: I'm not happy with the law of evidence. I think, in rolling back these peculiar evidentiary rules that allow attacks that I think are extremely unfair. However, it should be said, that internationally Canada is viewed as a leader in terms of progressive sexual assault legislation. There are a lot of other countries saying, "wow, the definition of consent in the *Criminal Code of Canada* is very impressive." And the wording that we've come to in the *Criminal Code* was the result of, as Professor Crew has said, decades of feminist lobbying to try and improve things.



So, the letter of the law could be better, but it's not bad. On the surface of things, it's not bad. In application, we haven't seen a turnaround on the experience that women have when they go into the legal system with a complaint of sexual assault. We haven't seen a turnaround in terms of the reckoning of responsibility here. And I think the reason that some people have suggested is that all these legal reforms we've made are in some ways a bit ahead of society around us. The law is ahead of the people on the street. Just to give you an example, I have a mother who is 97, and when I tell her I'm working on sexual assault law she says "well, but Constance, you know women tend to lie." And I think oh my gosh, you know, I think my mother's a very fair person, and quite socially responsible, and that's the first reaction she has to somebody studying sexual assault. "Women do tend to lie," she says.

And I have difficulty restraining myself, but I want to say, why would that be the first thing you tell me? Why wouldn't you say, has it got any better? Why wouldn't you say, why don't more women report? Why wouldn't you say, why is it so hard to get a conviction? Why wouldn't you say, why is it so many judges still make statements that are considered quite awful? Why is the first comment that women aren't believable? And until we can understand the answer to that, we're not going to fix this problem. And I have to say I don't have an answer to that.

When you trace the law of corroboration, which I have spent years doing, there was one judge in a decision in Newfoundland of all places, said "you know, I don't know why we bother with all these rules on corroboration. We don't really need them very much. Common sense men of the jury know not to believe women. We don't need corroboration protection." And I thought, woah, there it is. There's such a deep-seated reluctance to believe women that we don't even need any rules to protect the criminal justice system from scurrilous women.

So where does this come from? Sir Matthew Hale is certainly a culprit, definitely. And all the judges and legislators that went along with him and made things worse, definitely a culprit. But where does this come from? And here I'm going to be really cynical, and I'm not sure I'm right, but if sexual assault is as prevalent as I think it is, then we have a large number of culprits out there. Some of them, obviously, are repeaters and they go through scores of women, but we've got a large population base out there who are at the moment getting away with it, and they do not want to be stopped or facing criminal reprisals.

And so, it's in their interest not to believe women and not to believe anybody's women. And so, I think we have to go into this and start looking at men's perspectives. Which isn't to say women have any better beliefs, they don't. Women are just as bad, look at my mother, 97 years old, very nice woman, that's her first comment. But, I think we have been remiss, certainly feminists have been remiss in not paying more attention to what men think about this.

Blair Crew: And yet, I see, or you know, hope that there might be a small germ of hope in the MeToo movement, and specifically also in the TimesUp movement as well, in that up to now clearly it has been in the interest of powerful men, other men, that that which is sexual assault, which is sexual harassment, would not be treated that way, would not be seen as being that. And in the public shaming that is now occurring when these allegations are coming up, there is, for the first time (now

admittedly, sometimes it rebounds on the women frequently) but for the first time, powerful men are being brought down, powerful men are being stopped in doing this. Women are speaking up about the movement and it's having an effect. And it doesn't mean that the battle is won, but I see in that the potential that maybe fundamental reform can be made.

One of the things that has struck me about this—you asked about the law of evidence and whether or not legislative amendment can do it. We've been tinkering with incremental legislative amendments for 40 to 50 years to plug up, to put Band-Aids on the most obvious holes, but we're never going to do away with, nor should we do away with, the fundamentals of the criminal justice system of a presumption of innocence and the requirement for proof beyond a reasonable doubt in a society that holds so many racist assumptions is just so ill-suited towards getting convictions in sexual assault. And not that I would suggest for a moment that the *Criminal Code* is not the place for sexual assault, but in a criminal trial, *Charter* rights apply including the accused's right not to take the stand to respond to the allegations of what he's done. That doesn't exist in the civil justice system, where he can be required to take the stand and be subject to cross-examination.

Similarly, I've seen the way that with many of those same women that I talked about before, whose cases were unfounded, found a measure of public vindication when they went to receive the small sum of money that the Criminal Injuries Compensation Board could award them. They ended up getting public compensation for it, but the gratitude and the relief was recognition of the wrong that had been done to them by society and by a male in society and to have a public body say for the first time "I believe you."

And there will always be the extreme individuals for whom the only solution is going to be to separate them from society forever. But so many of the women I have spoken with say the last thing that they're interested in is incarceration. They don't feel that jail is going to solve anything for anyone. And if that's the case, I think that fundamentally what we should be considering is a system that combines public compensation, private compensation, and criminal sanction together. Specifically, with the complainant having a right to say that if we don't seek incarceration as a remedy, and if the Crown attorney agrees, and even if the offender agrees, let's get it into a system that is more of a level playing field where the truth of what happens can come out. That could involve re-writing the rules fundamentally in terms of how those hearings work, including requiring him to take the stand, to look his victims in the eye, and to see some of the harm that some of his acts might have made.

Constance Backhouse: I totally agree. I think that one of the spots, one of the gaps in our work, in our activism, in our thinking, has been what penalty or remedy is the best for this problem that we're not resolving yet.

And, I used to think that we should put more of them in jail for longer periods of time, but I no longer think that. When I made those arguments that was many decades ago when I didn't know much about jails. And I now know more, and I would not recommend that anybody be sent to our current jails. We all know—and this is really quite worrying. Canadians will all tell you, "[y]ou know well they get what they deserve. If they've sexually assaulted women and they go to jail, they'll be



sexually assaulted in jail.” And I think there’s something fundamentally wrong with that. If we’re against sexual assault, we should be against all sexual assault. And if they’re being sexually assaulted in jail, and everybody admits that no prison can prevent this (in fact, many people seem to think it’s a good idea) then we’re responsible for the sexual assault because we’ve locked them up there. And so, it’s on our shoulders, the blame is. And I think that that’s unlikely to rehabilitate them. It’s unlikely to allow them to grow and recognize the problem and come out in a much safer way.

I think we need to really remove ourselves from the concept of punitive, violent jail, and think about other responses. And I’m afraid I don’t have the perfect solution for rehabilitation. I don’t have a little package to offer yet. But I think knowing the cost—what is it lately? I heard somebody make an estimate of \$200 a day for jailing somebody in Canada. If we had even a quarter of that money, I think we could do a lot of testing of rehabilitation programs. At the moment, I don’t think hardly anybody is putting good research and practice into trying to figure out what would rehabilitate sexual assaultists.

I’m very optimistic that we can do better than jail, that’s a very low bar. We could certainly improve on that. And perhaps we could come up with packages that would be amazingly helpful in really beginning to reduce the scope of this problem across Canada.

Alex Sibley: That’s very interesting. It sounds like, obviously, a complex issue from before the trial, to the trial, to the punishment stage, and I appreciate all your comments today. Thank you very much.

Olivia Filetti: On behalf of the *OLR*, we would once again like to thank Professors Backhouse and Crew for speaking to us today. Stay tuned for upcoming episodes and remember to follow the *OLR* on Facebook, LinkedIn, and Twitter. Talk to you soon.