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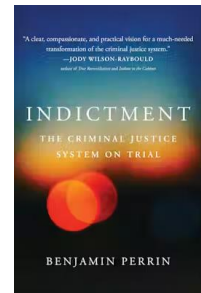
Book Review

Indictment: The Criminal Justice System on Trial

Benjamin Perrin

Toronto: University of Toronto Press, 2023

I, like author Benjamin Perrin, am indebted to those who share their stories. When I think of how I have come to be the person I am, and how I continue to grow, some of it can be traced to my own story and lived experiences—but just as much, or likely even more, can be attributed to the stories of others shared with me; stories of Scripture, of lives lived out in witness around me, of conversations and books and podcasts. In his third book, *Indictment: The Criminal Justice System on Trial*, Perrin describes his own journey of being changed by the stories gifted him, and recounts them so that we, and our society as a whole, might be changed as well.



I'll admit, I had reservations about selecting this book to review. For anyone interested in exploring the injustices of our criminal justice system, my go-to recommendations would be Robyn Maynard's *Policing Black Lives*, Desmond Cole's *The Skin We're In*, and others written by Black and Indigenous abolitionists who themselves and whose communities have called out injustice like prophets for generations. But there was a time when I would not have been ready to hear those calls. Many would reflexively dismiss or disengage if offered those books. How many of us are honestly willing to read a book we assume we disagree with from the outset?

Benjamin Perrin was a lead criminal justice and public safety adviser to former Prime Minister Stephen Harper. He is a white Christian man. He has never been criminally charged or incarcerated himself. Like me, he recounts growing up with the unshaken confidence that the criminal justice system, from policing to courts to prisons, was designed to serve us and keep us safe. He advocated for “tough on crime” policies. And then he started to listen to people's stories.

Given Perrin's own position, *Indictment* is a needed entry point for readers who might shy away from other sources. There is plenty to unpack in why that is, but I appreciate that Perrin has leveraged a fair amount of privilege to reach audiences that otherwise might not engage with the statistics, reports, and calls to action being presented. Stories are powerful, but so too is our perception of the storyteller. Herein is the first benefit I see of this book (albeit a problematic one).

Perrin acts as a mediator of sorts. He uses his own position and the stories gifted him as a bridge to connect readers with information, perspectives, and policy suggestions that might otherwise have been beyond our comfort zones. Many of the stories shared come from people who have been charged and convicted by the criminal justice system. These testimonies elicit readers' compassion as they recount experiences of trauma before, during, and after contact with the system. This lays a foundation to explore statistics (and more stories) supporting the assertion that the system is not only hurting people, it's not actually making communities or individuals any safer. Recidivism rates (i.e., repeat offenses) and general rates of offending are not being reduced through current punitive attempts at deterrence.

Critiquing the criminal justice system, and policing in particular, can evoke strong reactions. One interviewee suggests that our current punitive model is itself a trauma response based on a perceived threat to our safety (pg. 325). Challenging our current practices of punishment and deterrence—or challenging one’s career and related sense of identity—can likewise feel like a threat. Similarly, assertions of racism and ongoing settler colonialism in Canadian systems and institutions can trigger defensiveness among many. *Indictment* offers the benefit of disarming this “fight, flight, or freeze” response by engaging readers’ empathy and compassion through stories. Once this defensive reflex has been averted, readers are in a better position to engage intellectually with the statistics, historical context, and alternative approaches presented.

Another strength of this book is the inclusion of victims’ perspectives in critiquing the current system. This includes exploring the significant overlap between victims and offenders, as well as highlighting victims’ dissatisfaction and experiences of harm caused by the system itself. While assuring that most children who are victimized do not go on to abuse others, one interviewee shares, “the victimization rates for incarcerated populations are much higher than in the general population...95% of incarcerated Indigenous women and 86% of Indigenous men in Alberta experienced violent victimization in their lives (in contrast to 90% of [incarcerated] white women and 79% of white men), with the majority of these victimizations happening during the childhood and teenage years” (pg. 18). Perrin shares many stories of the further traumatization caused to victim-offenders and their families (including children) by the system’s failure to address existing trauma and by standard protocols and practices (a number of which he later asserts likely violate Charter rights).

Even with these examples, however, some might still be tempted to justify this harm as a consequence of individuals’ criminal activity: regrettable, but necessary to protect the rest of society and deter others from similar offenses. Here’s where Perrin’s inclusion of victims’ experiences of the system is so important. As one interviewee, Skye, shares,

I think a lot of people assume, a lot of the time, that people who are survivors or who are victims of crime...want the offender to go to jail...Punishment doesn’t work. Revenge doesn’t work. They serve to look like they’re doing something, but the result is that it creates more violence, it creates more anger, and it doesn’t resolve any issues about what the victim or survivor has gone through...It is allowing the government to carry out revenge on our behalf. It usurps our role as victims and it is just not useful. (pg. 209)

Perrin and interviewees highlight the many ways in which the current system sidelines victims’ meaningful involvement (pg. 167) and/or retraumatizes them (pg. 179), as well as reporting high rates of dissatisfaction and lack of confidence among victims and communities disproportionately impacted by the criminal justice system. This results in high rates of underreporting and low rates of community cooperation with police (pp. 160–1, 168).

Drawing on his extensive legal expertise and moving more into the philosophical realm, Perrin also makes an interesting critique of how offenses are understood in our current legal system to be crimes against *the state*, as opposed to *individual people or communities*. This was a new insight to me, and one I found quite compelling as a critique of

how the current system doesn't actually meet the needs of victims. I particularly appreciated Perrin's exploration of how this convention originated in English law as a means to consolidate authority and exert greater control, with monetary reparations once paid to victims now going to the state. With this change, "the victim became a mere witness to the crime," according to one interviewee, "with no say in how charges against the accused would proceed" (pg. 185). Perrin goes on to contrast this with many First Nations, Inuit, and Métis approaches, and restorative justice approaches more generally. As one interviewee describes, "in the legal system, we tend to ask, 'What laws were broken and who did it; what do they deserve?'...In restorative justice the questions are instead: 'Who has been harmed in this situation? What are their needs? Whose obligation are they?'" (pg. 272).

This brings me to another key strength of this book: alternative solutions! I think one of the greatest challenges of engaging people in critiques of our current criminal justice system—and any current system, institution, or societal crisis, for that matter—is providing a feasible alternative. Much of what Perrin calls for is not new, but some of the connections among issues may not have been explicitly made in people's minds before. The harm, expense, and ineffectiveness of our current criminal justice system is contrasted with evidence of the potential for healing, lower cost, higher effectiveness, greater equity, and greater rates of satisfaction of investing in "social determinants of justice" (which also happen to be social determinants of health, which also happen to be anti-poverty measures). Some "social determinants of justice" include housing and income supports, trauma-informed access to health services (specifically including mental health and substance abuse), education, and meaningful employment opportunities; restorative justice approaches; community-level governance of public safety (particularly in Indigenous and racialized communities); non-police crisis response systems; and decriminalization of many non-violent offenses. Specific case studies and examples are included throughout the book, providing readers with evidence that alternatives already exist and could be scaled up to replace our current (harmful, costly, and failing) criminal justice system.

Indictment covers a great many issues, ideas, and possibilities in this very worthwhile read. I've highlighted a few standout contributions I feel Perrin brings to the conversation, and I appreciate his references to Indigenous and Black scholars and advocates who have been in this fight long before his own change of heart. I did feel Perrin was a bit out of his depth at the very end of the book when he addresses potential obstacles to proposed alternatives, notably his lack of suggestions for dealing with racism, colonialism, privilege, and stigma. But overall, I think Perrin has made a strong contribution by synthesizing many critical issues, statistics, reports, and calls to action and grounding them in the lived experiences of people who have been directly and disproportionately impacted by current systems. It is my hope that this book will engage broader audiences in taking an honest look at the impacts of our existing policies and evidence-based alternatives, and that, collectively, we would be willing to demand better for one another.

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