Canada, and she is presiding over first appearances and bail hearings. A crown counsel and a defense lawyer stand before her. A clerk types quietly. To one side sprawls the court sheriff, who seems busy with a crossword puzzle. A digital clock counts down hours, minutes, and seconds. Besides the prosecutor is a stack of files. A list of names of offenders is marked up on a white board to one side. As the cases progress, the sheriff periodically ticks off the names.

The atmosphere is a curious mix of theatre and the mundane. The majesty of the Crown and the colorful red sash of "Your honor" combine with a highly bureaucratic and routinized process. The cases are dealt with quickly, often taking only a few minutes to process. The assembly line of the criminal justice system rolls forward, with only the occasional moment of confusion and hesitancy (do they have video conferencing in Surrey? Who should we deal with next?). It does not appear to trade in "rights" as such. Rather, the language is a technical one of "show cause", failure to appear, CSOs, "breach", and "time served".

The only variation is that of the alleged offenders who are brought, one by one, before the court, some in person, and others via video feed from a suburban remand center. Most of them are charged with petty offenses (stealing $159 worth of meat and cheese from a Safeway store, assaulting a common law partner, using a fake ID, failing to report to a bail supervisor, and so on), with contextual and extenuating circumstances noted quickly by the defense lawyer (grew up in Nova Scotia, a history of abuse, a heroin addiction, a background of mental illness). Standing in a glassed-in prisoners' box, they wear bright red, loose fitting tracksuits and trainers. All are reserved and respectful. Some look worried, others simply confused, perhaps going through withdrawal. They say little, if anything, but appear as bit players in a much larger performance. The judge periodically addresses the accused person, not unkindly, explaining the process, making sure they understand the orders. This is not an overtly punitive discourse, but often one of therapy and help, albeit sternly framed. Each case trails more or less data, as counsel notes criminal records and in particular, breaches of previous court orders. As they depart, they generate more data.

In the cases where the defendants appear and plead not guilty, the court generally grants bail. Bail hearings are often unnecessary because the defense and the prosecution have agreed on the release conditions beforehand, perhaps tweaking them a little in the moment. In many cases, however, the accused plead guilty upon first, second or umpteenth appearance and are readily sentenced. But whether they are released on bail or sentenced after a guilty plea, they are often subject to a set of conditions modeled on the alleged offence, the background of the accused or the entrenched practices of this jurisdiction. These typically include conditions that they "keep the peace and be of good behavior", that they report to a probation officer at times stated in the order and that they notify the court of any change of address. Several also receive "area restrictions" (also referred to as red zones or no go orders), stipulating that they stay away from designated sites, like the home of the complainant, subject to an alleged assault. But these can be broader, requiring persons not to access any named supermarket or pay-day loan outlet in the province of British Columbia, to not enter into a five-block inner city area or even not to be found within entire cities. Some orders contain additional restrictions with spatial consequences, including the requirement to comply with a curfew or to abstain

conducted approximately 60 interviews with street-involved drug users and sex

should care about technical legal knowledge because it has political and ethical consequences. In other words, when we look inside the black box of law, we

quotidian forms of law's technical practice, such as the venerable instrument of bail or the use of probation. In contrast, the spatial restrictions we seek to trace are not exceptional tools or the result of particular legislative interventions or policing strategies. Instead, they are rooted in criminal procedure, relying on the general provisions of the Criminal Code of Canada and on common law principles. They are part of the mundane fabric of petty offences, deriving from the everyday processes and routines of criminal courts and of legal actors. As such, as our opening vignette reveals, they operate quietly and bureaucratically.

While the tendency for geographers and urbanists interested in law might be to treat legal technicalities as uninteresting, Riles (2005:975) insists on their importance, arguing that critical scholars "should care about technical legal devices because the kind of politics that they purport to analyze is encapsulated here". Law's technicalities are political because they are linked to epistemological questions related to the production of knowledge, science and truth (Riles 2005). More specifically, they are political because they serve as crucial "passage points" through which social contests pass. As such, the institutional frameworks they foreground may or may not close the door to certain types of arguments, such as rights. Our data suggest that both in terms of their reach and scope, and their effect, spatial restrictions are pervasive and powerful forms of spatial governance, that have a disparate impact on marginalized groups of people. The very technicalities at work here, moreover, appear to militate against rights-based resistance.

same period, the rate of police charging for breach of a probation order increased by 47.4%. These two charges accounted for 75% of new charges between 2000 and 2012, driving an overall 4.1% increase in the rate of charges during a period in which charges for most other criminal offenses decreased or stayed the same (Statistics Canada 2013). Perhaps more strikingly, 44% of all failure to comply charges and 41% of all breach of probation charges were single charge cases, where the only alleged criminal wrongdoing was an accused person's failure to abide by their conditions.

A signi cant proportion of the conditions imposed entail spatial restrictions. For instance, red zones were present in 39.7% of a one-month Vancouver sample of bail orders (Damon 2014). A survey of bail supervisees in Toronto found that 116 out of 158 respondents (73.4%) reported having a "no go zone" as a condition of their bail (John Howard Society of Ontario 2013).

The effects of such orders on marginalized groups of people who use public spaces are worth noting. Numerically, a signi cant proportion of marginalized populations are likely to have experienced their effect (cf Beckett and Herbert 2010a, 2010b:ch 3). Court-imposed conditional orders similarly have a speci c impact on poor and marginalized groups who are over represented in pre-trial

probation, she was arrested in the prohibited perimeter. She was charged for breach of a probation condition as well as for communicating for the purposes of prostitution. She was released on bail with stricter conditions, including "not to be found on the entire island of Montreal, except to meet her lawyer and to appear in Court", "to stay at a speci c rehabilitation house on the South shore of Montreal" and "to obey the rules and regulations of that house", which included additional therapeutic conditions, such as a curfew. She did not appear in court to be sentenced and was charged for breach of a bail order and a warrant was issued, but 10 months later, she voluntarily appeared in court, pleaded guilty to the charge of failing to comply with a bail order and was sentenced to 55 days of incarceration followed by a two-year probation which maintained her exclusion from the island of Montreal and required that she attended the meetings of Narcotics Anonymous.

In addition to being under police surveillance and carrying a heavy criminal record, Martine was prohibited from going to important community resources essential to her life, health and security, including access to food banks, shelter, medical services and community support, all located on the island of Montreal. More speci cally, since she could not get HIV treatment in the suburbs, she obtained the court's permission to attend a doctor's of ce on the island of Montreal while her area restriction was maintained. In order to do so, however, she had to obtain evidence from public health services that the treatments needed were not offered elsewhere and she regularly had to nd someone to drive her through town by car to the doctor 's of ce so she could not be found walking on the streets of Montreal at any time. Meanwhile, Martine reported feeling considerably stressed and anxious. She felt so controlled, she said, she thought "she soon would have to start walking on her hands". Her area restriction was ultimately withdrawn 15 months later as she showed evidence of good behavior.

In another case, Zora, a woman arrested in the context of the protests at the G-20 Summit held in Toronto in June 2010 and charged with conspiracy to commit a mischief over $5000, conspiracy to assault police and conspiracy to obstruct the work of police, was released on bail under nine conditions and a recognizance with sureties of several thousands of dollars. Her conditions originally included that she moved out of her residence and remained under house arrest at a relative's residence, except for a series of circumstances including travelling to receive emergency care, meeting with counsel, attending school or in the direct company and supervision of sureties to the point that she felt like she "couldn't be anywhere". It also included a no contact condition with a series of co-accused and a "prohibition to attend, participate or help plan any demonstrations " as well as to "possess any wireless telecommunication devicë or to use the Internet. Zora ultimately had her charges withdrawn more than one year later. However, the conditions had tremendous consequences at personal and professional levels, including loss of employment, serious physical and mental health issues, feelings of isolation, and fear of being watched and persecuted, as well as on her participation in political and democratic life where she felt she had been "

Such effects, however, are easily overlooked, given the black boxing of the techni-

post-trial. This has important consequences, given that the majority of conditional orders are issued at this stage. This is in part due to the technical mechanics of the criminal courts. For instance, legal actors have to respect jurisdictional boundaries: the conditions imposed by the police choosing to release an accused based on an undertaking instead of arresting him or her and bringing him or her in front of the court might not be reviewed by the prosecutor responsible for pressing the charges before the accused's first appearance in court days or weeks later. In turn, bail conditions imposed by a justice of the peace can only be challenged in their own separate instance—a bail review held before a judge of the Superior Court—following stringent criteria and with no right of appeal, and their reasonableness cannot be considered in the context of the criminal trial or as a defense to a charge for

conditions is only strengthened by the fact that court actors work with a pre-established form which contains a list of typical, but optional, release conditions next to discrete boxes that can be easily checked. This bureaucratic form, which represents the technicality par excellence, also points to a series of informal practices followed by the courts.

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The formal, rule based legality of conditional orders can often become compromised by the harsh and messy reality of the criminal law process. For instance, the police and the courts respectively have the duty not to arrest and release, and to release at the earliest reasonable possibility and on least onerous grounds (referred to as the "ladder principle"; R v Anoussis 2008). Therefore, as a matter of principle, alleged offenders should be granted bail and unconditionally so. In practice, however, serious concerns have been raised that these principles are not being respected (CCLA 2014; Commission on Systemic Racism 2005; Friedland 2004; Trotter 2010). Studies conducted in the UK and in the US estimated that between 40% and 60% of bail cases involved release on conditions, showing that bail with conditions has become a middle ground between granting unconditional bail and detention in custody (Raine and Wilson 1997). Based on our own observations and interviews, we found that an accused person who appears in custody at the time of his or her arraignment will almost never be released unconditionally: the accused will either be held in custody until the end of the proceedings or released with conditions (see also CCLA 2014 in which 100% of defendants were released under some kind of conditions). Contrary to the provisions of the Criminal Code, legal actors assume that if the alleged offender appears in custody, it is necessarily because the police have not deemed it reasonable to release him or her, and thus that they have to be either released on conditions or held in custody: as one prosecutor noted to us: "when a defendant appears in custody, it would be surprising that he or she would be simply released on a condition to keep the peace or be of good behavior". This is so despite the fact that the alleged offender relies on important constitutional rights at such an early stage of the criminal process. In particular, he or she is presumed innocent and is entitled not to be denied reasonable bail according to the Canadian Charter of Rights and Freedoms.

More importantly, such negotiations are embedded in a context which does not provide the necessary space to discuss these issues: there are multiple actors involved, with a high volume of cases, and limited time and resources to put forward claims (Stuntz 1997; Myers 2015), as well as unequal power relationships. Among other things, our research suggests, inter alia, that:

- The alleged offender is held in overcrowded remand facilities while awaiting bail determination. He or she wishes to be released at any cost; after going through multiple adjournments, he or she is ready to plead guilty and be sentenced having understood that "if you plead guilty, you get out today, but if you're innocent, you have to stay in" and wait for a bail hearing.

- The prosecutor is rarely in a position to assess the signicance of the spatial restrictions imposed by the police, to whom they tend to defer for their knowledge of where the "shifting hot spots" are located. He or she might also be conscious of community complaints and police concerns about certain neighborhoods.
- The duty counsel, representing the alleged offender, only has a few minutes to discuss what the conditions entail and they often advise their clients to accept all the conditions the prosecutor consents having regard to the chance of having bail denied altogether at a bail hearing.
- The alleged offender under pressure often forgets crucial details (such as her doctor's of ce being within the suggested area).
- Judges and prosecutors follow established, if sometimes arbitrary, spatial templates: "I learn the Downtown Eastside Area Restriction: Gore Avenue to the East, Abbot Street to the West, Pender Street to the North and Cordova to the South, from the very beginning" (interview with Vancouver prosecutor).
- Particularly risk-averse justices of the peace with no legal training (Myers and Dhillon 2013) tend to defer to prosecutors and judges are readily convinced that without a series of conditions, they would not have suf cient guarantees

normative system in the resolution of con

conditions or broader area restrictions than they are entitled, knowing that such conditions are not systematically reviewed. In turn, a judge may tend to accept stricter conditions to avoid sending the accused to a remand center.

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of the intersection of XXXX" (Does this refer to an area of four blocks surrounding an intersection? An area delimited by a radius of four street blocks? Where is the edge of the zone—the center of the street?), combined with discretionary police enforcement practices, and the challenges experienced by those subject to such

of spatial tactics in the regulation of speech, arguing that it is able to withstand judicial scrutiny because of a view of space as a passive container, rather than as itself constitutive of speech.

Conclusion

The pervasive reach and effects of these spatial tactics was clearly in evidence when, during a break from our courtroom observations, noted at the outset of the paper,

to characterize them as naked instruments of domination. But, when we take specific legal mechanisms and knowledge seriously, we uncover hidden logics, dynamics and rationales. To understand their effects demands that we treat them on their own terms, rather than simply reducing them to other logics. These elements have significant implications for social justice and, but most importantly, for those who

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