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come back and put on the record this motion. It is quite incomprehensible to me.

If people at the time wanted both things, the defence policy review expressed through an agreement on a shorter renewal of the NORAD agreement, they were there to be had. It was not the members of the government side or the members of the Liberal opposition who made that not possible.

NORAD had served this country extremely well, it will continue to serve this country extremely well, and we have every right to try to move our security arrangements into the new world. That is our obligation to our children, and it is not credible to try to have one position on this issue here, and another position on this issue when it is time to deliver in votes and proceedings. I say that with respect.

Mr. Brewin: Mr. Speaker, on a point of order, I simply cannot believe that by my silence on the record of this House, I made any agreement with the hon. member in the terms in which he described them.

There may be an honest difference of understanding of what we did agree to. I will concede without hesitation that we were seeking to try to find some way in which we could get a solid and useful report before the House.

In the end, we did not succeed but I must say categorically, because my friend put it categorically, that his recollection of what we agreed is not mine.

Mr. Rompkey: On a point of order, Mr. Speaker.

The Acting Speaker (Mr. DeBlois): I am not sure that the hon. member has a point of order. I am in doubt.

Mr. Rompkey: Mr. Speaker, I just want to clarify the record. My hon. friend across the way suggested that I had said only the government can take initiatives, only the government can initiate policy and it is the responsibility of Parliament simply to review.

It is quite obviously untrue. An individual member can take initiatives, as my friend is doing today, but let me remind the House the government controls not only the government itself, but committees.

It is very difficult for an opposition.

• (1200)

The numbers are such that the government controls not only the House but the committees. Unless the government is willing, it is extremely difficult, if not impossible, for the opposition to initiate reviews. I suggest to you that while—

The Acting Speaker (Mr. DeBlois): Order, please. The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(1), the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[*English*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

MEASURE TO ENACT

Hon. Doug Lewis (Solicitor General of Canada) moved that Bill C-36, an act respecting corrections and the conditional release and detention of offenders and to establish the office of Correctional Investigator, be read the second time and referred to Legislative Committee G.

He said: Mr. Speaker, I am pleased to stand in the House today to speak on second reading of Bill C-36 which will create the new Corrections and Conditional Release Act.

There are few issues more emotionally charged or of greater concern to Canadians than that which is at the very heart of this bill, crime and public safety. The need for government action in this area has become increasingly apparent in recent years as public sentiment has been aroused across the country.

Increasing violence in our streets, much publicized abuse and just plain stupid errors in our criminal justice system have aroused considerable and justifiable anger and apprehension among many Canadians. In a nutshell, public confidence in the system's ability to protect society has been severely undermined. There is a very real and disturbing perception within society that the balance is all wrong.

As well, particular public attention is directed to the plight of victims who are perceived as being victimized twice, once by the offender and then by an uncaring system.

This bill seeks to address these perceptions by dealing clearly and forcefully with the issue of public safety. We have made public safety the number one principle in this bill.

[*Translation*]

The interpretation of this one important principle is this—if the release of an offender threatens society, the offender will not be released. The government wants to get a message to two groups. First of all, the government wants to assure the public that from this point forward, they, instead of offenders, will get the benefit of the doubt. The government also wants to send a strong message to all those who work in the parole and prison system that law-abiding citizens come first and that at no time should public safety be put in jeopardy.

Now having said all that, I want to turn briefly, for the record, to explain who is responsible for what in this complex and huge process known as the criminal justice system.

First of all, as Solicitor General, I am the minister responsible for a number of federal agencies but most important and of direct relevance to this bill and the criminal justice system, I am the minister responsible for the Correctional Service of Canada and the National Parole Board. To make the point, I am responsible for criminals after they have been sentenced by a court, and my colleague, the Minister of Justice, is responsible for the Criminal Code and the development of sentencing procedures, both of which are administered by the provinces through the provincial court system.

Members will realize that a great many of the proposals which are in Bill C-36 were put forward last year in the consultation document or Green Paper that was widely distributed called "Directions for Reform".

This document was jointly released in July 1990 by the then Solicitor General, Pierre Cadieux, and by the Minister of Justice, Kim Campbell.

[*English*]

As well, the bill reflects the recommendations of the June 1991 report of the Standing Committee on Justice and the Solicitor General on Bill C-67.

[*Translation*]

This bill contains significant changes concerning parole.

It may come as a surprise to many members—because it certainly surprised me—to learn that this bill represents the first comprehensive review of correctional legislation since the Penitentiary Act was passed 123 years ago.

[*English*]

The proposals set down in this bill come at the end of a prolonged period of study, evaluation and consultation. They are the product of experience. Some of that experience, tragically, is the result of miscalculation, misadventure and the slow widening of deep cracks between components of the criminal justice system.

Historically we have turned away, as we have had to turn away, from prison regimes that produced riots, unending bitterness and an inmate code of permanent non-co-operation. A prison system that represents neither justice nor humanity will not transmit our values to inmates and therefore cannot protect the public.

While we have placed a properly needed emphasis on rehabilitation, we have also seen the development of some very serious deficiencies which have led to some horrific and tragic results. Much work has been done to correct this and we believe the bill has achieved the right balance. Now is the time to act with resolve and dispatch and to take the very best the present system has to offer and mix it with these necessary reforms.

We will put into place a corrections system that will not only protect the public but will serve to rehabilitate and assist those who can be helped. It is a tall order and we think we have it right.

Let me briefly explain the bill, which I concede is complex and not an easily understood piece of work.

Bill C-36 is in three parts.

Part I sets out correctional legislation and is a modernization and a replacement of the Penitentiary Act. In

essence this section provides the prison service, known as the Correctional Service of Canada, with its operating mandate and its rules of operation.

Part II defines the system of parole and the operation of the Parole Board. It will replace the Parole Act.

Part III establishes the office of the correctional investigator in law.

I anticipate that part II, which deals with conditional release, will be of most interest to the House. However, before turning to the provisions of part II, I would like to deal in a little more detail with the essentials of part I and part III.

As I said before, part I tells us how the correctional service will operate and under what rules. It is a complete modernization of correctional legislation, representing a decade of intensive work in collaboration with voluntary and professional groups, judges, Crown attorneys, the police and provincial governments. It reflects recent jurisprudence and the impact of the Canadian Charter of Rights and Freedoms.

Part I also sets out a very important guiding principle, the protection of the public within its statement of principles of correctional law.

• (1210)

Along with this all important principle, protection of the public, there are a number of other principles enunciated in the bill: staff powers, the right of search and seizure, inmate rights, procedural safeguards , principles that compel the different parts of the justice system to stay in touch. Understanding this part of the bill is essential to understanding the entire bill. It is important to emphasize that the principle of protection of the public is fundamental.

Part III of the bill at long last establishes the position and mandate of the correctional investigator in law. Since 1973 this office has operated under part II of the Inquiries Act. Part III clearly describes the correctional investigator's mandate, investigative powers and procedures, which are essentially to act on behalf of inmates who feel that they have been dealt an injustice while they are within the corrections system.

The correctional investigator will have full discretion in determining when and how an investigation will be conducted. The bill establishes the power to hold hearings, the right of access to information and documents, authority to examine persons under oath, and access to correctional premises as required.

In general terms part II of the bill will toughen the existing rules of eligibility for parole, in particular in relation to violent offences, serious drug offences and sexual offences against children. However, as a necessary balance, first time, non-violent offenders will have a chance to gain regular parole when they are first eligible at one-third of their sentence.

It is a curious truth that sometimes society is better protected by moving certain offenders through the system and out of prison faster rather than leaving them behind bars where hope, job prospects and family support can fade away all too quickly. The rationale for doing this, while well supported as a rehabilitative measure, will also allow us to free up almost $1 billion which we spend each year to lock people up. By doing so we can place a greater emphasis on keeping the violent and dangerous offenders behind bars longer. Again, as in part I the protection of the public is the paramount principle.

Since the proposed changes to the different types of conditional release are not easily comprehensible without reference to the existing system, let me quickly set out its fundamentals.

Currently offenders receiving a sentence of more than two years will normally serve their sentence in a federal penitentiary. Under the old system an inmate was eligible for day parole and unescorted absences at one-sixth of sentence, full parole at one-third of sentence and release on mandatory supervision at two-thirds of the sentence. Escorted temporary absences could also be granted from the start of the sentence, although this was rare and release on mandatory supervision could be denied through the operation of a review hearing established under Bill C-67 in 1986.

Most of these provisions in the bill have been altered to reflect our commitment to deal more severely and effectively with violent offenders. We believe that the release for most offenders at one-sixth of a sentence is simply too soon. We propose therefore that the minimum time in prison before consideration for day parole

be set at six months before the normal full parole eligibility date of one-third of sentence.

Furthermore, the purpose of day parole would be limited to preparation for eventual release. Other activities, such as training, attendance at educational or health related programs or work detail, would be transferred to the temporary absence program where release periods are shorter and supervision more intense.

With this change, for example, the minimum possible time in prison for a six-year sentence would be 18 months instead of 12 months. For a nine-year sentence the minimum to be served in prison would be 30 months rather than 18 months. Those serving sentences of three years or less would be unaffected.

The unescorted temporary absence regime will be changed to alter the emphasis from preparation for release to programming and training. Maximum security inmates will not be eligible at all for unescorted absences. The National Parole Board will be responsible for conditional release decisions respecting lifers, schedule offenders and detained offenders who have been classified to other levels.

Additionally we believe that the court, having heard all the evidence and having had before it the police, the victims and the expert witnesses, should not be limited in setting the over-all sentence. Therefore the government proposes a new provision called judicial determination whereby judges will be able to specify that offenders convicted of a schedule offence or a serious drug offence must serve at least half their sentence behind bars instead of the current one-third of sentence before parole review.

We do not propose this role for judges because they have demanded it or even because they favour it, but because they are best placed within the criminal justice system to say whether there should be a higher guaranteed minimum prison term in some cases. This proposal is in recognition of the fact that there is a wide gap in our sentencing and correctional system, to put the problem politely. To put it less politely, the problem under the current system is that judges are seen by the public to set a certain period of punishment and then the parole board later applies a different set of criteria that sometimes result in parole decisions that do not seem to follow the intention of the court.

I acknowledge that this provision places a burden on the courts, but it is one that they alone are equipped to fulfil and one I hope that they will not hesitate to accept and apply where warranted.

Further, I think this provision gives Canadians the assurance that the view of the court will be more accurately respected and reflects the government's view that early release may be just too early in some cases and does not, I hasten to add, signal a change in our belief that parole is an essential part of the criminal justice system.

We have signalled out some offenders for a potentially longer period of incarceration, but we believe that it is desirable that others, the first time non-violent offenders, have a final chance to show that they can and will take steps to straighten out their lives and quickly become law abiding members of society.

This group is the one already most likely to benefit from release on parole at the earlier date, but unfortunately the failure to release them is too often the result of the complexity of the bureaucratic process of determining parole rather than the merits of the case.

Therefore this bill proposes a new provision to the House to be called accelerated review which would set out a more efficient review process for eligible offenders. The process would work in the following way. There would be in the first instance a review of the files by one parole board member accompanied by the recommendation of correction officials. The essential criteria, as with everything in the bill, would be public safety and whether or not the offender has the potential to commit a violent crime if released.

If an offender were accepted under this process release on parole would take place at exactly one-third of sentence. If during the accelerated review, evidence were put forward suggesting that even though the offender was not serving time for a violent offence the potential for a violent offence was there, then the offender would be referred to a full panel hearing for a decision in the normal way. Evidence of the potential for violence might be suggested by a previous conviction which did not result in a penitentiary sentence, behaviour while in prison, or any other factor relevant to future behaviour.

It is important to remind the House at this point that release on parole is not a right but is a privilege to be earned. Parole is a form of conditional release, meaning that any release must be accompanied by supervision and strict conditions which relate to the original crime, the parole location, persons not to be associated with or provisions relating to the use of drug and alcohol. Violation of these conditions may mean a return to prison and future parole determined by a full and very sceptical panel.

• (1220)

The next important changes being put to the House are in the regime currently known as mandatory supervision. Earned remission has with the years become virtually automatic. Other disciplinary procedures such as loss of privileges or confinement in segregation have proven more immediate and more effective.

The Bill C-67 regime itself is an incentive to good behaviour because the potential lengthening of the sentence through absolute denial of remission is far more drastic for the inmate than a slight reduction in earned remission. In effect the entire earned remission scheme has evolved to a point where it is unnecessary and release at two-thirds of the sentence is almost automatic, with the very important exception of the detention provisions.

Offenders on mandatory supervision who violate the conditions of release are of course returned to custody. The first proposal therefore is to recognize the evolution of the system and accept that earned remission has become effectively statutory. Recognizing this formally means a shifting of resources to the programming, classification, parole supervision and security activities which can directly enhance the security of the public.

Second, I propose a further modification of the detention provisions to include serious drug offences which are set out in schedule II to the bill. It is our government's view that the major drug offences, trafficking and importing, for example, do enormous physical harm to Canadians. This violence which often may end in the death of a person is no less violent because it is indirect. Offenders convicted of serious drug crimes will be liable to a hearing if by virtue of their past record continuing associations or links to the prison drug trade it is likely that they would return to the active participation in the illicit drug market.

These same offences, as I described earlier, will also make the offender liable under the judicial determination provision to having parole eligibility set at one-half of the sentence.

Compare this to the present system with the possibility of day parole at one-sixth of the sentence and a very good chance of parole at one-third. Drug offenders often have external characteristics which might suggest good parole performance and release at two-thirds is almost a certainty unless a crime of violence was also committed. The reality is quite different and this amendment recognizes the very real harm that is done to society.

I also want to announce in connection with detention that the government will be adding five new offences to schedule I, all directly related to sexual offences against children. The offences are: incest, invitation to sexual touching, sexual exploitation, anal intercourse and oral intercourse. Adding these offences to the schedule not only means that the offenders could be detained if the harm done and possible repetition were serious, but the offenders would be liable to the imposition by the judge of parole eligibility at one-half the sentence instead of one-third and would not be eligible for the accelerated review process which I described a minute ago.

I would like to turn my attention to the victims of crime. As I said at the beginning of my speech, I believe that victims are often victimized twice: once by the criminal and again by a system that is unable to recognize the trauma and the suffering that they endure. What we are proposing is a fundamental change in favour of victims' rights. As I have set out, the different forms of temporary release and conditional release will continue to be a key element in the reintegration of the offender in society.

However, in the past our justice system has not given enough attention to the anxiety of victims who frequently cannot legally be given information which is essential to their peace of mind and cannot be sure that their voice will be heard once a trial is over.

There are therefore several changes to the operation of the National Parole Board and the Correctional Service that deal with openness of the system and go to the heart of what the victims want.

Provisions I am going to describe add up to the first formal recognition of victims as legitimate and real players in the parole system's decision-making process.

I want to say that I am very pleased to bring forward these provisions. Currently if the victim of a crime writes to me or to the board and asks that a victim impact statement be put before the board, I cannot guarantee that is going to be done. Statements are considered a matter of policy only.

If the request is to attend the Parole Board hearing, the inmate has the right of veto. If the request is to find out when or where or under what circumstances and conditions an inmate will be released, the Privacy Act will frequently prevent a disclosure.

Under part II of the bill these provisions will be changed. In future, the National Parole Board panel that is hearing a case will determine who may attend. The inmate will be consulted but will not have a veto. With the passage of the bill, victims will be entitled to have their statements become part of the inmate file on which the hearing will be based.

Currently, very little information can be released even to victims who want to know if an offender is likely to be released. We are unable because of the Privacy Act even to assure a victim that the offender will not be released, which is frequently the case.

Under this bill, if a victim contacts the board or CSC and asks to be kept informed, he or she can be informed of the release eligibility date, the hearing date, the offender's destination and any conditions imposed. This will apply to temporary absences as well as conditional release decisions.

In addition, the board will maintain a decision register containing information on board decisions and reasons for those decisions. Together, these measures will give victims information about hearings that are relevant to them and contribute to informing the public about parole.

I want to mention one last thing before beginning my concluding remarks and that is the issue of paperwork. Paperwork, whether we like it or not, is at the heart of this very large and sometimes very cumbersome system. With such diverse groups as the courts, the police, parole officers and provincial agencies all working as part of the criminal justice system, the chance for error can be very real. As we know, they can be deadly.

Everywhere in this bill, the emphasis is on the requirement that accurate and complete information be obtained and exchanged between the various elements of the criminal justice system.

There is a requirement that courts provide reasons for sentencing to the correctional system, and that all information collected by the Correction Service of Canada and the National Parole Board be shared.

This will help to ensure an end to those tragic instances in which a failure to keep files complete has led to escape from custody and even murder.

The changes proposed in this bill also complement others currently under way. As members will know, the prison for women in Kingston is being closed. The process for choosing sites for the regional centres that will replace others is advanced. Other changes are being developed as part of the response to the task force on federally sentenced women. Action is also advanced on many initiatives respecting aboriginal offenders, and correctional programming for them is rapidly expanding.

Certain provisions of this bill will facilitate progress on these files but much is under way already.

As I said earlier, this bill constitutes one part of the program set out in the consultation document *Directions for Reform*. When reinforced by sentencing legislation currently in preparation by the Minister of Justice, we will have reformed the criminal justice system from sentencing through to the end of the penitentiary sentence. This is no small feat and it is an issue that I am sure will go a long way toward restoring sagging public confidence in our criminal justice system.

Finally in closing, let me say that I am anxious to work with members from all sides of the House to have as full and effective a committee process as possible. I know that the justice and solicitor general committee members will be thorough, thoughtful and constructive when considering this bill.

• (1230)

I have told everyone I have met, including those many groups I have spoken with, that I sincerely want an informed discussion to take place on this bill. I want the best possible product to come forward from this process.

Therefore I appreciate that the motion was to send it to a legislative committee, but I would think that perhaps at some other time it might be appropriate for the House leader, in conjunction with the opposition leaders, instead to refer this bill to the Standing Committee on Justice and the Solicitor General. I am sure members from all parties with their backgrounds will give the bill a very full hearing. We contemplate the calling of witnesses, a very detailed clause by clause examination, and the bill coming back to this House a refined product benefiting all Canadians and speaking to the public safety of all Canadians.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I appreciate the opportunity to make submissions on Bill C-36, an act respecting corrections and the conditional release and detention of offenders and to establish the office of correctional investigators.

I suppose an editorial headline in a newspaper in Ontario, the *Whig Standard* sums it up: "The parole system overhaul a big scam on public". That is the headline of an article written on October 12, 1991.

I have been the solicitor general spokesman for the Official Opposition for the last seven years and you will have to forgive me for my cynicism and the cynicism of a great number of people interested in criminal law reform when we approach this particular government initiative with considerable scepticism.

This is the third attempt or the third time this government over the last seven years has said or announced to much fanfare that it intends to reform the criminal justice system. I remember about three years ago, it was just a few months before the general election campaign in November 1988, one of my friend's predecessors, Mr. Kelleher, had a huge press conference at the press theatre on Wellington Street and announced parole reform.

Many of the same or similar headlines were in newspapers right across the country: "The government intends to get tough on parole", "The government intends to change the parole system".

What happened to that legislation? Nothing. Absolutely nothing. It was not even introduced in the House of Commons and it appears obvious now that what the government was engaged in was a public relations scam. What the government is doing this week is again trying to manipulate the process and it is involved in a public relations scam again.

This is crime prevention week. Crime prevention week has been in effect for close to 10 years. It is a week set aside by municipalities and police forces right across the country to focus attention on matters affecting crime prevention.

This government has chosen this week to debate and discuss a number of different pieces of legislation affecting the criminal justice system. We have to ask why the government waited so long. Why has it waited seven years before bringing in legislation to deal with the criminal justice system?

I will speak more specifically about the legislation before the House but before doing so I have to call into question the government's credibility, its sincerity and commitment to meaningful criminal law reform, given its track record over the last seven years.

We know that this government is desperate. The government's popularity is at an all-time low. We know that the Reform Party is now a more popular political party than the governing party. This government is trying to do whatever possible to try to gain some public support. As part of that desperate attempt to gain some public support, it has decided to bring in a series of law and order pieces of legislation, at least to bring them forward this week when a lot of these bills have been on the Order Paper, have been discussed and debated at committee for the last seven years. All of a sudden the government decides that it is going to bring this legislation forward this week.

At the very same time it claims to be committed to criminal law reform, what does the government do? It cuts $2 million in funding for crime prevention week. This week is crime prevention week and this government has decided to axe $2 million.

It is fine for the Prime Minister to go abroad as a buffoon, whether it is in the Caribbean or elsewhere, and write off multimillion dollar loans and grants to other countries. It is fine for the Prime Minister to say that and to try to score some cheap political points overseas, and yet when it comes to programs in Canada that have had a positive effect, the government decides to be chintzy in cutting $2 million from crime prevention week. Groups

right across this country see right through this government's agenda and they have justifiably criticized in a very severe fashion the federal government's credibility and commitment to crime prevention. On one hand, the minister stands in his place today and says: "We are concerned and we are moving with dispatch and resolve", and on the other hand the government has cut $2 million for crime prevention week.

It was a Liberal government that started this program in 1983. It has been extremely successful. Municipalities and police forces right across Canada have come to rely on this federal funding in order to increase the profile of crime prevention week, and here the government cuts it back, totally eliminates $2 million in funding for crime prevention week.

I would like to comment briefly on the government's approach to criminal law reform. Over the last seven years this government has ad libbed its way through criminal law reform. It does not have an over-all plan to fundamentally change or reform the criminal justice system in Canada. The government is in a piecemeal fashion addressing problems, attempting to resolve problems, as they arise in the criminal justice system.

When one considers the legislation presently before the House, a number of bills are not here as a result of an initiative by the Government of Canada. The bills are before the House because the Supreme Court of Canada, in a decision or in a number of decisions, has said to the Government of Canada that it had better start acting, it is a legislator and it is essential that it deal with certain aspects of the criminal justice system.

For example, we have before the House on the Order Paper legislation that deals with the criminally insane. The law was struck down in May by the Supreme Court of Canada. The Supreme Court said to the Minister of Justice: "You have until November 1 to bring in new legislation in order for it to comply with the Charter of Rights and Freedoms". The government obviously had to act. It introduced a bill. It did not act quickly enough and then it had to go, cap in hand, back to the Supreme Court of Canada for an extension. Now the Supreme Court has granted an extension.

• (1240)

The point I am making is that in the area dealing with the criminally insane, the Law Reform Commission over 10 years ago recommended changes. There was a bill some four or five years ago that was considered, and yet nothing happened until the Supreme Court of Canada in effect instructed this Parliament to act with regard to a law dealing with the criminally insane.

Regarding the rape shield law, another piece of legislation or at least a proposed piece of legislation, why is the government acting? Not because it took the initiative and said we have to reform this aspect of criminal law in Canada, but because the Supreme Court of Canada rendered a decision considered to be an inequitable result, a result that does not meet with favour with a great majority of Canadians. The government again has to act in this particular area.

With respect to matters dealing with young offenders, it is not because the government has taken the initiative and has said it wants to reform the law as it applies to young offenders, but rather it is responding to public concern. The minister admitted in his place today that what has sparked the introduction of this bill in the House is not the government's leadership, it is not the government's initiative, but it is because the public is pushing the government into acting and acting swiftly.

Some four or five years ago this Parliament was recalled in the middle of summer to pass Bill C-67, the gating bill, to deal with gating or issuing detention orders. Again, it was not because this government took the initiative and provided the necessary leadership, it was because the public was pushing the government to act. We on this side of the House have been pushing the last seven years for the government to act. I was on the justice committee, and I note that the present chairman of the justice committee is present in the House today. He was on that committee as well.

In the spring of 1987 we began a comprehensive review of the criminal justice system in Canada. The committee reported in August 1988. The title of this report is "Taking Responsibility". It cost taxpayers hundreds of thousands of dollars. This report of the justice committee, which was tabled in this House, had 97 recommendations for reform. It was well received in the criminal justice community across the country. What has it been doing over the last four years? It has been sitting on the minister's desk gathering dust. The government has done absolutely nothing over the last three or four years with this expensive piece of work by the justice committee.

Now the minister comes forward and says: "Well, we want you to do it all over again, we want to send this matter back to committee". The pushing has not only

come from the public and those interested in criminal law reform, but also from a standing committee of this House which has, over the last seven years that I have been a member of that committee, repeatedly demanded that the government take some action with regard to criminal law reform.

At the end of it all, here we are in November 1991 at the beginning of crime prevention week and the government says: "Well, we are taking the initiative, we are going to provide the leadership, and look at what we are doing. All week long we are going to be introducing and discussing and debating changes to the criminal justice system".

That is absolutely no way to deal with criminal law reform; a cynical, manipulative, public relations-driven way of trying to score some cheap political points in the middle of crime prevention week to pretend to the public that this government is concerned about criminal law reform.

I refer back to the headline "Parole System Overhaul a Big Scam on the Public".

Bill C-36 is certainly a lengthy bill. As we can see here and as the minister said, it is complicated legislation. I carefully read this a number of times and I have come to the conclusion that again, as was the proposal in the fall of 1988, it is tinkering. It is tinkering with the criminal justice system. This government has no over-all comprehensive plan to deal with criminal law reform in this country. Again, it is an example of the government ad libbing its way, almost with a blindfold on, ad libbing its way through criminal law reform when what is necessary in this country is some fundamental reform. I am afraid that this government has not approached the problem in a comprehensive way.

The minister says his counterpart, the Minister of Justice, will be introducing legislation dealing with sentencing reform. With all due respect to the Solicitor General, how can the legislative committee or the justice committee that will be dealing with Bill C-36, and the witnesses that appear before the committee, adequately and intelligently deal with reform of the parole system without looking at sentencing reform at the same time?

Therefore, what we have here is only half the package. Correctional law reform is only half of the package because it only deals with people once a judge sentences an offender to a period of incarceration. What we need is the other half of the package at the same time so we can move forward together with a comprehensive proposal and we can look at the sentencing structure in Canada, look at some of the very good recommendations that were made in this report *Taking Responsibility* and to look at ways of changing the system so that the public in Canada starts having some respect and confidence in the criminal justice system.

The sad reality is that today the public has very little, if any respect at all or confidence in the criminal justice system. Is it any wonder when you pick up the morning paper and read about the latest murder or the latest rape or robbery in your particular community?

I picked up *The Toronto Star* this morning, and what are the headlines? "Disabled man slain by intruder in home". The lead paragraph states: "A partly paralyzed North York man was beaten to death in his bedroom by an intruder as his elderly wife ran for help".

A headline right beside it: "Motel guest found by maid is metro's 74th homicide", 74 homicides this year compared to 46 murders at this time last year.

The public is justifiably alarmed at what is happening in our communities and in particular in metropolitan Toronto. I represent a riding in west metro, and my constituents have told me time and time again, and more so now, that they are afraid of what is happening in our community.

Just down the street, a few doors away from my constituency office a few days ago a couple of people walked into an after hours club and shot and killed two people. We see that day in and day out in Toronto, Vancouver, Calgary, Edmonton, Halifax. The crime rate is increasing. People are becoming afraid to walk in their own communities. Women in particular are afraid to walk in the evenings. If you will recall, it used to be a concern walking in downtown Toronto in the evening. Now people are afraid to walk in their own communities. They are afraid to take an evening stroll after dinner in their own community because of a fear that something may happen.

In a community not far from where I live, a business woman by the name of Caroline Case has gone missing. She disappeared a number of weeks ago and foul play is suspected there. I can say that my wife and other people

in our community are afraid to walk alone at night and in fact are afraid to walk in groups.

There is a fear out there, a concern that the criminal justice system is not working. Whether it is justifiable or not, whether the evidence supports the perception that there is an increase in crime and a lack of feeling of security, whether it is justified or not, the reality is that people are afraid. The people are looking to governments, whether it is municipal, provincial or federal governments, to take action immediately in order to at least show them that legislators care about what is happening.

• (1250)

Yet we in this Chamber seem to be preoccupied with the Constitution, Meech Lake here and Meech Lake there, Constitution here and Constitution there. The reality is most people just do not care about the Constitution. They just do not care about constitutional reform.

What they would rather see is this Chamber and members of Parliament talking about the real issues that are of concern to people. They want to see a preoccupation in this House with economic concerns. People want to get back to work. That is one of the key issues that people are concerned about.

The other key issue is crime, law and order. They want to see this government, they want to see legislators, parliamentarians, politicians standing up and talking about issues of real concern to people, rather than simply taking crime prevention week as an opportunity to highlight a problem and then come Friday afternoon all the MPs will board their planes, buses and leave this place and the issue again will be buried on the Order Paper.

Criminal justice reform should be on the agenda every day in this House as long as people are concerned about what is happening on the streets in urban centres and even in rural areas right across the country. Toronto this year will set a record in terms of the number of homicides. As of today there have been 74 homicides in Toronto compared to 46 last year. We are breaking records in metro Toronto. The previous record for murders in metropolitan Toronto was 60 for all of 1987. We are already at 74 murders and we still have two months to go in metro Toronto.

The police estimate that there will be anywhere from 75 to 100 murders this year. We are looking at 25 more people who are living and breathing today who will be murdered, who will be killed over the next two months in metropolitan Toronto alone.

Toronto is number three in per capita violent crimes in Canada. Violent crimes are up 22 per cent so far this year. Some blame the rise in crime on drugs and the proliferation of guns in metropolitan Toronto. I spoke a little earlier about how people feel about walking in the evening. According to a recent poll 56 per cent of women are afraid to walk the streets at night alone. We are talking about streets in their own community and 75 per cent feel that the courts are far too lenient with criminals.

The point is that the public does not have confidence in the criminal justice system, that there is a concern out there and the concern is that the government is not doing what is necessary in order to deal with the problem.

I indicated that the government was not taking a comprehensive approach to criminal law reform and in fact was tinkering with the system. For example, the government by introducing this legislation has accepted that parole should remain a feature of our criminal justice system in Canada. It has not addressed the question of whether or not we should abolish parole all together, as has been done in jurisdictions outside of this country, in particular south of the border in the United States. Should we carry on with parole as we know it today?

I do not believe that we should carry on with the parole system that we have. This government has already accepted that rather than abolishing parole all together, it wants to retain it, tinker with it a bit to change the time periods. This government has not addressed the whole concept of mandatory supervision.

If I can just take a moment to talk about mandatory supervision, I support the complete abolition of mandatory supervision, and let me explain why.

Right now in Canada, if an individual is sentenced to a period of incarceration, they become eligible for day parole after serving a sixth of their sentence. They become eligible for full parole subject to certain exceptions after serving a third of their sentence, and they are automatically released subject to certain exceptions

after serving two-thirds. That is called mandatory supervision.

Even though a judge says that this person is to serve nine years for an armed robbery or a violent offence, the law says that this person should be released after serving only six years, unless the government can show that a detention order should be issued to keep the person detained longer.

When we deal with those who are considered for mandatory supervision, we are dealing with the worst offenders. We are dealing with the bad apples in the system. It is these individuals who cannot convince the Parole Board that they should be released any earlier.

In fact, they are automatically released by operation of law. It does not make any sense at all. Again, is it any wonder that people do not have confidence in the criminal justice system. You have to ask yourself, Mr. Speaker, when you consider these time periods—one-sixth, one-third, one-half—what is the scientific rationale or the reasons why these time periods have been pulled out of a hat to say: "Someone should become eligible for full parole after serving one-third of their sentence".

The government now is saying: "For certain offenders, they should serve at least a half". Why?

An hon. member: There is no real supervision.

Mr. Nunziata: As my colleague says, there is no real supervision once inmates are released on mandatory supervision.

The whole concept of mandatory supervision is an experiment that has failed. It was introduced by a Liberal government over 10 years ago. It just does not work. People confuse it with parole when in fact it is not parole.

This government should have read the writing on the wall and abolished it altogether. That will be one of the amendments that the Liberal Party proposes at committee.

With regard to parole itself, the Law Reform Commission in Canada, a number of very prominent criminal lawyers in Canada, a number of groups and organizations in the criminal justice system have recommended the abolition of parole. It is a far-reaching proposal, but it is a proposal that makes a lot of sense because right now the whole system is warped.

Judges sentence individuals not because of the crime they committed. They sentence individuals trying to take into consideration when the individual might be released on parole and for that reason, the sentencing system in Canada has gone haywire. There is no rhyme or reason to it.

What has been recommended in the proposal that I support is the abolition of parole with some release period, say six months before release that the person be released into the community in order to reintegrate, that that be part of the sentence, that sentencing be reformed so that rather than handing out a nine-year sentence and people only serve five years, let us make the sentence more realistic and bring sentencing in line with reality and inject some certainty.

I note that I have just a few more minutes to talk about the particulars of this legislation. I would like to start talking about some of the specific provisions of this bill.

We will support this bill going to a legislative committee or the justice committee. We support that proposal because a body of expertise has developed. There are a number of members of the justice committee who have been there for a number of years.

We do not support a full blown cross-country tour in order to reacquaint ourselves with the problem. We know what the problems are. We already spent over a year putting this report together. A lot of good work went into this piece of work, and we believe this should form the basis of the committee's consideration.

We look forward to this bill going to committee. This party, the Official Opposition, will be moving a significant number of amendments. We will be asking the more general questions about parole, for example, and whether or not we should continue to hang on to the parole system in Canada. We will listen attentively to groups that appear before the committee. We will also consider some of the specific provisions in Bill C-36, first with regard to the first item that is listened on the government's propaganda here. It says: "Protection of the public will now be the paramount consideration in all decisions relating to the treatment and release of inmates".

• (1300)

What is new, as my colleague asks? Protection of the public will now be the paramount consideration. Has it not always been the paramount consideration? If it has

not been then something is pretty screwy when it comes to the parole system or the penitentiary system in Canada. Yet the government makes it its first highlight as if something new is about to be introduced, that the protection of the public will now be the paramount consideration.

The second point the government highlights is the role of victims in the system. For a number of years I and my colleagues on this side of the House have pressed for more involvement by victims as well as for victims' rights. Victims simply did not have any rights in the criminal justice system. The system was too heavily weighted in favour of the offender. Finally the government is listening, but it has not listened completely.

The government has indicated that victims will be kept informed of an offender's prison and parole status. This is a good point. Information from victims can be considered at a parole hearing. We say it should be considered, not that there should be discretion, if a victim or the families of a victim want to be considered. Then the government says: "Victims can attend a parole hearing at the discretion of the parole board." We ask: "Why should it be at the discretion of the parole board?" At present, it is at the discretion, believe it not, of the offender. The person who is seeking parole, up until now, decides whether or not the victim or the families of the victim can appear before the parole board hearing.

The government says: "We will move a little in the direction of victims and will allow victims to appear or for their submissions to be considered at the discretion of the parole board". We on this side of the House say that the victim should have an absolute right to appear before parole board hearings to make submissions. We also say, and we will be moving amendments accordingly, the parole hearing process should be opened up to the public and to the media.

Right now, the parole system is a system which is behind the scenes. It is a private little affair between the parole board, the offender and a caseworker at a penitentiary. What we say, on this side of the House, is that the system should be open, just as a court case, a criminal trial, is open to the public. In order for there to be confidence in the system, the parole board hearings should be completely open and public so that anyone who wishes to attend can attend and that certain people, and in particular the victims of crimes and/or their families, have the option to attend if they so wish to attend.

A few years ago, I had a call from a constituent who had been raped in her community. She went into the local grocery store to do some grocery shopping. She paid her bill, turned around and who was standing behind her in line but the person who raped her. He had been, just a few weeks earlier, released on parole. If there was an open system where the victim had a right to be represented at parole board hearings that would not have happened. If this person qualified for parole at all, the parole board, in this particular case, as a condition of parole, surely should have said: "You are not to go back into the community where you committed the crime". Surely that should have been a condition. If this woman would have had the opportunity to appear before the National Parole Board, she would have done, and she would have made those submissions

We also have the case of John Rallo who is now in a federal penitentiary. He murdered his wife and two children. He was convicted of three counts of first degree murder. He has served about 14 years of his term. A few months ago, he was seen in the Hamilton area. The parents of the murdered woman were told by others that this John Rallo character was in the community. He was released on day passes. The parents of the murder victim, the grandparents of the two children, did not have an opportunity to appear before the National Parole Board to say that this person ought not to be released. This person, John Rallo, still has not admitted to the crimes, still will not co-operate with the police to indicate where the body of one of the young children was stashed or buried, or whatever. Yet the person is released on day parole. Is it any wonder there is so little confidence in the criminal justice system? If parole board hearings were opened up, that would not happen in the future.

We will be moving amendments with regard to parole eligibility. We will be moving amendments with regard to comprehensive reform of the parole system and the abolition of mandatory supervision.

With regard to the specific provision of the government to delay parole eligibility to one-half of the sentence for those inmates who are violent offenders and serious drug offenders, the government proposes to leave this up to judges to determine. Right now, inmates are eligible for full parole after serving a third of their sentences. What the government says is: "For certain

individuals, leave it up to the judges to decide whether or not these people should have to serve one-half their sentences".

At the very least, it should be mandatory. Rather than giving more discretion to judges when it comes to parole eligibility, there should be less discretion and as a matter of law, if that is the direction we are going, then people who commit certain violent offences and serious drug offences, should be denied parole automatically until they have served at least one-half of their sentence.

We will be proposing a number of other amendments at committee. Some of the provisions in this bill are provisions that we have been pressing for the last seven years, and we will support those provisions. We will be insisting that this government take a comprehensive approach to the problem of criminal law reform. We will want to have all the legislation, all the different aspects of the criminal justice system considered at the same time in order to show that we are serious about what we are doing. We will ask, for example, for a single streamlined system when it comes to corrections in Canada.

Right now there are two systems of penitentiaries, or prison systems, in Canada. If one is sentenced for a crime and the sentence is two years or less, then one serves the time in a provincial penitentiary. If the sentence is two years or more, the time is served in a federal penitentiary. It makes absolutely no sense at all. It is time that the federal and provincial governments get together to introduce a streamlined system so there is a single penitentiary system in Canada. It is an area that has not been dealt with by this government in this bill and we believe that there should be some further co-operation in that regard.

As you know, Mr. Speaker, criminal law is a federal responsibility. The administration of justice is a provincial responsibility. Again we believe that in certain areas there can be some streamlining in order to better deliver criminal justice in Canada.

In conclusion, let me say that the Liberal Party intends to support, in principle, this legislation, not because we support the details of this legislation but because we believe that it is high time this government moves ahead with criminal law reform. A great number of us will be participating at committee. We will be participating in second reading debate. A number of my colleagues will also be speaking. We will be introducing amendments which we believe will make this bill better. We will be introducing amendments which we believe will go a long way in allowing the Canadian public to once again have some confidence and respect and support for the criminal justice system.

• (1310)

Mr. Derek Blackburn (Brant): Mr. Speaker, I am also pleased to participate in this debate today at second reading of Bill C-36 known as the corrections and conditional release act.

I hope I can present a more positive critique of this bill than the previous speaker and I will try not to indulge in the cynicism to which we just listened.

The criminal justice system in this country certainly is not perfect but then again it is not perfect in any jurisdiction of which I am aware. When we are dealing with the criminal elements in our society, particularly the violent criminal elements, it is extremely difficult to balance what is fair, what constitutes, first of all, safety to society and what also provides rehabilitation of those who have committed the offences.

We have to take a long, hard look at what we are attempting to do. There are no fast fixes. There are no easy solutions. The previous speaker made reference to the fact that in the United States they have done away with parole and mandatory supervision.

Let us look briefly at the situation in the United States of America which is statistically the most violent country in the western industrialized world. It is manifestly clear to me, and I think most experts—and I am not one—that the problem of crime in society cannot be solved by simply extending sentences or denying parole or mandatory supervision. If that was the case, the United States should have one of the lowest crime rates in the western world. Instead its prisons are bulging and it has just introduced a bill in Congress which will cost the American taxpayers $25 billion to build new penitentiaries. Yet the crime rate, the murder rate, the rate of rape and violent assault in that country is going up and up and up as the prisons get bigger and bigger and bigger.

It is not a quick fix. By simply extending the sentences and removing the criminals from society, the problem of violence in our society is not being solved. It is manifestly clear that we are not doing that.

We support and always have supported the number one principle of public safety in the criminal justice system: to protect the innocent. We support this bill at second reading. We hope we can improve this bill at committee but we support it at second reading.

We also agree that rehabilitation is important. We agree with the principle that even violent offenders, if we think it is safe, should be gradually released into society if it is possible. In some instances it is not. The Clifford Olson case, I think, is a prime example. There are sometimes when we, regrettably, simply have to throw the key away, as they say, in the interest of public safety.

However, that is not true in every case. The door should be left a little open where it is possible to reform and rehabilitate. We also agree with the additional offences listed in Schedule I and Schedule II to include sexual offences involving children, arson, and serious drug offenders. I am not quite sure what is meant by serious drug offenders, whether it is a quantitative thing, the amount of money involved, or the size of the illicit drug empire.

These things have to be addressed with greater resolution.

While we are on the subject of drug offences, let us not forget that there is a certain hypocrisy in this country. We talk about illicit drugs, hard drugs, heroin, crack cocaine and so on that are devastating. They are devastating to youth in particular.

Let us not forget that tobacco, which is a drug, and alcohol, which is a drug, account for the deaths of 50,000 people a year in this country. Hard-line drugs account for the deaths of approximately 350 to 400 persons. I am not accusing the government of being hypocritical, or any previous government, but that is something that some government is going to have to look at one of these days. I have had some experience as well.

I am not cynical so much as I am perhaps a bit disappointed, because we do have some really basic social problems in our society and other societies that, of course, this bill does not address. It cannot address them, I suppose. But let us not forget, Mr. Speaker, where and how violence begins in our society. Good heavens, the overwhelming majority of violent offenders in our society were born into violence. Their parents were violent. Their parents were either drug addicts or alcoholics, under-educated or non-educated or they were not raised by their parents. They were introduced to crime on the streets as teenagers or even younger. They became exposed to drugs and alcohol at an early age, illiterate, no respect for law and order or authority. These are the ones who end up in our prisons. They end up as serious violent offenders and we are left, of course, with legislating as to what we do with them and how we try to rehabilitate them.

We also, of course, have the problems of people born mentally ill, or people who become mentally ill. There is no legalistic safeguard against that except, of course, medical treatment. Then, of course, we have this whole growing problem in our society of guns, of weapons, and this is on the increase. Violent crime is on the increase in our country, and we have to do something about it. This bill goes part way toward doing something about treating the offenders as well as punishing the offenders.

I hope that the public who are watching today and the public who are reading our speeches or the editorial writers who write editorials will not confuse passing laws, statutes and regulations, with actually tackling the problems in society that create violence and that are acting as a momentum to the increase in violent crime. This bill will not do that, or it will do very little to prevent or to ameliorate that situation.

It seems that you cannot turn on television these days at any hour of the day without seeing violence portrayed on television, violence against women, sexual violence, violence against children. It seems that you cannot sell a program, you cannot get advertisers without that kind of story being portrayed in all its ugly graphics on television.

That is something else that knowledgeable people, experts, psychiatrists and psychologists in the field are telling us more and more, both in the United States and in Canada, that that kind of programming is bad for young people to be subjected to. Yet I do not see us regulating. I do not see this government or any other government bringing on stream regulations that would try to reduce that impact by regulating the kinds of programs that the young people in our country are subjected to today.

At the outset I am simply saying that in tackling the problem of violent crime in our society, it is one thing to keep prisoners in jail longer. It is one thing to add to the list of violent offenders, the types of crimes they commit. Unless this government is completely committed toward newer and better programs of rehabilitation, unless it is committed to really getting to the very core of the problem of violence in our society, it will make very, very little difference whether an offender spends one third of his time before parole or one half of his time before parole in jail.

• (1320)

Bill C-36 introduces changes to the rules of parole eligibility, making it harder for violent and sexual or drug offenders to obtain parole releases. Unescorted temporary absences will be denied to the most serious offenders. Day parole will be intended specifically for preparation for release before parole eligibility.

That may be good, but let us take a look at some of the statistics. For example, under the heading "Successful completion of escorted temporary absences" presently, without this bill, we have a 99.93 per cent success rate. Also, unescorted temporary absences, a 99.18 per cent success rate. So, let us not be in too great a hurry to throw everything out the window and start over again. Our system is working.

The unfortunate thing and the very tragic thing is that every now and then somebody gets through it and commits a heinous crime. Gingras is one very good example, Legere is another one. He was just convicted, I believe, over the weekend for murdering four people while at large. There are others. I am not saying that this is all part of the success rate. We have to think about the other 99 per cent as well.

I believe that inmates have to be gradually reintroduced into society. If you are going to throw the key away, their expiry date is still going to come. I would suggest to members of this House that it is better to try to rehabilitate, it is better to encourage inmates to rehabilitate themselves and to release as many as possible, as safely as possible. Risk management is not an exact science. Let us face it. It is not exact. But at least attempt to get as many through the system as is reasonably possible, based on all the criteria available. That is better than to keep them locked up for their full sentence, knowing they are going to come out anyway, probably in some cases animals, certainly more animalistic than they were when they went in.

The highlights of the bill have been mentioned already. I do not want to repeat them here. I want to mention the clauses of the bill that we are prepared to support and mention areas where we are convinced that change or additions have to be added on to the bill.

We support the tougher criteria of the detention provisions of the parole process, making it harder for violent criminals to get out on parole.

We support the opening of the parole process so that victims may have an input into that process.

We support the streamlining of communications between the judiciary, Corrections Canada and the National Parole Board.

While I am on this topic, I differ with the previous speaker, the hon. member for York South—Weston. I want as full a committee process as possible. I want to listen to many groups and individuals, expert and non-experts. If it means going to the west coast or the Northwest Territories or the east coast, I am going to support that.

I am going to push for that. The member said he has been a member of the justice committee for seven years. Maybe he is tired of looking at penitentiaries. I do not blame him. I was a member of the defence committee for six years and I do not want to see another naval shipyard for a while either. If he does not want to move with the committee, he can send a replacement. That is no problem there.

What we are concerned about is basic government policies with respect to the changes introduced in this bill: rehabilitation, drug and sexual offender programs, skills programs, upgrading programs and so on. Programming is very important.

I know you can take a horse to water but you cannot make it drink. I think we can do more in our system to encourage those people behind bars to take advantage of the rehabilitative process. If they do not take advantage and learn from it, that is another matter. I am convinced with greater resources, and this means more money, time, effort, commitment and personnel, it can be done. It certainly can be improved upon.

It means that resources have to be properly assessed to make absolutely certain that those resources result in the proper people being released prior to expiry and as few mistakes as possible made. There will be mistakes. I cannot argue on this side of the House and condemn the government, or any government, when a mistake is made in terms of a person going out and recommitting. As I said a moment ago, it is not an exact science. You do not know. You have not got 100 per cent proof that somebody will not recommit.

The statistics again are very interesting on this point. For example, the figure of those who are in breach of parole, that is for technical reasons, is only 18 per cent. That is a lot but they have not recommitted. Eighteen per cent of those people who are on full parole break the parole agreement and therefore are recommitted.

Twelve per cent reoffend. That is high, I know. If your son or daughter or your wife or your loved one happens to be one of the victims of that 12 per cent, it is damn serious and it is very tragic but I do not know how you establish or write a perfect system in this respect.

I want to see a greater number of National Parole Board psychologists. National Parole Board staff competence has to be improved upon, certainly in the face of allegations of massive patronage appointments of completely inexperienced, unqualified staff. We are going to have some amendments here.

It is not right that somebody who goes out and knocks on doors for a government candidate ends up on the National Parole Board as a temporary or a part-time member of that board, or ex-MPs for that matter who probably have no experience in that field at all.

I do not like the idea. I am not mentioning political parties. It can be and it usually is. When the Liberals are in, they appoint Liberals. When the Tories are in, they appoint Tories, and when my own party is in at the provincial level, we appoint too damn many New Democrats.

I am not being hypocritical on this issue. What I am saying is that people should be appointed according to their ability, their merit. Let us get rid of this old patronage system which has existed for far too long.

I said a moment ago that all parties at all levels do this. It has got to be addressed and can be addressed in this bill. There will be an amendment on that.

There should be a careful review of the details of this complex bill in committee, which I mentioned a moment ago, and the participation of members of all communities interested in and involved in the criminal justice process from a corrections and a parole point of view.

This brings me to a very vital omission in this bill. Quite a bit has been said lately about native problems in relation to the criminal justice system. We are making some progress.

The Six Nations Reserve which used to be part of my constituency now has its own police force and it is doing an excellent job.

• (1330)

We are making some progress on the law enforcement side of it. We are making very little progress on the corrections side of it.

My personal view is that we should be looking much more seriously at a separate corrections system for native offenders. I am not totally convinced yet that it should be a separate system but we should be much more serious and much more vigilant. We should be looking at it much more seriously because I am truly convinced, when you consider that aboriginals in our country make up about 2.5 per cent of the total population and yet 10 per cent of the prison population in Canada are native Canadians, that something is wrong. We are somehow not addressing the problem.

The Acting Speaker (Mr. DeBlois): The hon. member's time has now expired.

Mr. Blackburn (Brant): I was wondering if I could have three or four minutes more.

The Acting Speaker (Mr. DeBlois): Is there unanimous consent.

Some hon. members: Agreed.

Mr. Blackburn (Brant): Thank you, Mr. Speaker, and I thank my colleagues. I will finish just as quickly as possible.

The native community, I think, has to be brought into the process. I am anxious to listen to as many native community leaders as possible with respect to the correctional system and how it impacts on natives in our

system. I am also deeply concerned about women in the prison system, women offenders, and whether the programs are adequate. I do not think they are in many cases. I hope that this bill, through amendment, will have a positive impact in this category.

We are also going to have to do something about increasing the number of experts in the whole system itself. We just do not have enough trained people to work with severely disturbed inmates, severely handicapped inmates and the violent offenders.

I know that in psychiatry and in medicine and in psychology this part of their regiment and this part of their professional field is one that most shy away from. There is not much glamour and money in it and many of them treat it as an almost hopeless dead-end kind of professional practice. It does not have to be that way. We have to encourage more and better people to become involved in the correctional service and also with the National Parole Board itself.

Those are some of my concerns about this bill. I simply want to conclude by saying that there is much more I would like to have said but I do not want to indulge on the time of the House because I know my time is up. All one has to do is watch the American TV programs. Every state prosecutor and every judge who is up for re-election in New York state says: "I am tough on law and order. I put *x* number of people away behind bars. I kept *x* number of people behind bars for 20 years or 50 years or whatever it is".

Keep in mind that politicians can very easily stand up at election time or just before an election or in a pre-election period and preach the virtues of being tough with offenders in society and yet if you look at the reality and, as I said at the beginning of my speech, at the real causes of crime in our society, it is little wonder that we are really emphasizing the wrong thing.

We are not really getting to the causes of crime before it is committed. We are not trying to do something about poverty, about slums, about lack of education, violence on television, violence in the home, sexual molestation in the home. All of these things are what ultimately lead to the prosecutor, the defence attorney and the judge. We are left, we meaning the Correction Service of Canada and the Parole Board, with finding a way of trying to deal with these people so that we can bring them back into society as law-abiding, useful citizens.

Longer sentences, the absence of parole, supervision and no release before expiry, are not going to reduce the crime rate. I do not have any divine knowledge on the subject, all I have to do is look at the facts and figures before us in the media day in and day out to know that in the United States and in other countries that is not the case. You can be tough on law and order in the courts and in the jails and yet the crime rate continues to increase.

In conclusion, one of the profound ironies of the 20th century is that Europe, which gave the world two great world wars in which millions of people lost their lives, innocent civilians lost their lives, is a far safer place to live at night on the streets no matter where than the western world which has been at relative peace in the political sense, in terms of war. Violence on the streets is increasing, violence in some areas of the United States is virtually out of control and now there are indications that in our larger cities in particular in Canada, violent crime is not out of control, but it is certainly on the increase and causing the citizens of our country grave concern.

Our number one concern is public safety, but we are also very concerned that this bill does not mislead the public, certainly at second reading, into thinking that by simply passing it we are somehow going to reduce the crime rate. It is going to take a lot more than that.

Mr. John Nunziata (York South—Weston): Mr. Speaker, the member seemed to misrepresent my position with regard to parole and the whole issue of whether parole should be abolished altogether. I should remind the member that the Law Reform Commission of Canada and a number of other groups in the criminal justice area have debated and discussed the idea of the abolition of parole. A number of prominent criminal lawyers have recommended the abolition of parole. Inmate groups have also supported the abolition of parole. The inmates do not like the uncertainty that is associated with lengthy sentences and the uncertainty of when they might be released on parole.

To accompany the abolition of parole, I am sure the member will agree, and he is not misrepresenting my position, you would have to reform sentencing at the same time. Let me just take a hypothetical situation. If

we are dealing with armed robbery, the average sentence may be nine years. The average length of time served in a penitentiary may be four or five years. Those who are advocating the abolition of parole say when you abolish parole you would also bring into line sentences so that you would take the average length of time served and make that the new sentence for armed robbery, for example. The maximum sentence for armed robbery would become five years as opposed to nine years.

I am not advocating lengthier sentences in a general way in the abolition of parole but rather the abolition of parole with a reform of the sentencing structure. In certain areas sentencing ought to be reformed and sentences ought to be increased. For example, if you drink and drive in Canada and if you are convicted for the second time, you automatically serve seven days or a week in jail. There is a mandatory period of incarceration, and yet if you are caught for the second, third, fourth, fifth time and convicted of selling drugs to kids in school yards, there is no minimum sentence. It does not make any sense at all why a drug pusher should not be treated at least as severely as someone who drinks and drives.

An hon. member: At sentencing.

Mr. Nunziata: At sentencing, that is correct.

An hon. member: We should reform that too?

Mr. Nunziata: The reform should be here now. Let me close by asking the member a question with regard to the position of his party. The New Democratic Party traditionally has favoured, or its philosophy is more supporting of, inmates rather than the protection of society. What I sense from the member's submission is that he is not seeking greater rights and more lenient sentences for inmates. He is not recommending that our prisons be emptied.

There seems to be a shift in the position of the New Democratic Party toward an emphasis or priority placed on public safety and that aspect of the criminal justice system. Perhaps the member could comment.

• (1340)

Mr. Blackburn (Brant): Mr. Speaker, I thank the member for his question. I want to make a point very clear, that where we have advocated lesser sentences or greater acceleration through the prison system, is in the non-violent area. We believe, and I continue to believe, that we have far too many people in prison today who could be released and be no threat to anybody else in society. I am not saying they should be free, but we believe that they should go through the system faster, to halfway houses, do community service work, do public service work. If they are found guilty of very large frauds or serious frauds, so-called white collar crime, maybe at sentencing a prohibition of staying out of the business community for three, four, five years after release could be part of the sentence. We still maintain that there are people behind bars today who should not be there because they are non-violent and they would not be a risk to society.

We have never been opposed to being severe in our sentencing of those who are violent and those who continue to show violence while they are in the prison system. We do believe that no matter how mean or miserable a human being may be, and we are not perfect beings—and as one philosopher said, we are the only beings capable of reason and not rational beings—we still think that there is often hope that people will rehabilitate themselves and can re-enter society. Emphasis should be put on that, but not ahead of public safety and the security of law-abiding citizens, but that other process should be part of the correctional system.

That I think is very important and that is our position on it.

Mr. Dennis Mills (Broadview—Greenwood): Mr. Speaker, I would like to ask the member for clarification in his response to my colleague from York South—Weston. He seemed to be suggesting that white collar crime was not really putting society at risk, there was not as much of a danger. It seems to me that if we send out a signal that white collar crime is not as serious in the community, we tend to promote the idea that someone will tamper with this white collar crime because the sentencing is not as severe, and even if that person is sentenced there is really no form of incarceration or no sentencing that is going to have a sustained penalty.

White collar crime is really serious in this country today. If we send out a signal that we are not going to really consider this crime as just as dangerous to society

as some of our other crime, we are not going to do anything about minimizing its presence.

Mr. Blackburn (Brant): Yes. I am not suggesting for a moment that white collar crime is not important and does not hurt people in a material way. I am suggesting that there are other ways of punishing many of those who have offended as white collar criminals other than putting them in our prison system. That is what I have said.

Repayment is one way of doing it, if it takes a lifetime. My God, what a sentence to repay the money stolen by fraud or by cooking the books.

I also want to make it very clear that I am not including organized white collar crime in that category.

Mr. David Kilgour (Edmonton Southeast): Mr. Speaker, having been a prosecutor and a defence counsel, I am hard put to find out where exactly the member is coming from. It seems to me that what he is really saying is he likes the status quo just the way it is in the criminal justice system, in which case I would ask him if he has ever spoken to a victim or to the family of someone who has been raped or murdered. What planet is he living on when he gives a speech like that?

The Acting Speaker (Mr. DeBlois): Very briefly, the hon. member for Brant.

Mr. Blackburn (Brant): Mr. Speaker, I am very glad I only have a brief time. A question like that really does not warrant any kind of intelligent answer.

I am just as concerned about the hapless victims of violent crime as any other reasonable human being is. The question, as phrased by that member, unfortunately is all too common from that seat and is not worthy of a responsible answer.

Mr. Bob Horner (Mississauga West): Mr. Speaker, I understand I am allowed 20 minutes. I only have 15 minutes before Question Period resumes. I hope you will allow me time later to finish. I will do my best to tell the reasons why I am supporting this bill fully, the corrections and conditional release bill.

The role of government is a lot of things, such as providing a framework for economic prosperity, providing infrastructure to support all citizens in their efforts to develop skills in order to play an active role in society, and providing social programs to provide the basic needs for Canadians. It must also provide a system of fair laws that are enforced by the courts and police and provide for the safety and well-being of our people. It is this issue of safety of security of Canadians that we are addressing today.

For the past seven years, since I was elected in 1984, I have served on the Standing Committee of Justice and the Solicitor General. For the past two and one-half years I have chaired that committee.

It is a great honour for me to chair that committee, because it is the first time in the history of Parliament that committee has ever been chaired by someone other than a lawyer. I am not a lawyer. I will admit that lack of legal knowledge is somewhat of a hindrance in that capacity.

However, I do have great support from the legal system such as the very fine clerk who is a lawyer and some people from the Library of Parliament who are lawyers and who assist me and make it very easy for me to operate this committee. I am very hopeful that this bill will be referred to our committee because I feel we have an area of expertise developed through which we can give a fair hearing to this bill.

I listened with great interest to the Solicitor General, the hon. member for York South—Weston and the hon. member for Brant giving their various positions. Some of them surprised me.

I joined the justice committee the same day as the hon. member for York South—Weston. He talked at great length about the *Taking Responsibility* report which was a unanimous report of that committee. At no time did that report say we should get rid of parole or mandatory supervision. As a matter of fact, it stated we should keep parole and mandatory supervision.

Now he says that he believes we should get rid of them. I do not believe it will serve any purpose. During crime prevention week this government is moving to bring in bills that I have been advocating since the day I came here.

People will agree that the most interesting work that MPs carry out is the work of standing committees. I also have found it rewarding, but sometimes frustrating. Frustration comes when, after months of research and hearings, a document is produced and tabled in Parliament and it receives limited acceptance from the

government. We have had this happen. It happened with numerous situations we have studied.

I have openly criticized the government for failing to adopt the recommendations produced by committees, not only the justice committee but other committees. These reports collect dust in a maze of bureaucratic bookshelves. This is not the case with this bill.

Let me explain exactly what happened. We were asked by an order of reference from the House of Commons to study Bill C-67. We studied it. We came up with 16 recommendations. We tabled a report in the House of Commons. The government came back and accepted 13 of those recommendations and many of them have been integrated into Bill C-36, the corrections and conditional release bill.

• (1350)

Canadians have always felt threatened by a parole system that jeopardized their safety. Other people have spoken of the Gingras case. It is absolutely ludicrous that we should have a justice system where a murderer, who is known to be dangerous, should be allowed to go to the West Edmonton Mall to celebrate his birthday, overpower a guard, and murder two more people. One man was shot in the back of the head, execution style, and a young girl was strangled with her own shoelaces. This is a terrible, terrible situation.

There has been reference to the Legere case. There were mistakes made there. It is no wonder that the public does not have confidence in the judicial system, in the penitentiary system that they should have.

There is talk about a 99.93 per cent success rate. Any failures are too many and this bill goes a long way.

Let me tell you other things the government is doing. The importance of public safety is reflected in other areas. The firearms legislation restricts possession of dangerous weapons and provides better screening of firearms acquisition applications. Surely that will help. It is supported by so many people, the police chiefs association, among others. We are bringing in amendments to the Extradition Act to allow a more streamlined extradition process to prevent criminals from using our courts to avoid facing criminal charges in other countries. Is there something the matter with this? Why should Canada keep Charles Ng and Joseph Kindler in this country?

Who is bringing it forward? This government is bringing it forward. Canadians have witnessed a disturbing increase in violent acts carried out by young people. Bill C-12 proposes amendments to the Young Offenders Act allowing the courts better flexibility in sentencing youths who commit murder. Bill C-30 is before my committee right now. We will be meeting Wednesday morning on clause by clause study. We hope to report to the House very soon. There was great to-do made about being late. We were late not because we could not have reported on time, but because committee members would not come out and go through clause by clause. That will be done Wednesday morning. I just want to point that out to the hon. member for Port Moody—Coquitlam. I hope he will be there Wednesday morning at 8.30.

Our commitment to public safety is clear and is reflected not only in Bill C-36 but in these other bills as well. I do not need to go through the highlights of this: the victims of crime to be formally recognized, judges may delay parole eligibility of violent offenders and serious drug offenders to half the sentence, and so on.

Other members have gone through a review of the literature on this thing. Let just read you a few of these things. I am quoting from *The Ottawa Sun* of October 10, 1991:

> But remember we are living in a world where justice reform continues to move, sometimes rightly, it must be said, in the favour of the accused and the convicted. It is an achievement for the Tories to come up with a bill that would increase sentences for violent offenders and give victims a bigger say in how long they stay in jail.

This is the important part. He is referring to the fact that it took this Tory government to make even these few changes in favour of victims. "Mr. Nunziata", and I am quoting so I have every right to use his name, "can call the proposed legislation weak-tinkering by a weak minister, but it was the Liberal years in power which led to the tipping of scales in favour of criminals. While the NDP has given cautious approval to Lewis' bill, judging by the party's general policies, one suspects they would have followed the Liberal route if they had ever managed to gain office".

I will grant you there has been a terrible increase in crime. Last year there were 270,000 violent crimes in Canada, well above the 219,000 average for the 1985 to 1989 period.

There were 60,101 youth cases heard in Canada, 9,013 for violent offences, an increase of 14.7 per cent. This is why we have to bring in amendments to all of these bills.

I just want to go through what some people say about this bill. Gary Rosenfeld, executive director of Victims of Violence International, said in an interview from Ottawa that the proposal is a helluva step forward. He is confident that most government and opposition MPs will support it.

In *The Times Colonist* on Saturday, October 12, 1991 it is described as sensible and overdue.

> The bill which Mr. Lewis said could be law by next spring is being described as the first comprehensive review of the Penitentiary Act since 1868. It also proposes the greatest changes in the parole system since the Parole Act was passed in 1958.

We heard this morning that the hon. member had a chance to read *The Toronto Star*. I wonder what other papers he does read. But *The Toronto Star* cannot find anything wrong with the bill. It did not say anything bad about it. Even the *The Toronto Star* cannot say a bad thing about it. "Tougher parole planned". Not a bad thing about it.

Mr. Milliken: Is this a speech or an apology?

Mr. Horner: It is certainly not an apology. It is no apology at all. It is an apology for what your government has done to take away victims' rights. I want to tell you that the only way to wipe the smirk off the criminal face of this nation is to come down hard and long.

> What we were pleased to see in Lewis' bill, however, is the recognition of victims' rights finally. Their voice should be the loudest voice heard.

I could go on and on with these reports from what various people say about this bill. As legislation goes, this is not a highly partisan issue, at least it should not be, and the Lord knows there are enough lawyers in Parliament to offer ideas. The ideas will come when this bill goes to committee.

I would recommend that without further speakers we refer this to the Standing Committee on Justice and Solicitor General. Let us make the few small amendments we have to make. Mr. Speaker, I would like to recommend that this bill be referred to—

The Acting Speaker (Mr. DeBlois): Is there unanimous consent to refer Bill C-36, an act respecting corrections and the conditional release and detention of offenders and to establish the office of Correctional Investigator, to the Standing Committee on Justice and Solicitor General?

Some hon. members: No, no.

The Acting Speaker (Mr. DeBlois): There is not unanimous consent.

Mr. Dennis Mills (Broadview—Greenwood): The member seemed to suggest that we on this side of the House were not supporting the general thrust of this legislation. I would like to clarify that. For our side of the House, we are supporting reform here. However, we also believe there are areas in this package that can be improved.

I have a specific question for the member. Do you not find it a little bit contradictory that during this week of safety in the streets, crime prevention, we come before the House with all kinds of legislation, yet at the same time you cut the budget by $2 million in terms of a National Crime Prevention Week? Is there not a little bit of a contradictory action there?

Mr. Horner: Mr. Speaker, we do not like to see any reduction in the moneys that will be spent for National Crime Prevention Week. We certainly abhor having to make these deductions, but we were left with an horrendous debt which must be reduced. I am convinced that these bills which are before Parliament now will do an awful lot more towards reducing crime than the $2 million given to interest groups would have ever done.

Mr. Speaker: It being two o'clock p.m., the House will now proceed to Statements by Members pursuant to Standing Order 31.

STATEMENTS PURSUANT TO S. O. 31

[*English*]

CRASH OF HERCULES AIRCRAFT

Mr. Jack Iyerak Anawak (Nunatsiaq):

[*Editor's Note: Member spoke in Inuktitut.*]

Mr. Speaker, today I rise to honour the victims of last week's Hercules air crash on Ellesmere Island.

I also want to pay tribute to the rescue team. This tragic event of life and death and survival is filled with

I know that the bells are supposed to ring, but with unanimous consent of the House I think we can forgo the ringing of the bells on the understanding that the recorded division will be held at three o'clock tomorrow afternoon.

The Acting Speaker (Mr. DeBlois): Is there unanimous consent?

Some hon. members: Agreed.

The Acting Speaker (Mr. DeBlois): So ordered.

* * *

• (1540)

[*Translation*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Lewis that Bill C-36, an act respecting corrections and the conditional release and detention of offenders and to establish the office of Correctional Investigator, be read the second time and referred to Legislative Committee G.

The Acting Speaker (Mr. DeBlois): When the debate was suspended at two o'clock, seven minutes remained in the period for questions and comments after the speech by the hon. member for Mississauga West. Questions and comments. The hon. member for Scarborough—Rouge River.

[*English*]

Mr. Derek Lee (Scarborough—Rouge River): Mr. Speaker, in the remarks which were made by the hon. member for Mississauga West just prior to Question Period, I took note of the fact that he mentioned the concept of crime prevention.

Lest anyone be under an illusion that the government's bill here addresses crime prevention, I wanted to ask a question of the hon. member. I know that he is the chairman of the justice and solicitor general committee here in the House. He does a real good job in that capacity.

We all know that simply passing a law or amending an act does absolutely nothing to prevent crime. Since the hon. member did mention crime prevention, and I am sure he would acknowledge that simply passing a bill does not prevent crime, perhaps he could give us the benefit of his wisdom and experience in explaining some of the crime prevention initiatives that the government has undertaken in the last while, at least since I have been elected in 1988, and in the near future.

Mr. Horner: Mr. Speaker, he is absolutely right. I did mention crime prevention only by saying when it was brought up that the $2 million budget set aside for crime prevention was to be cancelled.

I have since found out that that $2 million in the budget was in fact $340,000, and crime prevention week had been so well received that it was possible to cancel the program. It has been taken over by community groups.

However, the hon. member asks: What does this bill do for crime prevention? We all know that this bill does not do a lot for crime prevention, but during crime prevention week, we are bringing in other bills. Does he not believe that the bill to increase gun control will help? Does he not believe that the amendments to the Young Offenders Act will help? Does he not believe that some of the other initiatives that we are putting forward will help?

Maybe this bill will not directly reduce crime, but think about it. If you have a dangerous offender that cannot be rehabilitated and you keep him in jail longer, surely it cuts down on the danger and the crime that will be heaped upon the public by this person while he is out.

We will keep him within the penitentiary system.

Mr. Jesse Flis (Parkdale—High Park): Mr. Speaker, I would also like to question the hon. member for Mississauga West. In the whole process of parolees, the idea is to make sure they are integrated back into the community.

I would like to ask the hon. member how many halfway houses does he have in Mississauga West, and where does he recommend that these halfway houses be established under the present legislation?

Mr. Horner: Mr. Speaker, I believe we only have one halfway House in Mississauga West at the present time.

These are established in various places around the country in accordance with where the present population is so that they can have support of their families and

their friends when they are being reintegrated into society.

They must be set up where the largest prison populations are. Right now, the largest prison populations are in Ontario.

I will admit that one of the things we must be working toward, striving very strongly toward, is rehabilitation.

I believe that rehabilitation must take a back seat to protection of the public. That is what this bill does, it does protect the public.

The Acting Speaker (Mr. DeBlois): Very briefly, the hon. member for Parkdale—High Park.

Mr. Flis: I would like to ask a short supplementary.

In 1986 when his government was in power it did open up an Exodus Link in Parkdale—High Park without any consultation with the community. The community was up in arms because it was getting fed up with trying to integrate parolees, very severe former convicts, sex offenders, murderers, et cetera in Parkdale—High Park.

My point is this. Should not all communities accept their fair share in integrating these former convicts into their communities? I submit to the hon. member that maybe he should have a talk with Peel county because I do not believe Mississauga has taken its fair share of halfway houses and as a result poor Parkdale residents have to shoulder the burden.

Mr. Horner: I well remember the Exodus Link situation and I do agree that there must be consultation with communities before halfway houses are set up.

We must remember that Parkdale—High Park is within metropolitan Toronto and if it is the largest group of penitentiary inmates coming out to halfway houses, the inmates must be able to go to a halfway house close to their families so that they can have family support. Family support is very important. I beg your pardon?

Mr. Flis: They do not all come from Parkdale—High Park.

Mr. Horner: They must come from close to Parkdale—High Park then.

Mr. Flis: From Mississauga.

Mr. Horner: No, they are not all from Mississauga, I can tell you that. Mississauga will certainly do its share, I can tell you that.

Mr. Derek Lee (Scarborough—Rouge River): Mr. Speaker, I am very pleased to have an opportunity after being in this House now for almost three years to address a bill that approaches a reform initiative, one that my constituents and I and all other members of the House have been waiting for for a long time. It has been a little bit too long in coming, but let us pass over the niceties here and get down to the bill itself.

In 1987 and 1988 members of the justice committee at that time devoted long hours of labour and study to produce a report entitled *Taking Responsibility*. Today in the House the member for York South—Weston, the member for Peterborough and the member for Mississauga West were on that committee. That was actually, I thought, a bit of a landmark. It was comprehensive, it was direct and to the point.

That report was not replied to by the government because of the election which occurred about two months after it was reported to the House. The justice committee which was formed after the last election, and I have been an active member of that committee, found that report so good and comprehensive, it readopted the same report, and it reported it to this House.

The government did reply and as part of the reply it included a number of initiatives. Although much belated, they did appear to address a number of the problems, at least optically.

The background of this is more than just a committee report. There are, in the corrections area, a whole litany of tragedies which I do not want to dwell on for too long, but they are an essential part of the understanding of what has brought the government to this reform initiative. They are tragedies, they are horror stories, they are sad, they involve innocent victims, and they involve individuals who were serving time or on parole in the correction system. The names involved are, and I use the name of the offender as opposed to that of the victim, Stanton, Gingras, Legere, Fredericks, and there are others.

• (1550)

These cases and others are the worst of them. They involve homicides. They involve the deaths of innocent Canadians, men, women and children in those four

cases, totally innocent individuals who fell victim to individuals who, with 20/20 hindsight should never have been free, whether they escaped or whether they were released on the streets in Canada.

These cases involved errors in judgment and systemic errors, gross systemic errors, some of which have been rectified. But there are others which remain to be rectified through this legislation and, in my view, in other things that still must be done.

These unfortunate cases manifest flaws in the corrections system and in the criminal justice system. They manifest an insecurity on the part of the Canadians in our criminal justice system. This sense of insecurity is really there and it is there for good reason.

We must remember that the public safety issue is much broader than corrections and conditional release and parole. It is much broader than that. The public safety net includes the Criminal Code and sentencing. In all of that, I would point out that the government's promised Criminal Code reform initiative has not yet been brought to Parliament. I have been here three years. It has been promised and it is not here yet. I take note of another part of the criminal justice system which is not solely a federal responsibility. That is criminal procedure, which is the responsibility of the provinces. In the province of Ontario, where my riding is included, a relatively recent Supreme Court decision, referred to as the Askov decision, is now resulting in the dismissal and withdrawal of numerous criminal cases, criminal charges. This is not just a few but thousands of charges. The numbers are still accumulating.

Is it any wonder that Canadians feel insecure when they read that thousands of charges against alleged criminals, many of them repeat offenders, are being withdrawn and dropped because the Crown is not able to proceed?

The Criminal Code, the sentencing regime, the Young Offenders Act, the Extradition Act, mental disorders reform legislation, gun control and other aspects are in front of this House. Some of these reforms attempt to address problems in the system. Others try, but in my view they are not going to achieve the goal intended. At least the initiative has commenced.

Historically the people in our democratic society cut a deal with their king and their deal was: "We will give you tax dollars; you must take care of public safety". If that did not happen, the ordinary Canadian was going to go out and take care of justice himself or herself. That is a system that leads to chaos. We opted for another one and we did it many years ago.

Canadians are not going to accept a system that delivers anything less than the public safety they bargained for in the social contract that was built up over centuries in the western world.

The government's reform agenda now, including corrections, I submit is not simply their own initiative. The motivator for much of what the government is presenting to the House this year is media driven and Supreme Court of Canada driven. You do not have to look very far to see what pushed the government to address these reforms. It was not an awareness that problems existed. It was media and decisions of the Supreme Court of Canada.

The Swain decision in the Supreme Court of Canada was the factor that prompted the government to introduce its reforms in the mental disorder and insanity area. It was the Gingras case, which took place principally in the province of Alberta, that made the government come forward with reforms in the corrections area. There was also the Stanton case. It was the Ng decision in the Supreme Court, the Charles Ng fiasco, that caused the government to finally pull the Extradition Act off the back burner. It had been sitting around long before I came to this Parliament.

I understand that it was addressed in the early 1980s and it sat and sat until that unfortunate incident involving Mr. Ng. There were other offenders as well.

I want to address for a few moments in my remarks the concepts which lay behind the parole conditional release system. They are important to keep in mind as we address this bill. When the corrections system operates properly, it depends on a balance of factors. There are at least three which should be kept in mind.

The first one is public safety, the second is rehabilitation and the third is deterrence. Number one on that list is public safety. It was number one on the list of Canadians when they made the bargain with their government. This was the social contract that was conceptually made way back in the 1300s, 1400s and 1500s with the king. In any event, that was number one

on the list. Somewhere between then and now it went down the list. I do not know how far down but somewhere along the line someone in government forgot about public safety.

I am pleased to see at least in the press releases accompanying this bill public safety is touted as being back up in the number one spot.

I want to note for the record that I am not under any illusion that by reforming or amending the corrections system we are perhaps going to solve all of the public safety problems. We are not. By dealing in the corrections area, with one exception, we are only treating the symptoms of crime and public safety. We are not dealing with the causes. That one exception is when the correction system succeeds in the rehabilitation, or assisting in the rehabilitation, of an inmate who does not come back, who is not a recidivist.

I do not have any illusions and I hope that neither Canadians, nor anyone in this House, have any illusions. The reforms must be there and we have to address them.

This has been a terrible year in metro Toronto. There has been a large increase in crime. We have had more murders than we have ever had before.

I noted a 34 per cent increase in youth crime across the country. Those figures do not include Ontario. For reasons which have not been explained to me, Ontario was not able to get its statistics organized in time for that survey. I have already mentioned the fiasco in criminal procedure as a result of the Askov decision, whereby thousands of criminal cases are not being proceeded with or prosecuted.

I do not think that dealing with this corrections and conditional release bill at committee, we are going to solve all of the problems. We are going to start to work on some of the obvious systemic problems that have developed over the years.

On the issue of deterrence, which is one of those three factors, I wanted to spend a moment or two on the issue of deterrence and white collar crime.

• (1600)

As part of this bill there is a proposal that access to parole would be expedited, that the parole eligibility date would be accelerated for non-violent offenders.

I am trying to understand if the government has lost sight of deterrence for white collar crime. By white collar crime I am talking about crime where there is no violence. I am talking about fraud, the so-called victimless crimes potentially involving millions of dollars. What deterrence is there for a white collar criminal who might receive a sentence of five years or seven years? That is pretty heavy for fraud, but let us say that is what the sentence is. Who knows that because they are non-violent they are going to get out sooner? They would get an accelerated parole date which would even be earlier than the one-third of sentence threshold which is usual now. Even under this bill it will continue to be usual for consideration of parole eligibility. I think the government has lost sight of deterrence in this bill, at least in regards to that type of crime.

There are a few other elements of the bill I thought I would address quickly, if for no other reason than to signal my friends opposite that the provisions in the bill may present problems. I took note of clause 22 of the bill which indicates that the government may pay compensation for death or disability attributable to a person's participation in an approved program for an inmate. This is compensation for an inmate who gets hurt in a penitentiary.

I do not have a big problem with that except I wonder what happened to the victim. I do not understand how the government can put this forward as being an important element of its bill when it has not bothered to stop and ask about any compensation to the victim. I do not believe that this bill addresses restitution, which is part of sentencing. I just have a sense that that particular provision, which the bureaucrats may think is needed to help them address problems within the system, has not been well thought out.

In clause 25(2) there is a reference to notifying police at the time of a release of an offender. It does not say which police. If the offender is released from a prison in British Columbia, will every police force in the country be notified: the Royal Canadian Mounted Police, the Sûreté? It does not say; it is a little vague.

Last, concerning the placement and transfer of inmates there is possibly a very alarming signal in the criteria set out that will be considered when an inmate is classified as being maximum risk or medium risk. The bill lists the criteria that the correction service will take into account. Here are the three in order: the safety of the

person and the persons in the penitentiary, the inmate; the security of the penitentiary; and, the third criterion, safety of the public.

I am sure I read in the press release accompanying this that safety of the public was first. Even if I did not read it, I think we all agree that safety of the public is first. That is why the penitentiary was built in the first place. Someone in drafting this bill has the criteria upside down. As the committee goes through this bill I hope that is just an isolated incident.

In wrapping up I want to indicate that we all know that the criminal justice system needs a lot of work and a lot of work quickly. I did not mention sentencing. We were promised a sentencing reform package almost as soon as I began sitting as a member. It has not reached the House yet.

In fairness, the justice minister is promising it soon. The Solicitor General has said it is coming. Let us say I am anxiously awaiting it, we all on this side of the House are, because sentencing goes hand in hand with corrections. It is an integral part of the justice system.

There is a lot more than this particular bill in addressing the field. The Young Offenders Act is before this House now. I want to point out something about the Extradition Act. It has been referred to by members on the government side as being a really important part of this.

The Extradition Act does not permit this country to get rid of anybody. The Extradition Act only is triggered when another state requests that Canada send somebody out of the country. We cannot use it as a tool to get rid of anybody. We can use it as a tool to get someone back into Canada from another country, and so let us not overrate the importance of the extradition system.

The problem in that area is the Immigration Act. That is where the problem is. This bill has been a long time coming. Someone said that the public seems to like this particular bill. Some of the newspapers have said that, but when you are in the Sahara desert there is no more important commodity than one cup of water. The public certainly does want to see this bill. It has been waiting a long time and it is very thirsty.

I will conclude my remarks there and I look forward to being able to deal with this bill in committee in the near future.

Mr. Ian Waddell (Port Moody—Coquitlam): Mr. Speaker, I have a comment and a question.

I should say I have asked the page, if the member does not mind, to send him a glass of water, and two for the government, plus I stole the line from the Solicitor General.

I have this question to the hon. member who last spoke. He mentioned the Extradition Act. He said the Extradition Act was sitting around.

I do not know what he meant by that. Where was it sitting? I think he must be in the Mental Disorders Act. It was passed in 1986 and then the court a few months ago said in the Swain case: "You have to bring in a new act. You have to change the procedure". It was the Mental Disorders Act. The government has brought in a new act and then claimed it was part of its fight on crime. It was forced to bring it in by the courts.

There was a private member's bill from the member for Peterborough. We debated that in the House and so on. That act was not really sitting around that way.

One of the criticisms if I might say, and I do not want to be too partisan here, is that people say the Liberal Party does not have any position on anything. It is always on both sides of every issue, and there is never any position for the Liberal Party.

An hon. member: You know better than that.

Mr. Waddell: I am just telling the members what people are saying to me. The Liberal Party has no position. I want to know from the hon. member, what is the position of the Liberal Party on the new Extradition Act?

Mr. Lee: I want to thank the hon. member for his question about the Extradition Act.

I said the Extradition Act reforms were sitting around for a long time and I meant it. The hon. member has been here a lot longer than I have and maybe he was asleep at the switch.

We have signed extradition treaties with countries in South America. They are called imperial treaties. They were entered into with Spain. The whole extradition area

is hopelessly out of whack with reality and we have been flying along by the seat of our pants with our neighbour to the south, hoping that everything would fall together.

It is only some of the more recent cases that have finally pushed the government, the bureaucracy, the Department of Justice to make reforms in their treaties and acts. This Extradition Act is not the responsibility of the Solicitor General, and it is perhaps out of order to get into a debate now about our position on the Extradition Act.

Make no mistake about it, Liberal members on this side of the House are eagerly awaiting completion of the Extradition Act reforms. I have been waiting ever since I entered this House in November 1988.

• (1610)

Mr. Dennis Mills (Broadview—Greenwood): Mr. Speaker, I want to thank my colleague from Toronto for speaking on this very important bill. It is nice to see so many of our Liberal members from Toronto here today, participating in this bill because we in Toronto right now are in a desperate state. The seniors in our community have never been as nervous because of the lack of control in terms of the crime that is running rampant. Children are afraid to take subways at night in Toronto now. Their parents are meeting them at subway corners. They do not want to walk the streets at night.

Last week in my riding alone in Danforth we had something like 29 break-ins. Many of the police in the metropolitan Toronto area believe that the lack of attention to reforming bills such as today is one of the reasons why their job is a lot more difficult to do.

I wonder if the hon. member would give us an opinion as to whether these reforms, these amendments that are being put forward, are going to make the job of police officers not just in Toronto, but coast to coast, a lot easier.

Some people are purporting that this is basically tinkering and it is really not going to address the substance of the issue.

Mr. Lee: Mr. Speaker, I thank the member for Broadview—Greenwood for that question. A short answer in my view is that the amendments proposed will improve the system for people working in the corrections system. It may help the odd police officer in the odd jurisdiction. There is certainly provision for more communication between the corrections system and the police community. It is actually mandated in the bill.

The question that the member asks points up another question which had been addressed a little earlier and that is the whole issue of crime prevention. Every one of these bills with one or two minor exceptions addresses the symptoms of breaches in the criminal justice system, and not the causes of crime.

I know that other jurisdictions have been able to successfully commence programs targeting crime prevention. France has done it. The United Kingdom has commenced and a few United States jurisdictions have. One or two of the Scandinavian countries have. They have federal programs that address crime prevention, programs that attempt to go to the causes that turn individuals to crime.

That is something which this government is not addressing. I concede that about a year ago the Royal Canadian Mounted Police hosted a conference on crime prevention. It was a good initiative but I was stunned by the fact that hosting this and having spent all the money on it, it did not invite one member of Parliament. Shame on the RCMP.

If it really cared about this initiative on crime prevention, the issue that has been raised by my friend from Broadview—Greenwood, it would be doing more now, it would have done more then, and we could accomplish more in the future.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I too would like to thank my colleague from Toronto for making submissions. He has worked diligently over the last three years since his election in this particular field of criminal law reform.

Much to my chagrin, and this is my question to my colleague, I understand that the government will no longer participate in this debate. It does not intend to put up any more speakers. It has some 170 members in the House and yet it does not have any other members who wish to address this most important issue facing Canadians.

Can the member for Scarborough—Rouge River shed some light on the reasons why Conservative members of Parliament just do not appear to care about criminal law reform?

[*Translation*]

The Acting Speaker (Mr. DeBlois): Before recognizing the hon. member, I may recall that according to the Standing Orders there should be no reference to the presence or absence of members in this House.

[*English*]

Mr. Lee: Mr. Speaker, I had no intention of addressing that very sensitive issue.

I know there are members opposite who do care a lot about the area that we are dealing with here today. I think the goal of members opposite is to get this bill through quickly without too much debate. However, without any reference to my own remarks, but with reference to the remarks of my colleague from York—South Weston and there will undoubtedly be some very positive constructive remarks of other colleagues, there are issues which we believe must be brought to the floor of the House for inclusion in debate and consideration with this bill.

The silence of members opposite need not be taken as a lack of interest but rather as a belief that their minister, the Solicitor General, and the government's bureaucrats have it all down perfectly right now and there are no mistakes. We take a different view. We want to try to improve this bill.

The Acting Speaker (Mr. DeBlois): The hon. Solicitor General on a point of order.

Mr. Lewis: Mr. Speaker, I would like to advise the House that this bill had plenty of discussion in our caucus and comes forward with the full support of the government. We have not spun out the speaker's list in order to give the opposition a full chance to speak.

Some hon. members: That is not a point of order.

Mr. Lewis: Mr. Speaker, I rise and would ask for unanimous consent, as agreed upon between the parties, to refer Bill C-36 not to the legislative committee, but to the Standing Committee on Justice and Solicitor General. Therefore, I move:

That Bill C-36 be referred after second reading to the Standing Committee on Justice and Solicitor General.

The Acting Speaker (Mr. DeBlois): On a point of order, the hon. member for Edmonton Southeast.

Mr. Kilgour: Mr. Speaker, with respect, a minister cannot get up on what is patently not a point of order to make a motion. He has to have the floor legitimately. It is I think clear to all of the members here, I hope including yourself, sir, that the minister did not have a bona fide point of order and was simply trying to get the floor so he could move his motion.

[*Translation*]

The Acting Speaker (Mr. DeBlois): According to the Standing Orders, a minister of the Crown may rise in the House at any time. To find out what the subject is, the Speaker must first recognize the minister, and when I saw the Solicitor General rise before debate was resumed, I felt it was entirely proper, considering our Standing Orders, to recognize the Solicitor General, who presented a motion under Standing Order 73. Of course, the consent of the House is required for tabling this motion.

[*English*]

Is there unanimous consent to accept the motion of the Solicitor General of Canada?

An hon. member: No.

The Acting Speaker (Mr. DeBlois): On a point of order, the hon. member for York—South Weston.

Mr. Nunziata: Mr. Speaker, we do not object on this side of the House to referring this bill to the Standing Committee on Justice and Solicitor General rather than the legislative committee when the debate at second reading is concluded in this House. We do not agree at this point to that particular motion.

We would like to see how the government conducts itself over the next few hours.

The Acting Speaker (Mr. DeBlois): There is not unanimous consent and the matter is settled.

On a point of order, the hon. member for Port Moody—Coquitlam.

Mr. Waddell: Mr. Speaker, I think the reason we are having a little difficulty here is that the minister rose on a point of order. He started the point of order by objecting to some comments that were made by the last speaker. That was not a point of order. Liberal members were shouting at the Chair on that. The Chair should have ruled, with respect, that it was not a point of order and told the minister to sit down on it. Then the minister

could have risen on a point of order and put what he originally wanted to put.

• (1620)

If the minister does that again, on behalf of our party I would be prepared to—

[*Translation*]

The Acting Speaker (Mr. DeBlois): The hon. member is right, but when someone raises a point of order, the Speaker must listen to find out what the point of order is about. I recognized the minister, and he raised a point of order which may not have been in order, and subsequently presented his motion, which did not receive the unanimous consent of the House. Consequently debate is resumed.

[*English*]

But before resuming debate, I wish to inform the House that pursuant to Standing Order 33(2)(b), because of the ministerial statement Government Orders will be extended by 22 minutes.

[*Translation*]

It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The hon. member for Burin—St. George's—Fisheries; the hon. member for Don Valley East—The Economy; the hon. member for Ottawa West—Great Lakes; the hon. member for Victoria—Yugoslavia; the hon. member for Sault Ste. Marie—Algoma Steel.

[*English*]

Mr. David Barrett (Esquimalt—Juan de Fuca): Mr. Speaker, I want to confess at the outset that this is a bit different, perhaps for some members. I actually know something about this subject so I want to be very careful in my remarks.

I had the very good fortune or misfortune early in my career before becoming a politician of having spent my professional time as a worker in prisons. I worked in the prison setting, in corrections and in probation and parole at a very beginning position as a corrections officer. Prior to entering politics I worked in a private agency as a supervisor, and prior to that I was responsible to staff training in the province of British Columbia.

The tragedy of this particular bill has been partly touched upon by the previous speaker. This is a global problem in a community, and we pick away at it bill by bill by bill. The problem of crime in society is very complex. While we focus during a week that some suspect has political overtones on law and order for political purposes on this particular bill and other bills, we still have not dealt with a range of fundamental problems in this area.

My good friend, the Liberal member, touched on white collar crime, and I commend him for that, but I also want to talk about corporate crime. When we talk about violent crime against the individual, it is horrible, it is often amoral, it is reprehensible, and we want to punish.

However I have yet to see the director of a corporation who has poisoned water in a community knowingly and not done anything to clean it up, go to jail for that violence against the community. I have yet to see corporate directors, board members and chief executive officers who allow poisons to spew into the air from their factories go to jail. I have yet to see anyone from the corporate sector accept the moral responsibility of criminal acts such as the Ford Motor Company when it produced one of its automobiles, the Pinto, with the knowledge that the car would burst into flames unless it had a shield around the gas tank and that shield cost $1.50 and it did nothing about it.

Let us understand what we are talking about in broader terms than just an individual crime and an individual act of violence. As horrible as it is, let us understand that we have not one standard of law, not two standards of law, but perhaps three or four.

When I talk about the global picture I make the claim that one of the areas in the global picture that has been absolutely neglected is the criminal aspect about corporate decisions that violate the health of individual citizens in our society.

The white collar criminals to whom my friend alluded tend to get off with a a light slap on the wrist for offences that destroy the lives of tens of hundreds of people in our society: witness the failure of financial institutions by fraud, witness the failure of large savings institutions where the corporate offenders have been quietly slapped on the wrist and walk away from their responsibilities.

Let us look at who is in jail, the people who are in jail. I am not making a plea for them just because someone else is not in jail, but frequently people who should be in jail are not in jail because the global view of responsibility in our society is not all encompassing. Having said

that and the government having listened, I know it is going to bring in redeeming legislation immediately.

Turning to the matter at hand in this bill, my good friend, the Liberal member from Toronto, also touched on another aspect of this that he was perfectly correct on, and that is prevention. Since 1936 this Chamber has authorized at least eight separate royal commissions on the question of crime and punishment, our federal penitentiaries and our dealings with probation and parole. In almost every single instance none of those recommendations has been followed by any succeeding government since 1936, be it Liberal or Tory.

Let us understand who the victims are, who the criminals are and our response to both. I want to deal first with those who end up in our prisons. It is a fact that rich people do not go to jail. Rarely do they go to jail. On occasion when they do go to jail for violent crimes, frequently they end up as the focus of a television show or a movie because it is so rare.

But when poor people go to jail it is just to continue the system and the system does just as much harm to the people who are the victims, the criminals, the staff of the institutions, as well as society.

Let me deal with one glaring fault of this kind of legislation, although it is a step forward. When we talk about parole, the whole parole system is based on the concept that if you behave yourself in jail you will get out earlier.

An hon. member: Not any more.

Mr. Barrett: "Not any more", my friend says. Let me tell my friend that those who learn to adjust in prison, those who learn to play the game, those who are able to manipulate, are the ones who get the recommendation that they are at low risk in parole.

Let us talk about low risk. If somebody is at low risk in parole, should they have been in jail in the first place? I submit that there is a significant number of people who should have been placed on probation in the first place with the loss of time and the loss of income.

In my province of British Columbia we modelled a program on a scheme of weekend jails. We sent people to jail on weekends once they were convicted of a crime of a minor nature. During the week we asked those people to continue at their jobs and pay back the money they stole or pay for any damage they created. On the weekend they went to prison and their social time that was most valuable to them was taken away as a punishment. While they were incarcerated on the weekends, not in a full-fledged prison but incarcerated nonetheless, we demanded they pay room and board while they were in jail.

Is that a novel idea? People within the normal range who bend the rules and commit minor offences should understand that the first obligation is back to the victim in society. You pay back, you make restitution, and you do that by working, not by living in jail. Second, if you are going to be deprived of your weekend because of this crime, we insist you pay for your own room and board. The state should not do that. That concept came out of Holland and it is known as diminished responsibility.

• (1630)

Why were the Dutch still leading in the world and still continue to lead in the world in the concept of diminished responsibility? It was because at the beginning of World War II most of the Dutch politicians were thrown in jail. As that horrible experience ended at the end of World War II, those politicians came out and changed the whole criminal justice system in the country of Holland.

Far be it from me to suggest that everybody in this place be locked up for a while. It might have a salutary effect in an understanding of what prisons are all about.

Now let us talk about the unspeakable, what happens in prison when we talk about rehabilitation. When a young male of 16, 17 or 18 comes into a prison setting in a federal penitentiary after being convicted of a crime, and especially if he is from a poverty background, the first thing that is done is that straws are drawn to see who that young male will service in homosexual acts perpetrated on new young offenders in the prison, simply because they are without guile, they are without experience, and they become the prey of older, wiser men in prisons.

This may come as a shock to my colleagues. Prisons are not a pretty place. We have made no conscious effort to separate young offenders from adult prisons and, as a consequence, some of the most unspeakable experiences

that happen to young people happen in the two or three weeks after they enter prison.

That is not discussed in committee. That is not discussed with the parole board. We do not make physical separation between the older, tougher prisoners who really run the institution in many instances. We must remember that the prisoners are there 24 hours a day. The staff is only there doing life on the instalment plan, eight-hour shifts as they go along. The institutions are generally hopeful that they will be run quietly, and the way to run an institution quietly is not to have any trouble and to turn the other eye.

I want to commend this minister for having the good sense to have at least condoms made available in our adult male prisons. It was he who did that, was it not? I want to commend the minister for realistically dealing with the fundamental problem.

Mr. Nunziata: How about needles? Do you support needles in prison too?

Mr. Barrett: Wait a minute. I am very serious about this. I am not talking about needles, but I will come to drugs in prison in a minute.

I want to be very clear about what I am saying. I want to support the minister for making condoms available, because at least it is a realistic, honest statement about part of what is repulsive that happens in prisons.

The public should understand that these things go on. When there is an effort within a prison setting to teach people on this word reformation, we must understand that we have to separate who we are dealing with and how we treat people. Violent sexual offenders are the most dangerous offenders in our institutions. Generally they are psychopathic or serial killers who are also psychopathic and are extremely dangerous.

Some of these people should never ever be released, never ever be released. We must devise a system that recognizes we cannot be successful in rehabilitation in every single case. When we give a mandatory sentence to particular offenders who are absolutely out of control and when the sentence is over we do not give such persons parole. We close the gates behind them and release them in most instances sicker than they were when they went into jail. That is no protection for the public.

I plead with the Solicitor General to deal with the problem of the right of individuals to end a sentence and to know that they can get out of prison.

I also appeal to the Solicitor General to look at the Dutch model, a diminished responsibility, and understand there are some people, in our limited capacity as human beings, whom we simply do not know enough about and they should never ever be foisted back in the community again. At the same time, those people should be separated, isolated and not blanketed under the habitual criminal rule that is a failure in this country, but examined on the individual basis of each offender.

For those we are going to release, and this act of parole, it is all very well to say that this particular offender has not behaved himself or herself in prison, this particular offender is a high risk and therefore should not be allowed on parole, but we cannot justify that in every case if we still continue a system that permits very sick people to come out at the end of their sentence anyway.

I think it is a shame on this Parliament if we diminish our role of supervision of a parolee closer to the end of their sentence only to have authority of perhaps the last six months or year of their limited time in prison and put the community at risk for a repeat of the crime.

Not every parole is a risk. Most paroles are safe and can be covered and adequately supervised. But for dangerous offenders it is a risk and that is where the maximum support, supervision and control must be maintained and that costs money. That costs a lot of money. You cannot do it when you have parole officers who have cases of 100 or 200 or 300 parolees.

In the case of seriously ill people whom we release, the parole officers should not have more than 10 or 15 cases, period. I allude to the horrible serial killing in Milwaukee recently. It did not happen in this country but I think we have to understand that we have a comparable social and cultural pattern, certainly on television.

The parole officer involved in that case did not have the time to go to that individual's home to check out complaints. It is a known fact that as one reviewed publicly the horror story and the build up around that serial killer, human body parts were being cooked down

in that offenders own apartment and the parole officer never visited once. Why? Because he was frankly too busy with 200 and 300 cases. That is not good enough.

I appeal to this government to understand that if you want proper parole supervision, sexual offenders, dangerous sociopathic or psychopathic offenders, who are going to be paroled, must have maximum supervision and the caseload of highly qualified parole officers should not exceed 15 or 20 at the very, very most.

What kind of parole officers? In my day you had to be very highly trained to be a parole officer. The job paid a reasonable amount of money. Now I would ask the government to see what a parole officer earns. Check the turnover of the staff, see how many cases they carry and check on their qualifications.

When I first started as a social worker at the Children's Aid Society I had 78 children in care. Most of these children faced the trauma of being separated from their natural parents and put into institutions or into foster homes. When I left that first experience I knew very well, as a social worker dealing with 78 kids, that it was impossible for me to do the job properly.

Today, social workers in almost every province of this country deal with caseloads of 200, 300 and 400 children who need care.

I leave parole and go to preventative work.

• (1640)

If you track back to the primary beginnings of most of the offenders you find in many instances child abuse, neglect, poverty as common symptoms around which crime seeds itself and spawns.

The services to children in this country have actually been diminished by this government and other governments by putting a cap on transfer payments, by cutting back on services to children, by cutting back on auxiliary help in educational institutions.

You do not have to be an expert. In any home, in any community of this country, people sit down and over their own dinner table say: "If somebody does not do something with Johnny or Susie soon they are going to be in trouble". Unfortunately and regrettably most of our predictions are correct.

I make an appeal to this government to understand that we are talking here about a global picture. I have touched just a little bit on a number of points that stick out. All of this bill is meaningless, all of the bill on youthful offenders is meaningless unless we are prepared to go back to the very foundations of our community and guarantee every single child housing, food, education and access to love and to care.

An hon. member: Utopia.

Mr. Barrett: My good friend says "Utopia". I agree it is Utopia, but God help those who do not strive for Utopia, especially in the face of the facts of neglect that is now taking place in the social services and corrections in this country.

I have so much more to say, not because I am correct, but because I have seen it. I make this plea on the basis of what I have seen.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I was very much interested in my friend's comments about the government's approach to white collar crime. I too share his concerns. The government seems to be placing less emphasis as far as the penitentiary service is concerned with regard to white collar crime.

When we talk about white collar crime, the government refers to it as accelerated review so that first time offenders convicted of non-violent crimes can go in and out of the system as quickly as possible.

The concern I have and the concern that a great number of people have is with regard to the issue of deterrence. What is there to deter a white collar criminal from perpetrating a major fraud, let us say, a lawyer or a banker from defrauding thousands of people of their life savings? What is there to deter a company from polluting the environment? That would be considered a white collar crime.

This government wants to send out a message that we are not going to treat these offences as seriously as we have in the past. I am a bit perplexed at the member. On the one hand he seems to want to come down heavy on the white collar criminals and then on the other hand he says that a lot of people who are in prison ought not to be there.

Would he not agree that we have to continue to jail white collar criminals in order to send a very clear message out that society does not tolerate these types of

crimes that could be perpetrated on a large number of people?

Mr. Barrett: Mr. Speaker, I want to thank my colleague for an earnestly put, very serious question. I want to go back to my very brief comments about the Dutch system which I would recommend to this House in committee in dealing with these problems. There is a particular psychiatrist in Holland who was the founder of this approach, Dr. Audubon and it was diminished responsibility.

My good friend raises the question about punishment and deterrence for white collar crime. If deterrence were a factor, say, in the Arabic code or in the Justinian code or our code, then it would have worked. Some societies cut people's hands off for stealing. They still steal. Other people still do it. Other places have capital punishment. It does not stop crime except for that particular person who has had the capital punishment.

In this country alone you will see that the absence of capital punishment has relatively no influence whatsoever on the incidence of commission of violent crime. I want the member to look at the statistics.

What do we do with white collar criminals? The first thing that I think must be done is a message must go out that we do not have a wink and nudge approach to white collar crime, that anybody who pollutes or steals from other people is going to be dealt with severely.

How do we deal with them severely? If you look at recent cases in the United States, in which people have stolen $10 million, $20 million or $30 million on the stock market and get fined, like Mr. Boskey or others, a million dollars, they are still nine million bucks ahead, or $10 million ahead. Every single penny that can be recovered from white collar crime should be immediately a part of the fine. Let it be understood that there is no reward, that you cannot buy your way out of the system and that if you hire the best lawyers in the world you are still going to lose your ill-gotten gains. I think we should make that as a basis.

Second, and the more serious one, the polluters of the atmosphere, the poisoners of waters or the continuous manufacturer of threatening goods such as the Ford Pinto should go to jail and taste what it is like to be in those abominable social situations at some of the worst penitentiaries in North America. Let them experience it, because on the basis of diminished responsibility, they will understand far more clearly the situation they are in than somebody who has been a repeat offender.

To my colleague, I will commend the Dutch system. My time is up, apparently.

[*Translation*]

Mr. Vincent Della Noce (Parliamentary Secretary to Secretary of State and to Minister of Multiculturalism and Citizenship): Mr. Speaker, thank you for giving me the floor. I listened very carefully to what the hon. member said, although I had some trouble following his speech, and I also have a few questions.

I do not know whether the hon. member has any penitentiaries in his riding, but my riding happens to have the biggest correctional centre in Canada. In fact, there are five in my riding, all next door to each other. If I may refresh his memory, I could name one that is very well known: the old Saint-Vincent de Paul "pen", the old penitentiary, a lot of escapes and a lot of problems for the community.

The hon. member referred earlier to cases of suicide among correctional officers and parole officers who I think are doing a wonderful job. Of course, these people are not perfect, they are only human, but we cannot afford to make mistakes. And above all, we must not try to bury the answer in the files, as is being done today. The truth is often buried in the files, and no one can find it, which makes it hard for people to do their job.

Earlier, the hon. member also referred to capital punishment and the negligible impact it has on our society. With respect, I do not agree. I voted in favour of restoring capital punishment, and I would still vote the same way.

Perhaps I may refer the hon. member to a case we had in Laval, where someone was given a maximum sentence of 25 years as we saw recently in New Brunswick. This was the case of a man who had been given a life sentence, subsequently commuted to 25 years without parole. As soon as the man was released he committed a murder. He took one of his girl friends hostage, and after this hostage taking which involved the whole city, the police and the neighbours, the woman was killed. This man killed a fourth, fifth and sixth time. We don't know how many times, but in any case, he was convicted at least once. Upon his release, he even had the nerve to

hug the police. I do not know whether the hon. member remembers that, but it made the international news. He even had the nerve to hug the police. He was a character. I say he was a character once too often.

• (1650)

I have a very simple question for the hon. member. I do not know why he criticizes the government for giving petty criminals a chance to get out sooner and for using the expertise available inside our prisons to keep other inmates from getting worse, because some day, these people will be released. The government's purpose and the purpose of the minister's bill is to release them under more normal conditions than is the case today.

My question: Is the way we operate today better, in other words, when people commit murder, if they commit murder four or five times, it does not really matter, because they were sentenced to life in any case?

[*English*]

Mr. Barrett: Mr. Speaker, I want to thank the member for his very good question.

As I said in my speech, there are some people in my opinion who should never be released. They should never be released. We owe it to the community to say honestly that some people are so much out of control that as earnestly as we try in a society, we are incapable of understanding their violence or dealing with it.

On that basis, we have to make judgments in terms of protecting their rights, an appeal system, but still in the final analysis, not release them.

We may not always be right in our predictability, but the best way of ensuring the kind of protection you want is each individual case reviewed by itself, not the case fitting in the system, but the system fitting the case. That is a fundamental error we make.

I am not blaming this government. Let me go on record saying that it was this government that closed the British Columbia Penitentiary and began moving people into camps, and modified approach if you are going to incarcerate.

Why do you still have that many prisons? I do not know, but I would suggest to you that the same approach that the government took with the B.C. Penitentiary could and should be used in disseminating the inmates in a variety of institutions rather than one major centre.

The member and I do not share the same reading of statistics, but it has been my experience—I will end with this—that violence does not end violence. In a mature, thoughtful, worried society as we are concerned about our children, we know that violence is not the answer, back to the individual or to society.

I do not envy the government in this task. I am glad I was not a federal cabinet minister concerned with this. All I am doing is sharing an experience and making an appeal.

Mr. Jesse Flis (Parkdale—High Park): Mr. Speaker, it is always a pleasure to follow a member who has had first hand experience on a subject and shares that experience with other members in this House.

I do appreciate the hon. member's intervention. I wish to add the strong voices of Parkdale—High Park to Bill C-36, an act respecting corrections and the conditional release and detention of offenders and to establish the office of correctional investigators.

In my riding of Parkdale—High Park, I have many constituents who are very concerned about the Canadian criminal justice system not giving them adequate protection.

Whenever I see a new bill coming on the floor of the House, I look to see what is the purpose of the bill. I would like to refer members to page 3: "The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society.

(a) Carrying out sentences imposed by courts through the safe and humane custody and supervision of offenders.

(b) Assisting the rehabilitation of offenders and their reintegration into the community as law-biding citizens through the provision of programs in penitentiaries and the community".

This is where Canadians can see which party can deliver what the public wants. This is not the first time that the government is attempting to improve our correctional system. It has done it before. It did it in 1986 when I was not in this House. I had returned to education. The government tried something called privatization. It wanted to demonstrate that hard-core criminals, sex offenders, murderers, et cetera, can better be integrated into the community by a privately operated

half-way house than one operated by the government. I think many members of this House who were in this Chamber in 1986 and 1987 heard about the fiasco around Exodus Link. This was the government's model of moving former prisoners from the jails into the communities—privatization. But it failed, it failed from step one.

Why did it fail? Because, as always, this government in its arrogance failed to consult with the community. It thought it would sneak it in. Because communities such as Rosedale and Peele and others would put up such a fuss, it was going to sneak in this Exodus Link into Parkdale—High Park thinking that the citizens of Parkdale—High Park would not notice this. Well they did.

To prove how the government neglected to consult the people of Parkdale—High Park, the Solicitor General of the day did not even consult the sitting member for Parkdale—High Park. He admitted publicly in public meetings in my riding that he did not know anything about it. Here is a government sneaking in a half-way house for hard-core criminals into a community, never checked with the community and never even checked with the sitting member. This is the government's approach of providing, as the purpose of the bill says, a just, peaceful and safe society.

This is the government that says: "The purpose of this bill is to carry out sentences imposed by the courts through the safe and humane custody and supervision of offenders".

I am pleased to announce that this year Exodus Link closed. The government, again not being honest with the people, forced Exodus Link to close by not giving it any funds, but I and the community know there were other reasons for its closure which I will not have time to get into now.

Another incident is happening in my riding that is happening because of the government's deregulation. This is the government of deregulation and privatization. This government decided that to own a CB radio you do not need a licence. Let us deregulate. So the government did. It deregulated. You no longer require a licence to own a CB radio. So a 10 or 12 year old can go and buy one and use it.

What is happening in our community is sexual harassment over the airwaves, death threats over the airwaves, jamming of the airwaves so that no one can speak to others, even in an emergency. I wrote to the Solicitor General about this matter. Do you think he has done anything about it? I am pleased he is sitting here today. I see he is running out to get some information. I hope he will and I hope he will come back to this House and say: "Yes, Mr. Flis, I have listened to the residents of Parkdale—High Park and I will reinstitute the licensing of CB radios". Because, Mr. Speaker, this again—

• (1700)

Mr. Waddell: Point of order, Mr. Speaker. I hesitate to interrupt the hon. member but what does this have to do with the Parole Act? It sounds to me like a cheap way of getting some local publicity in his riding.

Mr. Flis: If the hon. member would just listen he would know what connection there is. The people of Parkdale—High Park are so fed up with the lack of law and order in this land that they do not want a piecemeal approach to tightening up the laws in our society. It is all these things that are happening.

It is my area where the three-year old girl was abducted, sexually molested, and murdered. What does that have to do with parolees, you might ask. It is all integrated. Some of these people who are using CB radios will also be offenders. They may even now be ex-offenders. They may be pushing drugs through the CB radios.

If the hon. member will just be patient he will see the linkage I am making. He will have an opportunity to express his voice.

Privatization, deregulation, yes in some aspects it works, but when it means to protect the people on the streets, that is when the government must act. You cannot turn that away to a private organization and the purpose of that organization was to make money on that halfway house. As I say, I am glad it folded.

At least this bill is a first step. It is about time. It is a first step, so let us support it. Let us get it into

committee, and let us improve it with our amendments and let us get on in making it a safer society for people in all communities.

I am glad to see that this bill provides for the rights of the victims to participate in the entire process, from the initial trial through the parole board hearings. I think we must recognize that individuals are suffering as a result of criminal actions of others. As well, we must realize that society suffers.

In areas of metro Toronto where there are particularly high rates of drug and prostitution related crimes, the people who live in the areas are being held hostage. They are afraid to walk to the corner after dark. They are afraid to let the children walk to school on their own. They see crack houses operating on their streets, and they see the police watch helplessly as the dealer arrested in the afternoon deals again in the evening. My constituents give me street and number where cocaine is being sold and purchased and the police are helpless to do anything about it.

I attended a public meeting on this issue. What is happening at these meeting? The police blame the city because the city is not giving them enough resources, enough foot patrol, enough money to lay further charges.

This is something else the government fell down on. I have recommended, again from my community, from the mayor's task force, that when there is a drug bust and there are assets to be sold that some of that money be returned to the local community so that the police can continue their work.

Here I must compliment the Solicitor General because in one of his replies in Question Period he said that he is looking at doing this exactly. Through you, Mr. Speaker, I congratulate the Solicitor General.

The police were blaming the city. The city blamed the province. Implementing the law, et cetera, is provincial jurisdiction, so the city is blaming the province. The provincial MPP gets up. He is blaming the federal government. The federal government has to toughen up the laws for us to implement.

The buck stops here. We cannot blame anyone else. A government was elected for four or five years. Now seven years in office, the situation is getting worse. At least if there was a halt, at least if there was a trend to better street safety, less drug pushing, we would see some improvement, but there isn't. So we must all accept the blame. I feel as a federal member of Parliament I am letting down my constituents if in co-operation with the three other levels of government—metropolitan Toronto, Toronto, the province—we cannot bring a resolution to providing safer streets for our children so they can walk to school without fear.

Because the citizens feel trapped and feel that the system is letting them down, they are in a mood to do something instead of just waiting for us politicians. What they have told me at a public meeting is this: If you cannot provide the law and order, we will do it ourselves. They are talking about forming vigilante groups to bring protection to their communities. I have had two calls now, Mr. Speaker, because some people in the community want to bring in the Guardian Angels from New York to patrol our streets.

So far, reasoning with the people, they agree with me that that is not the route to go. My constituents of Parkdale—High Park are counting on this and other bills. I hope we do not stop just with this bill. Looking at all the bills, be it the Immigration Act, the Privacy Act, our Constitution, I hope that Canada again can be a country where immigrants come and they just cannot get over what a safe country this is. Tourists come and they cannot get over what a safe country this is. I hope we can get back to that just, safe society, because we are losing it. We are losing it.

I am concerned about what is there in the bill that is respecting corrections? Where is the funding for the corrections? I do not see it. On any programs that were started up, the funds dried up and the programs went downhill. Where is the funding for rehabilitation, training and skills so that criminals do not have to go back to a life of crime? Where is the treatment for drug addiction, so that the drug dealers do not have to go back to dealing drugs, treatment for sex offenders, so that they do not repeat their crimes?

I will never forget the call I received from one of my constituents, a father over 60 years old. His son was picked up for peddling drugs and got 10 years. The son served his sentence. The father has no bitterness to that, he felt the son did commit a crime and he served his sentence. But now, the son is in his forties and the father is worried that if he dies who is going to look after his son? Because the drugs damaged his brain and he cannot go and get a job. He cannot look after himself. He must

depend on someone to look after him. The father is saying: "When I go, what is going to happen to my 40-year old son?" Somehow, in that 10 year sentence, our system failed. We did not prepare that son to return him back to the community. In this case it was our community and we are willing to take this person back. He is a vegetable, 40 years old. If his life span is 70, society has to look after him for another 30 years.

Just this week I received a letter and to protect the constituent's identity, I will not use the person's name. It says: "Dear Mr. Flis: Greetings. My name is—and I am a 29-year old Canadian citizen, born and raised in metropolitan Toronto, Parkdale area. At this writing I am presently incarcerated in the state of Michigan, serving two life sentences for possession and conspiracy to possess 650 grams or more of a controlled substance, cocaine, and have been for the last three and a half years" and on and on.

This constituent is asking me to intervene so that he can serve his life sentence in Canada and not in Michigan.

An hon. member: Do you know why?

• (1710)

Mr. Flis: An hon. member asks if I know why. He might raise this in Question Period and maybe he will get the answer.

Again, I point out this person has a life sentence. Let us suppose the person is paroled after half the sentence is served. What does this person do? He is almost 30 now, and may come out at age 50. What do we do with this person in our society if the person is paroled earlier. I do not know the laws in Michigan. Maybe they do not parole for drugs.

It is not enough to lock people up and throw away the key for a specific period of time. Even with more stringent parole laws and greater supervision it is simply not enough to assume that any person of a criminal mindset will get over that mindset simply by being locked up. I think this is a serious shortcoming in the bill.

However, it is long past the time for individual components of the entire justice system to be tinkered with and amended. The world has changed drastically in the last 100 years and the system which was designed to deal with the criminal element of society at that time is no longer relevant. The criminals have better guns than our police. They have better electronic equipment than our police. They have better lawyers in the land than our police have.

We have for too long been papering over the cracks and putting a fresh coat of paint over rust. It is time, as parliamentarians, as representatives of different parts of Canada and different communities, that we took the time to evaluate the goals and priorities and expectations of our society with respect to the criminal justice system.

When I think of the chaos which will result from individual communities taking the law into their own hands, as my constituents wanted to do, because corrections do not correct and detention is at the discretion of individual judges, I get afraid for the very fabric of our society.

I can support this bill as far as it goes, but there are only so many times a leaky roof can be patched. I urge the minister to be aware of the mood of the nation and act soon to provide adequate enforcement of the system we have and new guidelines for the future.

Hon. Doug Lewis (Solicitor General of Canada): Mr. Speaker, during his remarks, my hon. friend made reference to correspondence to me on a question of CB radios. I can advise him that I cannot quite connect how that might be a matter for the Solicitor General. We have checked our outstanding correspondence list and we cannot find anything from my hon. friend. We will continue to check. Perhaps he might provide me with a copy of the letter and I will follow it up.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I would like to thank my colleague from Parkdale—High Park for his submissions. He and I represent two ridings in west metro that are adjacent to one another and the concerns of his constituents are the concerns of my constituents in York South—Weston.

I know many members in metropolitan Toronto share the same concerns. The hon. member has been in the House for a number of years and he knows that in the last seven years since this government took office, there have been a number of, shall we say, high profile cases involving the criminal justice system that has led the public to seriously question the criminal justice system in Canada.

Recently we heard about the Nina deVilliers case, the young woman who was murdered just outside of Hamilton. In the Klaudusz case, the young child who was murdered, the family resided in my colleague's riding.

Over the last seven years we have had the Foster case in British Columbia where an inmate who was incarcerated proceeded, after being released on parole, to commit a number of other offences.

There was the Gingras case in Alberta where a convicted murderer was given a pass to celebrate his birthday at the West Edmonton Mall. He broke away from his escort and murdered two other people.

There was the Melvin Stanton case in Toronto where a convicted murderer was given a pass to Toronto and proceeded to murder a young woman. There was the Fredricks case. Mr. Fredricks, who had a record of child abuse and had been convicted or raping a young child, was released and proceeded to murder a young boy in Brampton. We had the Sweeney case here in Ottawa, a convicted rapist who was released on parole and proceeded to murder a young half-way house worker. We have the Rallow case in Hamilton and the list goes on and on and on. Over the last seven years the public has been crying for reform. Here we are in November 1991 and there really has not been any meaningful reform in the criminal justice area.

I would like to ask my friend about these high profile cases and whether his constituents have expressed concern to him about the crime in his particular community and could he share with us the concerns of his constituents in terms of the priorities in his particular riding.

Much is said in this House about the Constitution and other matters. As far as crime is concerned, how would he rate that as a concern of his constituents in Parkdale—High Park?

Mr. Flis: Mr. Speaker, I have a system of town hall meetings. Every time I send out a parliamentary report, I announce my next town hall meeting. This way every household ion the constituency knows of the meeting and can come out and share their concerns.

In the last two town hall meetings I have not had one question raised about the Canadian Constitution, not one. The top priority and most of my questions are around street safety, illicit use of drugs, prostitution, former offenders who come and pick up a three-year-old child, and not one question about the Constitution.

The next priority is the economy. I am flooded with questions and representations about people without jobs. These are university graduates who have been working three to five years and now are unemployed. They are embarrassed to come to their MP to say: "Help. Maybe you can help. Maybe you know of someone who needs a qualified architect or a qualified engineer".

This is why this government has its priorities all wrong. It wants to deflect the country's attention on to the constitution debate. We must have the constitution debate, but let us get our priorities straight. Let us get the economy rolling. Let us get the street safety in place and the Constitution will fall into place. Canadians will be more agreeable province to province, community to community once they have jobs and once they feel safe that they can walk the streets, that they can send their five and six-year-olds to school without having to walk them to school as they did before.

It can be done in this beautiful country. We did it before. What happened to it? Have we been watching Detroit and New York for too long?

Mr. Vincent Della Noce (Parliamentary Secretary to Secretary of State of Canada and to Minister of Multiculturalism and Citizenship): Mr. Speaker, I did not want to interrupt the hon. member, but I agree with my colleague from the New Democratic Party that he was going on the wrong track, but in any event he came back to the bill. He spoke about everything. I want to hear more about the bill because at least he congratulated the minister and the government for this bill which has to go to committee.

I must tell my hon. colleague that my people were consulted for the last three years. Three ministers were working on the issue. My people, because of the fact that I have five jails, asked for more protection and also asked something I have not heard in this House today, and I hope I will before this bill goes for second reading. Nobody spoke about the victims. This must be respected too.

I had a case in my area where Collin— I will not even call him Mr. Collin— killed Mrs. Berard.

• (1720)

Every day in the paper we had his picture and a full page on his history. Nobody mentioned the lady's name or what happened to his son who is all alone in my city of Laval while that man Collin was on a nice little vacation after he was in for 25 years. At the same time he was having a little hug with the police but nobody spoke about the victim.

I am glad when somebody mentions some names.

[*Translation*]

In my riding, we have had a number of cases—

The Acting Speaker (Mr. DeBlois): I would ask the hon. member to finish his remarks or ask his question, since his time is running out.

Mr. Della Noce: We have had prison riots, murders and assassinations. I therefore ask the hon. member whether he agrees with the bill or not. Does he want to advance the bill to protect my fellow citizens, the victims and their families?

[*English*]

Mr. Flis: Mr. Speaker, I support our critic and our party in getting this bill to committee to bring about amendments where needed, fine tune the bill and address the plight of the victims.

If someone is murdered, he or she is not the only victim. The victims are the whole family. The victim is sometimes the whole community. I am glad that he is very sensitive to that and I hope he will make the bill stronger when it is in committee. I am pleased he addressed that.

Mr. David Kilgour (Edmonton Southeast): Mr. Speaker, we have heard a lot about homicide, attempted murder, assaults, robbery, sexual assault, the statistics and, what is more important, the human cost to people.

I would like to address some thoughts as to how we could have a national strategy to reduce violent crime in this country. I might as a westerner point out that unfortunately generally speaking as we go west in Canada violent crime gets worse.

I do not know whether that will cheer up my colleagues from Toronto, but it is an unfortunate reality in Canada. As to the effect of the present state of the economy and the effects the recession is having on crime trends, common sense would suggest that at least some crimes are being committed by economically desperate citizens.

A study prepared for the joint economic committee of the Congress of the United States about 15 years ago noted a definite causal connection between rising unemployment and increased crime. The letter of transmittal of that report contains the following interesting paragraph: "Table 2 shows in fact that the 1.4 per cent rise in unemployment in 1970 is directly responsible for some 51,570 total deaths, including 1,740 additional homicides, 1,540 additional suicides and 5,520 additional mental hospitalizations. These are not major portions of the total number of deaths, homicides, suicides and mental hospitalizations which occurred in 1972–75. Unlike most other factors which contributed to those statistics rising unemployment can be readily avoided".

It seems clear to me at least that the great depression of the 1930s did not produce a per capita crime increase of the proportions experienced during the 1970s, 1980s and now the 1990s. The American criminologist, George Silber has asserted that: "The general relation of economic conditions and criminality are so indefinite that no clear definite conclusion can be drawn".

Let me suggest what I believe are five probable causes of the increased crime we are witnessing including crimes of violence. First, youth attitudes: a larger majority of young Canadians today and elsewhere in the world is unfortunately failing to learn integrity, personal responsibility, respect for others' rights and property, and that one's right to swing a baseball bat in a free society ends just before the point of another's nose.

Parents, churches, schools, colleges, the media and above all young people themselves will all have to take a more positive role in reversing the current trend.

Illegal drug abuse: heroine addicts commit, I think from all indications, a large percentage of property crimes. Unfortunately again I have to refer to an American study. It found that 237 heroine addicts in the city of Baltimore committed more than 500,000 crimes over an 11-year period.

No doubt a similar pattern exists in our own country. Many addicts in both of our countries must steal enough

goods to fetch the hundred dollars or so necessary to sustain their daily habit of crack or heroin on the black market seven days a week. The rule of thumb a few years ago when I was a drug prosecutor was that stolen goods fetch about 15 per cent of the replacement value on the stolen goods market.

Third is media violence. The media to many observers glamorize not only the use of cocaine, say, but hard core violence as well. The Lamarsh commission on television violence, for example, estimated that the average Canadian child, including your children and mine, I assume, see approximately 13,000 television murders by the time he or she graduates from high school.

A study a decade ago by the U.S. National Institute of Mental Health noted that prime time American television currently provides an average of five acts of violence per hour and for weekend programs aimed at children, an astonishing 18 acts per hour. It concluded after a decade's research that there is now overwhelming scientific evidence that excessive violence on television leads directly to aggression and violent behaviour among children and teenagers.

Fourth is the demographic overload. Charles Silverman has pointed out in his seminal book *Criminal Violence: Criminal Justice* that a major reason for increased crime in his country, the United States, was the more than 50 per cent growth in the 14 to 24-year-old population between 1960 and 1970, with a resulting weakening of conventional social controls.

Relative to the growth of the adult population, a similar pattern is reflected in our country. Teenage peer pressures and the need for the right records and clothes, as Silverman points out, "combined with a weakening of adult social contacts has provided a lethal crimogenic force".

Fifth is social causes. It was a number of years ago, but I think it still applies, when the U.S. National Commission on Causes and Prevention of Crime said that the war against crime could be better waged by: "better schools, better teachers, full employment and fair wages, work opportunities for youth, especially those of the criminally prone ages, a rebuilding and restoration of the tax base of our cities, better housing, reduction of dope addiction and the ultimate elimination of the ghettos". Thank goodness we do not have as many ghettos or have many fewer ghettos in Canada, but I think this statement has at least a limited application to our country as well.

There are a number of proposals which should be made and have been made with respect to areas of major concern. The first is bail. It seems to me that Parliament should be providing clearer guidance to the courts than the legislation currently does. A text was proposed south of the border which was sponsored by Senator Edward Kennedy who is not usually identified as being a hawk on crime prevention. The text seems reasonable and I would suggest that some such wording might be adapted to our own situation. Basically it would say that several things should be considered. These include: the weight of evidence against a bail applicant, the nature and the circumstances of the events charged, and the history and characteristics of the person including his or her character, mental condition, family ties, employment, past conduct, length of residence in the community, financial resources, record of convictions, record of appearance, flight to avoid appearance or non-appearance at court proceedings, illegal drug use, whether he or she was on probation, parole or other release pending completion of sentence for the conviction under federal, state or local law at the time of the current arrest, whether he or she was on pre-trial release or release pending sentence or appeal for an offence under various legislation at the time of the current arrest.

With respect to hard drugs, the causal link between heroin and coke addiction and crime is about as well known as anything in this House. Organized heroin and cocaine traffickers thus constitute a prime target for any stepped up national fight against serious crime.

I just give three suggestions as to how we can make life more difficult for heroin traffickers and simultaneously better protect our most important national resource, our young people.

First is a more soundly based education program across Canada to mobilize parental, educational, youth and religious groups to reduce heroin, coke and other drug abuse. One of the United States has an excellent program which might well serve as a model for parents in Canada. More than 3,000 groups of parents have already

formed a parent movement to counteract the drug culture as a whole by first educating themselves about drugs so they can avoid misconception, myth and error in their dialogue with children. There is also a video cassette called *Consider the Source* produced by the Ontario Chiefs of Police who suggest it be shown to children in grades 4 and 5. That is a step in the right direction.

• (1730)

I might point out since I see the Solicitor General here that my understanding is the only person at the head office of his department who was an expert in drug and alcohol abuse was let go about two and a half years ago. He was on a term contract and after I believe four years that individual, a Ph.D., was simply let go by the department to save a few dollars. They may have replaced him, but certainly as of two and a half years ago, they had nobody in the head office of the department who knew anything about drug and alcohol abuse.

Additional equipment, expertise and training are required for our customs and Coast Guard officials, although I think some steps are being made in that direction. The use of more trained dogs for airports to detect heroin in air cargo and passenger baggage has proven successful in West Germany, the United States and elsewhere. I think we should give more emphasis to that.

Third and last, a senior customs official told me some time ago that thousands of letters containing drugs are being delivered each year within Canada. Our current postal legislation appears to be unique in the free world in not permitting the opening of a letter, except in the presence of an addressee, no matter how overwhelming the indication that it contains heroin, coke or whatever.

It seems to me that customs officials should be given the legislative authority to seek a court order to open and stop mail in specified circumstances. If that law has been changed I will stand corrected. I wish somebody would get up and say that the law has been changed, but I do not think it has.

Finally on victims of crime I would like to quote from an article published in *Policy Options* of March 1991. It is called "The Rights of Victims" and it begins with this chilling paragraph: "In 1985 Larry Takahashi of Edmonton was charged with the sexual assault of 138 women across the country. After hearing the testimony of the first 16 victims it was jointly decided by the crown attorney and the defence lawyer that enough evidence had been presented to guarantee a guilty verdict on at least 16 of the charges. The sentence that could be obtained at this point would presumably provide sufficient punishment for Takahashi, without unnecessarily prolonging the long and costly court room proceedings. The remaining 122 women were accordingly released as crown witnesses and their respective charges were dropped. The accused was found guilty on the first 16"—I think the author may be in error; I think it may have been 13, but it was 13 to 16—"of 138 rape charges and sentenced to a total of 86 years plus three life sentences. All 16 sentences, however, run concurrently. He could thus be eligible for full parole in seven years and for day passes in as little as two".

The author of that article goes on for many pages about the plight of the victim. I hope every member of this House, including the minister, is aware that Mr. Takahashi was out playing golf with his friends on leave near Chilliwack in B.C.

I would like to say something about mandatory supervision which as other speakers have mentioned is an ongoing cancer in the system. The present system has been in effect since 1970, except for the provision that was added a few years ago with respect to gating. A study about a decade ago by the solicitor general's department indicated that during a five-year period examined fully 5,301 of 15,627 persons pre-released on mandatory supervision after fulfilling two-thirds of their sentences came from the maximum security status. Fully one-third of those pre-released on mandatory supervision by operation of law, that is before the gating provision, I should add in fairness for having earned remissions or for whatever reason, were not considered safe enough to be in the medium or minimum security institutions.

The success rate for those studied who left maximum security institutions is given as 48.6 per cent. In other words, approximately half were returned to custody for either committing a fresh violent offence or for breaking the condition of their release. The same study also indicated that mandatory supervision in its present form is about equally unpopular with the public, the National Parole Board, the police and offenders themselves. The same study also indicated that about 90 per cent of the people in the federal correction institutions "earned" all possible remission in each quarter of the year.

My colleague spoke on the question of parole. I think we will have a very interesting debate on whether there should be parole as he indicated earlier. When we talk about violent criminals we are not talking about people who write bad cheques. We are talking about people who go out and maim, beat and kill other citizens of Canada—and I hope those who sell drugs would also be included—and whether they should be eligible for parole or whether those people should serve the full sentence.

I might make a comment on the question of judicial appointments because I believe ultimately, having spent 12 years in the courts either as a Crown or defence lawyer, the federally appointed judges across Canada and the provincial ones—but we have no jurisdiction there—have a pivotal role in our criminal justice system and that only the best qualified men and women should be appointed.

The present practice, it seems to me, is far too often still based on past political loyalty rather than merit. I would never release the name of the person who told me this, but I must tell the House about a Superior Court judge who when appointed asked for a computer for the office. The computer word processor was denied, and I think that most members of this House know that Charles Ng had a computer in his cell in Prince Albert paid for, I would assume, by the Canadian taxpayer. In other words, unconvicted accused mass murderers in our system get computers at taxpayers' expense but Superior Court judges, at least in one province, are not able to have computer word processors in their offices as of now. That is how upside down or inside out the system has become.

How do we ensure that all appointments to our Superior Courts across the country are the best qualified men and women in the 10 provinces and territories? I would respectfully suggest that the model in use in both British Columbia and Alberta would be a better system than we have now. In essence appointments are made only from successful applicants to councils representative of both the bench and the community.

If those opposite are going to get up and say that the system they have now is working the way the B.C. and Alberta models do, I would suggest they read Peter Russell's article of a few months ago in the University of Toronto *Law Journal* which basically suggests that the old patronage system is working unimpeded.

I guess I will end with a couple of thoughts on sentencing. A number of Gallup polls have indicated that Canadians across the land judge that the courts do not deal firmly enough with criminals. The regional breakdown in one poll I have here indicates that the prairies were the region where that was the most strongly felt.

What I call the confidence gap between the public and our courts is now, it would appear, at an all-time low. A careful look, therefore, at what is called—and I am only speaking for myself; not for the Official Opposition of course—presumptive sentencing for some violent offences would appear to be necessary. Under the model currently in use in California the legislature prescribes the range of penalty upon conviction, for example three, four or five years, for aggravated sexual assault and the court presumably chooses the middle figure unless the over-all factors indicate that the lesser or greater term should be handed out.

As other speakers from this party have indicated, we think the bill should go to the justice committee. I hope that the more glaring defects, and hopefully all defects in the bill from the standpoint of the safety of the public, will be screened out at that committee.

Mr. Flis: I rise on a point of order, Mr. Speaker. In my debate I falsely accused the minister because I said I sent him a letter on the licensing of CB radios. My apology. It was to the Minister of Communications that we wrote with copies to our critic and to Jim's CB Club that drew it to our attention. My apologies to the minister and to his staff who were trying to find the letter and could not. That will explain why.

• (1740)

Hon. Doug Lewis (Solicitor General of Canada): Mr. Speaker, I rise just briefly. I thank my hon. friend for his comment. I did not take any offence from what he said.

I want to compliment my hon. friend who just spoke on the research he obviously did. I think a lot of parallels could be drawn between research that is done in the United States and here. I think we can take instruction from him.

With respect to the person who was supposed to have left the Solicitor General's Department, the only explanation I can have is that the government has split its efforts in terms of the war on drugs. The RCMP basically has the control and co-ordination of the interdiction in conjunction with Fisheries and Oceans and National Defence. Education and that type of thing would be done by health and welfare. Probably the expertise in the drug side of it in terms of pharmacology and that kind of thing would be in health and welfare. The effort is still being made by the two departments.

Mr. Kilgour: Mr. Speaker, I thank the minister for his comments. The problem, as I am sure he knows, is that the solicitor general's department and Corrections Canada have a number of rehabilitation programs, thank goodness, across the country.

The person who was working in the Ottawa head office had a good deal of experience with alcohol and with drugs. He was acting as a resource person for programs carried out in penitentiaries across the country. I have every reason to believe, knowing him well, that he was a competent individual, worked extremely hard and was very dedicated to what he was doing. Yet he was the only person who had had, as I understand it, direct hands on experience with alcohol and drugs, which as the minister knows is the reason that a great many people are in our institutions. This man was hired on term for three and a half years, I think it was. Then the problem, as the minister will know, got to be if he was kept on for another matter of months he would be deemed to be permanent and have to be given permanent status. Instead of doing that, somebody in the department—the minister probably did not even know it had happened—decided just to let him go. Whether it was professional jealousy, whether it was incompetence, whether it was to save a few dollars at the expense of rehabilitation of programs, I do not know. Having written to his predecessor about it, I certainly was extremely unhappy that one of the rehabilitation programs in the department was in effect being decapitated.

Mr. John Nunziata (York South—Weston): Mr. Speaker, without commenting on the presence or absence of any member in this House, I find it rather curious that we have been debating this bill all day long and we have not heard from a single solitary member from Alberta, other than the member who just spoke from our party. There are a number of Conservative members from Alberta who have claimed to be very concerned about criminal law reform and to be concerned about high profile cases. They label themselves as law and order type politicians, yet we have not heard a peep from any Alberta member on the Conservative side and there is every indication that not a single member will speak.

[*Translation*]

The Acting Speaker (Mr. DeBlois): I again remind the hon. member that parliamentary tradition forbids mentioning the presence or absence of members in this House.

[*English*]

Mr. Nunziata: Mr. Speaker, I was not commenting on the presence or absence, just the level of participation in the debate. I have not indicated any particular member but perhaps the member, when I do ask my second question, might comment on the silence we are hearing from Conservative MPs from Alberta.

I am glad that the member has spoken. He is a member from another major city. We have heard from a lot of members, Liberal members from Toronto. The member who has just spoken represents an Edmonton area riding. I would like to know whether the crime statistics in his particular community are anything like the crime statistics in metro Toronto.

Yesterday metro Toronto had its 73rd and 74th homicide, murder of the year. It is an all-time record so far. It has broken the record set in 1987. There were 60 murders that year. The 73rd murder was a North York senior citizen. I quote the newspaper article: "A partially paralyzed North York man was beaten to death in his bedroom by an intruder, as his elderly wife ran for help". That was number 73. Number 74 was a motel guest who was found by the maid in his motel room murdered.

There are still two months to go. Toronto is fast becoming the murder capital of Canada. At the rate we are going in Canada we will soon be competing with American cities as far as the crime and murder rates are concerned. Not only is murder up, but violent crimes are up 22 per cent so far this year in metro Toronto.

Between January 1988 and December 1990, while the population in metro Toronto increased by less than 1 per cent, the robbery rate was up 84 per cent. There has been a proliferation of guns used in bank robberies or in robberies. That rate is up 207 per cent. Violent crimes, according to Statistics Canada, rose 59 per cent between 1975 and 1989.

All these statistics have been available to the government and it has done absolutely nothing for seven years. I would like to know from the hon. member whether his experience in Edmonton is anything like my experience in Toronto.

Mr. Kilgour: Mr. Speaker, unfortunately I do not have the homicide, armed robbery and so on figures for Edmonton. I was hoping to speak tomorrow. I might have had them tomorrow, but I do not have them today. However, Edmonton has a very high crime problem, particularly violent crime.

If I may, I think members everywhere may be interested to know that I am sure this one study would apply to Toronto, Montreal or Edmonton. It found that 237 heroin addicts in one city in the United States committed more than half a million crimes over an 11-year period.

I am thinking of a person I once defended on a heroin trafficking charge. Basically he would get up in the morning at ten o'clock and he would go to work. He would break into homes and apartments all day until about two o'clock. Then he would take his $100 from fencing his materials and go down and get his two or three caps of heroin. He would go home and shoot up and spend the rest of the night watching television. That was seven days a week.

Many of the homicides in Montreal, Toronto or Edmonton are as a result of crack. In other words, I think drugs is the matrix of most crime and this influx of hard drugs is the reason the crime rate is going through the ceiling.

An hon. member: Improve the bill.

Mr. Kilgour: With respect to my friend from Montreal, I do not think this bill is going to stem the tide. I think we have to get very specific and go after drugs. I do not think this bill is going to do much about the hard drug problem.

Mr. Nunziata: Just for the member's information, the murder rate in Edmonton is number four.

An hon. member: It has nothing to do with the bill.

Mr. Nunziata: The member says: "It has nothing to do with the bill". It has everything to do with the bill. We are dealing with offenders in the federal penitentiary system in Canada. We are dealing with an increased crime rate. We are dealing with criminal law reform, and the dumbo from Montreal says it has nothing to do with the bill.

Some hon. members: Oh, oh.

[*Translation*]

Mr. Della Noce: Mr. Speaker, I am sorry to interrupt my colleague, but he has been giving us a whole lot of statistics that Statistics Canada probably does not have yet, they are so recent. But that has nothing to do with the bill. I would like us to talk about prisoners and the bill before us today.

[*English*]

Mr. Nunziata: One final statistic from Statistics Canada is the murder rate in Canada in 1990: 656 homicides which include murder, manslaughter and infanticide; 33 per cent of those victims were stabbed, 30 per cent were shot to death, and 21 per cent were beaten to death. Those were 1990 statistics and according to Statistics Canada that record will be exceeded this year.

• (1750)

I would like the member to comment. Obviously these statistics add to the public concern out there about our criminal justice system. Is he satisfied that the government has done anything meaningful in the area of criminal law reform?

The Acting Speaker (Mr. DeBlois): The time for questions and comments has now expired. Resuming debate.

[*Translation*]

Mr. Della Noce: Mr. Speaker, I will speak because it was agreed earlier that be two members would speak for each party. However, since everybody is talking, I will take advantage of this opportunity, but not because of the hon. member's invitation.

[*English*]

The Acting Speaker (Mr. DeBlois): On a point of order, the hon. member for York South—Weston.

Mr. Nunziata: Mr. Speaker, the member has just indicated that there was an agreement that only two members would speak from this party. There was never any such agreement. Members on this side of the House wish to speak to this legislation because it is a priority with our constituents.

It may not be of concern to Conservative members but it is of concern to Liberal members of Parliament. That is why we are speaking. There is no such agreement to limit speakers to two.

Mr. Hawkes: Mr. Speaker, I was sitting downstairs and I heard the member invite Alberta members to speak on this bill. Alberta members would rather see action than talking out of two sides of their mouths. What is happening here today is a filibuster. From the point of view of the Chamber it is a filibuster which will stop the legislation from coming into force if it continues by opposition members.

If they do not want the bill, they should have the courage to stand up and say it. If they do want the bill, they should quit talking so it can go to committee and we can do something about it.

[*Translation*]

Mr. Vincent Della Noce (Parliamentary Secretary to Secretary of State and to Minister of Multiculturalism and Citizenship): Mr. Speaker, if the hon. member would care to listen, he will get a lot of information, because I am going to talk to him about the bill, about inmates and about penitentiaries, because I have the privilege of having five penitentiaries in my riding, as I said earlier to one of our colleagues, and of course I am lucky in that I can come and go as I like. In fact, I have gone to prison often since I became a member of this House. However, when I go to prison, there are times when I talk to the inmates as well as to management and the guards. I have had the pleasure of going there several times with a number of ministers, and I can tell you that the subject of today's debate is the result of many years of consultation.

I can also inform hon. members that our people, perhaps unlike Parkdale, were consulted and said exactly what they wanted to say. I can tell you we have had our share of escapes and murderers and hostage takings, and if this bill could at least provide some security and enhance the value of the system and restore the confidence of the people, it will be a success.

I also congratulate the government and the minister for the positive aspects that we added to this bill, but I still think there is room for improvement, because not enough is done for the victims of crime. Victims, unfortunately, are not as well protected as I would like, and I know this from past experience. Several times I have seen cases where people were accidentally caught up with inmates who probably were released at the wrong time, when they had a relapse. Earlier, hon. members were naming names and reading letters. Perhaps I may give an example of what happened during a prison escape when someone was taken hostage. Believe it or not, rifles and machine guns were used, and people were wounded. The inmates went straight to the hospital, which is practically next door to this detention centre, because I also have a hospital in my riding, the Cité de la santé de Laval. The inmates were lucky to be able to go straight to the doctor. Can you imagine that my constituent, who was innocent, who was going to the Credit Union to deposit her paycheque, was taken hostage by these bandits—and hostage-takers are bandits—and when people asked what to do about the victim, the association in Quebec that takes care of victims, the IVAC, told her to take the bus to go to the hospital.

For the benefit of those who do not know the area, the bus at Saint-Vincent-de-Paul goes directly past the old penitentiary, right where the crime was committed. Imagine, the poor woman had to go past the scene of the crime! It just didn't make sense. However, thanks to Correctional Services, thanks to the people we put there and to Deputy Commissioner Jean-Claude Perron, who is to be commended for this decision, they boldly decided to give us a car because the victim's car had been seized by the police as evidence. Thanks to the deputy commissioner, we were able to get a car to take this woman to the hospital, because the association which is supposed to defend victims in Quebec was taking its own sweet time. Imagine, when you need medical care that is not very reassuring.

Another thing: if you have more centres, you get more accidents, and I could give a few examples. In Quebec, the *Organisme pour la défense des détenus* got exactly what they asked for. They said: "Let petty criminals out on

parole, and keep people who need more attention inside and give them programs to put them on the right track". That is exactly what they have been asking since I went into politics, at least since 1984. Before that, it was the same, but nobody was listening. So that is exactly what they wanted.

I think this bill is reassuring for Canadians. I think there is not enough protection yet for victims, but it's a start, and victims are starting to have a say in what is happening. If they have any information for parole officers, that information will not be buried in a file, to help the case of those poor inmates who are to be released on parole.

The hon. member also mentioned that our Canadian system was not as bad as all that. I think it was the hon. member for Parkdale—High Park who said: I have someone who has a son in jail in the United States who would like to be transferred to Canada. I have many cases that are similar. You know why they want to be transferred to Canada? Because they are better off in Canada. They are treated better. Sentences are shorter and parole is more flexible. In some places in the United States, there is no parole at all, although I have no statistics to prove this.

I have also received a number of requests. I know that Canadians would rather be detained in Canada than in Florida. I know that by experience. There have been several cases. So it isn't as bad as all that. We do more than offer condoms in prison. Conditions are quite good. They are very well treated. I don't know whether I could say the same for the victims. When you see corrections officers bringing an inmate to hospital after a fight or an accident, and when you see them walking past 50 people who have been waiting for three hours—these are taxpayers who see these inmates. I agree, we cannot leave this inmate on a chair in front with two guards—but you can be certain, dear colleagues, that our telephone has not stopped ringing for three days with people saying: "I am a taxpayer. Why must I wait for three hours when a prisoner goes in directly? He does not even pay tax, he does not even pay his credit card". They may be right, but that is how the system is. Maybe that can be corrected some day too.

There is something else. My colleagues were just saying—I will not use up my 20 minutes, Mr. Speaker, I will try to be very brief, I just want to get some messages across. Correctional officers—

An hon. member: It's your bill!

Mr. Della Noce: My colleague says that it is our bill. Just because we are on this side does not necessarily mean that we always agree with everything. We call that being wimps. I am with the government. I am a team player, but in my riding there are responsible people who need my attention and who asked me to speak here. That is democracy. I will try to do so in accordance with the rules; if they like something, I will say so and if they don't, I will say so. I will try to work with the minister and with the government to improve it. I congratulated the minister. I congratulated the government. I say that it is good and inspires confidence. I also said that there was not enough for the victims. I do not defend criminals, I defend victims. I will never defend criminals. Where I come from, I have seen too many criminals, people who killed, raped, mutilated children and even threw them over the Jacques Cartier Bridge. One cannot defend such people. However, I am prepared to defend the victims who are alone and abandoned as if they were worthless.

• (1800)

I also want to say that we have people throughout Canada who do an outstanding job. Someone, I think it was the hon. member for Parkdale or York South—Weston, just told me that guards spend only eight hours a day in prison. Yes, that is true; it is only eight hours and not twenty-four. But it is eight hours every day. And those people do not do it just for the money. They are serving the country, Canada, and they deserve high praise from us because they work and have to put up with the insults and bad mood of those prisoners and cannot do anything about it because the law is the law and sometimes one just does not feel like answering back. So those people deserve a medal.

That is why when some of them retire from the penitentiaries in my riding, I am the first to go and give them a medal because they have served Canada for 30 and even 32 years. They have been paid for their service, I agree, but I assure you that they deserve a medal from Canada for spending 25 or 30 years with prisoners and criminals. I am proud to honour them when they leave their job.

In closing, Mr. Speaker, I believe that society must do more. I also believe that the service, the police and journalists must do more. When there is a hostage taking too much is made of the one who got free but

nothing is ever said about the poor victim or the children of the person who was killed by that man or woman—it is usually men—as in Laval, for example, where he had already killed or raped or mutilated and committed 10 to 15 crimes. And they are still given a chance, they are allowed out, although they are dangerous, to kill someone else. When will it end? Where does it stop, where do we draw the line?

That is the purpose of this bill. This bill tries to draw the line in the right place. Parolees are not as bad as all that. Their success rate is nearly 99.4 or 99.5 per cent—I checked the figures the other day. Sure, it is not easy to say who in advance, but those people do a darn good job. We must stop criticizing them. We must remember that it is not easy to judge a prisoner, a criminal who has spent 25 years behind bars, to try to make sense of his story and things did not always happen as they are reported.

Mr. Speaker, all I ask of committee members and all my colleagues is to try to do more, something to please everyone, especially taxpayers, the public, our fellow citizens who elected us and who want the most efficient system possible and to be safe. When you live in a place with 1,000 prisoners and hear about escapes or when something happens like a prison riot—we have seen that in Laval. We have had prison riots, crimes, jailbreaks, everything in Laval—I can tell you that it is not funny for society, for the people who live in the surrounding area.

My job is to make it as safe as possible for them and this bill will enable us to do so. I will keep on working to improve it even more and to think especially of the victims, which I recommend my colleagues also do.

The Acting Speaker (Mr. DeBlois): Questions and comments. The hon. member for Parkdale—High Park.

[*English*]

Mr. Jesse Flis (Parkdale—High Park): Mr. Speaker, I am pleased the hon. member did get up on behalf of his party. He did add some valuable contribution to the debate, but I think he missed the whole point of what I was trying to say. He was talking about the prisons in his riding.

That is not what I am talking about. Those people are under very close supervision. I know about the prisoners who have to go to the hospital. They go there under very close supervision.

I am talking about the people who leave the prison to be integrated into their communities. Let me give the hon. member an example. Again, this pertains to the Exodus Link in my riding over which there was so much controversy.

In 1988, Mr. Fredericks was hauled back to prison by federal Solicitor General James Kelleher because of a furore in Toronto over the presence of sex offenders in halfway houses. He was ultimately released on a mandatory supervision program and angrily refused to go back to a halfway house. Shortly afterward he abducted an 11-year old Brampton boy, sexually assaulted him in his apartment and then killed him.

This is what the community is afraid of and I want to ask the hon. member who is not listening how this bill will prevent these incidents. If it is mandatory supervision, mandatory means it is a must. He must be under constant supervision.

How did this offender, a former sex offender, under mandatory supervision go out and kill an 11-year old boy? That is what I am talking about, not the people who are in his riding under lock and key, under guard. I applaud the guards too. They are doing an excellent job.

This is what this bill is supposed to address.

Mr. Della Noce: Mr. Speaker, I would like to answer my hon. colleague. Maybe my French was not very good, but I did speak about the person who came out and hugged the police after he killed his girlfriend and left the little kid alone. Nobody speaks about it. If the law existed as we propose to change it, these things would never happen.

I was ashamed to be from Laval when I saw this guy who got the whole city upset because he kept somebody inside who was dead for three days. When he came out with his sunglasses like a big shot, he hugged the policeman like a star. After one week we spoke about this guy. When he went inside the jail, he was a star because he kept the police on guard for three days.

That is what I am speaking about. This guy should never go out. If we had had the death penalty he would never have been out because he committed seven or eight crimes before he got out. He was on vacation, wearing sunglasses. That is what I am against.

If I spoke about the inside as these people come in, I could give you some examples. I could give you dozens of examples. I was ashamed to be from Laval when I saw this man hugging the police and I wrote to the chief of police in my area and said that I could not accept this kind of thing because he is a criminal.

Do you know that since then nobody has spoken about the victim and the little boy who is all alone with no one to take care of him. I wish I could do something about it.

This law will do something but I wish we could do a little bit more. I said, and perhaps my French was not perfect, was that the first-time offender should not be there. We should give him a chance to go back on the right path.

I believe from my own experience that 60 per cent to 70 per cent of the young offenders who are inside could go out in a safe way.

Mr. Sid Parker (Kootenay East): Mr. Speaker, I would like to ask a question of the member with regard to the parole system. He bragged about what his government was doing and the changes it was making. I want to know if the member is proud of the fact that a former member for Kootenay East, a member of the government, whose only expertise to my knowledge was in the expertise of explosives and also sitting as a stock broker, after being defeated in this House was appointed to sit on the parole board in British Columbia.

I ask the member if he feels that that person, with those qualification, is the type of appointment that should be made. We have heard about the various appointments that are made, but the people in Kootenay East recognize this as patronage of the worst kind.

Also comments were made by the judicial system about the appointments of these parole officers because of their concern of the knowledge that these people have when they sit and serve on this board.

I want to ask the member if that is the proper qualification and if that is what he is proud of with regard to his government because the constituents in my riding have a great deal of concern about that.

Mr. Della Noce: Mr. Speaker, first of all I would like to say to my friend that it is impossible to analyse one single case and it is impossible to have on this parole board all experienced chiefs of police.

I do not think they are all as experienced as they could be on that committee, especially the one I had in Laval who hugged the criminal who just killed maybe half a dozen times. It is not for me to judge, but the people who name these people are smart enough to know if they are doing a good job. Possibly my hon. colleague thinks only NDP people can do that job. I never put in doubt the NDP nomination of Ed Broadbent. Like the Prime Minister said in May, anyone is good as long as he has good information. This bill will provide the good information which was locked in a little file before. The victims who will be allowed to say a few words.

• (1810)

An hon. member: Wrong.

Mr. Della Noce: It is not wrong. My hon. colleagues says wrong. Everybody will be allowed to say a few words and if the person in charge has good information, he will make a good decision.

Mr. Rob Nicholson (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Chairman, I would like to compliment the member on his speech and ask him to comment a little bit about the process that we have here today.

Hon. members and those watching these proceedings could easily forget that we are talking about changes to the Parole Act, changes that will keep dangerous criminals serving their sentences longer.

The hon. member for York South—Weston is shaking his head. That is one of the problems that we have here this afternoon. They talk a great game here about worrying about the judicial and legal system. Now, when we could get a bill through here this afternoon, Mr. Speaker, you will notice one Liberal up after the next all making the same comments about how concerned they are about crime. Then when there is a bill on the Order Paper, something that will do something about dangerous criminals, a bill that puts the protection of the public paramount, what do they do? They want to extend the debate on and on and on.

I would like to point out, Mr. Speaker, and I will ask the hon. member to comment on this in a second, that one of the things we are not getting to as well by the members extending this debate, is the final reading of the Young Offenders Act. Again, it is a bill that puts a new test into the Young Offenders Act that makes it clear that the protection of the public is paramount.

The members of the Liberal Party bleating about how worried they are about crime are making it impossible here this afternoon to get both these fine bills before Parliament. That is why some of my colleagues on this side, because they are more responsible say: "Let's get on with this thing. Let's pass these two excellent pieces of legislation", which apparently are not going to be passed this afternoon because of the actions of the Liberal Party.

Could the hon. member comment on that?

Mr. Della Noce: Mr. Speaker, I am very upset when I see my colleague shaking his head. He did not even speak on the bill. He gave all the statistics about crimes in Toronto. I could give you, Mr. Speaker, those for Montreal. It is not better.

The Acting Speaker (Mr. DeBlois): On a point of order, the hon. member for York South—Weston.

Mr. Nunziata: I would just like to correct the member. Perhaps you can, Mr. Speaker. He just indicated that I did not speak on the bill.

I do not know where he was this morning—

The Acting Speaker (Mr. DeBlois): I apologize. It is not a point of order. The hon. member very briefly.

[*Translation*]

Mr. Della Noce: Mr. Speaker, I will conclude briefly and in very good French. I deeply regret what my colleagues are now doing; they are trying to put obstacles in our path when we present a bill so that people can regain confidence in Canada's prison system. That is what we want to do and I hope that all hon. members will co-operate with us.

[*English*]

Mr. Cooper: Mr. Speaker, I just listened with great care to the parliamentary secretary to the minister of justice. I think he has made a very important observation and that is that members would like to discuss this bill.

I think what we would like to do on this side of the House is to make that opportunity available to members. The House is supposed to move on to the adjournment debate at 6.22 p.m. I would like to offer to members of the House that we continue sitting and debate this important issue this evening.

Mr. Nunziata: Mr. Speaker, on the same point of order. If this government had any credibility at all, we would be able to talk in a very constructive way about expediting this bill. I have waited patiently for seven long lonely years for some meaningful reform in the criminal law area.

This government introduced the bill—look how thick it is, Mr. Speaker, hundreds of pages—on October 8. The government has called for second reading today and it wants it passed this afternoon, a bill that has over 100 clauses in it.

Is that any way to legislate? That is pure nonsense. We take a responsible position on this side of the House and we want to debate the bill.

The Acting Speaker (Mr. DeBlois): Does the parliamentary secretary have a motion?

Mr. Albert Cooper (Parliamentary Secretary to Minister of State and Leader of the Government in the House of Commons): Yes, Mr. Speaker. If I understood the hon. member he said he wanted to debate the bill, so I assume that means we would sit beyond 6.22 p.m.

Mr. Nunziata: Mr. Speaker, we have debated this bill all day long. We have a number of other members who wish to speak to this bill. We will speak to this bill at 11 a.m. sharp tomorrow morning when the House resumes. We will be prepared to debate the bill all day tomorrow.

Mr. Waddell: Mr. Speaker, I am a bit confused here. I know the members would want to follow the traditions of the House, as I would.

An hon. member: A learned expert.

Mr. Waddell: And being a bit of an expert, I want to ask, Mr. Speaker, if the parliamentary secretary is moving that we sit extra hours. I am confused here. Would he tell us—

Mr. Cooper: Mr. Speaker, I am prepared to move under Standing Order 26:

That this House continue to sit beyond the ordinary time of adjournment.

The Acting Speaker (Mr. DeBlois): Will those members who object to the motion please rise in their place.

More than 15 members having risen, pursuant to Standing Order 26(2) the motion is deemed to have been withdrawn.

Mr. Ian Waddell (Port Moody—Coquitlam): Mr. Speaker, I had not intended to rise. I thought this was going to be dealt with this afternoon. I would have preferred that, but it has been sort of talked out by the hon. member over there. Obviously the Liberals want to keep debating.

I only have a couple of minutes, but I just want to add this. We are all concerned about crime. It does not matter where you live, whether you live in Laval or Edmonton or in Toronto, and especially in Toronto. I heard especially what the hon. member from Broadview—Greenwood was saying. I was listening carefully to what he was saying about people being afraid to go out, and so on. Quite frankly, we have similar problems. I am from Coquitlam in the suburbs of the greater Vancouver area. We have had murders there recently. We have had our share of the problems too. Canadians are concerned. As a matter of fact, as some members said, they are perhaps more concerned about this than the Constitution because they really feel this affects them.

The House really has to deal with it and the government has to deal with it. We support this bill. We think it is the beginning of dealing with very hard core offenders, but we want the government to commit itself to some procedure for effective rehabilitation.

We also want the government to be honest with the Canadian people. If you read *The Toronto Star* today, you see a big headline. The government has a law and order agenda. It wants to pass pretty well a bill a day to deal with all these matters.

As a matter of fact, the government has had the gun control bill. It has weakened it. It has had the Young Offenders Act bill here before the House for the last year. It had the mental/insanity provisions five years ago, and it only brought them forward because the court told them to do it. There are all sorts of other aspects that it has not brought forward.

Mr. Nicholson: Mr. Speaker, I know the hon. member would not want to leave this on the record. He said that the government has weakened the gun control bill. I believe that was a slip of the tongue, because in fact no such thing has happened to the gun control bill and I know he would not want to leave that on the record.

• (1820)

Mr. Waddell: Mr. Speaker, I only have a couple of minutes.

Here is how I suggest we deal with crime. I think we have to get tough on guns, especially hand guns in our major cities and we have to have another look, not only at this gun control bill we are going to debate this week, but maybe at another gun control bill later on.

We have to look at mental patients on the streets. What is happening in New York is starting to happen in our big cities. You mentioned High Park and Parkdale. I know that area of Toronto. If we dump a lot of mental patients on the street, we are going to have problems if we do not provide facilities for them. That is what is happening in the United States and it is starting to happen in Toronto and in other big cities.

We have to pay parole and probation officers properly. The federal government cannot just keep cutting back money to the provinces and expect good services. We have to get off all the political hacks and get a good parole board so that we do not just make it a nest for Conservative patronage.

We have to look at our judges and not make patronage appointments and we have to have this House of Commons or a new Senate look at the kinds of judges we want to have in this country.

Then we have to tackle poverty and provide jobs for people. We have to deal with illiteracy and child abuse and family violence. That is the way to tackle crime.

We can give all sorts of speeches in this House, and I am as guilty of it as anyone. Let us get tough on crime. I believe we should get tough on crime. All members believe we should get tough on crime, but let us look at the real causes of crime and let us tackle them and let us do it soon.

Mr. Boudria: Mr. Speaker, a point of order was raised in this House earlier and on a point of order a motion under Standing Order 56 was moved. I believe that the Speaker recognized that motion as being valid. As a matter of fact, we voted on it.

The point I am bringing to the Speaker is that perhaps the Chair together with the Table officers could review whether that procedure was in order. It is my belief, Sir, that vote should not have been taken and that the motion was not in order because a motion to adjourn can be proposed at any time. The kind of motion we dealt with tonight can only be proposed when someone actually has the floor during debate.

I would ask the Chair to review that and report to the House tomorrow when it begins to sit at 11 a.m.

[*Translation*]

The Acting Speaker (Mr. DeBlois): I acknowledge the comment by the hon. member for Glengarry—Prescott—Russell and, if necessary, I will provide additional information subsequent to the ruling made this afternoon.

[*English*]

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

FISHERIES

Hon. Roger C. Simmons (Burin—St. George's): Mr. Speaker, back in September I raised in the House a question of a report on the state of the inshore fishery which had been done by a former employee of the minister of fisheries, now working in his capacity with the fishermen's union and doing this report for the Industrial Adjustment Services Committee of that union.

The report found that the fishermen and the plant workers on the northeast coast and throughout Newfoundland were headed for one unmitigated disaster in terms of the fishery. At that time I appealed to the minister to bring in some kind of an aid package.

He subsequently did that. He called it an aid package. I raised the matter on several occasions, in particular on October 21, pointing out that many communities including the community of Lawn in my district were facing particular difficulties. I mentioned Lawn at that time and let me tell you why I did.

Lawn has 70 fishermen. One of them told me today that it is the worst year he had ever seen in the fishery in Lawn. Forty-five of those fishermen will not even qualify for unemployment insurance this year, plus about 70 plant workers in that community, a community which normally lands about two to three million pounds of fish and this year has landed 150,000 pounds.

I could mention another community, Lord's Cove, with 32 fishermen, 16 of whom will not qualify. One fisherman told me today that in his boat he has had less than $1,000 income over a four-month period from May to August. English Harbour East was saved by the lobsters. There were no groundfish, no mackerel and no cod. In Seal Cove, Fortune Bay, there were no groundfish. It was saved by a bit of lump roe and some lobster. There was an unmitigated disaster all along just about every coast down there.

This 10–42 syndrome we hear about, that those fishermen are supposed to be lazy and they work for 10 weeks so that they can get UI for 42 weeks, let me dispel that one more time.

I was in McCallum a week or so ago and I asked a fisherman how many weeks he had this year. He said: "Do you mean this year or the usual?" I said: "Well give me both." He said: "Usually I do not bother to draw UI at all. It is not worth my while because I get 43 or 44 stamps or weeks of insurable earnings and by the time they get around to applying them I am back working again. Sometimes I get two or three weeks UI a year and sometimes I do not bother to apply". I said: "How about this year?" He said: "I am scraping it to get 10 weeks". That is the difference down there.

Now the minister in his bravado said: "Anyone who can show a reasonable connection to the fishery or to being a plant worker is going to be assisted or my name is not John Carnell Crosbie". Maybe it is not when I tell the House the following. Just after he made that statement, he or his department issued a dictum wiping out, removing from qualification, a whole group of people on the west coast of Newfoundland, St. Georges Bay, St. Georges Bay South, Port aux Basques and the southwest tip of the island, and the Rose Blanch area. He removed the whole category of people who, heretofore, would have qualified because, under the minister's words, they