Provision is also made for the addition of special community members of the Parole Board by the Solicitor General on recommendation of the chairman of the Parole Board for cases involving convicted murderers and dangerous offenders. These persons may include representatives of police forces, provincial governments, municipal or other local authorities, or members of the local professional, trade or community associations. The purpose of this provision is to allow greater community input into parole decision-making in cases of convicted murderers and dangerous offenders by bringing local knowledge and local concerns right into the parole decision-process itself. These members will have all the powers and responsibilities of a regular board member, including the right to vote. The votes of panel members will be in addition to the number of regular board members required to vote in such cases.

The National Parole Board will have legislative jurisdiction over all unescorted temporary absences from federal institutions, thus removing the authority to grant temporary absence without escort from the penitentiary service. This change is designed to avoid situations where different authorities come to different conclusions concerning the advisability of temporarily releasing an inmate, as has happened on a few occasions in the past. A number of significant regulatory changes will alter the Parole Board's rules governing the eligibility period of release of inmates. The National Parole Board will no longer be permitted to grant parole by exception where, in special circumstances, an inmate may be released before he has reached his parole eligibility date.

Offenders convicted of certain types of offences involving violence and who have, in addition, a history of violent crimes, will not become eligible to be considered for parole until they have served one-half of their term of imprisonment, or seven years, whichever is the lesser, instead of the normal one-third, or seven years. At the same time, the government is moving to safeguard the rights of those inmates and parolees who are affected by these measures. These will provide a fairer method of dealing with parole violators who are subject to parole suspension and revocation.

● (1650)

Furthermore, procedures guaranteeing certain elements of due process will be incorporated into Parole Board hearings. Although the Supreme Court of Canada has held that the National Parole Board is an administrative board and not subject to judicial review, the government feels a responsibility to provide those persons appearing before it with some procedural safeguards, and to make existing practices more visible.

Regulations will be proposed, following approval of the bill, which will provide that the board hold hearings for both ordinary parole and day parole, that reasons be given for parole decisions and that an internal review mechanism be established. In addition, the board will experiment with the concept of allowing inmates prior access to some of the information upon which board decisions are made, with the idea of allowing inmates a form of representation before the board, and with holding hearings after suspension of parole in order to make a decision regarding revocation. These regulations will provide visible procedural safeguards for those appearing before the board.

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. minister, but before he deals further with this subject I must inform him that his time has now expired and that he may not continue unless he has the unanimous consent of the House.

Mr. Nielsen: Mr. Speaker, I believe this is sufficiently important for us to wish the minister to continue with his explanation. However, having regard to the fact that the government has imposed closure, I hope he will be as brief as possible.

Some hon. Members: Agreed.

Mr. Allmand: I appreciate the consent given by hon. members, and I will try to wind up quickly. I now wish to comment on the four proposed amendments to the protection of privacy legislation. The first point that must be stressed is that none of the proposed amendments extends any new authority to the police. The stringent controls and accountability procedures contained in the law currently will continue. For the benefit of those who have expressed doubts concerning these amendments, I shall summarize these controls and procedures once more. Although I refer to procedures followed by the RCMP, similar procedures are followed by the various police forces across Canada.

The investigating officer must satisfy a more senior officer in his department of the need for an authorization to intercept a private communication. If the senior officer agrees that a need exists, the investigating officer must then go to an agent of the Crown, usually a staff member of the Department of Justice. He must once again present his evidence and satisfy this agent of the Crown that there is a legal requirement for an authorization. If the agent is satisfied, he then makes application to a judge who has the appropriate jurisdiction and presents the judge with affidavits showing the necessity for employing electronic surveillance. If the judge is fully satisfied that the law has been complied with, then, and only then, will an authorization be issued permitting the interception of a private communication. In addition, the requirement for an annual report to parliament is part of the accountability procedure. Honourable members will recall that I tabled such a report in the House of Commons on February 13. This report provides a public record of all authorizations which were issued in 1975 to police officers investigating federal offences. My provincial counterparts are also obliged to make public a similar record of the details of authorizations issued under provincial authority.

When this new law was proclaimed in July, 1974, I assigned to members of the Ministry of the Solicitor General the task of maintaining a continuous liaison with all the provinces and of conducting a formal review of the law and its effectiveness after it had been implemented for one year. This review, which was completed in October, 1975, involved federal officials from the Ministry of Justice and the Department of the Solicitor General, members of the RCMP, provincial officials, members of provincial police forces and those at the municipal level. The results of this review were discussed last fall at a conference of attorneys general in Halifax, at which the proposed amendments now before this House were agreed to by all ten provinces.

Mr. Nielsen: What about the territories?