Since this particular legislation concerns human rights, the persons concerned must have access to the judicial system for protection of those rights. We should not leave the implementation of this legislation up to a board that does not observe the same rules of procedure and evidence as the courts that handed down the sentence in the first place.

[*English*]

Neither myself, members of our caucus, our Party, our Members in the Senate, nor anyone else, for that matter, is advocating or contemplating the abrupt release of dangerous and violent offenders into society. We deplore as much as anyone the fact that innocent people are injured or killed by wanton acts of violence.

It is argued by some that by denying mandatory supervision under the current law whereby it is automatic after two thirds of the term has been served, and holding certain prisoners for their full sentence, makes them a greater threat to society, largely because the individual goes abruptly from prison back into the world without supervision, without control and without a reporting procedure. The mandated supervision allows an easier re-entrance into society and gives the person released a better opportunity to adjust. It is felt that while mandatory supervision is not perfect, society is better protected with at least some control over the individual for that crucial initial period following release. Our argument is not about prisoners being released. Prisoners will be released when their term expires in any event no matter what crime they committed. We are talking about the earning of remission after serving two thirds of their sentence. Can that be reviewed? And if it should be reviewed, then who should do so, the Parole Board or the Court? We do not want to interrupt the regular procedure of our criminal justice.

[*Translation*]

In my opinion, if the Government really wanted to solve this problem and help reduce the danger of violent crime, it should take a more serious look at the whole area of how these crimes are dealt with instead of leaving it up to the courts, to the Parole Board and to various volunteer organizations. It should also look at how victims of violent crimes are treated. It is one thing to proclaim, as the Government has done, that it is against crime, and another thing altogether to sabotage the very measures which, according to that Government, were aimed at preventing violent crime, and to do so in such a clumsy, careless and arrogant manner.

• (1150)

[*English*]

In saying that the Opposition and the Senate are responsible for letting dangerous offenders out on to the streets over the summer, the Prime Minister, the current Solicitor General and his predecessor gave Canadians the distinct impression that the passing of this legislation would be some sort of guarantee that dangerous offenders would not be put out on the streets this summer. That is simply not the case. They know very well that the Bill gives that responsibility and that discretion to the Parole Board.

The Solicitor General was quite right when he said that this is not a numbers game. No matter how many inmates may be eligible, a review of the situation shows that a lesser number might in fact obtain their liberty. There is no automatic formula for keeping people in jail. We have accepted, and the Bill does not deny, the principle of earning remission for good conduct within prison walls. The Board is obliged to consider past violence and the potential for future violence. It does not automatically keep all inmates in jail. The question is who should review the situation.

In terms of violent offenders, various numbers have been bandied about by the former Minister and by the present Minister. The former Minister has said that 30 dangerous offenders will be let out if the Bill is not passed. How does he know? The current Minister has previously put the figure at somewhere between 54 and 75; yet he gave a more precise number this morning. This confusion raises two important issues. The first is why they do not know exactly. After all, do they not know how many of these people there are who will threaten our lives? Do they not know where they are going and what the conditions of their release might be?

The other question which is raised is that by selecting these individuals in this way, has the Minister not prejudged the outcome of any hearings that the Parole Board might hold concerning the suitability of certain individuals to be released or detained? By reciting these numbers has the Solicitor General not placed in jeopardy a right, probably reinforced by a constitutional obligation, for the Parole Board to look at these matters in a judicial way? Because we are so concerned about the issue and because it interferes with rights that have been earned under a statute of Canada, we believe that the courts should review it.

Let us not kid ourselves. The real reason we are here has nothing to do with the constitutional prerogative of the Senate. Senators did not retard the passage of this Bill since, in any event, Royal Assent would have required our return. The Government missed the boat because it did not bring this legislation in soon enough. The Government missed the boat because it allowed the Bill to languish on the Order Paper. It also allowed the report to languish. The Government brought the third reading process before Your Honour at a time that left the other place in a corner. Under the rules of the Senate it had not time to properly review the matter, the views of Senators having been well known by Members of this House and by members of the Government. Thus the real issue is the incompetence of the Government to handle legislation.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I have known the present Government House Leader (Mr. Mazankowski) for a long time. In fact, I have known him since 1962. He is a person for whom I have high regard. He is quite right when he says that his honeymoon will be a short one. However, I know him well