

of the assistant commissioners was entrusted with a particular phase of the prison problem and with the inspection of a particular block of prisons. The royal commission emphasized the advantages of a system which permitted greater delegation of administrative responsibility and division of the various duties involved in penal administration amongst a larger group of officials. They also recommended that for purposes of administration the prison commission should be responsible directly to the Minister of Justice in the same manner as the commissioner of the Royal Canadian Mounted Police, since it was felt that the deputy minister of justice as chief law officer of the crown should not be burdened with penitentiary administration.

The Penitentiary Act, 1939, accepted the general principles involved in these recommendations; that is, an augmented staff to deal with penitentiary administration and direct responsibility to the minister, and provided, in section 4, for the appointment of three commissioners to replace the superintendent and, in section 8, for the appointment of three assistant commissioners to replace the former inspectors. It further provided, in section 5, that the commissioners should, under the minister, have direct control and management of all penitentiaries and over all matters connected therewith with power, subject to the approval of the minister, to make rules and regulations for their administration, management and discipline.

The bill which it is now proposed to introduce does not alter the size of the organization which the royal commission considered desirable for the administration of the penitentiaries and which parliament approved in passing the 1939 act. Nor does it change the principle of direct responsibility to the minister for penitentiary administration. The only change it contemplates is that there shall be one person responsible to the minister for the administration of the penitentiaries, with whom he can deal directly rather than a commission of three men each with equal responsibilities. It will in no way prevent a suitable division of responsibility under the commissioner for the various phases of administration amongst the deputy and assistant commissioners, as contemplated by the royal commission. It should, in fact, make it easier for these officials to concentrate upon the particular phases of administration to which they will be allotted without the necessity of their becoming responsible for all matters of policy. It will also facilitate the appointment of those who have special qualifications for the branch of the work to be allotted to them.

[Mr. Ilsley.]

It is to be anticipated that there will be the fullest consultation between the commissioner and his deputies and assistants, and that their advice in their own spheres will receive full consideration when decisions affecting policy have to be made.

However valuable multiple bodies may be in consultative or advisory capacities, it is a sound principle of responsible government that, in administrative matters, there should be one responsible head charged with the duty of making decisions for his department and of submitting to superior authority recommendations for which he assumes responsibility. It is significant that in a recently published Manual of Suggested Standards for a Correctional System prepared by the American prison association in October, 1946, after lengthy consideration by the outstanding penologists and authorities on prison administration in the United States, the following statement appears:

In a decreasing number of states the correctional institutions are administered by a board of three or more salaried, full-time members (known as board of administration, board of control, etc.), either with the chairman serving in the capacity of executive director or each member administering a prescribed part of the programme. Such a board seldom gives the correctional institutions as effective administration as a strong department of correction under a single qualified commissioner would. The best opinion is against this multiple-executive form of administration and strongly in favour of the single professionally qualified administrative head, whether with or without a policy-making board of part-time non-salaried laymen.

It is also significant to note that the federal bureau of prisons in the United States, which is responsible for the administration of all prisons under the jurisdiction of the federal government, has adopted this principle of a single director as its administrative head.

In paragraph 16 of his recent report General Gibson has outlined the proposed allotment of responsibility to the deputy commissioners and the assistant commissioners. With proper consultation and mutual confidence and understanding between the commissioner and his assistants there is every reason to anticipate that the organization proposed will accomplish satisfactorily the purposes the royal commission had in view in recommending a larger body to administer the penitentiaries, and at the same time will adhere to the principle of a single responsible head that recent administrative practice strongly favours.

Perhaps at this point I should place on record parts of the report of General Gibson to which I have referred:

The royal commission proposed the appointment of a prison commission composed of three members to administer the penal system of Canada responsible directly to the Minister of