

Adjournment Debate

Metropolitan Toronto area during the month of January, 1985. In one of those robberies, the attendant of a gas bar had been killed by the accused robber with a sawed-off shotgun, the same type of weapon that Savoury used on the night of his own death.

Is it any wonder, when those facts were disclosed to the coroner's jury a few short weeks ago, that the coroner's jury said it felt the mandatory supervision that Savoury was on at the time of his death was grossly inadequate? Is it any wonder that the coroner's jury said as well that it believed that this kind of inadequate mandatory supervision was not an isolated incident? It is a common occurrence in this sort of a situation with mandatory supervision cases. Is it any wonder as well that the coroner's jury recommended that mandatory supervision for dangerous offenders should be reviewed and substantially revised? Is it any wonder that the coroner's jury in this case urged this House and this Parliament to adopt without delay Bill C-67?

● (1805)

Bill C-67 came to us for third reading some time ago. The Bill will give the National Parole Board the power to deny automatic release to dangerous offenders. Is it any wonder, bearing in mind all of these circumstances, that the public has lost confidence in our criminal justice system? There are some of us who feel that when a judge sentences someone to prison, that sentence should mean something. It should not be subject to being shortened at any cost or at any time. Even the Law Reform Commission of Canada has said that. At the very least, when a judge imposes a sentence, the person should not automatically get out of prison after serving only two thirds of his sentence. There should be a procedure whereby the National Parole Board in the case of a dangerous offender can require that person to remain in prison and serve the entire term. That is the sort of thing which is provided for in Bill C-67.

Bill C-67 was reported back to this House on February 1, 1986. It had gone through first reading, second reading and an extensive examination in committee. It was rushed through committee to get it back here at the beginning of February of this year. However, since that time nothing has happened. I hope that tonight we will hear from the Parliamentary Secretary that the Government intends to get on with third reading of this Bill. Let us get this Bill passed and into effect so that the people of Canada can have a better sense of confidence in our criminal justice system.

Mr. Gordon Towers (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, I recognize the concern of the Hon. Member for York East (Mr. Redway) and also his efforts to improve the correctional service system in Canada. I wish to add to the remarks made by the Hon. Member for York East on March 24, as well as today. The Hon. Member commented on the verdict of the coroner's jury on the death of Leander Savoury. Savoury was under mandatory supervision when he died as a result of police intervention while he was

committing an armed robbery and holding a kiosk attendant at gunpoint. The jury found that the two policemen involved were blameless and that Mr. Savoury died as a result of his own actions.

It is my feeling that there is some confusion about mandatory supervision in Canadian society. I would like to offer some clarification. I do not think that Canadians at this time really want the wholesale abolition of mandatory supervision for offenders sentenced to penitentiary terms. Mandatory supervision is an added measure of protection for society when these people are released, and that is the vast majority of penitentiary inmates.

Prior to 1970, inmates were released after serving two thirds of their sentence as a result of earned remission, which is often referred to as "time off for good behaviour". They were released without any supervision, just as if the sentence of the court had ended. In 1970, the Parole Act was amended to render these inmates who were released as a result of remission subject to supervision until the last day of their sentence. The rationale was that these inmates who had not been considered a good enough risk for parole were even more in need of supervision than parolees.

Since 1970, every person sentenced to a penitentiary term is under some form of control until the last day of the sentence. Before we decide to abolish mandatory supervision, we must ask whether the alternative of no supervision during this critical transition is better. There are some Canadians who want to abolish remission altogether so that inmates cannot earn any time off for good behaviour while incarcerated. There are some who even want to abolish parole so that a sentence of five years means five years to the day, no matter what. Do we really want such a harsh system in Canada, one which in effect would lengthen penitentiary sentences by one third?

Some of the American states which had opted for "flat sentences", as they are known, are reinstating a more flexible system because of the disastrous practical and psychological consequences of the other approach. It would overcrowd our jails. I hasten to say that dangerous criminals should not be released on parole.

● (1810)

There is a correctional law review committee within the Department of the Solicitor General which is mandated to study the remission system and the release process. The issues are very complex and, first and foremost, require clarification of our values as Canadians on rehabilitation and punishment. This committee will report in one year. I expect that from its study a clearer legal mandate for corrections will emerge.

In answer to the Hon. Member's question, I hasten to say that Bill C-67 should be passed very quickly. It should not be delayed by opposition in the other place, that is, by the Liberals, or by the New Democratic Party in the House of Commons, as we have been warned. If that Bill had been in place, it is possible that Mr. Savoury would not have been