

inter-relation of the various sentence calculation provisions in the Corrections and Conditional Release Act.

By changing two aspects of the law, we will create an imbalance with other aspects of the legislation. This would necessitate significant re-drafting of the law as it now stands. Bill C-242 also deals with the complex issue of sentence calculation in a limited manner. Implicit in these proposals is the assumption that an offender under sentence will receive only one new sentence.

In such cases, sentence calculation is simple and straightforward. The offender would lose any eligibilities for conditional release on the original sentence, and would have to wait out the parole ineligibility period of the new sentence before becoming eligible again for conditional release.

But how would a sentence be calculated if the offender receives four or five new sentences of varying durations, some consecutive and some concurrent, at different points in the original sentence? The bill fails to address this complex and very realistic matter.

The law must be equipped to deal with multiple sentences and all possible combinations of sentences in an equitable manner consistent with the court's intent. And while this government supports the principle that repeat criminal behaviour should be dealt with more stringently, particularly when it occurs during conditional release, I also believe that the courts can take this into consideration when imposing a new sentence.

Bill C-45 will address the shortcomings of the current sentence calculation provisions I mentioned earlier. In doing so, the bill does not lose sight of the purpose of statutory release which is to provide offenders released from prison with a gradual controlled transition period back to the community to assist them with their reintegration and minimize public safety risk.

I would like to assure the members of this House that where any offender is at high risk of committing a violent or serious drug offence before sentence expiry, the National Parole Board has the authority to detain the offender until warrant expiry. All the measures I have mentioned aim to ensure that offenders are not arbitrarily held in prison longer than necessary, and that due consideration is given to their individual cases and level of risk to the community.

We must take heed that discretion is fundamental for ensuring that all cases are dealt with fairly. I believe that an individualized approach based on risk assessment is preferable to blanket removal of statutory release for a category of offenders.

[English]

During witness hearings on Bills C-45 and C-41 regarding sentencing reforms, it was frequently heard that imprisonment should be used as a last resort for the most serious offences. Many witnesses who appeared before the justice and legal

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affairs committee also stressed the merit of providing offenders with gradual, structured release programs combined with ongoing treatment and support to ensure long term community protection. It is well known that simply locking them up for longer periods of time will not achieve the goal shared by all Canadians for improved public safety.

• (1425)

[Translation]

The proposals set out in Bill C-45 are a thoughtful reflection of the collaboration with many groups and individuals, including members of the opposition.

I look forward to seeing effective and balanced reform—such as that presented by the government in Bill C-45—move forward, and anticipate that Parliament will deal fairly in addressing the anomalies which the hon. member for Scarborough—Rouge River has brought to our attention.

[English]

**Mr. John O'Reilly (Victoria—Haliburton, Lib.):** Mr. Speaker, I am pleased to speak in favour of Bill C-242, the public safety improvement act, introduced by my distinguished colleague from Scarborough—Rouge River. Before I address the specifics of the bill I believe it is important for members to understand the history of our colleague's complex initiative.

As many members know, since his election to Parliament in 1988, the hon. member for Scarborough—Rouge River has been a strong advocate for criminal justice reform. He first introduced this bill in the late stages of the last Parliament. At that time the bill received a great deal of attention for three main reasons:

First it was and still is a thoughtful, well drafted and complex piece of legislation which attempts to fill numerous cracks in the criminal justice system. Second, national police and victims groups rallied around the bill because it addressed many of their concerns. Third and perhaps most significant of all, the bill was co-sponsored by the former member for Red Deer who at the time was a government member who shared his opposition colleague's concerns for the issues which the bill aimed to address. Today, more than two years later, we are still debating those same issues in the House.

As previous speakers have noted, this is an omnibus bill which deals with six key areas of the criminal justice system. They include statutory release, sentencing, young offenders, crack and bawdy houses, bail provisions and the rights of victims. To a degree some of us are asking why the government has not already addressed these issues. To a degree it has.

We have had the DNA legislation, amendments to the Young Offenders Act, a new child registry for sex offenders, tougher immigration and deportation provisions, and the list goes on and on. The government has done a good job. We have done a lot