

Parole and Penitentiary Acts

as it is known euphemistically, as well as deal with the question of one stop mandatory supervision as it were.

In addition, Mr. Speaker, we have been told by the Solicitor General that he intends to insist by legislation that all federal prisoners be reviewed at the earliest possible date for day parole eligibility. We have been told by the Solicitor General that this will result in an increase in the number of prisoners released at their day parole eligibility date. In turn, that release would result in a significant saving to the taxpayers of Canada as well as ensure that we are not incarcerating those who really pose no threat to the community at all who should be released on day parole.

I think all of us in this House have to ask ourselves what on earth is the Solicitor General doing in waiting until this amendment is passed before implementing this policy. You do not need to change the law of the land. You do not need to change the National Parole Act to give an instruction to the Parole Board to review cases of all prisoners for day parole eligibility at the earliest possible time and make sure that where a person is eligible for day parole he or she is granted that day parole. That does not require an amendment to the legislation, Mr. Speaker. All it requires is the political will of the Minister.

We in this country already imprison far too many people. Our prisons are overcrowded. Just recently, within the last week, the correctional investigator submitted his report to the Government of Canada. In that report he pointed out that the situation within the federal penitentiaries has become so critical that we are now double bunking literally hundreds of prisoners. We are double bunking prisoners in maximum security institutions and in special handling units. That is completely contrary to the whole thrust of any rational or sane correctional philosophy. It is not just prisoners who have spoken out against double bunking, against two individuals being squeezed into a cell that is barely big enough for one. It is also prison guards. We have heard from the union of the Solicitor General employees representing guards in federal penitentiaries as to the added tension this causes within the federal penitentiary system.

On the question of review, as this clause provides all day parole, the Government has been negligent in not already implementing as a matter of policy this provision of earliest possible review for day parole. In effect, the Government is adding to the overcrowding of our institutions and denying liberty to individuals who should be out serving their sentences in the community under supervision and not serving those sentences within maximum security institutions at a cost of \$40,000 or \$50,000 or more per year.

The amendment before the House at this time, Motion No. 2, would add a very critical requirement to the provision now set out for review of day parole. It would require that there be a hearing, that all prisoners be entitled to a hearing on an application for day parole. We are told that most prisoners receive a hearing. That is an elementary right of natural justice, a requirement, that before a decision fundamental to

one's liberty is taken surely the individual affected should have an opportunity to make representations to the body making that decision. We are told that in most cases that happens, but with respect to one group of prisoners that has not happened, namely, those prisoners who are federal prisoners incarcerated in provincial institutions. I emphasize that their sentences may be for a duration of many years—certainly their sentences are in excess of two years and sometimes they are sentences of life imprisonment. Pursuant to federal-provincial agreements there is no opportunity whatever for a hearing on day parole. That is fundamentally unjust. Not only is it unjust but it is also clearly discriminatory against women prisoners.

The vast majority of the prisoners about whom I am speaking, those held within provincial institutions even though they are serving time for federal offences, are women. Some 67 or 70 women prisoners being held in provincial institutions in Quebec, even though they are doing federal time, and some 20 or 21 women prisoners in my own Province of British Columbia are held in provincial institutions. As a matter of principle, we support the notion that they should, wherever possible, be held closer to the communities from which they come since there is only one federal penitentiary for women in Canada, the Prison for Women at Kingston. It is essential wherever possible that women be able to serve their sentences closer to their own communities, families and friends and to the kind of support network that is so essential for them. I pause in noting the importance of that kind of network to criticize the decision of the Government to locate a maximum security institution at Port Cartier in the Province of Quebec, solely on the basis of political considerations.

This amendment would ensure that those prisoners who are held within provincial institutions are entitled to that hearing, are entitled to the basic rules of natural justice. I raised this point in committee. I was told by the representative of the Minister, by the Deputy Solicitor General, that there are discussions under way between the federal Government and the provincial Government, and that perhaps this will happen but we do not know at this point. That is not acceptable. What is even more disturbing is the suggestion that this policy is not being implemented solely because it will cost some money. We were told that this very important policy is not being implemented, and when it comes down to it, the reason is that of resources. The Deputy Solicitor General said:

However, figures from the National Parole Board would tend to indicate that extension of this principle in the terms indicated by Mr. Robinson would involve an addition of 15 person-years to the National Parole Board, together with the associated costs flowing from those person-years.

● (1250)

That is 15 person years to ensure that justice is done for federal prisoners serving time in provincial institutions. Surely that is not an unreasonable suggestion. Surely it is not unreasonable to suggest that if we are going to extend this principle it should be extended not only to those who are held in federal institutions but to those who are held in provincial institutions as well.