Mr. Turner (Vancouver Quadra): I would only suggest that if we were to take a vote right now, we would win it.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Mr. Speaker, the reason we are here today and that Your Honour accorded a special session to the House, for only the twelfth time since Confederation, has a good deal more to do with the attempt to salvage the reputation of the Government than to protect Canadians from violent criminals. The issue has a good deal more to do with the incompetence of the Government and the way it has handled this matter than it does with the constitutional and parliamentary role of the Senate.

The controversy over the Senate amendment to this Bill was created and fanned by the Government itself in inflammatory statements by the former Solicitor General, reinforced by the current Solicitor General (Mr. Kelleher) after his appointment, and then echoed and buttressed by the Prime Minister (Mr. Mulroney) himself.

At the outset I want to put some of these statements on the record because the rhetoric we have heard from the Government on this issue has been nothing short of extravagant, to say the least. Let us take the former Solicitor General, now the Minister of National Defence (Mr. Beatty), who is reported to have said in *The Ottawa Citizen* on July 4, presumably in Saskatoon:

> It's dangerous because it means for the next 2 1/2 months at least we'll be having a situation where dangerous criminals will be allowed out of prison before the expiry of their sentences. This will put the safety of innocent law-abiding Canadians in jeopardy.

On July 5, in the same newspaper, the Prime Minister is quoted as saying:

> We have criminals who will be out on the street when they ought not to be and that's the responsibility of those in the Senate who took this irresponsible action.

On July 3, before he had time to know better, the current Solicitor General said in the same newspaper:

> Every further day of delay jeopardizes innocent, law-abiding citizens and Canadians across the country.

This is some of the most hypocritical, cynical and self-serving nonsense I have ever heard, and I have heard a lot of it from the Government.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): If the issue was so crucial, why was it not handled by the Government early in its term? The Government has now sat for one year and ten months. The issue was apparent before the Government took office. It was dealt with by my colleague, the Member for York Centre (Mr. Kaplan). The issue arose in 1981, after the Supreme Court held the so-called gating procedure unconstitutional. This issue has been before the country for a number of years, since the courts challenged the current legislation, and did not arise just over the summer period.

The sole issue is whether a convict who has earned his remission under the current law is entitled to automatically get that remission and that freedom after two-thirds of his term being served, or whether it should be reviewed. The Government says it should be reviewed by the National Parole Board. The Opposition says it should be reviewed by a court of competent jurisdiction. That is the issue. It does not prevent criminals from getting out of a penitentiary. In any event, when those convicts have served their time under the law they will again be free. The issue is whether there should be mandatory supervision and who should authorize the release under that remission. That is the issue.

The Government took office on September 17, 1984. The House began its sitting early in November, 1984. This Bill which had been thoroughly massaged by the previous Government and thoroughly discussed in the House and in the other place on other occasions, was only introduced on June 27, 1985. It languished in the committee until January 29, 1986. When the report was tabled in the House, concurrence was not asked for by the Government until five months later, on June 17, 1986. Third reading debate was not concluded until June 26, on the Thursday, and on the last sitting day it was sent to the other place. The only way it could have been passed was by unanimous consent, dissolving the usual rules of procedure that apply there and apply here, without due regard to the Senate's opportunity to look at the issue.

That is a course of conduct that does not show any concern for the safety of Canadian citizens or any concern that this issue be treated with its highest priority. Yet the Government, having allowed the whole matter to languish for a year and ten months, bringing it forward at the last possible opportunity and not allowing the Senate to discharge its obligations under its own rules, now claims that we have to be called back and tries to put the responsibility on the Opposition and the other place. We cannot accept that.

Let me be even more specific. The other place agreed on its own volition, after consulting with its members, to come back after we had risen. It came back for an extra week to deal with the issue. The new Solicitor General appeared before the Senate where he and the new Government Leader in the Senate, Senator Lowell Murray, were questioned by Senators. They said: "You know the House has to be called back in any event if this Bill is to pass because Royal Assent demands the presence of Members of the House of Commons." We had recessed. We had adjourned under our rules. You would have had to call us back, Your Honour, for Royal Assent if the Senate had passed the Bill, amendment or no amendment. The Senate asked the then Solicitor General and the Senate House Leader: "Do you intend to call the House back?" There was no undertaking given one way or the other. In those circumstances, Honourable Senators felt it perfectly in order to put their amendment because no delay could be occasioned. If the Government was not willing to call the House back for Royal Assent and was going to leave the Bill until September, putting an amendment by itself was not going to delay this issue at all.