

Hon. Mr. MURDOCK: That is not so. If my honourable friend will possess his soul in patience for a few minutes I shall quote to him some words of General Ormond himself. Editorials have appeared recently in a number of our very fine newspapers deprecating some things that the report has said about General Ormond. I thought there was something in that point of view until I came across certain parts of this report. I presume that what I find here is accurate. It is stated that General Ormond answered questions that were asked. So I think it is right and proper for me to place on Hansard now a few extracts from the Report of the Royal Commission to investigate the Penal System of Canada. At the bottom of page 43 I find this, under the heading of "Staff":

Superintendent.

The office of Superintendent of Penitentiaries has been held by General D. M. Ormond since August 1, 1932. Prior to his appointment, he was District Officer Commanding Military District Number 13, performing the duties and holding the rank of colonel, with the honorary rank of brigadier-general. From February 3, 1920, to August 1, of the same year, he was Superintendent commanding "A" Division of the Royal Canadian Mounted Police. Prior to that appointment he had been on active service with the overseas forces during the Great War. He is a member of the Manitoba Bar, to which he was called in 1909.

When the Superintendent assumed office he introduced into the penitentiary system a more drastic policy of militaristic control than had prevailed during the previous administrations.

I cannot find fault with that. Probably it was necessary to do so.

The character of this policy has already been dealt with. The action taken to divest experienced wardens of authority, even in the most trivial and inconsequential matters, and to subject them to a minute direction in detail, and the profuse issue from day to day of new regulations and lengthy circulars, explaining, countermanding, and amending previous ones, soon threw the whole penitentiary system into a state of confusion. We regret to find that it has continued in the same state ever since.

The Superintendent, who was without experience, has since made no effort to call the wardens into consultation or to hold annual wardens' conferences, such as had been the custom under previous administrations. Within a year of his appointment, such friction developed that it resulted in the retirement of two of the three inspectors.

Early in 1934, the revised regulations, which had been hastily compiled and ill considered, were issued. The number of regulations was increased from 194 to 724; they were drafted without the assistance or advice of experienced officers, and, although only seven or eight copies were immediately available at even the largest penitentiaries, they were issued with peremptory instructions to put them into force. The result was that officers throughout the

penitentiary service were required to enforce a voluminous, and in many cases obscure, code of rules governing their own conduct and the conduct of the prisoners, without even having had an opportunity to read them. As has been pointed out, when one warden asked that the enforcement of the new regulations be postponed, he was immediately threatened with dismissal.

In the interpretation of these regulations, the Superintendent has in many cases put an unduly severe construction upon them, and, in some instances, he has deliberately violated their terms, with consequent unwarranted hardship to the prisoners.

In Kingston Penitentiary, a number of prisoners were placed, on the direction of the Superintendent, in what was called "segregation." This did not amount to mere isolation of the prisoners from the rest of the population, but was, in fact, although not so called, a form of punishment. Many were not allowed normal employment, and were deprived of some of the ordinary penitentiary privileges. We can find no authority for this course in the penitentiary regulations, nor was the Superintendent able to justify it, to our satisfaction, in his evidence before the Commission. Many of these prisoners were kept in what might almost be termed solitary confinement (although not in punishment cells)—some for a period of over two years.

Regulations 66 and 67, which provide for what is called "Disassociation," are as follows:

"66. If at any time it appears to the Warden that it is necessary or desirable for the maintenance of good order or discipline, or in the interests of the convict, that he should not be employed in association, the Warden may arrange for him to work temporarily in a cell or other place, and not in association. The Warden may take action but shall report any such case to the Superintendent for approval and direction.

67. It shall be in the discretion of the Warden to arrange for such dissociated convicts to be again employed in association when he considers it desirable, and he shall in any case so arrange at the expiration of one month from the commencement of the period of dissociated employment, unless further authority is given from month to month by the Superintendent."

The object of these regulations is to remove from the penitentiary population prisoners who may be agitators, or of an incorrigible type, and a disturbing element to the maintenance of discipline in the institution. We quite recognize the necessity of these regulations, but regulation 67 is important, and it is necessary that it should be observed. In the cases above referred to, this regulation was not observed, and the prisoners were kept segregated for long periods without any steps being taken to obtain the necessary authority.

The Superintendent contended before the Commission that these regulations did not apply to the prisoners in question, and maintained that the object of these regulations was to permit the wardens to give solitary confinement without a trial. We do not agree that this is a correct interpretation, and, if it is, we are of the opinion that such drastic power ought not to be in the hands of the wardens, because it is contrary both to the spirit and the letter of regulations otherwise dealt with in this report.

Hon. Mr. GORDON.