

*Government Orders*

This bill may answer the criticisms that some people are not held in jail long enough, but it does not do anything to address the serious problem of rehabilitation which I think is so significant and so important in the area of corrections.

For example, to be quite specific about some of the provisions in the bill, there is no distinction made in conditional release between first-time offenders and repeat offenders. In other words, one can be released from prison on terms whether or not one is a first-time or repeat offender. There might have been a distinction so that the person who has re-offended has a much more significant hurdle to overcome in being released. Unfortunately none is provided for in the legislation.

What is far more serious is the change in the law that will allow—and it is in the bill—non-violent offenders to be released on early parole even where the Parole Board believes they are likely to re-offend. That to me is a serious mistake.

What we seem to be saying in this bill is if it is a violent offence you will be held in. If it is a non-violent offence for which you are serving time, but a serious one like break and enter into a house, theft on a massive scale from a store, or a break-in of a bank which was not actually a robbery with violence, release will be automatic even if it is expected re-offending will take place.

This kind of distinction may be very nice for members of the Solicitor General's department to think as important, but I suggest in the eyes of Canadians there is very little difference between a person who robs a bank at gunpoint even if it is a toy pistol and somebody who breaks into the bank in the middle of the night and makes off with much more cash or breaks into a person's home when he is away and steals everything the person has.

There is a problem here in recognition of the seriousness of offences, the rigid classification that has been adopted and the apparent *carte blanche* that is given to the authorities to release persons. In fact the direction to release persons early is in my view inappropriate.

The Parole Board has the ability to make judgments in these matters. The Parole Board has for years been making these kind of decisions. I suggest it is appropriate that it continue to do so. The change in the law is not a beneficial one.

With one exception under this bill all inmates must be released after two-thirds of their sentence regardless of their behaviour and irrespective of whether the Parole Board considers they may re-offend. The exception is an important one, I agree, but the fact is that is now the rule.

I suggest it is inappropriate when we do not have before us sentencing legislation which affects the length of sentences. It is inappropriate when good behaviour is not one of the factors to be considered, because it takes away any incentive on the part of a person sentenced to an offence to attempt to respond to the treatment that he or she is receiving in the institution.

I am disappointed that the government has ignored advice on this issue, particularly advice that came from the Elizabeth Fry Society of Kingston that submitted a brief to the committee stating its opposition to lengthening periods of incarceration rather than looking at other measures that might assist in the rehabilitation of offenders and to providing for these automatic releases instead of incentives and inducements either to behave, to get out earlier or to minimize the length of the sentence in other ways.

These are not provided for in the bill. It is a disappointment that the government has moved in that way.

Finally there is no effective supervision of offenders who are released at the two-thirds point in their sentence. There is only the usual term that they be of good behaviour and keep the peace.

Mandatory supervision was an important part of corrections. I realize in some cases there was an inability because of staffing shortages to provide any effective supervision. That is regrettable. It was helpful in many cases. It provided offenders who were perhaps new to the community in which they were living, and certainly new to living outside prison after a period of time spent in incarceration, with someone to whom they could turn for advice and assistance. Parole officers and persons supervising the offender on mandatory supervision were those kinds of people. They were available. They were helpful. They could provide advice, assistance and direction.