

act was placed upon the statute books of this country by the representatives of the people, and if it is not implemented or if the government intimated that they did not intend to implement it, I am quite sure that there would be a storm of protest from one end of this country to the other, and that the agitation for penitentiary reform which was carried on prior to the enactment of this bill would start all over again.

The minister has said that men capable of carrying on such administration may not be immediately available. Be that as it may, however, there are, I am sure, plenty of other men capable of carrying on the work of this commission. I do not believe it is a job for one man; it is not a job for a superintendent of penitentiaries. When the bill was under discussion a year or two ago, I expressed my views on the matter, after studying some of the penitentiaries of this country. At that time I pointed out that if there was to be reform, it must start in other places. It is not my intention to reiterate those opinions to-day but I do make a plea for the men who are in the penal institutions of this country. Give them a chance to learn a trade; give them a chance to be rehabilitated when they leave these institutions. At this time, when great numbers of men will be lost to the country, it is more important than ever before that we attempt this rehabilitation.

So, Mr. Chairman, I say I am pleased that the minister has included in the estimates an amount to provide for the setting up of the commission, and I hope that before long his opinions will find concrete endorsement.

Mr. ADAMSON: When civilians are interned in Canada, do they come under the director of internment operations or under some other body?

Mr. LAPOINTE (Quebec East): They come under the director of internment operations and I have nothing to do with them. They come under the Secretary of State, and under the Minister of National Defence so far as guarding the camps is concerned. The only thing I have to do is to review their appeals when they come to me.

Mr. DIEFENBAKER: The report of the penitentiary commission was one of the finest reports ever handed down anywhere as far as penal administration is concerned. While I appreciate the argument that at this time of war it might not be practicable to set up the commission as such because of the expenditure that would be involved, I would suggest to the minister that many recommendations that were made by the commission which dealt

[Mr. McCann.]

with the administration of the various penitentiaries, should be put into effect. Many of those recommendations have not been carried into effect, with the result that there has been a continuing undercurrent of resentment among some of the staffs in penitentiaries at the failure of the government to carry into effect the recommendations made. Would the minister be good enough to outline to the committee what recommendations made, in so far as internal administration in the various penitentiaries is concerned, were in fact carried into effect?

Mr. LAPOINTE (Quebec East): Of course I have not those documents here. I believe last year I gave to the committee a list of the changes made, and the regulations made following recommendations of the commission.

Mr. DIEFENBAKER: But since last year, what?

Mr. LAPOINTE (Quebec East): I shall try to find out, and let my hon. friend know.

Mr. CHURCH: What becomes of all these applications made by the bar association and the police constables' association to the Minister of Justice advocating law reform? I do not wish to criticize the minister, but I have watched his department for many years and it seems to me it suffers because of its failure to follow what a statesman in England said of the Home Office—"the swing of the pendulum in the matter of law reform." Modern reforms have been brought about in England, and have led to the closing of some institutions and a decrease in the cost of the administration of justice.

Dear knows, if ever there was a time we should follow the pendulum, it is now. As I understand it, bills proposed by private members, whether for regulations respecting motor cars, or for some other wise amendments to the statute law, are referred by the department to the attorneys general of the provinces. What have those attorneys general to do with federal law? Under section 91 of the British North America Act the federal parliament has exclusive jurisdiction in matters of this kind. Nevertheless, if any amendment to the law is proposed, it is immediately referred to the attorneys general. Federal power is at a low ebb when that is done, and I say that that power should lead in law reform for all the provinces, if federal power would only assert itself.

I have in my hand a report of a speech made by Mr. Wedgwood, a Labour member in the English House of Commons. Referring to the same principle, and addressing his observations on law reform to the new Home Secretary, he said: