

Capital Punishment

called bellicose, are far from being harmonious. Obviously, it involves the inmates, the guards and the administration.

What were some of the findings of the hon. member for Argenteuil-Deux-Montagnes? In the report that he prepared, which unfortunately was never tabled in the House, he said this:

The extent of idleness among the inmates is also striking. The work they are able to do is often repetitive and not very likely to inspire them. The almost complete lack of motivation for the work available in the institution is astonishing.

He was particularly upset by what he termed the "Chinatown" cells in a detention unit in the Kingston area.

Miss MacDonald: It was at Collins Bay.

Mr. O'Sullivan: The hon. member for Kingston and the Islands (Miss MacDonald) reminds me that it was at Collins Bay. They are used at the discretion of the penitentiary administration in order to physically isolate from the main body of the prison population those individuals who cause particular disruption that brings about a threat either to the lives of themselves or of other inmates, or far too frequently, to the lives of the guards and the administration. The hon. member had this to say in his report:

—the isolation cells known under the name of "Chinatown" in a detention unit in the Kingston area are a shame upon the Canadian penitentiary system. This kind of cell would be more suitable in a war film like "The Bridge on the River Kwai" than in a Canadian prison.

He then recommended to the Solicitor General:

I would recommend that you investigate the matter, and the destruction of those units.

The hon. member went on to talk about the women's prison at Kingston, a visit that none of us who went there will ever be able to erase from our memories. The hon. member said this in his report:

Nobody can visit the women's prison in Kingston without leaving it with the feeling of being morally impoverished by the visit... One finds in this institution students arrested for drug trafficking, inmates guilty of acts of violence... in short, people with extremely different mentalities.

In view of this great disparity and the atmosphere of potential tension which exists, at the very least, life must be almost unbearable for many inmates of this institution.

Those words of the hon. member who accompanied us on this special study tour reflect, I think, the feeling of the majority, if perhaps not all, of the members of the special sub committee. During the study we came to appreciate the difficulty that the Solicitor General and his officials face, a difficulty that all of those in the Canadian penitentiary system face, namely that of trying to balance, on the one hand, the need for the protection of Canadian society and the right of the Canadian people to the maximum amount of personal security and, on the other hand, the goal of rehabilitation, realizing that some day those inmates may be returned to Canadian society. It is in society's interests as well as the interests of the inmates that they be returned to society in a frame of mind, and equipped with an outlook and with skills, that will make them citizens who play a very active and positive role and who will not return to a life of crime. That is the goal of rehabilitation, and it is an admirable aim.

The search so far has been in vain. We have had a policy of rehabilitation that has not worked. That, quite simply,

[Mr. O'Sullivan.]

Mr. Speaker, is what we found. But trying to balance one against the other, we had to come down foremost on the side of ensuring the protection of the Canadian population. If you can meet both those aims, then you have achieved perhaps one of the most difficult quests in any society.

We learned from prison officials, as well as from talking to their counterparts in other countries, that there are no magic solutions. You cannot at one time ensure the safety of Canadian society and at the same time ensure that everyone will be rehabilitated and returned to society in a manner that makes them productive citizens, citizens who will not return to a life of crime. The recidivism rate running at over 80 per cent is alone proof of that statement. That is why we came to the conclusion that the emphasis must be first and foremost on the protection of the innocent population, people who are not behind bars since they have not committed any crime. We are obligated to ensure their safety and protection, their lives, their liberty, and their right to go about their daily living, not breaking any law but with security under the law. If there is some means whereby at the same time we bring about the rehabilitation of prisoners, it is also in the interests of society that we seek that means.

As we travelled about the country we conducted discussions in camera at three different levels. We talked with the administration of the prison, with the guards of the prison, and for the vast majority of the time with the prisoners themselves, with no guards present in the room. I recall vividly one scene where we were faced by "lifers", prisoners serving a life sentence, obviously for a capital crime. We were in a room with 20 of them and there were no guards nearby; that was one of the conditions we ourselves set. We did not want anybody listening in. We wanted them to be as free and open with us as they could, and they were, Mr. Speaker, I assure you.

It became apparent to us in our discussions with people at the three different levels that there exists, whether we like to admit it or not, an element within the population that is simply unable—unwilling perhaps, but certainly unable—to come to grips with personal problems and to make a positive contribution to society, and more basically, unable to live within the constraints of the law that is set down by society. These people represent a dangerous and incorrigible element.

I am sure most of us were brought up on the notions espoused in such movies as "Boys Town" with Spencer Tracy—all accolades to the contrary. Nevertheless there do exist such people as incorrigibles, people who are somewhat demented. It is a sad realization to come to, but any chance that these people will be safely and healthily returned to society simply does not exist.

I wish time would permit me to quote from the findings of other members of the sub-committee, Mr. Speaker. I filed a report, and a particularly moving report was filed by one of the co-chairmen, the hon. member for Louis-Hébert. As all hon. members know, she is a remarkable woman and has served in this House with great distinction. She went into that sub-committee with all the enthusiasm, dedication and compassion which we know her to have in abundance. Hon. members should take the time to read her report. She went into this study with an open mind, having had no previous experience, as was the case with other