

*Penitentiaries*

in the opposite direction. Perhaps that is the argument which, to my mind, seems to be the most peremptory and the most serious. When, as parliamentarians, we have responsibilities for which we must answer to the House and the public, it would be too easy to avoid them, it would be too easy to shirk them by passing to others responsibilities which are ours and which, difficult though they may be, we cannot refuse to assume when the time comes.

Finally, the Solicitor General of Canada had then specified that it did not seem to him that the recommendations would help solve one of the deficiencies deemed to be vital by the subcommittee, namely the lack of an adequate definition of authority and the resulting confusion for the person who controls the system. On the contrary, it seemed to him that the recommendation could exacerbate rather than solve the problem.

I recognize that this is a point of view, Mr. Speaker, and that the Hon. member could reply that it is not right for us to view the situation in this light. I recognize that he would have the right to say so, but from my own assessment, I find this argument well-founded and I believe that it justifies the reluctance we have on the Government side at this stage to follow up on the recommendation of the Hon. Member, which is, I repeat, quite interesting.

Later on, an interdepartmental task force led by the Assistant Deputy Minister, Policy Planning and Program Evaluation, was appointed to assess some of the recommendations, including No. 24 which is the subject of this motion. The task force shared the Solicitor General's concern, namely that a commission such as that suggested by the sub-committee would considerably erode the concept of departmental accountability. In fact, that brings us back to the central argument of departmental accountability and the responsibilities which have been laid on us by the people we represent.

Indeed, the task force concluded that the Correctional Service policies are so politically important that an erosion or a loss of departmental accountability could have serious effects on it. I have a feeling that the Hon. Member for Oxford recognizes the thrust of this argument and would admit that it would be a difficult decision to make at this stage when the problems are acute and the recommendations, although interesting, could not provide a guarantee that the problem would be solved.

Finally, when he appeared before the Standing Committee on Justice and Legal Affairs in March 1978, the Solicitor General took a definite stand and rejected Recommendation No. 24. The reasons he gave were as follows: First, it is the Government of Canada which is responsible to Parliament for the policies carried out by the Canadian Penitentiary Service. Second, a five-member board which would be appointed to make policies for the Canadian Penitentiary Service, would feel cramped in its approach, with little or no support, and limited to its power of enquiry. Third, the Department of the

Solicitor General, through its Deputy Solicitor General, is already responsible for providing the Solicitor General with advice on the policies the Department should apply. Fourth, the tendency of the Federal Government is now to make Crown corporations more accountable to departments and, therefore, to Parliament. Fifth, it is not certain that a board such as the one described by the subcommittee would help solve the major problems identified by the said subcommittee, namely, the lack of well-defined powers and the confusion as to who should control the system. That recommendation could in fact exacerbate the problem rather than contribute to its solution.

The Hon. Member for Oxford should be commended for providing us with the opportunity of an in-depth study of his motion allowing us to put forward a series of arguments which, although they may not convince him, will at least indicate that we have not considered lightly the issue he has raised. Personally, I should be delighted to discuss it further with the Hon. Member for Oxford, whom I hold in high esteem, and to work with him in harmony both in the House and in committee to seek a solution to the problem faced by all these men and women who are deprived of their freedom and who must live for shorter or longer periods of time behind bars.

● (1740)

[English]

**Mr. Maurice Harquail (Parliamentary Secretary to Minister of Fisheries and Oceans):** Mr. Speaker, I would like to begin by congratulating the Hon. Member for Oxford (Mr. Halliday) for all the previously stated reasons. I have had more than one occasion to observe the dedication and sincerity of the Hon. Member in his work as a Member of the House of Commons. I would like to begin my remarks by congratulating him on bringing forward this motion today.

I am sure, however, that the Hon. Member will understand that the proposition which he brings to the House is in some respects in conflict with what is in existence now, certainly with respect to the position of the Government of the day. While I agree with the thrust of what the Hon. Member for Oxford is attempting to achieve, I would like to bring forward other salient aspects of the subject matter.

I agree with my colleagues that there is a direct relationship between the Hon. Member's motion and recommendation No. 24 in the report of the Subcommittee on the Penitentiary System in Canada. However, I have decided to explore the link between this motion and recommendation No. 26 of the same report which proposed that the CSC be treated as a separate employer within the meaning of the Public Service Employment Act. Acceptance of recommendations Nos. 24 or 26 would ultimately transfer the correctional service of Canada into a non-departmental body.

Recommendation No. 24 states that a board would be charged with the responsibility of formulating correctional policies. The board would have no line authority, but would appoint the commissioner to supervise the operations of the