

Criminal Code Amendments

inmates taking part in these educational programs it was really something of an habilitating—not a rehabilitating—program. Most inmates had not had that type of opportunity before. If we are to lock people up in institutions it is desirable, if at all possible, that on their release they be better human beings as opposed to worse. Overcrowding eliminates that possibility, which will be one side effect of Bill C-67.

• (1230)

Bill C-67 proposes the removal of the leverage which prison authorities have over prisoners in terms of good behaviour. There will be no more good behaviour incentive. It is for that reason that Canadian prison wardens have opposed this proposal.

One detail of concern in Bill C-67 suggests that prisoners who have been convicted of certain crimes will have only one shot at the mandatory release program. The point of view is that a person with a history of violence who is released and gets into trouble with the law should not be back out on the street again. I agree, if we are talking about a violation in terms of another violent crime. However, if the released prisoner is involved in some type of technical violation of his release conditions of a fairly minor nature, I am not sure it makes good sense to say that he will never have another opportunity to become involved in the mandatory release program. Technical violations should not mean complete forfeiture of all future rights to mandatory release.

In conclusion, I wish to stress that Bill C-67 is not the answer to the concern Canadians have with respect to security. It does not involve the type of security against violent repeat offences by people who have been imprisoned for committing violent crimes. What it means is that at the end of their sentence prisoners who have been convicted of violent crimes, and those who continue to have a tendency to violence, will be released without any possibility of supervision or follow up. I urge the Government to take a second look at the Bill and to bring in a program which will deal with the needs of Canadians with respect to security. I hope the Government will recognize that by simply tightening up mandatory supervision it has not provided the answer.

Mr. Deputy Speaker: Questions or comments? The Hon. Member for Ottawa Centre (Mr. Cassidy).

Mr. Cassidy: Mr. Speaker, I would like the Hon. Member to elaborate on one area of concern to me. I am speaking of technical or minor breaches of mandatory supervision conditions which can, in fact, lead to a situation in which a convict is forced to go back to prison under the proposed terms of Bill C-67 and then lose all remission and have no means of getting out again for a lengthy period of time. As I understand it, if one-third of an inmate's sentence has been remitted, that could involve three or four years of additional imprisonment for something as simple as having a drink when the inmate finally meets up with his lady whom he has not seen for seven or eight years. When a released inmate sees an old friend whom he has not seen in a long time or, possibly, misses a bus and arrives

after the curfew at the place in which he is supposed to be staying, he can be sent back to prison. Is it correct that the penalty as a result of these misdemeanors, as modest as they are, could be several years of re-imprisonment because of a violation of the conditions of mandatory supervision? How can the Government, or anyone, justify that type of sledgehammer approach? What will parole officers do when faced with minor, technical breaches of conditions when they know that the revocation of mandatory supervision will have the effect of re-imprisonment for three or four years?

Mr. Manly: Mr. Speaker, the question obviously points to the great difficulties which anyone who has done time in a penitentiary will have to face in readjusting to public life. It is not an easy transition to make. We have heard of some Members of Parliament who face a difficult time of readjustment when they have to get back into ordinary life. How much more difficult is it for someone coming out of prison where they have been denied their freedom and any possibility of developing their lives and when their contact with other human beings has been circumscribed? How much more difficult is it for inmates who have had limited contact with their families under nerve-racking conditions? The mandatory supervision period is supposed to make the transition time possible with some type of supervision. Inevitably, there will be some minor infractions. It is important, when those infractions are committed, that the person involved should be called to account. However, I do not think the way to call him to account is to revoke all future possibility of mandatory release. That seems to me to be completely counter-productive. If someone knows that as a result of having one beer, when his program says he should not drink, that he will face an extra four or five years in prison, he will really become much more desperate about the situation than otherwise. As the Hon. Member for Ottawa Centre (Mr. Cassidy) pointed out, this will mean that parole officers will have to be that much more hesitant about reporting these minor, technical violations.

It is important to remember that inmates already feel a great deal of frustration with respect to the question of mandatory supervision and the type of requirements that are often placed upon them. They sometimes feel they are being hassled for very minor sorts of matters. In addition to being hassled, they will face an extra four months, two years or even four years of additional time in prison. That will not be conducive to a more rehabilitative atmosphere within our prisons.

• (1240)

Mr. Cassidy: I have another question. I must confess that I have learned something about this area over the summer because of the incident in Ottawa to which I referred and as a consequence of looking at this Bill. As I understand it, this Bill is in fact going to create two classes of prisoners. One class will be those who are convicted of a violent crime, which is in the Schedule—there is a long list of about 15 or 16 crimes deemed to be violent—and the other class will be prisoners who have committed some other offence.