that members of the Government do not recognize that if they thought the Bill was already adequate it would be much better if they accepted this amendment. It would prove to Canadians that we in Parliament have some respect for the rights of individuals, no matter in what situation they find themselves.

This amendment attempts to improve the Bill by saying that if the inmate were able to take his rejection for mandatory supervision before a court, he would be able to defend himself and face his accuser. He would have the right to a fair defence and the right to cross-examine his accusers. If a judge, when handing down a 15-year sentence, applies a 10-year sentence plus five years under mandatory supervision, if the inmate must spend those five years of mandatory supervision in an institution, he should have the same kind of rights he had when he was originally sentenced. In other words, we are increasing his sentence. He was given a sentence of 10 years and then five years of mandatory supervision. If we are increasing his sentence, then he has the right to be represented by counsel and the right to be made aware of the case against him. He has the right to have a defence against his accusers. Those things are all being withheld by this Bill. The small amendment suggested by the Senate at least does something to put in place that kind of recognition of human rights, the kind of justice that we in Canada suggest is the right of every human being.

• (1650)

I want to suggest that we are being shortsighted if we do not accept a good amendment, even if it is being put before us by an institution which I myself would eliminate. I am in a position which I find a little uncertain because I recognize that this Bill was passed by elected representives of Parliament and was changed by non-elected representatives, which is what they call themselves, and sent back to us. That does not mean that what they thought of it was incorrect. It does not mean that they did not improve it. One does not have to be elected to be a good legislator. Regardless of what we think of the Senate, we have to recognize that the approach it has taken in this particular case is adequate and should be recognized as such.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my intervention will be brief. I want to deal with three subjects: first, the prerogative of the Senate, second, the rehabilitation of inmates and public protection and, third, the question which has already been asked by many before me, why are we here?

I would submit that the role performed by the Senate with respect to Bill C-67 was a proper one and within its constitutional prerogatives. It did what it was expected to do. It acted as a Chamber of second thought which examines Bills and improves them when it sees fit in what it considers to be the best interests of the country. I suspect, as has already been pointed out by other speakers, that this was not done unilaterally but was done in co-operation with Senators of both Parties who joined hands and produced the amendment to Bill C-67, keeping in mind what they understand are the basic principles which should guide those who would implement this piece of legislation once it is given Royal Assent.

There is no doubt in my mind that the Senate acted properly and within its constitutional mandate. In doing so, it did a service to the country as it has done on a number of other pieces of legislation which have, over the years, been amended in a number of ways, and these amendments have resulted in improvements to Canada's legislation.

The central question at the heart of the discussion today, and that which has motivated all the discussions surrounding Bill C-67 and its predecessors, is the matter of rehabilitation and protection of the public. I would be inclined to think that the two issues are not the subject of polarization or of a pendulum first swinging in favour of the individual's rights and then of public safety and protection. In my mind, they are one and the same. The better the rehabilitation and civil rights of the individuals affected by sentence, the better will be the protection of the public in both the short and the long term.

I would like to quote a few passages from a newsletter published by the Canadian Association of the Elizabeth Fry Society. It is Newsletter No. 16 of the summer of 1986. The Society analyses the Bill before us today and makes a relevant point about Bill C-67 by saying:

> We believe there are no measures in the proposals which give any assurance that the problem of violence is being addressed. The problem is simply being delayed. In short, these measures appear to be politically expedient, with severe repercussions for the over-all federal correctional system, and with little likelihood that they will increase the safety of the public.

It goes on to make another interesting point by stating:

> We are firmly opposed to any practice which removes fundamental criminal justice issues from Parliament as Bill C-67 seeks to do. Issues of liberty are of vital importance and ought not to be left to regulations. It is our view that all matters which affect the length of time a person spends in prison should be subject to the full scrutiny and agreement of Parliament, and be fully laid out in law.

The Society goes on to state:

> Indeed, one of the basic philosophical flaws of Bill C-67 is this refusal to recognize that locking people up damages them, and the longer we lock them up, the worse the damage gets.

That in the end affects the public interest and the protection of the public. The society goes on to state:

> We cannot afford to end the remission system for any prisoner. The concept of remission is almost as old as Canada itself, having been in practice since 1868.
>
> Remission is common to virtually all other jurisdictions in the western world. Indeed, some countries remit as much as one half of a sentence for good behaviour inside the institution.

The Society concludes by taking the position that:

> —the necessary powers to ensure the closest supervision of released prisoners, in order to prevent future incidents of violence as far as possible, already exist. Only 18 months ago, the Solicitor General amended the Parole Act regulations to provide for closer supervision of such offenders after release.

The Society expresses the hope that Parliament will decide not to proceed with this legislative package, namely, Bill C-67, because:

> —it cannot be expected to produce a genuine increase in the long-term safety of Canadian society. It will only exacerbate the misconceptions and problems it purports to address.