

Criminal Code Amendments

after his release on mandatory supervision, he was involved in this brutal sexual assault and murder.

This entire situation raised a series of questions which I put before the Solicitor General (Mr. Beatty) at the time. I still do not think that we received adequate answers of these questions. Why was an adequate treatment program not provided for Kocurek when he was in prison and there had been psychiatric warnings that he would kill if he were not treated? Why, given his history of sexual offences against young women and the psychiatric prognosis that he was liable to continue, was his initial sentence so short? The answer to that, of course, lies with the provincial court system. Why, when he was released, was he not placed under a stricter form of supervision? If we are to have mandatory supervision, let us make sure that it deals adequately with the situation of the people who are being released. Why, when he failed to comply with the terms of his supervision, was he not reported and apprehended?

The fact is that while the program under which Paul Kocurek was released is called "mandatory supervisions", there was no really effective supervision at all. How do we deal with this? Perhaps the easiest answer is to make a scapegoat of the parole service. However, I do not think that is an adequate approach.

In March 1981, an in-house study of the conditional release program indicated that parole supervision staff morale was low. Among others, two reasons given for that was first, quantity control, and, second, minimum standards. Quantity control is bureaucratized for the fact that parole officers have caseloads which are too large. There are not enough staff members to do a decent job.

In introducing this Bill, the Minister has pointed out that it costs some \$40,000 per year to keep an inmate in prison and only \$4,000 per year to supervise that inmate on the street. I would like to suggest that we beef up our parole services so that we spend a little more than \$4,000 per year. It could be money well spent if it resulted in a more effective parole system and one that was not demoralized because it was not able to do its important job.

The in-house study also noted the need for more intensive supervision, particularly for criminals who had a history of violence. That, of course, is precisely what was lacking in the case of Paul Kocurek. In his case, the tragic failure of supervision led to the brutal murder of a young girl. Kocurek is now serving 25 years in prison with no possibility of release.

Quite rightly, Canadians want some protection from this kind of action. The Solicitor General in introducing Bill C-67, claims that this Bill which introduces changes to mandatory supervision will provide that security. I would like to raise a question with all Members of the House and with the Canadian public. Suppose Bill C-67 had been in effect in 1981. What difference would it have made in this particular case to which I referred this morning?

If Bill C-67 had been in place, Paul Kocurek would not have been released in June 1981 but he would have been released in the early spring of 1982. Unless the regional psychiatric centre

was able to work an eight-month miracle with him, Paul Kocurek would have been just as disturbed, just as dangerous and just as much a potential killer in the spring of 1982 as he was when he was released in June 1981. The Corrections Department would not even have had the option of imposing on him some kind of supervision. The tragedy is that when there was that option in June 1981, it was not exercised in an effective way. Bill C-67 would simply have delayed that release by a few months and then removed the possibility for any kind of effective supervision. I do not think that that answers the very real concerns of people in the Cowichan Valley and across Canada about violent offenders and the possibility of repeat offences.

At the time of the case to which I referred, the Attorney General of British Columbia pointed out an anomaly in our law. He indicated that a person found not guilty by reason of insanity could be kept locked up until considered cured, but sexual perverts who are also potential killers must be released when their time is up. Bill C-67 does not address that issue. It is obviously an issue that must be addressed and it will require a good deal of attention from the Government at some point. I would suggest that when the Government deals with it, it does so in an open manner that will involve a wide cross section of the Canadian public including organizations like Citizens United for Safety and Justice as well as prisoners' rights groups and civil liberties associations.

This is a debate which deals with the meeting place between the public's right to security and the entire question of civil liberties. I would like to see the Government bring this debate before the House. However, I do not think that Bill C-67 addresses the basic question of protecting the public from violent offenders. It merely does a con job on the issue.

Not only does Bill C-67 not provide the kind of security we need but it will have serious negative effects. First, it has been pointed out that it can lead to even more serious overcrowding in our prisons. The prisons are already full to the bursting point. There is double-bunking in some prisons and there are inadequate facilities for vocational training. There is a crowding of all the facilities. We should recognize that overcrowding leads to increased tension and increased violence among prisoners and that it also leads to increased tension and violence between prisoners and custodial staff. At best, our prisons are dehumanizing institutions and overcrowding will make it worse. It will cut back on every possibility of rehabilitation. It is interesting to note that the present Minister of State for Immigration (Mr. McLean), when he sat on this side of the House, raised several questions about the rehabilitative function of our prisons. He suggested that that function was being dropped and urged that it be put back into the centre of the philosophy of the correctional system. He urged the correctional system to give more priority to the educational system within our prisons. The previous administration in the last Parliament cut back on higher education programs for inmates. When those programs were restored it required that the inmates should have to pay. In this way it meant cut-backs in terms of enrolment. It is important to note that for many