

person who is now charged with the murder of a police officer in Ottawa was on parole, and if we had had this kind of intelligent law, perhaps a different decision would have been made. That person was on parole, and let us make it very clear that long guns were used in that incident, and they are not included in this bill. Any statement differing from that is false and untrue.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): The question is on motions Nos. 35, 36 and 37, in the name of the hon. member for New Westminster (Mr. Leggatt). Is it the pleasure of the House to adopt the said motions?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Ethier): All those in favour of the motions will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

Mr. Leggatt: On division.

Motions No. 35, 36, and 37 (Mr. Leggatt) negated.

Mr. Stuart Leggatt (New Westminster) moved:

Motion No. 38.

That Bill C-51, An Act to amend the Criminal Code, the Customs Tariff, the Parole Act, the Penitentiary Act and the Prisons and Reformatories Act, be amended in Clause 31 by striking out lines 44 and 45 at page 73 and substituting the following therefor:

“(a) any time spent on parole;”.

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Ethier): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

Criminal Code

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

Some hon. Members: On division.

Motion No. 38 (Mr. Leggatt) negated.

Hon. Francis Fox (Solicitor General) moved:

Motion No. 39.

That Bill C-51, An Act to amend the Criminal Code, the Customs Tariff, the Parole Act, the Penitentiary Act and the Prisons and Reformatories Act, be amended in Clause 41

(a) by striking out line 30 at page 77 and substituting the following therefor:

“24.1 (1) Every inmate who, having been”;

(b) by adding immediately after line 42 at page 77 the following:

“(2) The Governor in Council may make regulations providing for the appointment by him or by the Minister of a person to preside over a disciplinary court, prescribing the duties to be performed by such a person and fixing his remuneration.”

He said: Mr. Speaker, the motion I am proposing is the direct result of the unanimous report which was submitted to me by the subcommittee on penitentiaries in Canada. It deals with giving the governor in council the power to appoint independent persons to chair over disciplinary courts in penitentiaries.

[*Translation*]

Mr. Adrien Lambert (Bellechasse): Mr. Speaker, referring to motion No. 39, I suggest that the Solicitor General is being given rather extraordinary powers. I concede that the report was unanimous but in any case, we might have to regret some day having followed its recommendations—

Mr. Fox: Your party was in favour of this.

Mr. Lambert (Bellechasse): All things considered, the Solicitor General is given an extraordinary power under motion No. 39. It is an issue where the rendering of justice is at stake. I do not want to question the good faith of the present Solicitor General who is here today, but it could be someone else tomorrow. All things considered, the Solicitor General is being granted extraordinary powers and maybe someday we will realize, I think, that we have gone a bit too far, because Parliament must always keep a monitoring power since it is, in my opinion, the very essence of our democracy. Our democracy will survive so long as we retain the principle that the ministers are accountable to Parliament. Quite sincerely, I believe that this amendment should be suppressed in order to let parliament exercise more monitoring power with regard to the way justice is carried out in this country.

● (2140)

[*English*]

Mrs. Simma Holt (Vancouver-Kingsway): Mr. Speaker, as a member of the subcommittee which inquired into the constant crises in penitentiaries, the violence and the hostage taking, I am pleased to support the motion of the Solicitor General (Mr. Fox). It is indicative of the seriousness with which the Solicitor General views the problem facing taxpayers and the problems in penitentiaries. The Solicitor General