

recommendations and reports of Superintendent Ormond, as well as his special report on the riots. He condemns almost wholly the conduct of Warden Smith and Deputy Warden Walsh. That is, he laid a very great deal of blame—whether the blame should have been laid there or not I do not know—upon Warden Smith and Deputy Warden Walsh. I recall that last winter when the Minister of Justice was talking on this subject he placed almost all the blame for the disturbances at the door of the communists. I dislike them intensely, probably more than the Minister of Justice does.

Some hon. MEMBERS: Oh, oh.

Miss MACPHAIL: Oh yes, I do.

Mr. MACDOUGALL: What about this syphilitic fellow you are talking about?

Miss MACPHAIL: I will let you deal with that. I dislike the philosophy and technique of communism, but because I do dislike it and because I never want communists to become a force in Canada I have always argued and voted in favour of eliminating section 98 of the criminal code, because I do think the way we are going about to get rid of communism is not British and is non-effective. It would not matter so much if it were not British, but it is non-effective. The first thing we know we will have Tim Buck associations all over the country. I disagree with the government, yes, but certainly not because I have any use for communism. I do feel that some of the methods used in dealing with communists were about the worst methods which could have been used under the circumstances.

I should like again to refer to the judgment of Judge Deroche, because after all it is as authentic as anything we can get. He says at the bottom of page six:

The crime of which I find Kirkland guilty is punishable with seven years' imprisonment. I do not intend to give him seven years. The riot itself was not as serious as it might have been. The men were in full charge that afternoon for some length of time. The warden and staff had lost control completely. The men could have destroyed property at will, and could have done personal violence to the warden officers and guards. They might, I think practically all have escaped if they had desired, but, generally speaking, no attempt was made to do any of these things as such. More than that, the leaders, or perhaps I should say the speakers, as they deny being leaders, the speakers at least restrained the men from doing any violence or injury, and so far as Kirkland is concerned, he obeyed that order, possibly gave the order himself.

He goes on to say, and I quoted this on Saturday night but quote it again in view of what has been said:

Then to go back to the cause of the riot. This peaceful demonstration which developed into a riot, was for the purpose of emphasizing the demands of the men for redress of certain grievances which had been long and repeatedly denied them.

This judgment was given on May 11, 1933, and the riots took place on October 17 and 20, 1932. Quoting again from the report:

Many of the grievances for which this demonstration was staged have already been granted to the men, proving conclusively to my mind that those demands must have been reasonable.

That is the statement I have always made. But it took all this, the riot, Major Nickle's letter, whether it is correct in every detail or not, and Canon Scott's preaching about it and our talking about it in the house to get to the stage where remedies were applied.

Mr. GUTHRIE: It was all done before that—December 31, 1932.

Miss MACPHAIL: However, I have my own opinion in regard to the matter and it is as I have stated. The minister has referred to the British system. I have been reading the book to which he referred, *The Modern English Prison*, and anyone who reads that book will see that in many ways the British system is severe, and I think severity is a very good thing. It is justice that matters, not severity. I think that prisoners as well as children and adults can stand a good deal of severity if it is justly administered and if they respect the people who administer it. In reading this book, as the minister no doubt has, he must have found that a great deal is done in the English prisons to counteract the deadly influence mentally and physically on the prisoner of the monotony and the fear and all that goes to makes up prison life. They have, for instance, approved visitors who are allowed to go to the cells in the evenings of very well behaved prisoners and help them in various ways, by conversation and planning for their future and all sorts of things.

Mr. GUTHRIE: We allow that.

Miss MACPHAIL: Then at page 84, in regard to discipline, I read this:

Reports for these offences can only be dealt with by the visiting committee, of whom not less than three, two being justices of the peace, must adjudicate, their inquiry being held on oath. If corporal punishment is ordered, the order must be submitted to the Secretary of State for confirmation, with the evidence. The