

### Parole Act

The question we are considering today poses a great many problems. I agree that, in many respects, the Parole Board has done an admirable job; nevertheless, I am not going to join those who have given the board bouquets, even though there are many instances in which the board's decisions have been justified. I can think of many instances in which the board's decisions have not been wise. In many respects, it has completely overlooked some fundamental problems and not paid sufficient attention to the activities of those to whom it is extending parole not for the first time, but for the second time, or, perhaps, the third time.

● (1650)

In a recent debate the hon. member for Scarborough East (Mr. Stackhouse) referred to the fact that you can pass out bouquets and perhaps reserve some judgment. He stated the situation is similar to a doctor saying he has saved two thirds of his patients, so don't blame him for the other third who became worse. In some respects, the Parole Board has functioned adequately. There are other cases which deserve some attention and concern on the part of those who are in authority. If we were dealing with something less than human life or the lives of many humans, perhaps the government would be justified in having a permissive attitude towards our policies governing social reform, the administration of justice, the granting of bail, parole and so on. The fact is, the security and protection of society is very much at stake.

The incidents revealing errors made by the parole board and those engaged in the granting of temporary absences, involve human life in general. I do not think that we can somehow say we are going to counterbalance these errors by some successes that have been achieved. The parole board ought to give serious consideration to its activities, and certainly the minister concerned ought to pay attention to some of the criticisms that will be and have been levelled during this debate. There have been violations of parole by inmates. Crimes have been committed by those who have been let out. This has horrified Canadians in various communities. In addition, great harm, and in some cases death, has resulted for many Canadian citizens. Perhaps we should not blame the Parole Board altogether because they have to rely upon professional advice in assessing the various cases.

Our attention was drawn to a situation that was brought to light by a story in the June 4, 1973 issue of *Newsweek*. The reference was to an incident in the United States, but it can also be considered in light of certain situations that exist in Canada. The article relates how a young boy 15 years of age, who was mad at the world, killed his grandparents. I want to point out the possibility of error, even on the part of professional men. I quote from the article:

Two court-appointed psychiatrists examined Kemper and declared him no danger to society. "He has made an excellent response to the years of treatment," one of them report. "I see no psychiatric reason to consider him a threat to himself or any other member of society." . . .

But the psychiatrists were to be proved tragically wrong.

The result was that he went out and engaged in further criminal activities. Most psychiatrists admit the problem is almost unsolvable because specialists have no way of

[Mr. Patterson.]

predicting anti-social behaviour. I again quote from the article:

Usually, court-appointed psychiatrists rely entirely on an interview, often cursory and seldom lasting more than an hour. And if the patient is clever enough, he can deceive the examiner.

Dr. Bernard Diamond of the University of California, a founder of the American Academy of Psychiatry and the Law and one of the nation's outstanding forensic psychiatrists stated:

"If a person lies or restricts his response, it may be impossible to determine whether he is mentally ill."

Therefore, we do recognize the problems of those who are responsible for our parole system. I do not think it is altogether a determined attitude to clean out our penal institutions, although some may have that attitude. I certainly do not agree with it. I would like to see our penal institutions without any inmates, but I would not like to see them empty at the expense of the safety and security of the community. Therefore, I would express continuing concern over the administration of justice and the granting of parole in our society.

As I mentioned before, we have tied in with the problem of the parole system the granting of temporary releases or the pass system. Even though these programs are administered by different agencies, we must recognize that they are part of a situation that has created confusion, uncertainty and fear, as well as undermining the credibility of our system. In addition, these incidents have brought about a situation in which the implementation of a sensible and sane penal reform program faces a great deal of opposition. This is one of the most unfortunate aspects of the whole problem.

It is all very well to try to get people out and see them rehabilitated. I believe we ought to bend our efforts in that direction. However, we must recognize that if that is done without proper consideration and care, those who are released will continue to perpetrate acts of violence and infringement of the law. This will not encourage society in general to say this is a good program and should be continued. They will say it is not working. They will back away and say they do not want anything to do with it. The poor results of the program were dangerous for the minister's predecessor, who stated that rehabilitation was going to take precedence over the safety of individuals. The Prime Minister (Mr. Trudeau) saw fit to move that gentlemen to another position. Questions are now being raised as to whether he is adequate for that new portfolio. Perhaps the situation we have today is dependent upon the particular course that was established during the administration of the former minister. The present Solicitor General (Mr. Allmand) is taking a more wholesome attitude with regard to this matter. I regret that he is not able to be here. I know he is engaged in activities in other parts of the country and I do not say anything about that. However, I do regret that he is not able to be with us today.

The minister must give a great deal of attention and consideration to the citizens of this nation. He must realize that if he is going to expect the co-operation and assistance of communities and individuals in rehabilitating or assisting to rehabilitate these people have to follow the law. It must be a very carefully planned and supervised type of operation and program. We realize the present