

*Criminal Code Amendments*

had existed for over 100 years and it was known by the cons and the public as time off for good behaviour.

In 1970, the present concept of mandatory supervision was introduced. That meant that if the inmate behaved well, he could be released but he would have to report to a parole officer and terms and conditions could be imposed upon him. In 1970, the Government was responding to the idea that it is in the public interest in almost every case to allow the inmate to spend some time on the street under supervision before the end of his warrant. That is a very difficult policy to defend when someone emerges who has been victimized by an inmate who is out on the street during the last third of his sentence. Members of Parliament raise this issue in the House every day. What business do we have to allow someone to be out on the street when their sentence is not over, even under supervision, when they can create more harm? Why do we not keep them behind bars until the last minute?

● (1120)

The answer to that question, of course, is that at the last minute the offender will have to be released. Mandatory supervision only applies to inmates who will be released eventually; it does not apply to lifers or people who are serving indefinite sentences. So the criminal justice system has a difficult choice to make. Should we keep an offender behind bars for as long as possible and then release him to be completely free like anyone else in society? Or, should we control his re-entry into society, imposing a period of time in which he, and society, can help in his readjustment to life on the street again? The fact that we have conditional release, mandatory supervision and parole is an indication that in our criminal justice system we tend to believe that an inmate has a better chance of going straight, and society has a better chance of being protected, if there is that period before the warrant expires when the inmate is on the street but under supervision.

I had the opportunity, and I hope the present Solicitor General will take the opportunity, to look into the way in which mandatory supervision operates. What happens is that the offender is called in to a parole officer's office, sometimes as often as once a week, and it can even be more often than that. In some cases, he is asked to empty his pockets onto the table. He is asked questions such as: "What lock does this key fit? Where does this money come from? Whose phone number is this? Where are you living now? Where are you working? Are you staying away from alcohol? Are you staying away from your old friends who got you into trouble before you were convicted?" To me, this is a very valuable process. I am glad the Government did not succumb to the temptation of completely cancelling mandatory supervision because, as regrettable as it sometimes is, there are inmates, even with that type of supervision, who commit crimes. In the overwhelming majority of cases I believe, as does the Liberal caucus, that it is better to supervise the inmate's re-entry into society than to leave him behind bars, cold turkey, until the last day when he has to be released, when he cannot be told where to live and to stay away from alcohol, and so on. He cannot be told to find a job, nor can he be forced to report. He is completely free, like

anyone else. The valuable opportunity to control him has been lost during the period of time in which he is most vulnerable. The most vulnerable period is when an inmate is released after a period of long confinement and has to adjust to making a living and having the same free choices that all other Canadians have.

While I say that, I still think there are some offenders who are exceptional. Because there are some who will, predictably, commit crimes again as soon as they can, there needed to be some machinery in place for taking mandatory supervision away. The legislation before us provides that machinery, which is why I am in favour of it.

There are some classes of offenders who are very good inmates, for example, pyromaniacs, inmates who are convicted for lighting fires, or sex offenders. These are classes of inmates who tend to be well behaved while they are in prison. In the case of sex offenders, they are often segregated from other inmates who would, possibly, injure them or kill them if they could get their hands on them. So they tend to be model prisoners. However, when the time comes for their release, it is possible that they can re-offend. This legislation provides the machinery to permit the Parole Board to review cases as they come up for mandatory supervision. I hope that it will use the machinery exceptionally. I also hope that it will recognize that it is beneficial for offenders, and society in pursuit of his reform, to put him on the street under control. But for those where it is predictable and almost certain that they will reoffend, this machinery is welcome. This machinery will be there.

● (1125)

I hope in looking at it together in committee that perhaps we will find ways to improve the legislation. Basically, mandatory supervision will be constrained but it will be preserved.

I would like to speak to another matter which is touched on in this legislation.

[*Translation*]

I am referring to the matter of increasing the number of members on the National Parole Board. According to the proposed legislation, the Government intends to increase the number of members from 26 to 36, which means an increase of 10. I, for one, am in favour of increasing the number of members, because the present workload constitutes a heavy burden on the shoulders of the Board, and since we are giving them more work through this legislation, it is only fair that we should increase the number of members on the Board.

The National Parole Board's workload has also increased as a result of cases under the Canadian Charter of Rights and Freedoms. The present procedure is more time-consuming and involves far more work because of the various stages in the procedure and the opportunities afforded inmates to present their point of view. I realize that, and I am happy to see that the number of members on the Board has been increased to deal with these needs.