

Supply—Justice

and the policy and the attitude of the department and its officials in so far as penology or penal matters are concerned. Since January 1, 1955, only 10 of the present members of parliament sitting here have undertaken to visit any of the penal institutions under our jurisdiction. This is a bit of a disgrace.

I know we do not all have the opportunity to visit every type of institution or to participate in or study every possible question which comes to the attention or comes under the jurisdiction of the federal government. None the less, I think many more of us should take the opportunity of at least visiting the penitentiaries and talking with the wardens, the custodial staff and the inmates themselves about the problems and the difficulties that confront them, and learning their ideas so that when we do come to legislate, when we do come to consider the estimates of the department, the policy and the attitude of the departmental officials, we shall be in a much sounder and better position to do so because we would have had at least made a cursory examination of some of the institutions, even though it may be a slight discussion with the officials and the individuals themselves.

In closing I should like to pose some specific questions to the minister. I understand there are far too few psychiatrists and psychologists attached to the penitentiaries but in so far as decisions of psychiatrists and psychologists are concerned has the warden of a particular penitentiary the authority to override a recommendation of a psychiatrist or psychologist? I should also like to know who is allowed to visit an inmate and with what regularity, once a month or how often? How many letters is an inmate allowed to write each month and how many is he allowed to receive? To whom may he write and from whom may he receive letters? With respect to incoming letters, especially those from relatives, if they are censored what happens to them? Are the letters kept and does the inmate get them upon his release or are they returned to the sender? Is the inmate told that somebody has written to him but he cannot have the letter because it has been censored? What about the letters which inmates write? When they are censored or deletions are made are they returned to the inmate and is he informed that there is something wrong with it and that he should rephrase it?

I should like the minister to give consideration to this suggestion which has to do with the question of remission and the loss of time off for good behaviour. I believe it would be the decent thing to do if we were to give wardens the authority to return to the inmate any time taken away from him because of misdemeanours. It may be that the inmate, especially if it is the first time he has been

in a penitentiary, may not be too familiar with the rules. He may have a rebellious attitude, may infract some of the rules and regulations and thereby end up in the warden's court and lose five or ten days of his time off for good behaviour but during the rest of his period in the penitentiary he is a model prisoner. I think some compensation should be given for the fact that he conducts himself within the rules during the balance of his term and perhaps the ten days he lost originally might be returned to him toward the end of his sentence by way of compensation for good behaviour.

Mr. Fulton: Mr. Chairman, I think I should probably start with the specific questions asked by the hon. member. First, he asked me with regard to the decisions of psychiatrists and whether the warden has the authority to override those decisions. Of course, in so far as the decision of the psychiatrist may be a decision or recommendation as to the medical, physical or mental condition of an inmate, the warden has in that sense no authority to override it because he cannot, if the psychiatrist finds a man to be ill, say that he is not ill. But the warden is the chief executive officer of the penitentiary and the warden has and must have final authority to determine what will be done with respect to an inmate. Therefore the warden has, of course, authority in the strict technical sense to reject or to refuse to act upon a recommendation, whether it be from a psychiatrist or from any other person, with respect to an inmate in the prison of which the warden is the chief executive officer. But I can assure the hon. member that if there were a case where a responsible prison official such as a psychiatrist made a specific recommendation which the warden felt he could not or should not carry out there would very speedily be a reference to the commissioner and the matter would be resolved at the headquarters level.

With respect to the question as to who is allowed to visit penitentiaries. Any immediate relatives are allowed to visit, without restriction or the necessity of obtaining any special clearance, within the visiting hours laid down. With respect to general visitors, those who are not related to the inmate, the regulation provides that they have to get the permission of the commissioner before they can go into the institution. What I have just said does not apply, of course, to persons such as social workers, members of the John Howard society and so on who have a general clearance in advance for the purpose of visiting penitentiaries. Persons other than relatives and accredited social workers, newspaper reporters, indeed members of parliament and so on who want to visit these

[Mr. Howard.]