

Criminal Records

I do not think that coddling these people will make them into nice little boys, telling them that they did nothing wrong and society is the real offender, or that he would have been a nice fellow if his mother had loved him more and allowed him to have his own way. In a great many cases a boy has a much better chance of making something of himself if he is not given his own way and if society treats him fairly and firmly and starts him on the road back. This is where we should concentrate our efforts.

I hope this bill will be taken back to committee. There we will take a close look at it to ensure that we are not just using the whitewash brush, and that where serious cases are involved and the security of individuals or of the realm is to be protected, we will not be sentimental and do a big whitewash, erasing job. On the other hand, criminal records should not be abused. If we are doing this because of police brutality, I say we are working at the wrong end. We should improve the standard of our police force, because that is where the trouble lies. Presumably, if the right people are in charge of records no offender would have any complaint about the way he is treated in our Canadian society.

• (3:30 p.m.)

Mrs. Grace MacInnis (Vancouver-Kingsway): Mr. Speaker, it has become apparent during the course of the debate that practically everyone in this chamber is in favour of the general principle of this bill. I have no intention of going over that general ground because at this stage almost everything has been said not once but many times. I believe we all feel it has contributed quite a bit to straightening our thinking to have the bill in this form of granting a respite or a second chance to people, rather than trying to expunge records. I do not think it is conducive to straight-thinking to suggest that the past can ever be wiped out. It cannot be. As Omar Khayyam said:

The moving finger writes; and, having writ,
Moves on: nor all your piety nor wit
Shall lure it back to cancel half a line
Nor all your tears wash out a word of it.

The past is gone; yet its memory is still there. What this bill is trying to do is wipe out the possibilities of persecution once people have been rehabilitated and returned to society. There is one point which I have not heard discussed in this debate. I hope the Solicitor General (Mr. McIlraith) will listen carefully, and perhaps when he replies he

will give me an answer to my question. The bill itself has gone far to straighten out our thinking on this matter, but there is still one point which is just not logical to me and that is the whole idea of a pardon.

If a person has committed an offence, if he has served his sentence and made restitution to society as far as he is able, he has paid his debt to society and that should be finished. I am not a lawyer but as a lay person I feel it is not logical to talk in terms of a pardon when the debt has already been paid. I can understand one saying that a person is rehabilitated, gets a second chance or that the slate is wiped clean, but for the life of me I cannot understand why he should have to ask for a pardon when he has already committed the sin and has been convicted and sentenced. Apparently he has paid his debt to society.

This may be a small point, but every time I have looked over the bill I wonder why we think in terms of a pardon. The man is not coming up for a pardon he is coming up to make sure that there will not be any discrimination when he starts afresh in society, that he will not be discriminated against because of his past.

That is all I want to say on this bill, Mr. Speaker. I should like to hear the reasoning of the minister as to why he talks in terms of a pardon. Maybe it is legal language that I do not understand. Goodness knows, there is a great deal of legal language that does not make sense even to lawyers.

I see the minister is now interested to the point that he will try to tell me what was in his mind when he talked about pardon. The only pardon I know of is one in connection with a crime when a person has committed a murder or a serious offence and is granted a pardon, so that the sentence is not executed against him. But in this case he has served a sentence and paid a penalty for his crime, so it is a pardon for what? It is not a pardon for his offence; he had paid for that. I would be extremely glad to know the reason for this, if the minister would be so gracious as to explain it.

I wish this bill well. I believe all of us in this corner of the House and in the chamber generally think this is a real attempt to give a person a fresh start and treat him like a human being instead of a second-class citizen for the rest of his life, and someone to be persecuted and made into a pariah. I will now resume my seat, Mr. Speaker. I hope the bill will have reasonably swift passage through the committee and back to this House.