

*Penitentiary Act*

most distinguished gentleman. What used to amaze me was his facility to speak both languages and his loyalty to all that this country stands for. I remember the last time I heard him speak he stood up and said, "I cannot go on any longer," or words to that effect, "unless such and such a resolution is passed".

I do not know whether that was in 1937 or 1939, but I have here *Hansard* for 1938 and I am going to read what he said on that occasion when he rose on the orders of the day. Apparently a bill which had been passed by this house had been turned down in the senate, and he said:

Before the orders of the day are called I wish to make a statement concerning the bill to amend the Penitentiaries Act which was adopted by this house unanimously but will now fail to be placed on the statutes of this session. The government is disappointed and I, personally, am sorry, indeed very sorry. When I stated in this house on my responsibility as Minister of Justice that I needed the proposed change for the proper administration of penitentiaries, the right hon. the leader of the opposition (Mr. Bennett) declared that he waived all his objections to the bill because of that statement.

What I regret more particularly is that this legislation involving a social question of momentous importance, has been rejected in another place . . .

Apparently this has been going on since 1938 up to the present. I do hope the minister gets whatever he wants if it will help him to bring about reforms in the administration of the penitentiaries. I have no doubt that he was in his seat when the late right hon. gentleman made the statement I have just read. I just wonder why something cannot be done. We have been told every year that it is because of the provinces; it is because of the dual control over crime. I am not familiar enough with it to know just why it is. I do know that the federal government controls penitentiaries.

This bill calls for the appointment of a commissioner and two assistant commissioners. I have no objection to it. I should like to see it go through. I should like to see the commissioners appointed and get on with whatever has to be done. I believe everyone in the house is interested in penal reform; I have been interested in it for years. It has been a subject of study by me for quite a few years. I have felt that after-prison care was something we were away down on, something with which we did not seem to be able to grapple, how to take care of a prisoner when he is let out of the penitentiary. If the new commissioner and his assistants can bring in some report to the minister under which after-care to the prisoner can be improved

[Mr. MacNicol.]

above what it is today it should be done, because it is really not carried on today, except what is done by private institutions such as the big brother movement and the association of police commissioners who do interest themselves, as I know very well from my connection with the efforts in Toronto under the last chief of police we had, General Draper, who spent a lot of his time with the police association in after-prison care. That should be extended and expanded. If the minister has that in his mind I am sure that his commissioners will follow out whatever instructions he gives in that regard.

I have said that I have been interested in this matter for a long time. I have spoken on it before. I went to England for the purpose of studying the Borstal system. The Borstal system has been in operation in England for many years and has given eminent satisfaction. I believe they wholly reclaim 58 per cent of all first offenders. That is something to aim at. I am sorry to say that here in Canada, so far as I know, that is not the case. Many young offenders who commit major crimes for which they are sent to the penitentiary, are sent among hardened criminals. Often when they come out they are frequently more criminally minded than when they went in. Surely there must be some method by which that could be improved.

The minister has read, as I have, what was said in 1946 by many organizations, that we were down near the foot of the ladder so far as prison reform is concerned; I presume I should say, so far as the reformation of criminals. Often when they come out they are frequently more criminally minded than when they went in. Surely there must be some minor jails under the provincial governments, as we have been told here, why cannot we do something? That is what I should like to know. Are the hands of the federal government so tied that nothing can be done? If not, will the commissioner and his two assistants be able to find some method that up to the present we have not been able to put into operation to reform criminals and to cut down their being released to go out into the world again and greatly increase the number of crimes committed in the country.

I am convinced that every hon. member will go the limit to help the minister in any programme that he can bring in, including the appointment of the commissioner and his two assistants, to reform the method of taking care of criminals in Canada. I do not know that I can say much more. I have given the matter a lot of study. I myself went to many of the prisons in England. I stayed in them and ate in them. I stayed in them all