Hon. Francis Fox (Solicitor General): Mr. Speaker, may I say briefly that, as I see it, motion No. 36 requires the board to conduct hearings when it has decided to grant, deny or revoke parole. Motion No. 35 is consequential since it would delete the power of the governor in council to make regulations, prescribing when a hearing must be held, the information to be furnished prior to the hearing, the entitlement to assistance at the hearing, and the occasions on which reasons for decisions would have to be given by the board.

It is a matter of principle on the question of the hearing, and there is no dispute. The question is whether it should be in the regulations or in the statute. I believe it is in the interest of the inmates that it be left in the regulations. If we put it into the statute, because of the high number of people who would be involved—I only have to mention, for instance, the number of day parole hearings that would have to be held, or to mention the number of people on short sentences in penitentiaries and provincial prisons where hearings would have to be held to conclude that if we put it into the statute, we would be delaying the procedural safeguards which the board is now maintaining and which it should continue to maintain. That deals with motions Nos. 35 and 36.

With regard to Motion No. 37, the amendment would add a subsection on the procedure to be followed on suspension of parole and subsequent review. The subsection would make it mandatory for the board to hold a hearing as to whether parole would be revoked, unless the board, within 30 days from the date it had the matter referred to it, chooses to cancel the suspension.

This motion is along the same lines as motion No. 36 in that it attempts to incorporate into the legislation a right that the board contemplates will be dealt with under the regulations. The board will be recommending to the governor in council, and so will I shortly, regulations that will require a hearing to be commenced within 30 days following a reference to the board by the person effecting the suspension. I believe once again that this is another occasion where the only difference between what is proposed by the hon. member for New Westminster (Mr. Leggatt) and what we will be proposing is the method by which the inmate is to be given certain rights. I believe it will be easier to proceed faster in this regard by keeping in the hands of the governor in council the power to make regulations in this regard and to make progress as soon as possible. I understand, however, that the hon. member will be speaking on motion No. 38.

Mr. Leggatt: Mr. Speaker, I rise on a point of order. I must beg the indulgence of the House. I did not realize you would group all the motions together. I had assumed that the motions I spoke to were grouped together because they were on the same subject, but obviously the Solicitor General (Mr. Fox) has referred to motions Nos. 37 and 38, which I did not realize would be grouped. With the leave of the House, I should like to spend a moment to explain the reasons for those motions.

[Mr. Fox.]

• (2130)

The Acting Speaker (Mr. Ethier): Is the House in agreement?

Some hon. Members: Agreed.

Mr. Leggatt: Motion No. 37, to which the Solicitor General referred, deals with the problem inherent in the revocation of parole under the existing law. The revocation of parole, when made, would now be subsequently referred for review by the Parole Board. However, no time limit is provided for the Parole Board in terms of reporting, and my amendment would require that the board report within 30 days so that the inmate would at least have some hope of knowing what decision there would be in the long run. It seems to me that that is a matter which would encourage peace within institutions. The board would have some responsibility not to delay its reports indefinitely. The minister's legislation does not provide for any time limit with regard to that, and I think that that is really a matter of cleaning up the legislation. Perhaps the minister will accept that amendment, which is fairly reasonable.

With regard to motion No. 38, in the past a parolee who violated his parole, subsequently had the time spent on parole added to his sentence. The result could be that a person serving a two year sentence could ultimately spend three or four years in jail because of his violations. Appropriately, the government has attempted to solve that problem by proposing that the time spent on parole not be added to sentences. The difficulty is that the government has failed to include those people who presently are serving time on parole. It seems reasonable to me that they should not be discriminated against by the passage of this legislation, which would apply only to persons being paroled subsequent to the passage of the legislation.

I am asking the Solicitor General to apply the worth-while rule which he has brought into the legislation to parolees who are now on parole. This would not affect those whose parole was previously violated and revoked and who have been recommitted to prison. I am asking the Solicitor General not to discriminate between those who are now properly on parole and not violating their parole and those who may subsequently be paroled. It seems to me that it would be a fairly logical step for the Solicitor General not to discriminate between those two classes.

I support the amendment, but we are discriminating against those who are presently on parole. We are allowing the legislation to apply only to those who are subsequently paroled.

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker—

The Acting Speaker (Mr. Ethier): Does the hon. member for Calgary North (Mr. Woolliams) have the unanimous consent of the House to speak at this time?

Some hon. Members: Agreed.

Mr. Woolliams: Mr. Speaker, we support this amendment, but I want to bring to the attention of the House that the