

Measures Against Crime

tial commission on justice administration and application of the law. I quote:

● (2020)

[English]

Crime flourishes where the conditions of life are the worst, and therefore the conditions of a national strategy against crime is an unremitting national effort for social justice. Reducing poverty, discrimination, ignorance, disease and urban plight and anger, cynicism or despair—these conditions can inspire, is one great step toward reducing crime.

[Translation]

The third level is sentencing. In spite of the reports of the Law Reform Commission little if anything has been done in this respect, except giving to magistrates again through Bill C-84 the power to extend from 10 to 25 years the minimum period of detention without parole for second degree murder.

As early as 1968, the Ouimet report deplored that no specific and elaborate sentencing policy existed in Canada, with the result that an accused may be at the mercy of a judge who is more or less understanding, and depending on the case he will do two years of penitentiary or remain on parole with the possibility of developing his sense of responsibility and fitting in the community while being guided by a social worker.

The main obstacles to the development of a unified system of criminal law and social rehabilitation have been thus far the absence of a clearly defined sentencing policy and the inadequacy of services and facilities available to a judge entrusted with the key function of this global process.

That policy still does not exist in any case. Until there is a school for judges—without necessarily wanting to attack the process of appointments to the bench—we will continue to have inadequate judges or judges motivated by considerations based on outmoded principles.

This code of sentencing could, for example, provide that certain individuals sentenced for a first offense will all the same have to undergo a certain period of treatment if the conditioning to which they were submitted—and one sees here the role of the report provided by the social worker—was deficient.

All those problems are of a judicial procedure nature. As for the correctional process as such the situation is confused. Although a certain number of positive changes have been made in the last few years in the operation and the administration of penitentiary services the faults afflicting detention institutions prevent most often the achievement of the commendable objectives of those in charge—training and rehabilitation.

Indeed, as long as punishment is mistaken for rehabilitation, there is hardly any hope that the spirit existing in penal institutions will evolve appreciably.

Unfortunately, I am unable to adequately cover the treatment aspect of the correctional process and that is too bad; Bill C-84 will perhaps provide me with that opportunity.

In short, crime prevention should now be based on two principles: to prevent individuals from indulging in criminal activities by the removal of some environmental fac-

[Mr. Lachance.]

tors which seem to have a decisive impact on the development of delinquency; for the offenders, it would be advisable to consider community therapy through the action of social workers and citizen's committees, to think up a new philosophy for the treatment of individuals having experienced a defective or antisocial conditioning.

Finally, it is necessary within the correctional process itself to remove one of the main causes of delinquency: the penitentiary subculture, by systematically promoting the establishment of small institutions such as community residential centres.

In closing, Mr. Speaker, Bill C-83, though basically sound, does not constitute an efficient weapon in the fight against crime. Only a well defined all encompassing policy might stand a chance of checking the deplorable tendency towards increasing crime, disturbing symptom of an even greater failure, which could be that of our whole society.

In conclusion, I should like to quote an excerpt from the report of the Law Reform Commission of Canada entitled "Sentences et mesures non sentencielles dans le processus pénal" which indicates the direction in which we should go.

How will we treat those who violate those fundamental values, those of our society? I quote:

Everyone, legislator or private citizen, must understand that the coercive power of penal law must be used only with moderation since otherwise, we run the risk of generating other social ills. Too great a desire to have law and order can, on the contrary, produce disorder. What is basically a manifestation of responsibility can on the contrary lead to irresponsibility when, instead of serving as guidance toward an honest solution of the problems we are confronted with, the rules serve as screens to keep us from understanding them.

Mr. Speaker, that is food for thought. I do hope that all hon. members will understand that it is the duty of each and everyone of us to find such solutions as can check the tide of crime, in our country.

[English]

Mr. Elmer M. MacKay (Central Nova): Mr. Speaker, most people of this country, I suggest, cannot logically quarrel with the concept of some sort of gun control. It is not an alarming concept any more than controlling the use of automobiles, poison, snowmobiles or any other device, or substance that might be considered dangerous. But no issue since I have come to the House of Commons has prompted such a rash of protests from my constituents against the way that the government is implementing what ought to be a very simple and laudable objective.

The so called peace and security package is really a misnomer, I suggest, because to start with it is a joint product of two ministers who do not even agree philosophically. It is an anomaly. My friend, the hon. member for Calgary North (Mr. Woolliams), says they are the odd couple. That may well be, but I rather think that Robert Lewis in the current issue of *Maclean's* magazine sums it up pretty well when he refers to the Minister of Justice (Mr. Basford) and the Solicitor General (Mr. Allmand) as playing a kind of good cop-bad cop routine. The Minister of Justice (Mr. Basford) says he can live with hanging and the Solicitor General (Mr. Allmand) says he cannot. This kind of basic philosophical difference is not doing anything to inspire confidence in the people of this country that this legislative package is a well thought out and valid