

listened to the Minister of Justice (Mr. Basford) presenting the bill, that I do not think he has effectively grappled with either of the two stated intents which he himself said were the sum and substance of the bill.

As I indicated a few moments ago, Mr. Speaker, I think one of the basic problems with the legislation is that it is founded upon a false premise. The minister recognizes throughout his speech—and it is certainly implied in the legislation and accompanying press releases—that our criminal justice system is not working satisfactorily. I do not think I am overstating what he said or what other members of his party have said in this debate.

Having said that, in broad terms his solution is more of what he has already indicated is not working. It may sound like a rather vast over-simplification or generalization of the position adopted by the government on this bill, and may I also say adopted in the bill that will follow it having to do with capital punishment; but I think the government in some ways is its own worst enemy in trying to grapple with crime and punishment in our modern society.

I think the government has adopted a kind of Alice in Wonderland approach in this bill. Let me illustrate one aspect that struck me very forcefully as I prepared myself to take part in this debate. I have in front of me a document prepared by the Solicitor General (Mr. Allmand) in March, 1975, entitled "The Prevention and Control of Violent Crime in Canada: Some Comments on Violent Crime, Capital Punishment and other Related Issues". On page 2, in the second paragraph, the Solicitor General said this:

Let us look at the facts. Existing data indicates that there has been no disproportionate increase in the number of violent crimes.

● (1620)

So he won't think I am taking it out of context I will go on and read the next sentence:

The proportion of violent offences to all Criminal Code offences has remained relatively constant at around 10 per cent per annum over the period of 1966-73, as the attached Table 1 shows.

The Solicitor General told us very clearly in this first report which was published a year ago that there had been no disproportionate increase in violent crime over almost the previous decade. However, when the Minister of Justice and the Solicitor General brought forth their so-called peace and security package we find in the blue booklet that accompanied it, in the introduction, and let me quote two sentences from it:

Rising crime rates, including rates of violent crime, are bringing home to Canadians that changes in the criminal law and in the administration of criminal justice are needed if the best possible protection is to be afforded to the public.

A little further on in the second paragraph, talking about various measures the government is introducing, it states: They are designed to come to grips with the increasing incidence of crime in Canadian society and to meet the need the public feels for a greater measure of protection.

How does the public or any individual square the seemingly contradictory position adopted on the one hand by the Solicitor General last year in the document he released on violent crime and this year by the joint document issued by the Solicitor General and the Minister of Justice? This is only one small indication of the kind of uncertainty, indeed confusion that exists in respect of the

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government as to what in fact it is facing. If it is confused in understanding the problem as profound, what is even more disturbing is its solution, because it seems to me in looking at this legislation with regard to offenders the solution is primarily more, or longer, or simply general indeterminate sentencing.

Surely if anything has been studied to death in this country since the Archambault Report in the last 30's, or the Fauteux Report in the late 50's, it is sentencing per se, and it has been indicated that sentencing, particularly given the nature of the institutions with which we have to work in this country, is at a dead end.

There is no more sorry record of government administration in dealing with prisoners than the federal penitentiary system that operates in this country. So the solution that is looked upon as the great salvation for peace and security in dealing with the criminal offender in our society is in fact this dead end street, and there is, if you want to put it this way, a kind of intellectual bankruptcy in the criminal justice system when it comes to dealing with offenders.

Secondly, the solution for detecting crimes, which is also what the government wants to deal with, and which is a matter of some concern to the general public, is a greater invasion of individual privacy. I know the government has talked about the kind of safeguards that exist with respect to the code and the protection of the rules for judges' applications, and one thing and another, but I do not think it takes very much analysis to realize that the government is trying to introduce into this parliament what it would not produce in the last parliament because parliament would not accept that extent of invasion of privacy. If the government thinks it has won its case in the one report published by the Solicitor General, a report which is lacking for the most part in any direct information in respect of this particular question, it is very sorely mistaken.

I wonder, therefore, why we have had such a great deal of huffing and puffing by the government in bringing forth this kind of legislative proposal. Seriously, I would ask the Minister of Justice, if he were here, or the Solicitor General, who is here, if they can tell us before this debate concludes on second reading where in any country, in any experience in any society, the action of invasion of privacy or more extended sentencing in federal institutions is the solution to violent or increasing criminal rates in our society? Certainly they have not indicated this in any documentation or speeches that have been produced to date.

I find this kind of a custody-conscious bill a reflection of the most limited kind of thinking. In fact, I have too much respect for both the Minister of Justice and the Solicitor General to believe that those particular Liberal gentlemen would, of their own persuasion, have arrived at this kind of paucity of thought in respect of the matters we are faced with in this bill.

I do not want to get into a lot of details on this bill because we will do that in committee, but the suggestion that the answer in dealing with those who escape with increasing frequency from federal institutions is to totally close off their remission time and, even more important, to double the sentence from five to ten years, seems to me to be totally hopeless and unworkable. I would like to know from those who work with these offenders or inmates in