

from? Whose phone number is that? What lock does that key fit?" This is possible when a person is under mandatory supervision. It can assist the person in re-entering society. This cannot be done with someone who has stayed behind bars until the full sentence has been served.

There is an advantage to mandatory supervision. However, the premise of the Bill is that there are also cases where there should be authority to deprive an individual of mandatory supervision. That is why we support the Bill.

As a matter of fact, the House will know that I introduced this Bill in 1983 after I tried but failed in court to deprive inmates of mandatory supervision in a few cases, using administrative means. Those administrative means did not work and the Supreme Court of Canada ordered us to release inmates whom we wanted to keep behind bars. Therefore, I had to come back to this legislation, which I took to the Senate. The Senate proposed amendments, to which I agreed since the election was forthcoming. I approached opposition Parties to see if they would give unanimous consent to pass the Bill in the dying hours of the last Parliament.

Let me report to the House that the Conservatives offered their unanimous consent in order to pass the legislation, but the NDP deprived us of unanimous consent in June, 1984. Therefore, we were unable, as a Government, to bring this legislation forward. After we were defeated and the new Parliament was called, I reminded the Conservatives that since they agreed to this important legislation when they were in opposition, it should be passed. The then Solicitor General said he would look into it, and his successor also said he would look into it. Now they tell us that we need to be called back from our summer break to deal with a problem that they identified as an emergency in the summer of 1984.

The Solicitor General (Mr. Kelleher) tells us that 74 dangerous inmates to whom this Bill should be applied will come out in the next three months. I believe that that estimate is rather high and I hope the Bill will not affect such a large number of inmates. While I admit the possibility of prediction, I would be surprised if there are 300 inmates a year who can be predicted to be dangerous. After all, what is the difference between this three-month period this summer and the same period last summer? What is the difference between last summer and last fall or winter?

My point is that a certain number of inmates in this country are released under street supervision every day. For the Government to say suddenly that the ones who are coming out this summer are the reason we need the Bill is to falsify an emergency and create a sense that something we should have done years ago is an emergency. The Government is characterizing this as an emergency now in order to be able to Senate-bash and Liberal-bash. I cannot think of any other explanation, but if there is one, I would like to hear it. The Government, by calling this an emergency this summer, is attempting to blame Senators or Liberals because it could not get the Bill through the day it wanted rather than doing so two years ago when the same emergency existed and the legislation had the

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same importance as it has now. It may think the Canadian people are dumb enough to fall for the argument that this is suddenly an emergency, but I do not think the Canadian people are that stupid. I think those who are watching this debate, and not all of them are, will recognize what the Government is trying to create out of its own bad administration and delay—

● (1540)

Mr. Nunziata: And negligence.

Mr. Kaplan: And negligence, as the Hon. Member for York South—Weston (Mr. Nunziata) points out. It is the Government's negligence it is trying to cover up by calling this a summer emergency which is the fault of the Senate. I think the Canadian people will surprise the Government. It is true they voted the Conservatives in in September of 1984 but—

An Hon. Member: And they voted you out.

Mr. Kaplan: They did, and I think we have benefited from being in opposition. I do not believe the Conservatives have benefited from being in government. I do not think the Canadian people have benefited. I am looking forward to seeing their reaction to this false emergency called to get through some legislation which they believe at heart will do some good in supporting the public safety.

Mr. Keeper: Mr. Speaker, the Hon. Member seems to say he supports this legislation, that it is important legislation which needs to be dealt with. I wonder why when he was in office the Government waited until the end of its term to bring forward legislation to deal with this matter. How can the Hon. Member justify criticizing the Conservatives for failing to act on this legislation for the last two years when his Government was in office for at least four years and did not act on it until the last minute?

Mr. Kaplan: Mr. Speaker, I would like to tell the Hon. Member that when I first observed the problem of people who were predictably dangerous getting out on mandatory supervision, I hoped the problem could be solved administratively. I thought we could take people who were earning mandatory supervision, let them march through the prison door, then turn them around and bring them back.

Mr. Prud'homme: Re-arrest them.

Mr. Kaplan: Re-arrest them. That is a very good way of putting it. In fact that solution was attempted. We took 15 inmates, one after the other, for a period of several months, inmates whom we thought to be dangerous and who should not be allowed out, and tried to bring them back. I want to level with the Hon. Member. We had legal advice from the law officers of the Crown that this was a legal thing to do and was not false imprisonment. Eventually a number of inmates took us to court, I think 11 inmates out of the 15, and we fought the case. We lost at the trial level. We appealed to the Supreme Court of Canada, which took almost two years of the mandate.