

*Criminal Code*

imprisonment which he spent successfully while on parole. In addition, the board may, according to criteria it will determine on its own, recredit the inmate, in whole or in part, that part of the remission automatically lost as a result of revocation of parole. Those criteria would allow the board to deal with cases where attenuating circumstances indicate that the inmate could become the victim of unfairness or be inflicted too severe a penalty.

Under the new provisions of the bill, an inmate will be allowed to stay at the institution instead of being placed under mandatory supervision, this in order to take into account those inmates who may not feel ready to go back to society and could not manage to adapt to it, thereby exposing themselves to the penal sanctions provided for by the regulations on mandatory supervision. The bill will also give the required legislative authority to pay indemnities in cases of disability or death resulting from accidents occurring in the course of an inmate's participation in the normal life in an institution.

● (1640)

*[English]*

As I said earlier, Mr. Speaker, these twin objectives of protection of the public and humanity toward the inmate should be viewed in the framework of the continuing need to adapt and improve the effectiveness of the criminal justice system. There are several provisions in this bill which can be described in terms of the ongoing process of improvement of the system itself. I expect to receive shortly the report of the parliamentary committee which is investigating the penitentiary system in Canada. I will be pleased to examine their recommendations in detail and no doubt will be influenced by them.

Under the proposed amendments, the Commissioner of Penitentiaries will become the commissioner of corrections, and the control and management of the National Parole Service will be transferred from the National Parole Board to the commissioner of corrections. The commissioner will become responsible for the preparation of cases for all types of release and the supervision of inmates on temporary absence, day parole, full parole and mandatory supervision. This will relieve the National Parole Board of its management responsibility for the parole service and, therefore, allow it to maintain its independence as a decision-making body.

This action will also result in better co-ordination of programs and services between the Canadian Penitentiary Service and the National Parole Service, and will lead to the formation of a unified Canadian corrections service. A possible approach to this unification was discussed in the report of the task force on the role of the federal corrections agency, published under my authority in March. I look forward to the comments and reactions of hon. members to the ideas contained in this document. I understand that the subcommittee studying the penal system expects to have its final report ready in the next two or three weeks and will undoubtedly be making comments in this regard.

[Mr. Fox.]

Under present legislation, the federal government can enter into agreements with the provinces to confine in federal penitentiaries those provincial inmates who have offended against the criminal law of Canada and who have been sentenced to more than six months but less than two years. To allow for greater flexibility and effectiveness it is proposed that the lower limit of six months be removed.

The proposed legislation also contains a complete revision of the Prisons and Reformatories Act, with the aim of leaving the provinces more discretion in the administration of provincial prisons. Several archaic and obsolete sections will be removed, and provision would be made for the lieutenant governor in council of a province to make regulations within the framework of the federal legislation with respect to the administration of provincial institutions under provincial direction.

The proposed legislation will also authorize the transfer of inmates from any penitentiary to provincial prisons under agreements which may be made with provincial governments. Also, the provinces would be enabled to enter into agreements with one another providing for the transfer of prisoners from a prison in one province to a prison in another province. The remission system presently in force in provincial institutions under the Prisons and Reformatories Act would also be repealed and replaced by a system identical to that being proposed in the federal system under the Penitentiary Act.

Another change affecting the provinces is proposed under the Parole Act, where provision is made for the establishment of provincial boards of parole. Such boards would exercise parole jurisdiction over almost all inmates serving terms of imprisonment in provincial institutions for offences under the Criminal Code, in order to allow provinces to plan a full program for the offender from entry into the institution through parole release to an ongoing life as a responsible citizen. These provincial boards would exercise their authority in accordance with the provisions of the Parole Act and regulations made by the National Parole Board.

A further proposed amendment to the Penitentiary Act would enable the Commissioner of Corrections to designate any portion of a provincial prison or hospital as a penitentiary in respect of any person or class of persons, by agreement with provincial authorities. Also, the federal government could declare any facility, such as a community-based residential centre, or a forestry camp, a penitentiary, in order to improve the effectiveness of programs and services under the federal corrections system.

As I just said, the government is concerned to balance public protection and individual rights and to exercise restraint. This point, I believe, is sometimes lost sight of in the discussion of the wiretapping sections. All of the safeguards in the Protection of Privacy Act are retained under Bill C-51. When listening to the hon. member for Broadview (Mr. Gilbert) I was at a loss to understand whether he was making suggestions about how the bill could be improved or whether he was against wiretapping in principle.