

Penitentiaries

jeopardize the life and safety of those responsible for bringing them back to jail.

The adoption of some measures is essential within the shortest possible delays and if the Solicitor General wants to act he will certainly have his colleagues' support.

[English]

Hon. Warren Allmand (Solicitor General): Mr. Speaker, when I was appointed Solicitor General approximately five months ago I said that my principal goal would be to reduce and prevent crime in Canada, and that all the agencies and all the resources of the Solicitor General's department would be directed toward that goal.

While it is obvious that this is the goal of the RCMP, it is not always so obvious that it is also the goal of the Canadian Penitentiary Service and the National Parole Board. Charges are often made, and they were made tonight, that these agencies are too soft toward the criminal, that they often care more about the criminal than they do about the victim. This is not so, Mr. Speaker. The Canadian Penitentiary Service and the National Parole Board are concerned with rehabilitation; and rehabilitation means protection for the public, not being soft on crime.

I cannot emphasize too often that over 99 per cent of those sent to prison are sent for terminate sentences. That means that they are going to be released one day, whether we like it or not. Consequently, we have two choices. We can either put them in prison for five years, six years or whatever it may be, put them in a cell and, when the time is up, put them back on the street without any programs or any resocialization, and so on, or we can try to do something with them while we have them under our care. Mr. Speaker, this is what we are trying to do. But I admit that there are no perfect answers. Nobody has solved all the problems of the behavioural sciences; there are no dogmatic responses as to what should be done with a man in penitentiary in order to put him back on the street as a constructive or peaceful citizen. We are taking the best advice possible and we are trying to accomplish that result. We have had some successes and some failures.

● (2040)

With regard to parole, we have a choice. We can wait until the end of the man's sentence—and that end will come—and put him back on the street without supervision or assistance. He will probably be a more dangerous person and return to crime if we do that. On the other hand, with the use of parole we can let him out under supervision before the end of his sentence, with a continuing program and someone to help him if he needs help, whether he has an alcohol problem or whatever. That is what we are trying to do with parole. At the end of his sentence, his parole is finished.

The other day before the Standing Committee on Justice and Legal Affairs the chairman of the Parole Board pointed out that approximately 82 per cent of those granted parole since the establishment of the Parole Board 14 years ago had completed their sentence without incident. There have been failures in 18 per cent of the cases. He pointed out that those on parole are earning incomes, paying taxes and supporting their families. On the other

[Mr. Laprise.]

side of the picture, the man who is in prison is being supported to a great extent by the public. He is not earning any income and usually his family is being supported under a welfare program. This is what we are trying to do with parole. The criteria for parole are that the applicant must show the Parole Board two things: one, that he is rehabilitated; two, that he is no longer a danger to the public. The Parole Board tries to assess that question with all the reports and documents given to it. Last year there was a great reduction in the number of paroles. We reached the high point in paroles granted in Canada in 1971. In that year, including all types of parole, there were approximately 6,000. Last year there were approximately 4,800, a cutback of 1,200.

The Parole Board is a quasi-judicial body. It makes those decisions on its own. I do not have anything to say with regard to the granting or refusal of parole. We have something to say about the regulations pertaining to the Parole Act but not with regard to granting or refusing parole. The hon. member for Burnaby-Richmond-Delta (Mr. Reynolds) spoke in terms of the Parole Board frustrating what the courts are trying to do. He made it appear as though the Parole Board is acting in an almost illegal way.

The judges of this country know that there is a Parole Board and a Parole Act. They know that a man is eligible for parole after serving one-third of his sentence, or four years, whichever is the lesser. They know that when they sentence a man, he will be applying for parole in a few years. Usually the judge gives a sentence with that fact in mind. As a matter of fact, if he is a wise judge he tries to give a sentence that is related to a rehabilitation program. The sentence is geared along those lines, to put the man back on the street after the sentence as a safer person.

The hon. member for Burnaby-Richmond-Delta also said the members of the Parole Board were wishy-washy social workers. The chairman of the Parole Board was a judge of a court in Ontario. One of the most prominent members of the Parole Board, Mr. Gilbert, was a former chief of police in Quebec. There are members of the Parole Board who were policemen, judges and criminologists. They are not a group of wishy-washy people; they are a broadly-based group concerned about the protection of society. They are trying to put these people back on the street in a condition safer than when they went into penitentiary.

I want to say something about the temporary absence program. This program is also mentioned in the resolution. I remind hon. members that temporary absence is granted under section 26 of the Penitentiary Act. That act and that section were introduced into parliament the last time by a Conservative government. It was introduced by a former minister of justice, the Hon. Davie Fulton. This program was not passed into law by the Liberal party; it was passed by the Conservative party. It is interesting to note that when in power they did not use it very much. The Conservative party provided for this program in the law, but it became used on a wide basis only from 1966 to 1968. I am talking about the section that provides for temporary absence, without escort, for rehabilitation purposes. Before that it was used without escort for medical and humanitarian purposes, but rarely for rehabilitation purposes. There have been changes.