

Criminal Records

once more on an old and favourite belief of mine. The cost of rehabilitation can be cut down a great deal by taking another, very positive step, that is, by giving these young people proper guidance before they commit their first offence. Let us spend more money on physical fitness programs, backyard baseball and community efforts of the family, thus eradicating the need for rehabilitation after the event. The prevention of crime pays us off a hundredfold. The John Howard and Elizabeth Fry Societies have done noble work with limited funds and in the limited atmosphere in which they work.

Before I sit down I should like to make one more suggestion. In the treatment of criminals—and I use that word in a charitable sense, meaning people who have broken the law or who have been caught breaking the law—we should ensure that we keep in mind, first, when they come to court the importance of treating them like gentlemen or young ladies. Let us show them for the first time what their duty is to us, by the way we treat them. Let us make sure that our jails are not places of punishment but places of rehabilitation; I do not mean places where they run the jail, but jails which are fit for human beings. Instead of taking a boy out of a more or less innocent group of petty offenders on the street corner and putting him into jail for a long time among hardened criminals, where he has nothing to do but learn worse habits than he had before, let us rehabilitate him. This, again, will require the spending of a lot of our hard-earned money on well-planned and properly built places of incarceration.

We must encourage lawyers to not only exert themselves to win cases but to win back to society the men they have in their care, and to convince their clients that they should not perjure themselves and compound the felony. A young man who has only stolen a bicycle is now taught that if he lies convincingly he may be acquitted, or if he robs a bank he may be able to buy justice. I think that our trained professional men have to take another look at their profession and realize that they not only have a duty to protect young offenders but they must try to get these young men back on the rails as soon as possible.

My view is that hard and cruel sentences never did anybody any good. I venture to suggest that a young man going to jail suffers the greatest shock in the first 48 hours in jail. If you are ever to impress them that this is not the right environment for them, that is the

[Mr. Bigg.]

time to do it. If being locked in a steel cage for 48 hours does not impress a young man with any pride or decency in him, he is a difficult case. I do not suggest that he should be sprung immediately. Perhaps he needs more time to think things over. I suggest that in a great many cases the sentences should be indeterminate. The offender should be taken immediately out of circulation and his rehabilitation should be started shortly after his arrest, not five or seven years later when it is far too late. His rehabilitation should start almost as soon as he is arrested, and he should be given fair treatment but not more than he is allowed.

Mr. Gibson: Let us first make sure that he is guilty.

Mr. Bigg: That is another point. My experience is that there are very few innocent people languishing in jail. If there were, I would be willing to take time off from the House of Commons to defend them. I am a lawyer as well as a tired, old policeman. I do not think there are many innocent people languishing in jail, but from my own experience I believe an indeterminate sentence would do the most good once a man has been convicted and put in a steel tank.

Once a man demonstrates that he has seen the error of his ways and is ready to co-operate, he might be given an indeterminate sentence. Then he could get out on parole almost immediately, particularly in the case of the first offender and the young offender. He could be put in the charge of someone from the John Howard or Elizabeth Fry Societies who will arrange for him a good, clean, satisfactory environment under control while on parole. This would give him time to rehabilitate himself, before there is talk of wiping out his record. Let us not concentrate on wiping out the record but, rather, as one of my hecklers pointed out so well, let us first make sure whether he is guilty. I was assuming that under our law he would be found guilty before he got as far as jail.

Let us ensure that the rehabilitation of an offender is started right away, instead of putting him in an environment much worse than the one in which he was when he committed a petty offence. The atmosphere in any jail that I have seen—and I have seen a good many of them—is not conducive to the formation of a better character and the longer you leave these young offenders there, the worse they are likely to be. We should adopt a common sense approach. On the other hand,