

"supervision" had an aspect of control to it—"overseeing" or "watchfulness", and so forth.

Honourable senators, I watched the television program *The Journal* on the CBC in which a parole officer, heavily involved in mandatory supervision, talked about what he does when he has an inmate entrusted to his care. He said that his contact with him was of a social nature with a visit on a weekly or monthly basis, depending upon the region the inmate is from.

Senator Hastings, in his comments on November 9, agreed with what this parole officer said. His questions to them are: "Where are you? What are you doing?"—as if a person would walk in and say that he was living with another criminal and committing offences.

Whether or not we can get a better system than we have, I do not know, but I am sure that we can call it something better than "mandatory supervision", because I think it deceives the public, and gives them a false sense of security. It affords little protection to the public.

Let us really think about that for the moment. To the criminal who is about to embark on a further career in crime, this is an opportunity for him to deceive the person to whom he has to report.

For the inmate who intends to go straight, as they say, I have feelings of regret and sorrow. We do not need protection from him. The system has no mechanism built in to provide protection against the one we need to be protected from. So what does the system do? As I said, it protects us from those we do not need to be protected from—that is, those who are going straight—and leaves us terribly exposed to those we need to be protected from.

Several citizens' groups have been organized as a result of this early release system. A group formed in British Columbia as a result of some serious problems that arose there has called itself "The Citizens United for Safety and Justice." I was somewhat impressed with the material that that group has distributed in attempting to get some semblance of what they consider to be sanity, and particularly protection for young people.

In one of their initial releases they said that in their community and elsewhere in Canada there has been an understandable arousal of feeling within ordinary citizens as a result of certain events relating to the early release of prisoners. They went to great lengths to stress that their objectives were of the most common variety. Under no circumstances were they encouraging the promotion of a vigilante or hysteria-motivated organization. They were not interested in permitting a radical element to infiltrate their group. What they were asking was simply that their representatives explain to them the reasons for the obvious failure of Canadian law to protect children and other members of society.

Before I leave that subject, I should like to discuss the disgusting incident of last week. I believe the *Globe and Mail* called it the "Sleazy heroics of Francis Simard". Here is a young man who was released—and I am not certain whether he was released under the mandatory supervision program or

the parole system—earlier than his sentence provided for and who is profiting from royalties on a book he has written. What is he saying about the incident that put him in prison to start with—the brutal slaying of a Quebec cabinet minister, Pierre Laporte? He talks about it in a very cold and calculating way. He talks about the carrying out of the death as being a matter of discussion. He says it was agreed to and carried out as a means of letting the world know of their particular beliefs. His words were: "It was a decision of sincerity and conviction." One newspaper account said that the closest his approach was to remorse seemed to be that he thought it was a tough decision. That is a pretty sad commentary on the early release system, whether it be parole or whether it be the so-called mandatory supervision program.

● (2130)

Senator Hastings referred to the Solicitor General having conducted a departmental study that commenced in 1979 and completed in March 1981. The statistics provided by the Solicitor General's department are staggering if not sickening, I think, to most decent Canadians. Between January 1975 and December 1979—five full years—no fewer than 70 Canadians died at the hands of convicts who had earned early release from penitentiaries. The Parole Board said that 18 of the deaths were the work of convicts on parole, so we have to leave that number out. It still leaves 52 prisoners released under so-called mandatory supervision. That is almost one a month who commits murder.

Senator Frith: One a week.

Senator Nurgitz: I said 52 in 5 years. I meant one a month. In 60 months there were 52 culpable homicides, because many of them ended up being manslaughter. If we are getting technical, not all of them were convicted of murder.

I want to address another problem. Whether we take the likes of a Simard or another murderer released under mandatory supervision, suppose he holds up a bank tomorrow and kills one or more people in that bank, he cannot even be charged with first degree murder. He goes back to prison and serves another term much less than I think our system requires. That bothers me a great deal. I have spent some time at the criminal bar defending many people, and I am somewhat bothered to have to speak out on this matter, but, as I said when we were debating the amendments to the Criminal Code dealing with sexual offences, I am staggered to stumble upon the fact that if a murder is committed in the course of an armed robbery the accused is not charged with first degree murder but second degree murder. It does not matter how many times, because we are now talking about people who have already been convicted of serious offences and have been released under some system that we are building in.

We do know that less than half of those released under the mandatory supervision program are returned to prison either for breach of the terms of the release or for the commission of a further crime—and in more cases than not for the commission of a further crime. It is regrettable, because one can say that, indeed, the program is not that bad, that 50 per cent of the people who are released, at least for a time, lead useful