

Commons 1966-1978. Let me quote from his article as follows:

Although the impact of the Subcommittee's report on the press and public was immediate and strong, the hardened professionals in the CPS—

which is the Canadian Penitentiary Service.

—approached it rather gingerly and the Minister—

—the present Minister of Communications (Mr. Fox).

—even though from the outset favourably impressed by the report, was limited by the attitudes of the system.

"Limited by the attitudes of the system." That to me is the deplorable thing with which we have been faced ever since that report was received by Parliament.

Let me move on to discuss specifically something about recommendation No. 24 to which I have alluded. I think it would be appropriate if I were to read that recommendation, Mr. Speaker. It does embody my motion before the House today and indicates that it is a motion calling upon the Justice and Legal Affairs Committee to study, hopefully with the intention of asking the Government to put into effect, recommendation No. 24. At page 77 of the subcommittee's report we find:

Recommendation 24

The Commissioner should remain the chief administrative officer of the penitentiary system but he should be appointed by and responsible to a Board of five members (appointed for 5-year terms on a staggered basis by the Solicitor General) which would have sole responsibility for the making of policy. The Board must not have an attached bureaucracy additional to the Penitentiary Service. It should report to the Solicitor General and should be required to make an annual report to Parliament through the Solicitor General.

I want to address a few of the issues raised by this recommendation and indicate some of the points that should be discussed at this time.

● (1710)

Recommendation No. 24 of the all-Party subcommittee recognized that there was a need—and I submit that there is still a need—for greater public involvement in policy making in our criminal justice system, that it should be more visible to the public. I should like to refer to a quotation which substantiates that need. I refer to a 1977 publication entitled *Community Involvement in Criminal Justice*. It was a federal Government study and it reported on the role of the private sector in criminal justice. It dealt on page 117 with the influence of professionals on effective decisions in the upper echelons of government, in particular in the criminal justice system. In part the study at that page reads:

It is probably safe to say that the majority of important decisions in the criminal justice services, except major political decisions, are taken by an elite group of professionals. Not only is there an emphasis on professionalism, but the deliberations of those professionals are often not open to public scrutiny.

Hence, as I said a moment ago, the need to have this brought to the attention of the public and the need to have input other than that of departmental professionals. It continues:

The movement toward professionalism is now well advanced, which is understandable in view of prior criticisms that the justice services were not sufficiently professional. The thrust to professionalism is not likely reversible. That is as it

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should be, provided there is a balance against the exclusiveness that comes with professionalism, an exclusiveness which sets up firm obstacles to citizen involvement.

It indicates that we need to be wary of the present and continuing situation with excessive amounts of professionalism at the top, without adequate input by the community in an appropriate manner, input which is visible at the same time to the people.

In arriving at recommendation No. 24, the subcommittee realized that we needed an opportunity for line staff, for the staff in our institutions and penitentiaries to contribute to the policies of those institutions either at the local level or at the national level, as is the case in this motion. By the same token, there was a need to remove the imposition of policy from the top and to place it with those at the bottom. Often policies were derived and formulated by people who were not necessarily raised in the system or had not experienced the total implications of what went on at the institutional level. Those are some of the important matters with which the subcommittee wrestled in reaching its recommendations.

Finally, I should like to discuss an implication which has bothered me for a number of years. I have raised it before the standing committee from time to time. I am referring to the fact that it is interesting to compare a number of public institutions in the country with the special institution about which we are talking today. I am referring to our criminal justice system and the penitentiaries and jails which form part of it. If we study public institutions, we see that the militia or the army might be considered exceptions. Other than that, the only public institutions which do not have the benefit of adequate, effective and meaningful public input are prisons, penitentiaries and jails. They are governed by departmental people. I will conclude my remarks in a few minutes by discussing the adverse effect of that. There is a century-old sessional paper which deals with the matter.

We have schools, universities, hospitals, libraries, police commissions and various other public institutions which offer some kind of service. They all have public boards or committees to which people are either elected or appointed or both. They set most of the basic policy. In many cases fundamental policy is established by, for example, the department of education. Certainly I am quite familiar with the workings of the educational system in the Province of Ontario. Certain basic policy is established by that provincial department. As long as local school boards remain within those parameters, they set the policy for schools within their jurisdiction. The point I am making is that that does not exist within the penitentiaries system. The only effective input is on the part of citizen advisory committees, which are purely advisory. Any well-intentioned person who wants to have an idea implemented does not feel comfortable if he is on an advisory committee, unless he feels his recommendations or advice are being implemented by the particular institution and its management. This is the last of our public institutions to have public involvement at the planning level. The time has come to do something at the federal level, hence the need to refer the motion to the standing committee.