

Mr. Allmand: No, Mr. Speaker, I do not. That bill was the best possible bill I could get passed by the House at the time.

Some hon. Members: Oh, oh!

Mr. Allmand: I did try to amend it but the amendments were ruled out of order. I do think that I can rectify the situation as soon as possible by presenting legislation to the House.

An hon. Member: By resigning.

Some hon. Members: Oh, oh!

Mr. Stanfield: Mr. Speaker, I am not asking these questions and supplementaries because I necessarily disagree with the Solicitor General in respect of capital punishment. I do want to ask the Solicitor General whether he considers this to be consistent with his obligation to this House; that is, to have asked this House and this parliament to adopt legislation which he, as a responsible minister, is not prepared to execute despite the declared intention of parliament?

Some hon. Members: Hear, hear!

Mr. Allmand: Mr. Speaker, the decision on commutation is a decision which rests with the Cabinet and not just with myself. Furthermore, I should point out that when the bill on capital punishment was before the House there was no attempt made by the opposition to restrict the power of commutation.

Some hon. Members: Hear, hear!

An hon. Member: But this is an abuse of that power.

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ADMINISTRATION OF JUSTICE

COMMUTATION OF CAPITAL PUNISHMENT SENTENCES— POSITION OF SOLICITOR GENERAL ON PUBLIC SAFETY AND ADMINISTRATION OF THE LAW

Mr. J. P. Nowlan (Annapolis Valley): Mr. Speaker, I direct my question to the Solicitor General. At this particular time when we have just had a message from the Prime Minister on the maturity of this country, and also some speeches by him about respect for the law, does the Solicitor General not consider that possibly many Canadians consider it a perversion of the judicial process when we have almost computerized commutations accompanied by a statement by the Solicitor General that he could not belong to a government which did anything else but commute the sentences, regardless of the circumstances?

Hon. Warren Allmand (Solicitor General): Mr. Speaker, I should point out to the House that since the present law was adopted in 1968 there have only been six cases of commutation, and in five of the six cases there was a recommendation for clemency. It is the government's policy that each application for commutation should be dealt with on its own merits.

Oral Questions

Mr. Nowlan: I have a supplementary, Mr. Speaker. On this very sensitive issue would the Solicitor General assure the House that his personal philosophy and private convictions do not have priority over public safety and administration of the laws of the land.

Mr. Allmand: Mr. Speaker, our first priority in the government is the safety of the public and our staff.

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PENITENTIARIES

BRITISH COLUMBIA—SECURITY ARRANGEMENTS IN CLASSIFICATION AREA—REASON FOR DELAY IN IMPLEMENTING RECOMMENDATIONS OF MOHR COMMISSION FOR NEW INSTITUTIONS

Mr. Stuart Leggatt (New Westminster): Mr. Speaker, I should also like to direct a question to the Solicitor General dealing with this subject, the question of safety of the staff within the institutions. Would the Solicitor General advise the House whether in the area of the B.C. penitentiary where the Steinhouser tragedy occurred security arrangements have been changed in the institution which call for only one guard in the classification area of the penitentiary? Has anything been done in respect of that specific problem?

Hon. Warren Allmand (Solicitor General): Mr. Speaker, I have asked that measures be taken to correct that sort of thing. In addition, since we do not know all the causes or reasons for the recent incident at the British Columbia penitentiary we are awaiting the recommendations of the Farris Commission but have asked that additional security measures be taken immediately. At the moment, I cannot give the hon. gentleman details of that.

Mr. Leggatt: Mr. Speaker, would the Solicitor General advise the House whether the government has accepted the general policy outlined in the Mohr Commission report that inmates considered dangerous in an institution be segregated in separate institutions in smaller numbers. The report recommended that something like 80 in British Columbia should be segregated in a separate institution.

Mr. Allmand: Yes, Mr. Speaker. The government accepted that recommendation more than a year ago. We have approved plans to build institutions of that kind. The difficulty has been in getting communities to accept maximum security institutions. I should point out that even the city of New Westminster, which has the present maximum security penitentiary, has advised that it does not want any new institutions there. We are presently looking for sites for such institutions which will house the most dangerous inmates in our society.

Mr. Leggatt: Mr. Speaker, in view of the fact that the Mohr Commission report came down in November of 1971, now nearly four years ago, and in view of the number of budgets which have come before this House and the number of budgets the Solicitor General has had to take through cabinet, why is it that after all this time action has not been taken to expropriate the land and get to work on the project regardless of any other reasons. Would the