

*Canada Elections Act*

right to vote, whether or not they were serving time in a penal institution. But all other classes would qualify provided they met the qualifications of being 18 years of age, Canadian citizens or British subjects not disqualified by the five-year rule which the committee has just passed.

I am not sure of the history of the proscription against inmates of penal institutions voting in federal elections. It probably stems from the time when the inmate was totally removed from society and deprived of every vestige of right. There was no concept of parole, rehabilitation or anything of that sort—just the concept of incarceration for the term of his sentence. Once the sentence was served, his rights were reinstated, but during incarceration there was no privilege of correspondence, visiting with friends or anything of an educational or rehabilitative nature. Probably this prohibition in the Elections Act stems from that early approach to penology when inmates of jails were simply forgotten until it became time for their release.

Today we have a more enlightened and generous approach to people who offend against the law. We have the concept of parole, which is a stepping-stone to the complete rehabilitation of the individual. We have the concept of probation and the concept which has just passed this House, of expunging a criminal record after a certain period of time. Within the penitentiary the inmate has the right to correspond with his Member of Parliament and his immediate family and, subject to the approval of officials, to correspond with friends or with a lawyer on legal matters.

● (8:40 p.m.)

Inmates of penitentiaries can also see television programs brought to them from all over the western world. They learn about the current news and read newspapers and magazines. Inmates of penitentiaries are now given passes which allow them out for two or three days at a time. They may go to the downtown area or elsewhere to look for employment they wish to take up on leaving the penitentiary. There is parole and compassionate leave.

In addition, some inmates before they are released serve the remainder of their time, not on parole but in an institutional structure which in some parts of Canada is a house like many similar houses in the downtown area. An inmate may leave the house, go to work and return to it that night. He is allowed more extended freedom than in jail, and this pre-

pares him for his release. A whole raft of new attitudes is showing up toward inmates of penitentiaries. People are more ready to admit them back into the social stream so that they may participate with the rest of the country in social activities in which the rest of society is engaged.

The purpose of the amendment I am putting forward is primarily rehabilitative. It is to involve the inmate, while he is in jail, in one of the processes of our democracy that deals with a social order of things from which the inmate has dropped out. Because he has become cynical about them and rejected them, he has got into difficulties and landed in jail. I think we ought to take this further step in giving the inmate an opportunity to participate in our electoral process and to choose a Member of Parliament who will have authority and jurisdiction over the penitentiary structure in which the inmate is housed.

I think, secondly, that the mere fact that here we have established a group electors will in itself tend to cause political parties to make a more meaningful determination of penological matters. Candidates would tend more readily to visit penitentiaries in their constituencies. If they did it for no reason except the garnering of votes, something would rub off on them and on the political party they support. Our concepts about penological matters would more truthfully reflect the actual situation in jails. At present we develop our political policies for penitentiary matters in an atmosphere that is far removed from that of the actual prison structure. We seem to develop these policies without really knowing what it is we are developing policies about. Giving inmates a vote would have a secondary effect.

May I draw a parallel. They used to say that the people who were excluded from the vote were people in mental hospitals, those in jail, and Indians. A few years ago we took the Indians off the proscribed list and everyone, including the hon. member for Kamloops-Cariboo, will agree that since then political parties and candidates have paid more attention to Indian people and Indian affairs, even where that has been done for political reasons—and I am not saying that it has been. Actually, I think there was a great deal of altruistic concern about Indians. The point is that candidates and parties began to be more interested in Indian affairs. I think something similar would happen with respect to inmates of penitentiaries.