

*Criminal Code Amendments*

dangerous behind bars longer. That is what we are asking for in this legislation. I urge the NDP to look at the reality of the situation and agree that if the parole board does its job properly, this type of legislation will result in a lower crime rate, not a higher one.

**Mr. Cassidy:** Mr. Speaker, I have several points in response to the Hon. Member's intervention. With respect to Kirkpatrick House, my provincial colleague, Evelyn Gigantes, spent a great deal of time in July meeting with residents, staff and the bereaved family learning what had happened. Her comments were extremely responsible ones and were fully borne out in the findings of the report, which only became public or accessible to us a week or so ago. What she has said, as I have said, is that there were profound weaknesses in the operation of the particular house. There were profound weaknesses in a systemic fashion. This means that this could have happened anywhere in Canada in terms of the way the Parole Board, parole officers and Corrections Canada worked.

In response to my hon. friend, the former Solicitor General, he conveniently ignored the fact that his Government, with one brief interruption, had 20 years in which to bring in these improvements. It chose to do so only at the last minute. If that Bill were not passed, surely it relates to a large degree to the fact it took so long for the former Government to choose to bring forward these particular reforms.

The present Government, as was the case with the former one, seems to feel that it would be possible for the Parole Board to reach a conclusion about the propensity to violence of prisoners and to distinguish between two prisoners who committed the same offence and whose records, while in penitentiary, have in fact been the same, since one is not considered for mandatory release unless one has a record of good behaviour. For the life of me, I do not know how that can be done. However, I know that if a prisoner is released under the mandatory release program and someone only sees the prisoner once every couple of weeks and there are no alarm systems if there are problems—and problems have been alleged in the case of some people who were in this particular house—there is a real imbalance. Rather than allowing the Parole Board to lock up people and throw away the key until the term is over, it seems to me that we should be looking at what has happened in the community.

Perhaps the Hon. Member is suggesting that the way to prevent future violent crime is to lock such people up for life. Regrettably that has somewhat been the policy of the Canadian criminal justice system. I am sure that would work, but the expense and the effect in terms of human rights and that kind of thing would be intolerable. We already have a higher rate of incarceration than almost any country in the western world and I would not like to see that go on.

• (1210)

**Mr. Deputy Speaker:** A supplementary question?

**Mr. Kaplan:** The Hon. Member is relying on a real chestnut in argument. I will not defend or contradict what he said about

my beliefs as I expressed them in my own speech. The New Democrats have a very contradictory position. They are saying, don't give the Parole Board the authority to hold inmates back on mandatory supervision because how can the Parole Board predict whether they are going to commit additional crimes or not? If that argument is true, how can they agree with the idea of parole at all because the whole idea of parole at the end of the first third of an inmate's sentence is to try to predict what an inmate will do during the parole period?

If the arguments of the Members of the NDP are right, that the Parole Board cannot predict who is going to be violent in the last third of their sentence, then how can they support parole, as I know they do, in the middle third of their sentence when the issue is very much the same: What is this inmate likely to do if we give him the chance to rehabilitate himself on the street?

I would urge that Members be more sensible and to recognize that prediction is not perfect. One cannot predict with perfect accuracy how an inmate is going to behave when he is let out on the street. But in a lot of cases it can be predicted, so let us give the Parole Board at least the tools to make that prediction in cases where it is possible. Let us hope that the Government will be more sensible when appointing people to the Parole Board, and not include just relatives of Ministers and Party hacks but people who will be able to do a competent clinical job of assessing how an inmate is likely to behave. In that way the best will be done for the rehabilitation of inmates and for the protection of our society from repeat offenders.

**Mr. Cassidy:** Mr. Speaker, I would be tempted to respond on the question of patronage and the record of the former Government. However, I would like to respond seriously to the serious points made by the former Solicitor General.

If, in fact, prisoners learn that the Parole Board which has denied them parole has basically an unmitigated right to decide whether or not mandatory release should be denied at the end of two-thirds of their sentence, then what incentive is there for good behaviour on the part of those prisoners, once they decide they have been fingered by the board and therefore will not get any remission of sentence at all? That is my first question.

My second question is this. We are told here, in the case in Ottawa, that the Liberal parole officers were too soft, and that may well be the case. If, on the other hand, a parole officer is told that if the mandatory remission is revoked and the prisoner is sent back that prisoner is then locked up for another four or five years until his sentence is completely over, what is that going to do in terms of the parole officer's decision in making the judgment call about whether or not to revoke?

There again it may in fact be that what is needed is that the prisoner needs to be locked up for another six months but then given another chance. But there is no second chance in Bill C-67. Once revoked, you are back for five years in the case of a relatively long sentence, and I find that to be a sledgehammer approach which, it seems to me, gives very few options in terms of what one needs to try to do in rehabilitation.