

Parole and Penitentiary Acts

after good behaviour, that if the authorities have decided that the inmate is dangerous and must remain behind bars, that the decision not be made by federal Government officials but by the courts because in fact an individual is sentenced and sent to prison by judges, by the Canadian courts. Therefore, the senators as well as the Liberal Party and the New Democratic Party, if I correctly understand the purpose of our motion, are saying that if it is decided that an inmate about to be released should remain in prison for a longer period of time, this decision should not be made by public servants but by the courts which sent the individual to prison in the first place.

[English]

Mr. Angus: Mr. Speaker, in response to the Hon. Member for Papineau, I would like to state very clearly that regardless of whether this amendment passes or not, those individuals will be out on the street at some point. They will either be out at the end of their full sentence, as prescribed by law, or some time earlier. I do not believe that an extra six months in a jail somewhere is going to change the potential of an individual for committing another crime. I do believe that by providing them with an opportunity to ease back into society they will be less dangerous. In fact, society as a whole will be better protected by that kind of more humane approach.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

[Translation]

Hon. Bob Kaplan (York Centre): Mr. Speaker, I rise to speak, not for 20 minutes, but for a few minutes only. I believe we should proceed fairly quickly to adopt this Bill and I will limit my comments to help achieve the objective which is to pass the legislation.

● (1530)

[English]

I am happy to assist in passing the legislation quickly because I believe it is important and will tend to support public safety.

This strange emergency presents me with the opportunity to rise and explain how this important piece of legislation became an emergency. Before doing so, let me say that I believe this legislation serves a purpose and should be defended.

I think the New Democratic Party is tortured with the question of whether this legislation will do any good. I suggest that it will. The NDP has advanced two reasons why they believe it will not be useful. First, NDP Members say it will not do any good because it is not possible to predict who will commit a violent crime even though a person may have committed one in the past. While that proposition is essentially true, one cannot always predict who will commit a violent crime. Yet there are a small number of cases where such violent crime can be predicted, and the whole premise of the Parole Board is based on the possibility of prediction.

If an inmate is behaving in a certain way and making threats, if psychologists who have been watching that inmate for years come to the conclusion that he is likely to commit an offence, I suggest that there is a possibility of prediction. We presently do not have the tools to keep such an offender in prison and he must be released on the date when mandatory supervision is reached. I reject the argument that one cannot predict violent crime as an across-the-board proposition.

Of course, it is not a premise of the Bill that each case can be predicted. The Bill is simply a tool that I hope will be used in the case of inmates with respect to whom prediction is possible, and it is on that premise that I believe it is a valid Bill.

The second argument made by the NDP against the Bill is that even when prediction is possible, there is no basis on which can it be said that keeping a person behind bars for a couple of months or years longer will rehabilitate him or her. Again, I believe that that NDP proposition is wrong.

While there may be some cases where an inmate may see the light by remaining incarcerated for an extra period rather than being put on the street, the point is that by keeping them behind the bars for that extra period of time at least provides a measure of extra public safety during that period.

What about those who are incurable and dangerous criminals? In our democracy we cannot keep them behind bars any longer than the warrant states. According to this Bill, at least those who we can predict will be dangerous offenders once on the street can be kept from being let loose for that much more time. That is a worthwhile measure which our Party supports. While this is only a slight improvement in most cases, it is better than nothing since it provides a little extra protection by virtue of that longer incarceration.

I also recognize that keeping someone behind bars until the end of his or her sentence is a trade-off against mandatory supervision.

As a result of my past experience as Solicitor General, I recognize that street supervision is sometimes more beneficial than incarceration. If someone is to be put on the street at a certain point in time, it is advantageous in some cases to be able to have the person spend that first few months or years on the street under supervision rather than being let loose at the end of the warrant without any right to impose any conditions.

Let us consider what type of conditions can be imposed on someone under mandatory supervision. They can be kept away from liquor and kept away from former associates. They can be told to live in a certain neighbourhood and be required to report weekly, if necessary, and even daily in an attempt to help them adjust during the difficult first days when they hit the street after being in prison for a long period of time.

I have seen and heard of cases where the supervisor or parole officer has told the inmate or the person under supervision to empty his pockets and put the contents on the table, then asked such questions as: "Where did this money come