

Parole and Penitentiary Acts

number of individuals active in the criminal justice field. For example, Professor Irwin Waller of the Department of Criminology at the University of Ottawa has suggested that the approach being taken in this legislation is fundamentally misguided. He notes that it will not provide the protection the public is looking for. Certainly the amendment I am addressing now will in no way enhance that protection.

Instead of spending millions and millions of dollars on a program which has been proven to be an expensive failure, I suggest we look at alternatives. At present we spend well in excess of \$40,000 a year per inmate on our institutions. We only spend about \$2,000 a year per inmate in the community. Yet it is in the community that prisoners who are released have to find jobs. It is there that they have to renew relationships with family and friends and deal with problems they might have with alcohol and drug abuse, as well as generally adjusting to community living. Instead of this system of mandatory supervision, which, as I have already noted, given the tremendously excessive case loads of parole officers and probation officers, really does not amount to supervision at all but merely to periodic reporting, let us get serious and refocus that money into programs which might help to prevent crime in our communities. With that money and with those resources just think of what we could do in terms of community programs if we were serious about crime prevention. Let us not spend money incarcerating individuals who are more appropriately dealt with in community based alternatives. That is one point with respect to the concern on this motion.

● (1310)

Another point is that I think it is important to recognize the implications of this motion, because if in fact the subsequent provisions of the legislation are adopted, what this will mean is that a prisoner who does not comply with any instruction, no matter how trivial or how inconsequential, given by a parole supervisor or individual in charge of mandatory supervision, can be reincarcerated, and thus subsequently not eligible for any remission on the remainder of his sentence for merely a technical revocation.

The implications of this are very serious indeed. I have received representations from many individuals who are active in the criminal justice system, whether they be prisoners, prison guards, probation officers or those who work in the community organizations such as the John Howard Society.

The unanimous view of the individuals who work in the system is that the approach which is suggested in this legislation is doomed to failure. I say that, far from reducing the level of crime in our communities, this approach is calculated to increase the level of crime. By imposing rigorous new terms and conditions of mandatory supervision and parole, without any assurance whatsoever that these will enhance the protection of society, what we are doing, in effect, is threatening the safety of our communities.

I would like to give one example of the concerns that are raised. I received a letter from a prisoner in Winnipeg who said:

I have lived with violence all of my life and anything I can do to prevent violence will be a top priority with me. I cannot do anything to help my own situation since my future is pretty well shot, but after all the years I have spent in prison there must be something I can do to help others who still have a chance. At least then my little girl can look at her dad and say he tried.

That is the voice of a prisoner who is saying that this approach is fundamentally wrong, not out of any personal self-interest, because it will not affect him, but because he recognizes that the approach the Government is taking is not one that will lead to a reduction in the level of violence in our communities, but rather will lead to an increase in the level of such violence.

The amendment before the House in Motion No. 3 is an attempt to ensure that unfair and unworkable new criteria are not imposed on prisoners who are released on parole or mandatory supervision.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I will speak very briefly on Motion No. 3. I have considered this particular motion and it appears to have considerable merit in view of the vague nature of the particular clause that it amends. The effect of Motion No. 3 would be to delete Subsection 10(1.3) of Clause 4 of the Bill. Subsection 10(1.3) of Clause 4 reads as follows:

Where an inmate is released on parole or subject to mandatory supervision the inmate shall comply with any instructions given by the parole supervisor in respect of any term or condition of parole or mandatory supervision in order to prevent a breach of any such term or condition, or to protect society.

What does that mean? That is the problem. What does any instruction mean given by a parole supervisor? We know that federal inmates are released on parole or mandatory supervision. Normally there is not a blanket release where an inmate is released on parole without conditions. Invariably you have conditions attached to the parole. If there is a breach of a certain condition, then the particular individual who that has been released on parole could be reincarcerated.

There are various types of conditions that can be attached to a parole order or to mandatory supervision. Some such conditions would include a curfew, for example, or the requirement that the particular inmate report to his or her probation officer on a regular basis, or for the inmate to reside in a community and not to leave it without prior approval of the parole officer or parole supervisor.

What this particular section says is that where you have conditions to a parole or to mandatory supervision, a parole supervisor can issue further instructions regarding the conditions attached to release. If those conditions or instructions are breached then the inmate could be brought back and reincarcerated.

It seems to me that one should be more precise in terms of this particular provision. It is simply too broad and too vague to refer to any instructions. What does it mean if a parole supervisor says to a parolee that he does not like the clothes he