

I remember visiting a number of penitentiaries a few years ago. I was not a member of a committee being shown through the penitentiary on a conducted tour. On one occasion I visited a person who had written to me. Many letters were written to members of parliament; they visited the penitentiaries and became acquainted with some of the inmates. A member of parliament no longer has the right to visit a federal penitentiary. This right was eliminated by a Conservative minister of justice, Davie Fulton. According to the British constitution, members of parliament have the right to enter penitentiaries any time and talk in private to any incarcerated person. A former solicitor general from the province of Quebec did not agree with the British tradition.

Although it may cause him some trouble, the minister should reinstate the practice of allowing members of parliament to visit penitentiaries. They should be able to do this unannounced, at a reasonable time. If the minister is shy about doing so, it indicates he has no faith in the institutions for which he is responsible. I hope the minister does not believe the institutions would not stand up to that kind of scrutiny.

Each member of parliament has a responsibility. We help make the laws, establish the agencies that enforce the laws and maintain the penitentiaries. We are not vegetables, although some members may be. The people in our society are not vegetables. However, they believe that the inmates are so out of touch with society and its normal operations that they must be incarcerated for the sake of society. As members of parliament, we have an obligation to ensure that our institutions get those incarcerated back into society as quickly as possible. On their release they must be able to function properly and maintain themselves.

We have seen the birth of the National Parole Board as well as amendments to it. Members who were not here the last time more people were appointed to the parole board should look at the four who were appointed at that time. They may be very surprised. A number of members of parliament defeated in an election were appointed to the board. The same may happen this time. That may not be all bad, but surely the parole board should not be a pension plan for former members of parliament.

The parole board must be responsive to changes in society. The board does a number of things that are not related. The 1973 statistics indicate there are 7,800 inmates in our federal penitentiaries. If we look at 50 per cent of those each year, it is not a large number although it is in excess of the applications made for parole. The board also considers paroles for those in provincial jails.

Under an act of parliament which was passed recently, a person with a criminal record may be able to obtain a pardon if it can be established that he has lived an acceptable life in his community. The criminal record can be eliminated. This, too, has to be done by the parole board. The board's duties also include the granting of partial driving privileges to those whose licences have been suspended as a result of motoring offences.

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I have always been disturbed by the relationship of the parole board to the press. The hon. member who spoke

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before me indicated that a number of mistakes had been made by the board. It is easy to highlight such cases because these mistakes become newspaper stories which are carried across the land. It is not surprising that the board has become a politically conscious body engaged in watching the trend of newspaper reports over the years. To realize this one has only to watch the trend of newspaper reports and the fluctuation in the number of paroles granted over the years.

My hon. friend from Skeena (Mr. Howard) pointed out that over the years the percentage of persons committing second and third offences has been steady. This is why I recently asked the Solicitor General (Mr. Allmand), bearing in mind the overcrowding in our penitentiaries, to make use of the royal prerogative to grant pardons. Her Majesty has, on occasion, decided when visiting a country to reduce prison sentences by six months. I believe that if we were to let out half the prisoners confined in our penitentiaries today, all the mistakes mentioned by the hon. member for Calgary North would be apparent, but they would not be present to any greater extent than if the parole board has allowed them to be at liberty; the percentage would remain the same.

I have often felt that one of the greatest offences is the lack of legal protection available to the poor. Indeed, there is very little available for the middle-class. However, a person who is very wealthy in this country can commit murder without serving time for doing so. We often see people accused of crimes, young people in particular, being defended by persons who are not qualified to defend them. I have in mind a number of cases in which the greatest offence committed was committed by the legal system of Canada.

The Solicitor General referred to the practice of granting back-to-back day leaves, and the hon. member for Calgary North criticized this practice as being wrong. I disagree. I believe the people who have the best understanding of the mental condition of an inmate are those who are engaged in the institution in other than a custodial capacity, those who have the opportunity to talk with a prisoner periodically. It seems to me that a recommendation by such people is certainly as valuable as that of any other when it comes to ensuring protection.

My hon. friend from Skeena said the 15-minute interview granted by parole boards is not enough to serve as the basis of a judgment that can be relied upon. I have read some of the presentations made before these boards and listened to others. They have been well rehearsed. On various occasions I have talked to the inmates concerned and wondered how they had acquired the knowledge and the ability to make them. As far as I am concerned, these back-to-back leaves fulfil a need. I do not think the penitentiary staffs would have introduced this scheme if the parole board had been doing its job.

I know from personal experience that many young people are in our penitentiaries. It is not so easy to deal with older prisoners, but in the case of young people there comes a time when they make a decision about their future, whether it is on religious grounds, moral grounds or simply the practical ground that they do not wish to spend the rest of their lives in and out of prison. When