

*Parole and Penitentiary Acts*

enough to suspect that there may be a diversionary tactic before us as well. The Government will do anything to try to divert the attention of the country away from what is going on, as reported on the front pages of our newspapers which reflect two major judicial inquiries.

The Minister of National Health and Welfare (Mr. Epp) smiles. He knows that I have touched an extremely sore point. We intend to deal with this matter with proper dispatch. We will deal with it with all the seriousness it merits, despite the incompetence, the tardiness and the absolute sloppiness of the Government. We will exercise our responsibilities. I am sure the the Government House Leader would have enjoyed a filibuster with respect to this issue—anything to get some other topic on to the front pages of the newspapers of the country. I am sure that he would have done anything to get another scapegoat. He would just as soon turn on the Senate and the Opposition again.

**Mr. Mazankowski:** That is convoluted logic and you know it.

**Mr. Turner (Vancouver Quadra):** Convoluted logic! Knowing the House Leader that is the type of logic that may have resulted in his decision to bring us back.

**Some Hon. Members:** Hear, hear!

**Mr. Turner (Vancouver Quadra):** Any one of us who has had the honour to be elected to this place knows that the people are always right. I have admitted that on several occasions, and I firmly believe it. However, the people are not stupid. They are not gullible. They will not be taken in by the Prime Minister, by the Solicitor General or by his predecessor. They know what the real issues are. I do not think the ploy will work. I do not think this Chicken Little routine is very convincing. The people of the country will place the responsibility where it should be placed. Once again the Government did not get its act in order. Once again it did not communicate with its colleagues in the other place. Once again it put the country to an additional inconvenience and cost. That is why we are here. That is why, Mr. Speaker, in your current physical inconvenience you have had to come back from a well-earned rest to deal with a matter that this Government could have handled in the ordinary course of proceedings.

**Some Hon. Members:** Hear, hear!

**Ms. Lynn McDonald (Broadview—Greenwood):** Mr. Speaker, we are here today to deal with a matter that the Government tells us is an emergency. We have agreed to return because there is certainly a principle at stake. We do not like to see the Senate overturn the wishes of the House of Commons. We certainly hope that when we are in government the other Parties of the House will give us the same consideration to return to legislation should there be a Senate which thwarts the will of the duly elected House of Commons.

The Government is quite wrong in calling this situation an emergency. The idea that dangerous offenders are being or will

be released if this Bill is not passed today and the idea that murders will be committed are extremely far-fetched. Dangerous offenders are being released. They have already been released. Dangerous offenders finish their sentences. We have laws that put an end to prison sentences. Even if we have some belief that a person might later commit an offence once his sentence is over he must be let out. People have been let out, and they will continue to be let out. The people who will be kept in prison as a result of this legislation once it is passed will be let out eventually. The figure given by the Government is that 54 of them are time bombs. The Government wishes us to believe that these are walking time bombs about to commit offences. Of this number 38 will be released in two years. Some will be out in a matter of a short number of months. If the Government had been so concerned about their release why did it not act earlier this year, after this Bill was reported back from committee in January? Why did the Government wait until well into June before it decided that it was sufficiently important to give it some time in the House? That is not my idea of an emergency.

With respect to the question of these emergency cases and how good the Government is at predicting what they are, we know that the previous Government made some assessments after the Supreme Court of Canada ordered an end to gating. The Supreme Court of Canada ruled that gating was illegal. The Government had its own list which set out 11 time bomb cases. In fact, because of the Supreme Court of Canada these people were released. We know what happened as a result. Four of the 11 were returned to prison. Three were returned as a result of the commission of non-violent offences. One was returned for a violent offence which took place well after the expiry date of the sentence. There is no way that gating would have prevented that person from committing the offence which was committed. We just cannot make these kind of predictions.

The Senate amendment to Bill C-67 is one which would improve a very bad Bill. We are opposed in principle to the contents of Bill C-67. However, the Senate initially had four amendments which it urged the Government to adopt. The Government did not adopt them. All four amendments would have moderated the Bill and made it somewhat less unacceptable. I do not want to suggest that we would have considered the Bill an acceptable one in any event.

● (1200)

Let us return to what the Senate said and the amendment it wants us to consider. The first issue deals with the question of which is the appropriate body to make decisions with respect to the detention of allegedly dangerous inmates beyond the date of eligibility for release on mandatory supervision. It was the opinion of the committee that the legislation should reflect the principle approved by the Senate when it adopted Bill S-32, an Act to amend the Penitentiary Act and the Parole Act, in 1983. That principle was that the courts rather than the National Parole Board should make decisions respecting the continued incarceration of inmates who would otherwise be