

Criminal Records

ment was made. Subsequently, even though the hon. member for South Shore (Mr. Crouse), who was sitting there, raised the point vigorously and six or seven members pursued it for almost an hour, we could not get the decision reversed.

The Acting Speaker (Mr. Béchard): Order. I recognize the argument of the hon. member, but there was no condition attached to the unanimous consent given this afternoon.

Mr. Cullen: Thank you again, Mr. Speaker. I express my thanks to the hon. member for South Western Nova (Mr. Comeau) for giving up the time on his private members' motion. I do not intend to impose unduly on the time of the House, but I have a few remarks which I shall try to summarize.

I think it is incumbent upon me to compliment the hon. member for Parry Sound-Muskoka (Mr. Aiken), because I think he set a high tone for this debate when he led off for the opposition. I was not in the House when the hon. member for Skeena (Mr. Howard) spoke, but I have read his comments. I was very pleased to note that he commented on the contribution made by his colleague the hon. member for Vancouver East (Mr. Winch) who has done pioneer work in this field.

One other hon. member who I feel must be mentioned is my hon. friend from Welland (Mr. Tolmie), who is chairman of the Justice and Legal Affairs Committee. He put forward a private member's bill which was referred to that committee for study, and last meeting he gave what can be described as a comprehensive and thought-provoking address upon this subject for the consideration of the minister and of his committee.

I was not a member of the last Parliament and at the present time I am not a member of the Standing Committee on Justice and Legal Affairs. My opinion, therefore, might best be described as having been shaped by the citizens with whom I dealt in the 12 years I spent in the practice of law. During that time—although my practice was not solely dedicated to defence, prosecution or criminal work—I did have contact with officials of police courts and with members of the John Howard Society and the Elizabeth Fry Society, as well as with citizens who were endeavouring to organize homes which would provide a transitional home environment for men and women who had served prison sentences and had to make adjustments.

I was also involved with legal aid work both before and after the legislation passed by the province of Ontario. In this capacity I

[Mr. Lundrigan.]

had occasion to deal with those who needed and sought the kind of legislation we have before us today. I feel, then, that I have been in contact with individuals who endeavoured to rehabilitate themselves and who subsequently found that their records still stood as a matter of public information—this was, so to speak, their albatross.

I want to congratulate the Solicitor General (Mr. McIlraith) for bringing in this bill and for devoting the time, effort and study which has obviously gone into the legislation. It is natural to criticize almost any bill on the ground that it does not go far enough. I think this is a valid criticism as far as the measure before us is concerned. I am cheered, however, by the minister's comment, recorded in *Hansard* of January 30 at page 3045:

I hope it will get quick passage through the House, then be re-examined at the end of two or three years' experience when we shall be in a better position to know what improvements can be made in the administrative procedure and what changes and other improvements should be made to its provisions.

First, I want to say I am not too happy with the word "pardon". For a while I thought the hon. member for Vancouver-Kingsway (Mrs. MacInnis) and I must have been using the same research assistant. The hon. member said she was not a lawyer. Well, I am a lawyer, but it seems to me that in the ordinary context or use of this word one thinks of an individual who has committed a crime, perhaps served part of his sentence and then received a pardon.

We are dealing here with individuals who have served such time as was necessary and have afterward been successful in rehabilitating themselves. Now we are saying to them, "You are not only a free man, but you are free from this blight—your criminal record." We are, in essence, telling a man or a woman that they have wiped the slate clean; that they have not only served their sentence but have proved they can be good citizens in the community. This may not appear an important point, but in view of the fact we are breaking new ground I feel a more appropriate word might have been found. I still like the word "expunge" as applied to records, because it denotes the kind of thing this legislation seeks to accomplish.

The next point I wish to make bears repetition although it has been touched on by other hon. members, including the hon. member for Edmonton West (Mr. Lambert) and the hon. member for Parry Sound-Muskoka. I share the concern expressed with regard to the