

Parole Act

with by the parole board without the presence of the inmate concerned. The minister assured us this afternoon that, with the additional members, the board will go to the prisons and inmates will be given the right to present their cases for parole. This is a step in the right direction; it will strengthen the structure.

The minister also stated that judges will be appointed to the regional parole boards because of their wide experience in the field. I notice there is quite a difference with regard to the panel system that will be used. The Huggessen report recommends a certain number coming from certain fields; the Canadian Criminology and Corrections Association makes another recommendation.

I hope that in short order the minister will bring in legislation which will improve and strengthen the parole system in Canada. We support this bill. We hope it will be dealt with in committee of the whole this evening, and completed, so that this necessary part of the parole system can be commenced.

The Acting Speaker (Mr. Laniel): The hon. member for Skeena (Mr. Howard).

Some hon. Members: Hear, hear!

Mr. Frank Howard (Skeena): Mr. Speaker, my colleagues may not be quite so generous in their applause when they hear what I have to say. We must approach matters of this nature, not with opinions developed from the majority rule concept, as is often the case in caucus meetings of all parties, but from the point of view of what an individual possesses. I do not think there is any great difference of opinion in substance about what we are trying to advocate. There may be differences in terms of the technique of reaching the socially desirable objective, namely, ensuring that society and government agencies do all that is possible with regard to reformation and rehabilitation of those who run afoul of the law and end up in a penitentiary.

There are cases of individuals who are psychotic being sent to prison. I never did understand the term. But as I conceive it, it refers to those completely out of touch with the realities of life and with no concern or responsibility toward anyone except themselves. I agree there are some in that category who should never be let out of an institution, whether it be a penal institution, a mental institution or some other type of confinement, because they are a detriment to society and to themselves.

An hon. Member: Who decides that?

Mr. Howard: If we could find a person with the wisdom and majesty to decide that, we would not need government institutions or institutions of any other kind. That person would be a messiah. However, there is no one person who could do that. Through our political and government systems, society has decided that we require institutions. We have laws. When someone offends against those laws, the courts, or the medical profession if it is a question of certifiable insanity, can commit that person to an institution.

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Somebody within the structure has an obligation to make a decision of that kind. Mistakes are bound to be made, just as they are bound to be made by the people to whom parliament has given authority to grant parole. But the objective we have in mind, and which we must have in mind, is that of assisting our fellow man and helping him to the fullest extent we can. Whether we use the term "rehabilitation" or some other term in this context is not particularly material.

I look upon this bill as being a small step. That has been said before. But I think it is a small step in the wrong direction. I think it is leading away from the type of policy which should be available to help people in our institutions to overcome their difficulties. The history of parole and the granting of parole from the time the parole board was set up and the original act was passed in 1958 has been one of groping and fumbling and missing the point.

I well remember the speech made by the minister of justice in 1958 or 1959 when the Parole Act was established. The minister of justice, Mr. Fulton at that time, spoke extensively about the mechanics of the old system of parole and what was conceived to be the new system being introduced. He made a lengthy, detailed and involved speech about the new bill and what it contained. But he missed one point, and when this was brought to his attention later he agreed he had missed it. He ignored the question of rehabilitation entirely. He ignored the question of what happens to an individual after he has been given parole; what happens when he gets out on the street and moves into the mainstream of society. He completely failed to deal with this point. The government of that day had no concept of what would happen to a person after he got out of a penitentiary, whether on parole or at the conclusion of sentence, and this aspect was never kept in mind while the Parole Act was being developed. This gave rise to a difficulty which has faced successive governments and ministers, whether ministers of justice or solicitors general.

I believe it is better for the individual, better for society and better for the taxpayer if, taking into account the factors I mentioned earlier, an individual spends his time of sentence outside a penal institution rather than in it. Though it has been said so many times that it has become a cliché, I think we must continue to recognize a simple fact about penitentiary life, and it is that there is no rehabilitation inside a penitentiary. There are attempts to teach people trades, to teach them work skills. They are taught how to make a chair, how to stamp out licence plates, how to sew mailbags or perform a number of similar tasks. But nowhere is there any attempt made, nor can there be any attempt made inside a penitentiary, to teach a person how to keep a job. You can teach him how to do it, yes, but teaching him how to keep it, or how to lead a so-called straight life is another matter.

In any event, the purpose of a penitentiary is not rehabilitative but custodial. The end result of the criminal law is to keep a person in jail for the length of time for which a court has sent him there, subject, of course, to pardon or parole. That is the purpose—to make sure all the doors are locked and the count is right. Any time there is the least conflict between the desires of a correctional