

*Penitentiary Act*

outside the penitentiary walls; there is a headquarters branch where there is a purchasing agent and one or two clerks, and then there is the general headquarters branch where there are some stenographers, bookkeepers, auditors and the like. I am not going to press that these be taken from the jurisdiction of the Civil Service Commission. The only ones that I have any desire to remove from its jurisdiction are those actually in the penitentiaries in administrative positions and the superintendent and inspectors who are called upon to visit the penitentiaries and to work in connection with those staffs.

I was glad indeed to hear the remarks of the hon. member for Quebec East (Mr. Lapointe) in regard to those particular appointments. He feels, as I do, that those men occupy positions of great risk and danger and when anything happens such as did happen in Kingston last fall or in St. Vincent de Paul, naturally, the blame rests upon the shoulders of the head of the department or the minister. The minister at the same time is not permitted to make the appointment of the officials who are to use their efforts to secure the safety of those institutions. I would not have the slightest objection to the bill being amended so as to confine it to persons actually engaged in the penitentiaries, excluding the branch at Ottawa. The important part is the institution and not the branch. I thought the bill would get a second reading without division, but we are prepared to rest on the bill as it is presented and do any amending in committee.

Motion agreed to on division, bill read the second time and the house went into committee thereon, Mr. Gagnon in the chair.

On section 1—Governor in council to appoint inspectors, wardens, officers and clerks.

Mr. MACKENZIE (Vancouver): In concluding the debate on the second reading of the bill, the minister referred to certain exaggerations by three hon. members regarding the report made by the superintendent re Kingston penitentiary disturbances, 1932. The language of the report speaks vividly and lucidly for itself, and I am sure the Minister of Justice could not accuse any hon. member, on whichever side of the house he might be, of indulging in exaggeration in regard to the conduct of an official of the government and of parliament and of the people of Canada who would use the language quoted by the hon. member for Quebec South. Let me quote only two lines of it as follows:

Having terminated from three to five years' service with the rank of private, which would [Mr. Guthrie.]

indicate that they had reached their limit in military advancement, and could not be expected to show a higher standard in civil life.

I am sure the minister does not agree with that statement.

Mr. GUTHRIE: I would not have used that language.

Mr. MACKENZIE (Vancouver): Neither would any other minister have used it, and I maintain that a superintendent of penitentiaries who would use such language as that in a government report should be dismissed from his position, because it shows a bad example to the people of Canada. This is not a partisan question. I am sure any hon. gentleman opposite would agree with me that this language should not find its way into a government report, and therefore I was surprised to hear the Minister of Justice suggest that those who spoke from this side this afternoon had been indulging in exaggeration. I do not think the English language contains words sufficiently strong to condemn the attitude and language of General Ormond as evidenced by the statement that I have read to the committee. He has been condemned by the country, condemned by the house, and he should be removed from his position immediately.

Mr. CHEVRIER: Now that the governor in council may appoint a superintendent of penitentiaries, perhaps the minister will say upon whose recommendation and in what manner he will be appointed. Is it intended to follow the regulations laid down by the Civil Service Commission as to the qualifications of a superintendent of penitentiaries, the lines of promotion, compensation, and the manner in which the appointment shall be made?

Mr. GUTHRIE: It will be taken from the Civil Service Act and follow the Penitentiary Act. It will be done on the recommendation of the minister of justice for the time being, whoever he may be.

Mr. CHEVRIER: So that there will be no regard for the present qualifications?

Mr. GUTHRIE: Not the qualifications under the Civil Service Act. Such qualifications would not be binding because they do not apply.

Mr. CHEVRIER: Will the minister say what will happen in the case of superannuation? If the minister says that superannuation will go with the position, then the superintendent, being outside the superannuation law, cannot get superannuation.

Mr. GUTHRIE: We may have to amend the Superannuation Act.