

*Criminal Records*

ancestors there are weaknesses or weak tendencies which do not necessarily have an effect upon character in so far as criminal make-up is concerned. Unfortunately, this relates to the behaviour pattern of the child or grown-up in society. We have to be very careful to separate, outline and define what we are talking about—a person's character or the mathematical chance, if you like to put it that way, of a recurrence of a very serious crime. I do not think we should be carried away by our sentiments, certainly not to any unlimited degree, in suggesting that we wipe the slate clean.

As I always attempt to do, I shall cite a number of cases other than personal ones in respect of which I think everybody would agree that we cannot wipe the slate clean. Let us consider a case where the prison psychologist or doctor is consulted before an individual is convicted of a sex offence, in order to determine whether the individual is in fact in his right mind. Such an individual, according to the prison psychologist or doctor, may not be dangerous in that he will necessarily repeat the offence. If that individual's behaviour was so abnormal, even in our permissive society, that he attacked another child or grown-up, the chances are that short of a miracle he will at some time in his life repeat the offence.

I remember one terrible case that occurred in the city of Winnipeg, I believe back in 1945. A small boy was murdered in a coal yard. I was not in the police force at that time, but the Winnipeg city police told me, as one who lived in the district where the offence occurred and as an ex-policeman who was trying to help solve the crime, that they had 300 deviates in their records and any one of them might have committed this offence. It was commendable that they went to the trouble of checking each one of these 300 people. They did not find the criminal among them; he was located in another urban centre. I understand he was found because the police did their work in checking all those persons who were capable of committing the offence and had done this sort of thing before, whether to a child or an adult. The police were able to come up with a solution to the crime.

● (3:10 p.m.)

If we are to wipe out the records of offenders, they should receive forgiveness and an opportunity to rehabilitate themselves. This is not only a Christian but a sensible approach, if these people are to be rehabilitated. I

[Mr. Bigg.]

believe the chairman of the committee said there is great economic advantage to society in these people not being hounded for the rest of their lives by an overactive police force or ambitious members of a law enforcement body. Again, that is not to suggest that all offenders should be given *carte blanche*; nor does it suggest that because we have forgiveness in our hearts, the forgiveness should go to the point of wiping out all criminal records after an arbitrary five-year period.

There is also the situation in respect of the security of Canada involving a person who may have been actively engaged in a serious riot, subversive activity or violence toward a person or society. It might well be that such a person, having done his dirty work in Canada, would move to another country where the labour situation seemed ripe for the same kind of unrest, and after a period of five years when what he had done had been forgotten, he would come back and do it again.

Another point made during the committee hearings was that it is almost impossible to destroy records. One might think of the story about the small boy whose mother had a system of recording his small crimes by driving a nail in the wall every time he did something wrong. Pretty soon there were a number of nails in the wall. Then after the boy had a change of heart and began to fill the wood box or attend to his school work properly, his mother would pull out a nail until eventually there were none and he became well adjusted.

One day he came to his mother and told her he was not feeling very well. She asked him what was wrong. He told her that although she had pulled out all the nails, the holes were still in the wall. So I suggest when a person has committed a series of offences, or an offence, it is difficult for a policeman to forget that perhaps such a person had stolen a car in his youth. But it is equally true that by far the largest number of good policemen do forget, at least to the point that the person is forgiven. Policemen are not out to destroy the life of a young man. As a matter of fact, most policemen I have met I am proud to say have spent a great deal more time attempting to keep young people out of trouble than bringing them before the courts.

I hope that after a little more tailoring has been done to the bill, and a little more thought has been given to it, it will pass. I hope it will go a long way toward removing any chance of the persecution of people