

*Criminal Code*

not a matter of criminal law, but should be left to the relationship and the understanding between the woman concerned and her doctor. I am convinced we will eventually come to that position. I can only wish that were the issue we were facing this evening in making a decision on this part of the bill. Even though this amendment is only a partial step forward, let us not turn it down from a biased, non-understanding point of view. Let us think before we cast our votes on this issue.

As a member of a provincial legislature I visited provincial institutions, and since becoming a member of this House of Commons I have tried to follow a similar policy. One type of institution which I visit is the penitentiaries of Canada. Though we have many amendments before us, I want to express my regret that they do not include an amendment to wipe from our statute books the policy of corporal punishment. Canada is one of the few countries of the so-called civilized world that still retains corporal punishment on its statute books. I am not one who believes in the molly-coddling of criminals. Society has got to be protected, and we have to try and rehabilitate people from their anti-social attitudes and objectives. But there is no need to retain the barbarous system of corporal punishment.

We are to decide this issue here as members of parliament, but how many members actually know what it is all about? How many have visited the penitentiaries, looked at and handled the strap or the lash? How many of us have seen the backs and the backsides of men after they have been strapped and lashed, and are in the hospital section of the penitentiary? I have, and on more than one occasion. It is completely punitive; it is non-rehabilitative. The evidence given before the joint committee of the House of Commons and Senate some years ago was conclusive. When you give a man the lash, or the paddle you don't put him in the mood for rehabilitation. You make him antagonistic to society. You add to his antisocial behaviour. You don't assist in developing his social consciousness.

I have spoken to many of the boys in reformatories and the men in penitentiaries and they are almost unanimous, as are the guards and the officials in the penitentiaries, that corporal punishment is not rehabilitative. It is archaic and should be eliminated.

I actually know of one boy who got the paddle in a reformatory. His reaction was such that when he was released there was only one thing in his mind, and that was to

get back at the one who bent him over and lacerated his backside. You know, Mr. Speaker, there are holes in the paddle and it tears the flesh. That boy was so affected that he actually had the guard who paddled him over the sights of a rifle and but for a colleague who deterred him he would have pulled the trigger. I am sorry the Minister of Justice (Mr. Turner) has not seen fit to remove corporal punishment from the statute books of this country.

This is a very important bill, Mr. Speaker. It goes beyond the Criminal Code because, as hon. members have undoubtedly noted, it will also amend the Parole Act, the Penitentiary Act and the Prisons and Reformatories Act. I would like to deal for a moment with the matter of probation and parole. I am glad that we are moving forward, but I am sorry that the understanding and the viewpoint of the Department of Justice are so far behind the philosophy of modern penology. We are already years behind what is taking place in other countries with respect to probation and parole on a rehabilitative basis. Even with the suggested amendments we are still going to be years behind. Unfortunately, it would appear that this matter has been tackled, by whoever it was who made the study, in a slipshod and haphazard manner. No recognition was given of a fact which I think all penologists recognize, as well as organizations interested in penology. We need one completely comprehensive act in respect of probation and parole rather than a scattered or almost piecemeal approach.

• (8:40 p.m.)

We are all happy that in recent years there have been more people let out of reformatories and penitentiaries on parole. I think it is significant that, according to the commissioner of the parole board here in Ottawa, in the last ten years, 23,943 prisoners have been released on parole. Conclusive proof that this system of parole under proper supervision is successful is the fact that of the 23,943 only 2,675 were returned to the penitentiaries. Of those, only 1,347 were returned because they had again taken up a life of crime. The others apparently had broken some of the conditions of parole. These conditions state that a paroled prisoner cannot go into a beer parlour, cannot move from town to town without permission, cannot change his job without permission, cannot buy a car without permission and other things of this nature. Some of these prisoners were returned for these reasons but of the 23,943 approximately 1,500 did return to a life of crime. This fact should