

protests he was put back in the penitentiary. I understood at the time that the minister would have a thorough investigation made. Has that been done?

Mr. LAPOINTE (Quebec East): I said there would be an investigation. It was before the decision was reached and it did not take long to cancel the ticket-of-leave and put him back in gaol where he is and where he is going to stay. As my hon. friend says, public opinion asserted itself. The practice usually followed in cases where an application is made was followed in this instance, and the reports received indicated that the man had learned his lesson, had reformed and was going to lead a better life. In such cases we must of course rely on various authorities who give us information about the past and the present attitude of the prisoner and whether the ends of justice would be better served by releasing him. The conclusion was reached that this could be done in this case, but public opinion, as the hon. gentleman has rightly said, asserted itself and the department received many protests. After communicating with certain persons and bodies in British Columbia, I came to the conclusion at once that it was better to put the man back in gaol.

Of course, public opinion is an element when it comes to the exercise of clemency. It would not be where the question of the guilt or innocence of the man was involved. Public opinion has nothing to do with that. But when it comes to clemency, I will not say it is one of the most important factors, but it is a factor; and when public opinion asserts itself as it did in this instance I think it is better for the ends of justice that clemency should not be exercised. The remedy was there and could be applied, and it was applied without any hesitation. May I read a letter from the John Howard Society which is of interest. This society interests itself in cases of this kind in British Columbia and I place a good deal of trust and confidence in it. This letter was sent to the hon. member for Vancouver North, but the society sent me a copy:

Dear Mr. Sinclair,

This will acknowledge your letter of July 11 with reference to the Celona case. The John Howard Society representations were made both to the hon. the Minister of Justice and to the chief of the remission service.

I quite agree with you in your reference to the remissions branch in the matter, for as you say, they are guided largely by the recommendations of local authorities. It is to the credit of this department that they acted promptly when further information was forthcoming. In our communication we informed the minister that we had absolute confidence both in himself and in the remissions branch. In our relations

with the department throughout the years we have found Mr. Gallagher and his staff to be very cooperative, and I personally feel that this important branch of the service is being administered both fairly and efficiently, and beyond reproach.

Mr. GREEN: Did they recommend that Celona be released or be reincarcerated?

Mr. LAPOINTE (Quebec East): They intervened before the recommendation that the ticket-of-leave should be cancelled. As I say, I have confidence in the officers of this association, who have on many occasions proved themselves worthy of that confidence.

Mr. STIRLING: But the letter was after the reincarceration took place?

Mr. LAPOINTE (Quebec East): Yes.

Mr. GREEN: I doubt whether the minister is correct when he states that public opinion should enter into the question of whether or not ticket-of-leave should be granted. Public opinion is too uncertain—

Mr. STIRLING: Too fickle.

Mr. GREEN: —to influence such an important decision.

Mr. LAPOINTE (Quebec East): It is one factor.

Mr. GREEN: In this Celona case the public happened to find out what had been done, but there may have been dozens of similar cases of white slavers throughout Canada who have been released with no opportunity for public opinion to take a stand. I think the department would have been much better advised to consult the John Howard society before they released such a man rather than getting a letter after he had been released and a great outcry had resulted. Would it not be possible to consult the John Howard society in many of these cases?

Furthermore I understand that the remissions branch did not consult the police of the city of Vancouver at all, and also that out of the seven letters they got dealing with the case one was against release. I do not know whom that was from, and I suppose the minister would not care to disclose which official recommended against release, but it seems to me it is too much of a hit-or-miss way to deal with a white slaver. This man was notorious in Vancouver, one of the worst criminals we have had there since I have been in the city. He was sentenced to twenty-two years by the trial judge; the court of appeal cut it to eleven years, and then he comes out with a smirk on his face in five and a half years. I suggest that in white-slave cases this unwritten rule that prisoners should be released after serving half their

[Mr. Green.]