

Parole and Penitentiary Acts

● (1300)

In conclusion, I would like to indicate on behalf of the Liberal Party my support for Motion No. 1A which appears to be a technical amendment to Clause 2. I would also like to express support for Motion No. 2 moved by the Hon. Member for Burnaby. I concur with his concerns. It would appear that a hearing can be held without tremendous additional cost. At present a hearing is not required and the Parole Board can simply review the case without giving the person concerned an opportunity to appear. To allow an inmate to appear and make submissions is I believe in keeping with our very high standard of justice in Canada. I believe it would only be right pursuant to the principles of natural justice to do so.

The Acting Speaker (Mr. Schellenberg): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Schellenberg): The question is on Motion No. 1A standing in the name of the Solicitor General of Canada (Mr. Beatty). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Motion No. 1A agreed to.

The Acting Speaker (Mr. Schellenberg): The next question is on Motion No. 2 standing in the name of the Hon. Member for Burnaby (Mr. Robinson). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Schellenberg): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Schellenberg): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Schellenberg): In my opinion, the nays have it.

Motion No. 2 negatived.

Mr. Svend J. Robinson (Burnaby) moved:

Motion No. 3

That Bill C-67, be amended in Clause 4 by striking out lines 33 to 40 at page 3.

He said: Mr. Speaker, the purpose of this amendment to Clause 4 of the Bill is to delete a new Subsection 10(1.3) which the Government proposes to add to the Parole Act. That

subsection says that where an inmate is released on parole or subject to mandatory supervision, he shall comply with any instructions given by the parole supervisor in respect of any term or condition of parole or mandatory supervision in order to prevent a breach of any such term or condition in order to protect society. In my view that is a step backward which would, in a number of instances, lead to further incarceration. It is possible that an individual might have his mandatory parole revoked on the basis of failing to accept an instruction given by a parole supervisor as set out in the new section. This instruction does not deal just with reasonable terms or conditions; it is any term or condition to protect society. In my view that goes far beyond what is necessary for proper supervision of those prisoners on mandatory supervision.

As long ago as February of 1983, Brian Crane, Chairman of the National Associations Active in Criminal Justice, wrote a letter to the Prime Minister (Mr. Mulroney) on the subject of conditional release. He said that the Government should be requested to make no change in conditional release legislation, that is parole and mandatory supervision, until completion of the sentencing and correction reviews which are part of a fundamental review of the Criminal Code. In other words, we should not be tinkering with one area of the system without recognizing that it could have serious repercussions in other areas of the system.

Some of those listening to this debate might well ask what these associations are. The associations are respected national organizations very active in the field of criminal justice. They include the Association of Social Rehabilitation Agencies of Quebec, the Canadian Association for Adult Education, the Canadian Association of Elizabeth Fry Associations, the Canadian Association for the Mentally Retarded or, as it is now known, the Mentally-Handicapped, the Canadian Association of Native Court Workers, the Canadian Association for the Prevention of Crime, the Canadian Bar Association, the Canadian Council of Juvenile and Family Court Judges, the Canadian Mental Health Association, the Canadian Psychiatric Association, the Canadian Psychological Association, the Canadian Seven Steps Society, the Church Council on Justice and Corrections, the John Howard Society of Canada, the National Association of Friendship Centres, the St. Leonard Society of Canada, and the Salvation Army. Each and every one of those organizations has asked the Government not to proceed in the manner in which it is proceeding in this legislation.

I think it is important to underline why the associations are taking this position and why I am proposing Motion No. 3. The argument I make is that in many instances the case load of parole supervisors is already far too heavy. The case loads of those responsible for mandatory supervision are far too heavy. In many cases the concept of supervision is a farce. Instead of putting some \$12 million a year into a program which really does not work, that is the mandatory supervision program, I suggest we look very seriously at a number of important alternatives. Those alternatives were suggested by quite a