

be said in this debate has been said in one way or another by colleagues on both sides of this House. There seems to be general agreement that we do have a situation across the country today within our penal system which requires, and indeed demands, investigation by this House. I think it is imperative that this motion leads to the investigation of these problems by hon. members of this House and, that the investigation is not relegated to some sort of committee which will eventually bring in a report at some distant time. I hope an obligation will be imposed upon the members serving on the committee to deal with the matter quickly and expeditiously, albeit carefully.

This is important because most of us, and this may be almost an ingenuous thing to say, were profoundly moved during the past election by the number of people—and I think this is true no matter what their party affiliation—who said to candidates and to members who were seeking re-election, that while they did not know all the answers and were not prepared to blame any one person for the problem, they felt a growing uneasiness about the whole concept of law and order in our country. I use the words "law and order" with respect, because without law and order we have exactly the opposite.

I have been a lawyer for 17 years, and while I suppose I am proud of the position I now hold and grateful to those who sent me here, I am perhaps more conscious that whatever else I have been asked to do in my life this is perhaps the most important. I am one of those who has been proud to be a lawyer in this country and one who at any time will defend the concept of civil liberty and the great traditions that have been brought down through the ages, of which we are the proud inheritors. When I say this I say it with great consciousness born of experience in the courts, and born of some understanding of the people who have sent us here. If we are to have a humane and just system of law and order, it must rest on the basis of confidence among the people who send their legislators to the parliament and legislatures of this country.

What disturbs me is that, unfortunately, in some cases tragically, we have made errors and mistakes, and those errors and mistakes have resulted in an appalling lack of confidence. Because there is such a lack of confidence, there are those among us in the community who would be prepared to forget the great traditions and civil liberties of which we have every reason to be proud. It is because of this that I think it is important that those of us who are here because people sent us, and will remain here only as long as the people have confidence in us, are charged with the immediate investigation of those problems that are causing so much concern to so many Canadians.

● (2240)

I think I should say also it is not enough—and I believe all members in the House will agree with me—to point to one or two instances which we all deplore and say this means that our whole system is falling apart. I do not believe that. I believe some mistakes have been made which perhaps are rooted in a false philosophy. Having practised law not only in the civil courts but also in the criminal courts, I believe in a parole system. I do not believe that everyone who is convicted of a crime ought to spend the rest of his life in jail. I do not think any lawyer who ever practised in the criminal courts who had any

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sensitivity would believe that, nor do I believe any fair-minded Canadian would believe it. However, I believe experience has shown that in respect of a man who is dangerous to the community, those charged with deciding upon his release have upon them the onus to show, at least within reason, that there is a probability if that man is released back into the community his release will not result in that community being victimized.

If there is one thing which I believe we must come back to it is the recognition that experience in terms of what a person does is some indication of what he is, and what he might well be. There is an onus on those who have the very difficult task of releasing such people into society to be sure that these people are released under conditions and circumstances where the public will not again be victimized. These are some of the questions which the committee will have to look into. I have heard hon. members from every party make some very intelligent, sensible and sensitive comments in this debate. If we are to improve our prison system, if we are to improve our system for the security of the public, if we are to ensure humanity to man and if we are to do so in an effort to rehabilitate all of those who can realistically be rehabilitated, we must take this approach.

My colleague, the hon. member for New Westminster (Mr. Leggett) said he does not believe that everyone can be rehabilitated. My colleague and I are members of different parties but we are both lawyers. I agree with my hon. friend when he says that, and I hope that eventually in fullness of time and with the increase in our own knowledge and wisdom, perhaps we will be able to rehabilitate everybody. However, as someone who has been involved in the court system and who has lived at least for a few years in a real world. I say that at the present time we cannot achieve the rehabilitation of everybody. When we try to further our own knowledge in these spheres, we must not and cannot do it at the expense of the safety of those innocent people who depend upon us to ensure that we have a system whereby those who have transgressed against society in a dangerous way are put where they cannot any longer harm innocent people.

Mr. Speaker, I wish to say one thing in closing. I say this to all hon. members, to the press and to the people of Canada who sent us here. I think it is intensely important that Members of Parliament take part in this investigation. They are not all experts; that we all concede. Most of us, however, in a way that the expert never has to realize in actuality, are in touch with our people. We know what their fears and concerns are. We know also that if the fears and concerns increase much beyond the position we have reached at the present time there is a very real danger that the concepts of freedom, civil liberty, civility and democracy, without which we would not have a decent society, are in very real danger.

Mr. Peter Reilly (Ottawa West): Mr. Speaker, the Solicitor General (Mr. Allmand) has listened to a great many lectures tonight, and I do not intend to belabour him much longer. I should like to remind him that some months ago, I believe it was in December or perhaps early in January, I brought to him in private and submitted to several of his colleagues in his party as well as to some of my colleagues, a proposal which matched almost in every