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(HANSARD)

Monday, March 10, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, March 10, 1997

The House met at 11 a.m.

Prayers

The Speaker: I have received notice from the hon. member for Mount Royal that she is unable to move her motion during private members' hour. It has not been possible to arrange an exchange of positions in the order of precedence.

Accordingly, I am directing the table officers to drop that item of business to the bottom of the order of precedence. Private members' hour will thus be cancelled and the House will continue with the business before it.

Today is a supply day and I would encourage all members to refrain from using props in any way. I leave that just where it is.

GOVERNMENT ORDERS

[*English*]

SUPPLY

ALLOTED DAY—VICTIMS OF CRIME

Mr. Jack Ramsay (Crowfoot, Ref.) moved:

That this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code, and as a consequence, this House urge the Liberal government to formally apologize to those families for repeatedly refusing to repeal section 745 of the Criminal Code.

He said: Mr. Speaker, I am please to stand this morning to speak to this motion. Tomorrow in a B.C. courtroom a drama begins, initiated by one of Canada's most sadistic and despicable criminals, a drama that will rekindle the pain, horror and anguish of the 11 families whose children fell victim to mass murderer Clifford Olson.

The legal base for this horrifying drama has been created and sustained by the bleeding hearts who have controlled the Liberal and Tory governments for the past 20 years. That legal base is section 745 of the Criminal Code.

These bleeding hearts believe that a mass murderer like Clifford Olson should have a legal base to seek a reduction in his penalty for kidnapping, raping and murdering 11 little children.

Section 745 of the Criminal Code is irrefutable proof of the existence of that belief in the Liberal Party, the Tory Party, the NDP and the Bloc.

These bleeding hearts, supported by a host of judges, crown prosecutors, defence lawyers and touchy-feely groups, insist that Clifford Olson have this right in spite of the horror and terror Olson created in the minds of 11 innocent little victims as he savaged them in the pursuit of his own sexual lust and then murdered them after his lust was spent.

These bleeding hearts insist that Olson have this right in spite of the feelings of terror and horror suffered by the parents and families over the loss of their innocent little sons and daughters and the fact that these families will have to relive these feelings all because of the simplistic thinking of those who man our institutions of government and the clinging vines who suck their sustenance off a sick and pathetic justice system.

Compare the pain, the agony and the loss suffered by the victims and their families with that of a life term for Clifford Olson. He lives safe and secure. He does not have to work. He has the best food. His medical needs are provided. He has a coloured television. He has the right to vote and to initiate lawsuits over the most frivolous of matters, all at taxpayer expense. Now he has the right to appeal for a reduction of his parole ineligibility while taking the families of his victims through hell one more time.

These are the gifts of the bleeding hearts to Clifford Olson. These are the gifts to Clifford Olson from the Prime Minister of Canada and his Liberal government, from the Tory Party, the NDP and the Bloc, from the bleeding hearts in our court system and from the touchy-feely groups of society.

While providing all these gifts to Clifford Olson, what do the Prime Minister and the rest of them have to say to the families of his victims? Nothing, absolutely nothing.

I am splitting my time with the member for Edmonton Southwest. I will therefore be speaking for approximately 10 minutes.

I have repeatedly stood in this House, as have my colleagues, and asked one simple question, a question the justice minister, the

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Prime Minister and the rest of the bleeding hearts refuse to answer. What is a fair and just penalty for the taking of an innocent life? Their silence to this question is their answer. They believe an innocent life is worth only 15 years imprisonment while their murderers are extended every right and privilege.

• (1110)

On February 24, 1976 the Liberal government introduced Bill C-84 to abolish the death penalty and to create two new categories of murder, first and second degree murder, both of which carried a minimum sentence of life imprisonment.

The 25 year minimum for first degree murder was the Liberal government's trade-off for the abolition of the death penalty. Instead of the death penalty, society was to be protected by the incarceration for life of those who deliberately and premeditatedly killed, with no consideration for parole until a minimum of 25 years had been served.

However, unbeknownst to Canadians the Liberal government betrayed them by slipping section 745 into the Criminal Code. Section 745 nullifies the term life imprisonment and bestows on killers an unjustifiable right to early release before serving a minimum of 25 years.

A life sentence is not about rehabilitation, it is about punishment and retribution for the most horrible crime in society, the unlawful taking of an innocent life and the devastating effect this has on society.

The Liberal government's Bill C-45 was nothing more than a meagre attempt by the justice minister and his government to sugar coat those repulsive provisions of the Criminal Code for reasons of political expediency. In doing so the justice minister violated his own promise to the Canadian Police Association wherein he had agreed to do business with it to support its position to remove section 745 in return for its support of this ill conceived and useless firearms control bill.

The Canadian Police Association learned from this experience that it cannot trust this justice minister or the Prime Minister.

I am not just expressing my view on section 745. This view is shared by victims' groups and countless Canadians across the country. Bill C-45 may delay but it will not prevent killers from getting a judicial review and ultimately a reduction in their parole ineligibility. Bill C-45 and a review of a killer's application by a judge does nothing but add an expensive layer of bureaucracy to our growing criminal justice industry. This will add to Canadians' financial strain and undermine their personal security.

The minister's June 11 introduction of Bill C-45, just 10 days before the House recessed for the summer, was nothing more than a

half baked attempt to deflect criticism for not preventing Clifford Olson from once again making headlines despite the fact he had almost three years and ample support to do something about section 745 of the Criminal Code.

The justice minister's efforts to limit child serial killer Clifford Olson's bid for early release failed. And to the horror of all Canadians who have shared the pain of the Rosenfeldts and the other 10 families whose children were brutally ripped from their lives, on August 12, 1996 Clifford Olson was eligible to apply for early release.

On March 11, tomorrow, the initial process of Olson's application for early release begins, much to the horror of not only his victims' families but to the horror of all Canadian citizens.

March 11 will truly be a day of national disgrace. For the Liberal government to have turned its back on the families of Olson's victims, for the Liberal government not to have done everything within its power to prevent their anguish from festering more and more is absolutely appalling.

Every time a killer applies for a judicial review of his parole, the family and society relive the horrible memories and live in terror of the possibility that these killers will be released from prison early.

Every time Clifford Olson exercises his right, courtesy of the past and present government, to seek early release all Canadians visualize the pain and suffering his murder victims endured.

Section 745 of the Criminal Code demeans the value of human life. The Liberal government's refusal to eliminate section 745 clearly demonstrates the value it places on the lives of Canadians. The Liberal government, as well as the Bloc, believes the lives of our children and grandchildren are worth only 15 years.

I suggest that if the Liberal justice minister asked Canadians to place a value on the lives of their children, overwhelmingly their response would be life imprisonment or capital punishment.

I implore the Liberal government to repeal section 745 of the Criminal Code. I implore the government to validate immediately the lives of all Canadians by making these cold blooded killers who would take a life serve a true life sentence or grant the people of Canada a binding referendum on the return of capital punishment.

• (1115)

If my appeal to the government is in vain and if the appeals of the families of murder victims fall on deaf ears, as they have in the past, then I make a commitment to all Canadians today. There will be a federal election soon. A Reform government will remove section 745 from the Criminal Code in its entirety. Then first degree murderers like Clifford Olson will serve their full life sentences. In addition, we will grant the people of Canada a

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binding referendum on the return of capital punishment for first degree murder.

I make this commitment today in the memory of Christine, Colleen, Daryn, Sandra, Ada, Simon, Judy, Raymond, Sigrun, Terry Lyn and Louise, all who died horribly at the hands of Clifford Olson. I make this commitment to their families and to the memory of all murder victims, and to their families and to the citizens of the country. A Reform government will repeal this obnoxious and reprehensible portion of the Criminal Code of Canada.

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, I listened with great interest to the member's comments. Could the member for Crowfoot tell us how a Reform government would go about amending the Constitution in a way which would have the effect of removing section 745 and which would affect Clifford Olson's situation?

Surely the member is aware that this provision has been in the Criminal Code for some time now. This is a vested right under the law of this land which people have. I suggest to the member that in playing with people's emotions in this way, by attacking the law, he is being rather irresponsible. He knows, or he ought to know, that this is not a matter that could be removed in this case without a constitutional amendment. He knows or ought to know that no one on this side of the House has any brief for Clifford Olson. Everyone despises everything he did and everything he stands for.

Surely the member believes in a certain amount of respect for law. Surely he believes that we do not live—

Mr. Hermanson: The law is wrong and we are trying to change it.

Mr. Graham: He spoke of living in a lawful society. He has trouble with gun control. After all it is guns that allow murderers to do their dirty work. This does not seem to bother him. It also does not seem to bother him to and suggest that a Reform government could wipe out the effect of section 745 while he fails to recognize this is a legal matter of great complexity which must be addressed properly. If he were honest in his speech he would address it now.

Mr. Ramsay: Mr. Speaker, I take exception to my colleague's suggestion that I am less than honest. That is simply not true. That is a false statement, if what he has suggested is that I am not honest. I am honest and I am reflecting the honest and sincere concerns of the families of victims of crime.

He touched on an important point, the retroactive power of any government to remove the parole ineligibility section from the Criminal Code. We have researched this topic. Our legal researchers and others have indicated there is a question of the constitutionality of the powers of the federal government to remove the rights of Clifford Olson and others. It is a constitutional question.

The government, supported by the member opposite, has passed other bills which have been challenged constitutionally. It is being done today. Why not err on the side of the victims and the families? Why is this member prepared to support the government in putting those families through hell one more time, of having the horror and the terror reawakened one more time?

• (1120)

Why do we not think about the victims and their families more than granting privileges like the right to vote, like the right to sue and now the right to appeal a life sentence after serving only 15 years?

I ask this member to look at his own conscience and justify what he is saying to the families of the victims that have been raped and murdered by Clifford Olson. What would he say to them and what would he say to Clifford Olson? I know what he would say to Clifford Olson: "Here's your gift. This is your gift from the Liberal government. We will not try to protect the families from the rekindling of their fear, horror and agony".

That is what this member is saying. "We will not try that. Why? Because we are afraid of a constitutional challenge". But he is not afraid of a constitutional challenge in things like the Pearson airport bill that went through this House. No.

I find behind his comments a charade that is disgusting and reprehensible to the people of Canada who are concerned about causing the families to live one more time through that kind of agony and pain. Why do we not balance the law so that reasonable rights are granted the accused, but at the same time ensure that the families are not subjected to relieving their terror, not only this time at the hands of Clifford Olson, but if he is turned down he will be able to appeal again, and again and again.

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I too find the question from the last member on the other side of the House quite unbelievable. I would like to ask a very straightforward question of the hon. member for Crowfoot—

The Deputy Speaker: I guess the hon. member did not hear that the five minutes questions and comments has ended. We are now back on debate. The hon. member indicated that he was splitting his time with the hon. member Edmonton Southwest.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, I apologize to the House. I was under the impression that I would be following my Bloc colleague.

This debate brings to mind just about the very first comment that I made in the House. I recall it very specifically. I had been in the House and spoken once or twice before. I commented on something that had taken place when the member for Notre-Dame-de-Grâce who had been the solicitor general at the time, was involved.

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When I made my statement he looked up at me and then after I had finished he rose on a point of order and said that was not the case, that he had taken part in the debate and that I was misquoting him. I apologized to the House and to the member for Notre-Dame-de-Grâce. I believe now that he is no longer a sitting member I may name him. We all know that I am talking about the former solicitor general Warren Allmand. I am glad that I did apologize for what he felt was misrepresenting him. Although we come from different planets as far as our approach to criminal justice affairs are concerned, I came to know him over the succeeding couple of years as a very fine individual.

We may not have agreed on very many things as far as criminal justice affairs are concerned, but we found that we could honourably disagree and respect and like each other, even though we did not sing from the same song sheet.

Section 745 came about as a direct result of the abolition of capital punishment. The abolition of capital punishment came about, as members know, because it was considered that there were two standards of justice in our country. It was considered by many in the civilized world as barbaric and that capital punishment in the name of the state was still murder. It really puzzles me how the same people who can be violently against capital punishment can be at the same time in favour of abortion but that is a whole other story.

• (1125)

Another major concern with capital punishment is that from time to time the state makes mistakes. That is evidenced by what is going on now in Ontario with the Morin inquiry. The criminal justice system has become more capable of making scientific evidence available that will—I am talking now about DNA evidence—conclusively prove that someone was not involved. When we look back at what could have been a mistake in the name of the state we have to say we are glad we do not have capital punishment.

Opposition to capital punishment comes from the notion that in our society it is better that a thousand people go free than one innocent person be convicted. And carrying that to an extreme, it is better that the benefit of the doubt stay with the potential victim of the state so that an innocent person will not be punished. That is really the bottom line and basis of our jurisprudence, our criminal justice system, of our common law, that came to us over 800 or 900 hundred years ago and has stood us very well.

The quid pro quo for Canadians concerning capital punishment is that people who are convicted of capital offences will be in prison for 25 years, not for 15 years or not for 10 years. The quid pro quo to get rid of capital punishment was if someone, having committed first degree murder—we are not talking about manslaughter here, we are talking about premeditated murder as a capital offence—would find themselves in jail for 25 years. The

maxim used all the time is “if you cannot stand the time don’t do the crime”.

Our society says that at minimum people convicted of capital offences will be imprisoned for 25 years. That brings me back to the ex-hon. member from Notre-Dame-de-Grâce, Warren Allmand. When he was the solicitor general he stated, I will paraphrase but at the time I quoted from *Hansard* that “from this day forward the *raison d’être*, the reason of our criminal justice system, will be rehabilitation. It will not be the protection of society,” which it had been up until that time. It was going to be from this day forward in Canada rehabilitation of the criminal.

That is not all wrong. It makes sense because the recidivism rate, the rate at which criminals would find themselves out of jail, back in jail, as everyone knows is just like a revolving door. It makes sense to try to stop this never ending revolving door of people getting into trouble and then back into jail, getting out and then going back in. The only way that we can possibly stop this is by rehabilitation. The notion of rehabilitation just makes eminent sense.

However, as it often is, when the pendulum swings it tends to swing too far. In my opinion and in the opinion of many the pendulum has swung far too far in favour of the rights of the criminals. It needs to swing the other way to give balance to the rights of victims.

When we are talking specifically about section 745 which is the so-called faint hope clause, we have to ask ourselves who should have the faint hope? How is society best served? Are we serving society by saying to everyone who commits a crime, as Edward Greenspan, the famous criminal defence attorney, has said, that a person’s future should not be determined by one horrific event, no matter how horrific that event was? The idea is that everyone is deserved of a future and the opportunity to right a wrong, and that we as individuals should not be known forever because of the results of one mistake, no matter how horrific.

• (1130)

On the other side of the coin, how is society to be protected if we do not hold people accountable and responsible for what they do?

Our society has decided against the death penalty. Many people including myself believe that the death penalty is horrific and should not to be done in the name of the state. How are we to protect innocent victims? The only way is to ensure that before people commit a crime they understand the time that is involved. Before people make a decision to commit a crime they should understand they will be held accountable. To take another person’s life in a premeditated first degree murder will result in 25 years behind bars, period, with no hope of parole. If they do their time properly in the future they will be allowed to leave.

Supply

In conclusion I move an amendment to the motion:

That the motion be amended by inserting the words "and immediately" after the word "formally".

The Deputy Speaker: The amendment of the hon. member for Edmonton Southwest is acceptable.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, this morning, the Reform Party motion focuses attention on the Clifford Olson case. This is a truly terrible case, and one that does not reflect well on the Canadian justice system.

Independent of the Bloc Quebecois position with respect to the amendments to section 745, studied here in this House when it was Bill C-45, does the hon. member of the Reform Party agree on two points?

Before the government's proposed amendment to section 745, does he think that a well-informed jury would have released an individual like Olson—assuming that there had been no changes to section 745? On the other hand, we know that section 745 has been modified and that the amendments to section 745 contained in Bill C-45 do not allow multiple murderers access to a judicial review. Does he consider that Olson is a multiple murderer and therefore, in accordance with section 745 as modified by the government, Olson will not be freed?

• (1135)

Can the hon. member provide me with some information? In my opinion, under section 745 as it was before, Olson would not have been released, and the amendments made by the government will make it even more difficult for him to obtain his release, because it will be blocked immediately.

His case has been chosen as typical. Although I do not wish to call them demagogues, they are coming very close to it this morning, by naming names and bringing all that up again. I know this is a serious matter, but could the hon. Reform member who has just spoken clarify section 745 for me? I know that they want to abolish it, but I am speaking of the present situation.

[*English*]

Mr. McClelland: Mr. Speaker, the fact that Clifford Olson is subject to review now makes this a particularly timely motion. The motion also reflects on every other section 745 review before the courts at this time.

The point is not the process by which a murderer is able to utilize the law. The point we are making is when will the law protect the victims. It is not that the criminal has to go through several more hoops and that it is more difficult to be released under the provisions of section 745. It is that section 745 exists at all and that it causes the victims to have to go through the judicial process one

more time to have the scab removed from the sore and to be hurt once again. They then become the victims not only of the criminal but of our criminal justice system.

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, I am pleased to rise today to speak in response to the Reform Party motion concerning section 745 of the Criminal Code.

For the information of hon. members I note that section 745 is now section 745.6. The section has been renumbered as a result of the coming into force of Bill C-41 on September 3, 1996.

I want to spend a few minutes explaining what section 745.6 of the Criminal Code is all about. I fear there is still a great deal of misunderstanding about what the section is and what the section does.

[*Translation*]

Section 745.6 of the Criminal Code provides for a judicial review of the parole ineligibility period in cases of life sentences for those found guilty of murder or high treason.

In cases of first degree murder or high treason, the ineligibility period is set by law at 25 years. In cases of second degree murder, the parole ineligibility period is 10 years, unless the trial judge orders a longer period of from 10 to 25 years. Offenders cannot have their parole ineligibility period reviewed until they have served at least 15 years of their sentence.

[*English*]

The decision in a section 745.6 review is made by a jury of ordinary citizens drawn from the community. Under the section as recently amended by the government, the decision to grant an offender a reduction of his or her parole ineligibility period can only be made by a unanimous jury. Twelve members out of twelve must be convinced that the offender deserves a reduction in the parole ineligibility period before the offender can apply for parole.

• (1140)

After hearing evidence called by the applicant and by the crown attorney the jury—and not the judge or the crown attorney or the government—decides whether or not to reduce the parole ineligibility period. Where the jury decides not to reduce the period it may decide when the offender may apply again if at all. In any case it is not before another two years has been served.

In cases where the parole ineligibility period is reduced the offender becomes eligible to apply to the National Parole Board for parole when the parole ineligibility period as reduced by the jury is up. The parole board then considers the case and may grant parole in appropriate cases. In making its decision the parole board must consider whether the offender's release would present an undue risk to society.

Supply

The decision of the parole board has nothing automatic about it. Just because a parole ineligibility period is reduced and as a result an application is made to the National Parole Board, it does not mean in any way, shape or form that the applicant would get parole.

I emphasize a point that is crucial to an accurate understanding of the issue which may not be well understood by members of the public. The life sentence imposed on a person convicted of murder or high treason continues literally for the offender's entire life. Accordingly, even in those cases where such an offender is released on parole, offenders continue to be subject to the sentence for the rest of their lives and can be reincarcerated or put back in prison at any time, should they breach the conditions of release imposed by the parole board.

I repeat. The granting of parole by the National Parole Board is not automatic. It could and often is rejected.

I also remind hon. members of the House of the legislative history of what is now section 745.6. As some members will recall the section was enacted in 1976 at the time capital punishment was abolished. At that time a 25-year parole ineligibility period was established for first degree murder and high treason.

The section was enacted after full and vigorous review and debate of the legislation. It was not, as some critics of the section have suggested, slipped into the statute books by stealth as a surprise to the unwary. It was a fundamental aspect of the compromise reached at that time by the House on the very difficult question of the appropriate penalty for murder. It was enacted as a response to the recognition the 25-year parole ineligibility period was significantly longer than murderers were then serving before parole in cases of non-capital murder and in cases of capital murder commuted to life. I am told it was enacted in recognition of the fact that 25 years without eligibility for parole was and still is longer than comparable periods in many western democratic countries.

The section was enacted to offer a degree of hope for the rehabilitation of some convicted murderers, as a protection for prison guards, and in recognition that in some cases the public interest would not necessarily be served by keeping offenders in prison beyond 15 years.

[*Translation*]

We all know that the public has concerns about section 745.6. Many have called for its repeal because they were worried about the risks this section could pose to public safety.

Others have invoked the fact that victims' families are victimized all over again when a judicial review is held 15 years after the trial, just when the pain of the trial is beginning to fade.

Others would like to define an appropriate minimum period of imprisonment for the most serious crime in our Criminal Code.

I share Canadians' concern for public safety. I am also moved by the suffering experienced by families of the victims of brutal crimes. The prospect of again victimizing these families during a public review before a judge and jury, when the offender has no chance of being granted a reduction in his or her parole ineligibility period is one of the reasons the government tabled the recent amendments to section 745.6.

• (1145)

[*English*]

The government has struggled long and hard with this issue. We have listened to all those who are concerned about section 745.6 and have considered all the perspectives of those who wish to retain the section and those who want it repealed. In the end, the government does not support the repeal of the section. We believe that the reasons that justified its addition to the Criminal Code in 1976 are still valid today.

The section exists to recognize the possibility that at least some offenders can change after serving 15 years of their sentence. Our challenge is to find a way to ensure that the provision is applied sensibly and in a way that reflects public concerns. Indeed, that is exactly what the government's recent amendments to section 745.6 will do.

Members of the House will know Bill C-45, an act to amend the Criminal Code, which received royal assent on December 18, 1996 and came into force on January 9, 1997, made three significant changes to section 745.6.

First, the amendments eliminate any possibility of judicial review under section 745.6 for all persons who commit multiple murders in the future. For the purposes of the amendments a multiple murderer is anyone who murders more than one person, whether at the same time or not, and this would include serial murders.

Second, the amendments create a screening mechanism whereby the chief justice of the superior court or a judge designated by the chief justice conducts a paper review of the application to determine if it has a reasonable prospect of success before the application is allowed to proceed to the review jury. If the offender cannot demonstrate that his or her application has a reasonable chance of success, the application will be screened out by the judge. This change applies to all offenders eligible to bring a section 745.6 application provided they have not already brought an application before the amendments came into force.

By introducing this screening mechanism the government has ensured that for applications brought after January 9, 1997 the victims' families will not be forced to relive the offence through a

public hearing before the jury where the offender has no reasonable prospect of success.

Finally, the amendments require that for all applications brought after January 9, 1997, the review jury must be unanimous in order to reduce the offender's parole ineligibility period. Before this change the jury had the authority to reduce the parole ineligibility period if two thirds of the jury or eight members out of twelve thought it should be reduced. Now the offender will have to convince each and every member of the jury in order to get a reduction.

The government believes that these amendments have responded to legitimate public concerns about the section 745.6 review procedure while at the same time preserving the essence of the procedure in recognition of the hope that some offenders may be able to change after serving 15 years of their sentence. However, the government has not been content to leave the matter there.

[*Translation*]

During the process of developing and passing these amendments, it was clear to us that one of the reasons for the public's concern with section 745.6 was that many people were unaware of the existence of this provision. Murder victims' families often learn of the existence of section 745.6 through the media, several years after the trial has ended and the murderer has been sentenced.

• (1150)

This belated discovery leads to a feeling of surprise and betrayal. This feeling of surprise and betrayal is evident among the lawyers of many victims who appeared before the House of Commons Standing Committee on Justice and Legal Affairs and the Senate Standing Committee on Legal and Constitutional Affairs when these committees were examining Bill C-45.

[*English*]

On February 27 the Minister of Justice and Attorney General of Canada announced that he had written to his colleagues, the provincial attorneys general, to ask them to issue instructions to their crown attorneys that victims' families are to be advised of the existence and effect of section 745.6 at the time of sentencing in all appropriate murder cases. At that time the Minister of Justice said: "I am asking the assistance of my provincial colleagues to ensure that this simple and practical step is taken to respond to the legitimate concerns of victims' families".

This government is doing what it can to ensure that section 745.6 is applied sensibly and in a way that reflects the concerns of the public. I am pleased to be able to take part in this debate, to set out true facts about section 745.6, about how it works and about the recent amendments and other steps this government has taken to respond to legitimate concerns on this matter. I hope my remarks

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will help set the proper tone for a more reasoned and thoughtful debate on this important matter of public policy.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I listened with interest to the comments made by the Solicitor General of Canada. He made a number of comments but overall it is very clear that this government has no intention whatsoever to respond to the needs of the victims, the families whose children have been murdered that will have to go through this painful experience again.

The solicitor general indicated that he was deeply moved by the realization of the pain and agony that those families will have to go through again. But he was not so deeply moved that he would be prepared to do anything about it, which is the problem with this government.

There have been petitions and cries from victims across this land who have said they have done nothing to violate the law and yet they must suffer again and again and again. Where do they stand in the scheme of things? That is what they are asking. Why are they not being considered? Why are members of Parliament and our government being deeply moved but not so deeply moved that they are prepared to lighten the burden that these victims have to carry for the rest of their lives? Why must they have that agony reawakened time and time again?

According to the legislation the first 15 years is the longest period they may have in order to get over this horrible trauma. The murderers who apply and who take the victims through that agony again may apply within perhaps one, two or three years, certainly before 15 years again. There is a shortening of the period even if they are denied by the courts to have their parole ineligibility reduced, if they are denied day parole or early parole. If the murderer's request is rejected the victims' families will still have to go through that kind of torment again, and this government is unprepared to do anything about it.

Being deeply moved is cold comfort to these people who are seeking justice, a balance in our justice system, a balance between the punishment of a murderer and the rights of the citizens of this country, in particular families of victims.

He suggested that this bill was broadly debated and that Canadians knew about section 745 at the time it was placed in the Criminal Code.

• (1155)

We had a police chief appear before the Standing Committee on Justice and Legal Affairs who said that he did not know. He was a member of the chiefs association and they did not know. He apologized: "We must have been asleep at the wheel".

There was a lack of understanding. He made reference to the fact that the 25 year minimum that was imposed at the time capital punishment was removed from the bill was much more time than what was normally being served by first degree murderers. Then

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why was it put there in the first place? Was it put there to deceive or dupe the public while section 745 was slid in the back door quietly, unbeknownst even to the police chiefs?

I have listened to the hon. Solicitor General of Canada. All his comments tell me that the government is not prepared to move, in spite of the fact that the justice minister said to the Canadian Police Association "we can do business; you support our firearms legislation and we will support your effort to remove section 745 from the Criminal Code". That is what he said on television. That is what we heard him say.

Members of that association are now coming to us and indicating they were betrayed, that the justice minister did not keep his word. That is what the people of this country are saying to us as we travel across the land, that the government is insensitive, that it is not hearing our cries and that it has less concern for the victim and more concern for the rights and privileges of the murderer, just as is being demonstrated in the drama that unfolding in a B.C. courtroom beginning tomorrow.

Mr. Gray: Mr. Speaker, the record of the House of Commons is there for everyone to examine. It will demonstrate, if one looks back at the period when section 745 was debated in this House, that the bill was fully debated. It was voted on in the usual manner. It was considered not only in the House of Commons but in the Senate. The idea that this was brought in by stealth is totally wrong.

If somebody in a population of 20 million people did not notice it, that is inevitable. It happens with respect to every piece of legislation. But the original section 745 bill was fully considered and fully debated.

I submit we have responded to concerns of victims through the amendments to section 745 which were adopted and proclaimed in force recently. In addition to that the attorney general has asked his provincial counterparts to make sure that victims in cases of murder are fully informed of the possibility of section 745 applications so this will not come as any kind of surprise.

My hon. friend is mistaken when he suggests that if an application to reduce parole ineligibility is rejected another application can be brought immediately. This is not the case. The applicant has to wait several years.

I point out that this does not lead automatically to parole if the application is successful. It is only successful if there is a decision by a jury of ordinary Canadians. This will simply lead to the applicant's making an earlier application to the parole board which does not have to and does not always grant the parole application.

I realize the difficulties here. This is not an easy situation. This motion is being brought before the House at a time when there could well be an application with respect to a very despicable

individual, but the law is made on the basis of general application, not simply looking at one case, no matter how difficult it is.

I suggest that this government has given great consideration to concerns of victims in the amendments that were passed and declared in force recently. Therefore I submit that this motion which is votable should be rejected.

• (1200)

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, the solicitor general has missed the point again. Whether or not Clifford Olson is granted early release there is a hearing taking place tomorrow on the issue. The families of those who had their children murdered by Clifford Olson will have to go through pain again.

I would like to ask the solicitor general a very direct, straightforward question. I hope he will give a very direct, straightforward answer. Have any of the changes the solicitor general and his government put before the House since coming to power in 1993 prevented a situation which is painful to the families of those victims who indeed are victims themselves? Have any of the changes made it so that they would not have to go through the pain of Clifford Olson having a hearing for early release?

Mr. Gray: Mr. Speaker, my hon. friend knows as well as anybody that the bill is not retroactive and does not apply to Clifford Olson. It was our intention to have it apply retroactively. I hope the Bloc will correct me if I am wrong. If there had been more co-operation from the Bloc the bill might well have covered the Clifford Olson situation but it did not turn out to be the case.

However the bill as amended will speak from and after the beginning of this year. It will make it less likely that victims will have the emotional and mental strain my hon. friend is speaking of because of the need for screening by a judge before an application can proceed, because it does not apply to serial murderers and because any decision will have to be unanimous. We are taking steps to help prevent the type of concern my hon. friend is talking about in future.

Unfortunately for reasons we well know the bill is not retroactive, but as I have said before and as difficult as it is when we are making public policy we are dealing with the best interest of the country as a whole. We cannot base legislative decisions simply on one case. We are taking meaningful steps to deal with the concerns of victims in these situations.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, before starting on the motion as such, I would like to say a few words about one of the Solicitor General's comments. He said that if the Bloc Quebecois had not delayed the passage of this bill,

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Mr. Olson would have been eligible, in other words, he would have been covered by the new bill, the new section on parole.

I think the Solicitor General should consider that his government has been in power since 1993 and should have foreseen the eventuality of Clifford Olson applying for parole under section 745. The Bloc Quebecois cannot help it if the government was asleep at the switch, so to speak. When the government tabled the bill, it was already too late in the case of Mr. Olson. We tried to add a number of amendments to make the bill more in tune with the real situation.

Before the Solicitor General made this remark, which was both uncalled for and unwarranted, I agreed with his comments, his position and his explanations on Bill C-45 and the amendments to Section 745. However, I think that this brief flash of partisanship from the Solicitor General was unwarranted, considering that the government was responsible for the delay, if there was any.

That being said, to be sure everyone understands what this is about, I would like to take a few seconds to read to you the motion tabled in the House this morning by the hon. member for Crowfoot. The motion reads as follows:

That this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code, and as a consequence, this House urge the Liberal Government to formally apologize to those families for repeatedly refusing to repeal section 745 of the Criminal Code.

• (1205)

Obviously, it is not up to me to defend the Liberal government. However, the Bloc Quebecois cannot agree with the way the Reform motion is worded. I am not trying to defend the Liberals, but this goes against everything we have been asking for since 1993, we, as members of the Bloc Quebecois, whose approach to the whole area of parole, social reintegration and rehabilitation is quite different from that of the Liberals opposite, from what we find in English Canada, and is, above all, the exact opposite of the Reform position.

It is appalling. If we read the motion presented by the Reform Party, and we consider everything they ever said about capital punishment, they are getting pretty close to crossing the line.

The message I heard from the two Reform members who spoke this morning reflects much the same attitude that Henry VIII, the king of England, had to his former wives and some ministers who were not to his liking. If they made any trouble, off with their heads! That is more or less what the Reform Party is proposing this morning. Remove section 745, reinstate capital punishment, stop investing in social reintegration and rehabilitation, and if someone is too dangerous, cut off his head or hang him or send him to the electric chair or whatever.

Wake me up! Is this Canada? This is not the philosophy that for years parliamentarians in this House have tried to get across to the public. Indeed, section 745 was amended somewhat and, as I said earlier, one can either support or oppose the amendments the government proposed. We in the Bloc Quebecois said that section 745 was more than adequate as it was worded at the time of the amendments.

Let us have another look at a case frequently cited this morning, that of Mr. Olson. Although, as a lawyer who has practised only eight or nine years, I may be wrong, I am convinced that Mr. Olson will not be granted parole under the rules of section 745, although there are certain acquired rights.

Clearly, with section 745 and the amendments of the Liberal government, a case like Mr. Olson's would be blocked immediately. He would not be able to even submit an application, or, if he did, it would be immediately blocked, and there would be no hearing. It is even better for the extreme cases, like that of Clifford Olson.

Do we amend the Criminal Code every time there is a case like this? Do we amend the Criminal Code only whenever we have a mind to, because a particular event is so distressing?

Earlier, I listened as calmly as I could to the Reform member accusing the Bloc members and the Liberals of being bleeding hearts, but only for murderers. This is not what we have been trying to show since 1993. I will speak for the official opposition, I will speak for the Bloc Quebecois, the party I represent: we are indeed sensitive. We think we have to work toward a fairer society, one that is free, pluralistic and tolerant and that believes in rehabilitation and reintegration into society.

We have shown in a number of bills that we should educate not pummel society's deviants. Perhaps we should find out why they behaved the way they did.

When we look around the world, we see violence in society. We turn on the television and what do we see? Violence. Some toys encourage violence, even toys for children two, three or four years old: "Bonk your troll on the head, if you want to make him happy. Do not feed him, if you want something else to happen". We can start with these problems first, that is, we can look for a way to stop violence before it starts. As far as this whole issue is concerned, it takes time to find a happy medium.

• (1210)

As it stands, I think that section 745 was a compromise, which was how it came to be. The Solicitor General referred to that just now. This measure was introduced around 1976 under the Trudeau government, when the death penalty was abolished. This measure was introduced late in the debate in order to ensure a parliamentary majority in favour of abolishing the death penalty.

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Much was said on this issue, and I imagine that Reform members, if they had been around at the time, would have been on the side of retaining the death penalty. Section 745 was aimed at obtaining the approval of the highest possible number of MPs in order to obtain the desired changes.

Section 745 was already an improvement. If memory serves, the average length of the sentence served by those found guilty of first or second degree murder was 13 years. With the introduction of section 745, prisoners had to serve 25 years, with the possibility of a judicial review still being referred to as the faint hope clause. There was indeed such a possibility, but inmates had to meet a whole series of conditions before obtaining their release.

Section 745 may have had its shortcomings, but if we look at the cases of people who made use of it, before the government's modifications, the results were not so catastrophic. I will give a few statistics.

As of December 31, 1995, before the government amendments, 175 inmates were eligible to apply for a judicial review. Of that 175, 76 had done so, and 13 of the applications were still pending. Of the 63 applications that had been processed, 39 inmates were granted a reduction in their parole ineligibility period but there were no immediate releases. As of December 31, 1995, there had been only one repeat offence, an armed robbery, by a person who had obtained a reduction.

You will say that even one repeat offender is too many. That is true, but that is still a pretty good batting average. I am not saying that nothing at all ought to be done. That is not what I am saying. We ought perhaps to start with the existing system, and look for alternative solutions. Is throwing prisoners into jail for the rest of their lives without any possibility of release, even after 25 years, a solution? I do not think so. I think this is going to extremes.

In spite of what people were saying and the position taken by a number of legal experts, the government decided to introduce an amendment. Perhaps under pressure from Reform members, who were asking questions daily about repealing section 745. So what has actually changed since the Liberals amended section 745 under pressure from certain people in the field but especially from the Reform Party?

The solicitor general was quite specific in this respect. I will not go into every comment he made on section 745.6, but roughly, as a result of the legislative amendments to this section, the two-thirds of the jury rule will no longer apply. In the past, someone who applied for parole had to convince two thirds of the jurors to obtain permission to apply for a reduction in the number of years of ineligibility for parole. This rule has now been changed. The jury must be unanimous.

The government is more or less doing what the Reform Party wanted to do. It did not repeal section 745, but the obligation to get a unanimous determination from the jury will make it very difficult

to implement this provision. If a jury member does not like the look of the guy who is applying for parole, that individual will not get his parole.

• (1215)

The other aspect that was significantly changed, and in a case like Mr. Olson's, it would automatically be blocked, is the application for judicial review. It would be blocked altogether for perpetrators of multiple murders.

Third, a selection mechanism is created under which the chief justice of the Superior Court or a designated judge will have to determine, on the basis of written submissions, whether the applicant has a reasonable chance of having his application accepted by a jury.

If we add up the three criteria I just mentioned, one after the other, the individual will have to appear before a judge, the chief justice of the Superior Court or a designated judge, make his application, and then the judge determines whether or not he would have a chance before a well-informed jury of obtaining what he wants in his application for parole. If the answer is yes, he submits this to another judge who, assisted by a jury, will consider whether the individual's application should be accepted or not. Here, the jury must be unanimous.

All this applies to murderers who did not commit multiple murders. The government says: "No, we must keep section 745". Otherwise it would be like siding with the Reform Party or caving in to the Reform Party's demands. But on the other hand, it has put in so many criteria—the Bloc Québécois was against this to start with—that it is tantamount to repealing the section, since after this screening process, nothing much will happen. In the end, there is practically no hope of obtaining anything under section 745.6.

We said that, after 20 years, and I will conclude with this point, because section 745 had already existed for 20 years, it was normal to take a little time to consider and review proposals, but it was most definitely out of the question to use the particular case before us, that of Clifford Olson, as a starting point. It was absolutely out of the question to start with such a distressing case, one in which children are involved, to try to amend the Criminal Code. There is perhaps a problem, but it is a problem inherent in the parole system.

Instead of going for piecemeal amendments—trying to solve one problem because a certain person is applying for parole, trying to fix something else because of pressure from English Canada and trying to correct some other problem because the maritimes are putting on a bit of pressure—why not look at the whole issue of parole?

Not all those in favour of a revision of the parole system are fanatics and extremists. In Quebec, we have cases, very sincere ones, where, for example, a father is even prepared to undertake studies and try to come up with a way for murderers to be taken

under the wing of the community and for them to be reintegrated as quickly as possible.

These people have a problem. You do not kill 11 people in a row for the pleasure of it. They certainly have a problem. We should perhaps be looking for the cause of the problem and see whether we can find a solution to prevent such things from recurring.

We will not solve the problem by trying to expand on one case and frightening people. I am not saying this debate is not important. I do think, however, that we are not in the right place. It is more the job of a commission of inquiry, of a parliamentary commission, to look at the problem in its entirety and review the entire parole process, including section 745.

We could really debate the facts, with precise figures in hand and not with the tabloids, the rags that give their readers far more than they could ever want in an effort to sell papers. We could have the figures, the exact statistics. People who have regrettably had a bad experience could come and tell us what they really want: what would be right and what would not be right.

It is not true to say that everything is wrong with the parole system. Changes certainly need to be made to bring it more into line.

• (1220)

Earlier, I mentioned toys. Perhaps there are things we could do as part of an overall assessment of this problem. The legislator could make some changes, regulate certain things that are the source of the problem. To do so, however, the matter has to be looked at very seriously. It cannot be done simply on a whim. We must not speak with our hearts alone on the atrocities we see in the papers.

It is easy to do so, and perhaps it pays off politically. I do not know whether it pays off in English Canada, but I do not think that it helps the cause at all and it does not lead to a fair balance in society, when the government takes it into its head to attempt to move the Criminal Code always a little more to the right.

That said, you will understand why I am totally opposed to the motion tabled this morning by the Reform Party.

[*English*]

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I wish the hon. member for Berthier—Montcalm would pay a little more attention to Reform members when they are speaking. Had he been paying attention he would have noticed that of the two Reformers who have spoken so far this morning one wishes the reinstatement of the death penalty. The other one wants its continued abolition. This is a 50:50 split between the two speakers. However they both agree strongly, and I

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agree, that section 745.6 is an abomination. It is unfit to serve the criminal law of a country that values decency.

The hon. member seems to have missed the point of the motion. We have debated the issue on two occasions in the House. We have debated it when a private member's bill came forward to abolish section 745. We debated it again in conjunction with Bill C-45. In both those cases arguments were very wide ranging. Reference was made to dozens and dozens of specific cases where section 745 allowed the most despicable of individuals to apply for parole and ultimately get it.

Of the 43 who applied prior to 1994, 15 were granted immediate parole after application. Let us not hear this nonsense about it being a faint hope clause. It is a pretty good piece of hope if anyone asks me.

What we are debating today refers specifically to the Clifford Olson case. We are debating it from the point of view of the families of that monster's 11 victims that are being dragged through all this muck and mire again for no good purpose.

We know the man will not get out of jail, but why does the system allow him to make the application? Why can he twist the justice system to his own ends and get a bit of publicity? Apparently he has an ego as big as a house. At the same time the unfortunate family members have to relive the horror again. If he does not get a review this time he will be able to appeal regardless of what the solicitor general said.

There has already been an instance of a murderer who applied for a review that was refused. He was allowed to appeal. We are not talking about oddities. We are talking about real people and real things that happen to real people.

[*Translation*]

Mr. Bellehumeur: Mr. Speaker, when I hear the statistics being cited by members of the Reform Party, I am convinced we must take a very serious look at this issue, with accurate statistics to hand.

• (1225)

I do not wish to question the hon. member's figures; I myself have figures provided by Statistics Canada, and I think they are as reliable as his. And they do not point to nearly as many parole applications as the Reform Party member mentioned.

In Manitoba, four offenders obtained a partial reduction. One was turned down completely; a grand total of five offenders applied, in 1995, under section 745 as it then stood. In Saskatchewan, two offenders obtained a partial reduction, while another was turned down. A grand total of three offenders and murderers applied under section 745. The only province where there were more than seven people was Quebec, with 28; two were turned down.

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Earlier, I mentioned cases of recidivism for 1995; there was one. That is already too many, you will say, but there was only one. That is the first thing I notice about the Reform Party, which does not seem to have the same figures we do. Perhaps we will have to sit down at some point and compare our figures and particularly our sources.

The second thing is that, if the Reform Party took the trouble to read the amendments introduced by the government, it would understand why we were against these amendments. The reason is that, for all practical purposes, the Liberal government's amendments are almost the same as what the Reform Party is calling for, which is the repeal of section 745.

Section 745.6 imposes so many criteria that, when all is said and done, almost nobody will be eligible.

The last point I would make to my hon. colleague in the Reform Party is that I read the opposition's motion very carefully and that is why I oppose it. I also listened very carefully to the two Reform Party members who spoke before me, and this only strengthens my resolve to oppose the Reform Party's motion.

This motion calls on the Liberal government to formally apologize to families for repeatedly refusing to repeal this section. This is the same Reform Party the great majority of whose members refused their support on a number of occasions, when the Bloc Quebecois merely asked the House to recognize that Louis Riel had been wrongfully executed. We were not asking for public apologies or anything like that. We were asking for recognition that Louis Riel was fighting for democracy and freedom and calling for responsible government. The Reform Party members would not give their support.

Now they go all teary eyed on us and move a motion completely divorced from reality. They do not take the time to look at what is really happening. They do not give the right figures in the House; in any event, I have my doubts about their figures, and we are at cross purposes.

I can assure the hon. member of the Reform Party that, before taking a position, I read his motion very carefully, that I listened with what for me was unusual calm to the discourse of the Reform Party members, and I have reached the conclusion that my position, the position of the Bloc Quebecois, which opposes this motion, is the right one.

[*English*]

The Deputy Speaker: There are approximately two minutes remaining with half going to the member for Crowfoot and the other half to the time member responding.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I will be as brief as I can.

Bill C-45 was the justice minister's bill that tinkered with section 745 of the Criminal Code. We opposed it from the beginning. We voted against it but we would not delay it. When a representative of the government approached our caucus to ask us to allow the bill to go through before the summer recess without any delay tactics, we said certainly we oppose the bill and will vote against it.

If the bill had gone through before the summer recess and were passed by the Senate before August 11, 1996, Clifford Olson would have had to appear before a Federal Court judge. The families of his victims would have been screened. The judge would have made a decision on whether or not he had a likelihood of succeeding and could have stopped his application there.

However it was the Bloc that refused to allow the bill to go through before the summer recess and allow Clifford Olson his full court press before a judge and jury. That is the reason Clifford Olson is now making his application for that full court press before a judge and jury.

• (1230)

I have listened to the Bloc members, as I listened to their previous speeches on Bill C-45. I would ask the hon. member what is a fair and just penalty in his mind. I hope he will answer that question. Those who have been asked that question before have not answered it. What is a fair and just penalty for the taking of an innocent life, the premeditated murder of an innocent person? Is it 15 years? Is it 25 years? What is it? What value does the hon. member place on the life of an innocent human being?

[*Translation*]

Mr. Bellehumeur: Mr. Speaker, I would like to touch on two things before I answer the hon. member's last question.

First of all, I believe that if the Reform Party member found that the government was not moving fast enough with the desirable amendments to section 745, under British parliamentary rules he would have been free to table a private member's bill in this House to amend that section. He could have done so as far back as 1993. We must conclude, therefore, that the hon. member from the Reform Party was asleep at the switch, dozing along with the Liberals perhaps, and did not table any modifications at the appropriate time.

Second, judging by the comments made by the Reform Party member, it can be demonstrated to all Canadians that the Senate is pointless. This we demonstrate daily, I think, but he is the one who has just demonstrated that we could very easily do without the Senate, since the time taken for examination in the Senate is time wasted. If there were no Senate, Bill C-45 could have been adopted faster and royal assent could have been obtained more quickly, so that it could have taken effect much earlier. In a brief aside, we are

certainly in agreement with abolition of the Senate; it is of no use and costs the taxpayer a fortune.

In addition, the hon. member of the Reform Party is asking me a highly complex question: What is a fair prison sentence, and do I think a human life is important? Certainly, a human life is important to me, but it is equally important to determine what a fair sentence is, and this is not something that can be answered quickly off the top of one's head.

One thing is certain, I am opposed to the principle of an eye for an eye, a tooth for a tooth, for this is not the kind of society we live in. When someone is appointed to the bench, it is because he or she has the capacity to examine the case, taking into account the facts, the murderer's background, and a number of other elements, in order to find the fairest sentence. If someone is sentenced to 25 years, but allowed to apply for judicial review under section 745, I think that is starting to be fair. I could have said more, but I see that I am out of time.

[*English*]

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, I will be dividing my time with the hon. member for Vegreville.

It is sad that a motion such as this is necessary. It is also sad to listen to members of the Bloc Quebecois and the Liberal Party drum up every imaginable excuse as to why this motion is unnecessary. The latest excuse made by the Bloc Quebecois is that because its private member's bill on Louis Riel was not supported, it cannot support a Reform Party motion.

We are talking about real live families having to suffer through the indignity of having all the facts dragged back into a court where they can be cross-examined by the murderer himself. It is disgusting that we even have to discuss these facts today.

• (1235)

I would like to know how anyone in this House cannot support this motion today. The motion states that this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code. That is the first part of this motion.

How can the government not admit that is true? Tomorrow is a sad day, a national day of disgrace that Clifford Robert Olson will be on a telephone pleading his case that he should be released early because he has done enough time, 15 years, and he should be released early from his life sentence and is that not a good idea.

It is an absolute fact that the families of these murder victims are going to have to relive that whole incident because this government

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has not cancelled the provisions of section 745. The first part of this motion is absolutely true in every way, shape and form.

Clifford Olson pleaded guilty to these 11 murders. He has received a life sentence. He is in there for at least 25 years. We all know and all hope and pray that he will be in there for life at the very least.

Even after all the tragedy that went on, even though the government paid \$100,000 to find out where all the victims' bodies were, even though he got 25 years instead of, as many people would argue, an exchange of his life for having taken so many lives, even after all of that and he is in jail where at the very minimum he should be, what has happened? He is now before these victims' families saying that he should be let off early.

He will be on a speaker phone from the Prince Albert penitentiary in Saskatchewan. If the hearing takes place he will be transported to Vancouver at taxpayer expense for the hearing where he will interrogate the families of his victims, probably later this summer if that goes ahead.

Unbelievably section 745 allows guys like Clifford Olson to cross-examine the families of his victims because probably he is going to be acting on behalf of himself as his own lawyer. We can imagine what that is going to mean. As in the first part of this motion, is it true that they are going to have to relive the pain and fear of their experience? It is absolutely true. It is a disgrace but it is true.

The second part of this motion states that this whole thing is allowed because under section 745 of the Criminal Code the Minister of Justice has not deemed it necessary to disallow it.

As the Canadian Police Association, CAVEAT and other victims' rights groups have, we have supported the repeal of section 745. There has been a groundswell of support for that across the land.

When the member for York—South Weston brought forward a private member's bill to repeal section 745, we supported it. We supported him in committee. We supported that the bill come back from committee earlier. We have tried to get it back in the House for resolution. As the member for Crowfoot has mentioned, we even agreed to hurry some legislation that was otherwise ineffective through the House of Commons in order to specifically cut Olson off at the pass, so that he could not get in there and grill his own victims' families. We specifically did all of that.

What is going to happen? Because the minister will not deal with this the Liberal government is going to allow this to take place. This tragedy is going to start tomorrow.

How about an apology, something that the ethics counsellor could possibly teach the guys across the way? How about an apology to the families for repeatedly refusing to repeal section

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745? That is a small thing to do. Again, when we are looking at the very least, and we do not expect a lot more when it comes to justice issues from Liberals, but at the very least they could apologize for what these families are going to have to go through.

The names on this ribbon that many of us are wearing today are the names of the victims of that animal some years ago. The families of those people are now going to have to relive the entire horrible incident from beginning to end because of this government's inaction.

It has already been mentioned that of the 43 murderers who have applied for early release under section 745, 70 per cent of them were successful and some who were not will be allowed to reapply in three to four years.

• (1240)

It is disgusting that is taking place. Furthermore, we now have a double standard. Those who are convicted of multiple murders will not be allowed but a single murderer can get away with that and apply for early parole. It is a special status for single murderers and this is disgusting as well.

I want to give a couple of quotes if members are wondering why so many people are annoyed, outraged and enraged at the justice system. When Joanne Kaplinski's brother Ken was murdered some years ago, her request was denied to present a victim impact statement. At the hearing the judge said: "The pain and anger of the Kaplinski family has no place in this court". Imagine an attitude that says the family, the victims, those who live on with the tragedy cannot give their two bits worth but the perpetrator, the murderer, can drag up every so-called character witness to testify at the hearing. It is truly disgusting.

I want to bring forward something I can see happening in this upcoming campaign. In my own constituency the local Liberal candidate, John Les, has expressed his outrage at a horrible paedophile in our area and has suggested that this man should be hanged for his actions. This man is truly despicable. He has been in the national papers. He is an animal and it is a horrible thing but I do have to ask of my running opponent: who do you think you are running for in his upcoming election?

The Liberals will not entertain, Mr. Les, the idea that capital punishment is a credible alternative in these justice issues. They will not entertain it at their convention. They will not entertain it in a free vote in the House of Commons. They will not entertain it in a national referendum. They will not entertain it in their caucus. They will not talk about, they will not allow it. So get used to it because you are going to take part in and run for a party that is not going to listen to your view.

The Deputy Speaker: The hon. member knows that we have a procedure in here where all comments are supposed to be addressed to whomever is in the Chair and not to somebody in a riding or

somebody on the moon or anywhere else. I would ask the member to respect that.

Mr. Strahl: Mr. Speaker, I only bring this up because the candidate is going to have to explain as the candidate for the Liberal Party the position on section 745. Does he or does he not agree with it? Does he or does he not agree with capital punishment provisions of the Liberal Party? Does he or does he not agree that there should be no free votes on this in the House of Commons? Does he or does he not agree that if he were to become a member of the Liberal caucus that he will be silenced and sent to the back row where he will never be heard from again? That is the tragedy of what is going on here.

The other day I debated on "Ottawa Inside Out" the necessity of having occasional referendums in Canada to consult with the people to allow them to make the decisions on important matters like this. The professor I was debating with said members of Parliament should be the ones who decide these things because they have all the education for it and they have the credentials for it. I said in essence balderdash, that is not true. The Canadian people on issues as important as this should be allowed to be consulted and their word taken as the last word on an important subject like this.

Canadians should be outraged over what is going to happen tomorrow with Clifford Robert Olson. That is a given. Canadians should also think in this coming election how much say do they want to have in the future of not only the justice system but of other important things in the Canadian political realm. Canadians should have the right to come to the politicians and say they are going to bypass them, they want a right to say in a referendum whether capital punishment should be reinstated.

The Reform Party will give them that right and it is the only party to suggest that is possible.

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, this is a very interesting debate on a very important topic. I will be speaking on it shortly but I would like to ask the member a simple question. It is reasonable to assume that someone who commits a crime as heinous as Mr. Olson's is mentally ill and does not care much about the feelings, the beliefs or the attitudes of society.

• (1245)

Are we not just feeding his pathology and giving him the very thing he wants by having this kind of debate? Are we not reinforcing the sick, sadistic pleasure that this individual takes in these acts? Are we not, in fact, advancing him in a kind of disgraceful way by even putting this on the floor of the House today? I would like the member to answer that.

Mr. Strahl: Mr. Speaker, it does not give me a great deal of pleasure to talk about this prisoner in this way. In one sense, the member is right. Every time he sees his name in print, I bet he gets his own little set of jollies out of it.

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However, we have tried for three years to pre-empt this very thing from happening. Last year we went to the minister and said that we would quickly pass a bill that was flawed just to make sure that the debate we are having today did not take place. That is exactly what we were trying to do.

If I could say: "Let's not talk about it and it won't happen," I would not talk about it. I would shut up. It would go away and it would not happen. Will it happen? You're darn tootin' it will happen. It will happen tomorrow whether we talk about it or not.

I am saying that enough is enough on this. It is time to put a stop to this so that the victims of Olson can heal. It is not just Olson. I could go down a list.

Let me take a list from Ontario. In May, it will be Jeffrey Breese and it will be the same thing. Again in May, David Dobson; in July, Daniel Wood; in August, Fernand Robinson; in September, Terence Cooke will be up. I have pages and pages of names of people who will be doing the same thing as Olson from now, right through the summer, right through the fall for the next 10 years.

Someone has pointed out that before long, it will be the next crop, the current ugly people in the press: the Bernardos, the Homolkas. You name them and they will be up for their next dibs.

We are trying to point out with this debate today that this thing should have been stopped three years ago. We had a chance. We could have done it. We could have prevented the tragedy of the gruelling court process that these victims will have to go through. It could have been done and we did not. It was not because the Reform Party did not do its share of begging. We begged and begged.

The Canadian people are saying enough of this. It should not have happened. We could have cut it off but we have to talk about it today. Tomorrow it will be a national story, whether the Reform Party brings it up or not. That is the disgrace. We should not have to talk about it. I agree with the member. We should not be talking about it. However, it is time now to raise it so that it will not happen again.

If the justice minister will not listen to the House surely he will listen to the cries of millions of people in Canada who say that section 745 needs to be repealed. Listen. Get that out of the Criminal Code. It should never have been there to begin with.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, normally I say when I start a speech that I am pleased to rise to debate the issue that we are talking about but I cannot honestly say that today.

Had the government done what it should have done, what Canadians said it should do again and again, what we have said it

should do again and again, it would not have been necessary to have this debate. I too feel bad that it is necessary to talk about this and to give Clifford Olson the delight that he seems to take from being talked about and being in the media but we have to talk about it.

We have to let the surviving victims of Clifford Olson, the families of those killed, know that we are trying our best to do something that will allow them, as well as they can, to put this aside so that their lives are not totally consumed with memories, with the thoughts, with reliving the horror that they have lived as a result of what Clifford Olson has done. Somebody has to tell them that they care and that they are trying to change things so they will not have this dragged through their lives again and again.

• (1250)

Unfortunately here we are. There are so many things I would like to say on this issue but there are two things on which I am going to focus. The first has become very obvious just from listening to this debate so far. It is the issue of balance in the justice system, the balance between the rights of the accused and the rights of citizens and victims to be protected. That balance is clearly out of whack.

The second issue is in response to the solicitor general's statement in response to my question where he dumped the blame for Clifford Olson having the opportunity to once again present his case on early release on the Bloc. I will deal with that issue first because I want to be sure I have time to do that.

It is true that the Bloc did prevent the bill from going through the normal course and it did prevent changes that would have prevented the fiasco that will be taking place tomorrow of Clifford Olson having a chance to apply for early release. Therefore, the Bloc deserves some of the blame.

However, when we look at what has happened in this place again and again, we know that we cannot allow the Liberals to dump the blame on the Bloc. If things are looked at realistically, the government has again and again used closure to force legislation through the House. The latest closure was on the tobacco bill which was supported by Reform members and most of the government members. Yet the government saw a need to use closure and override the democratic process to force that bill through the House. That was last week.

The Liberal government has done this again and again. It has often used closure to force legislation through. If closure is something that should have been used on Bill C-68, the so-called gun bill, then why was not this change important enough to use closure? I am not advocating the use of closure. It should not be used. It has been abused terribly. However, when we look at the way the government puts legislation through the House, it is clear

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that it could have forced this through unamended. It has absolute power.

We do not have democratic process in this House. For example, about 60 Liberal MPs did their homework on the gun bill. They talked to their constituents. They was debate. In many cases they did surveys and found that their constituents did not want them to support Bill C-68. How many actually at third reading voted against the bill? I believe there were three. What happened to them? They were thrown off their committees and punished for doing what their constituents told them to do. That is not democracy.

Then the Prime Minister publicly said that any government MP who ever dared to vote against a government bill again, no matter what their constituents want, will be punished. He will not sign their nomination papers. Their political careers will be over. That is the kind of power the government has. With that kind of power it could have put the bill through in any form it wanted. Therefore, the government cannot dump the blame on the Bloc. It cannot do that in good conscience. The solicitor general knows that.

The second issue I want to raise is the lack of balance in the justice system. We have a justice system that gives too high a priority to the rights of the accused and the criminal. Their rights are put higher than the rights of citizens and victims to feel safe and be safe.

Since Reforms have been here we have been calling for is to rebalance the scales of justice so that the rights of the citizens and victims are to be protected and given a higher priority than the rights of the accused and the rights of the criminal. We want to rebalance the system. It is clearly needed and Canadians have been calling for it for some time.

• (1255)

If the House needs evidence that the system is out of whack, let me use as an example one I have used many times of a women in Montreal who was viciously raped by a criminal who was out on early release. He had viciously attacked women before. All she asked from the justice system was for the criminal to be forced to give a blood sample so she could determine whether he had the HIV virus and then should would know whether she was likely to contract AIDS from this violent criminal. What was she told? She was told the answer was no, because in our justice system the rights of the criminal are placed higher than the rights of the victim. I could cite example after example that would demonstrate this exact point.

Why have we come to this? I can very honestly say that it is as a result of Liberal governments over the last 30 years and Conservative governments did not fix the problem when they were given the time to do so.

I will paraphrase what Solicitor General Boyer said in 1972 in *Hansard*: "For too long we have put the rights of the citizens too high". He did not even mention the rights of victims. "It is time

that we place as a top priority in our justice system the rights of the criminal and the rights of the accused". A very deliberate change was made over the years of Liberal governments and the Conservative governments refused to fix the broken system.

We have been calling for changes that would fix the system. It is clearly out of balance and it must be rebalanced. At present in our justice system, victims have virtually no rights. We have been calling for the rights of victims to be given a higher priority than the rights of the criminal or the rights of the accused. Certainly the rights of the criminal and the accused are important. I want to make it clear I recognize that. We are just looking for a better balance.

A Reform member has put before the House a victims' bill of rights. It passed second reading but has not gone any further. It has not become law because it has not been given a high enough priority by the government. If it had been given a higher priority it could have been passed by the House. It specifies their rights in our justice system.

Some of those rights are worth noting. First, it is important to define victim. When we talk about Clifford Olson and early release and the hearing, the victims we are most concerned about are the families of those who are longer with us, the children who were murdered.

In this victims' bill of rights, a victim is defined as anyone who suffers as a result of an offence, physical or mental injury or economic loss or; any spouse, sibling, child or parent of the individual against whom the offence was perpetrated or; anyone who had an equivalent relationship, not necessarily a blood relative".

Then the 10 rights that the legislation will give to victims their proper place in the justice system are:

First, to be informed of their rights at every stage of the process, including being made aware of available victim services. In regard to section 745 we found that many victims, the surviving families of murdered people, had no idea that this vicious murderer would be allowed to apply for early release after 15 years. So that is an important one.

Second, the victim should be informed of the offender's status throughout the process, including but not restricted to plans to release the offender from custody.

• (1300)

Third, choose between giving oral and/or written victim impact statements at parole hearings before sentencing and at judicial reviews. Give the victims a say in sentencing throughout the process.

Fourth, to know why charges are not laid if that is the decision of the crown or the police. It seems absurd to most Canadians to know that in many cases the victims are not even given any notice. The other important points and rights that we would give to the victims to help balance this justice system are written in the member's

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victims bill of rights which has received second reading support from all parties in the House.

The solicitor general cannot lay the blame entirely on the Bloc for the failure to amend section 745 in time to prevent Clifford Olson from receiving these hearings. It is so important to rebalance the justice system where the citizenry and the victims can have a place of higher priority.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I listen to the Reform Party members with interest as they make the assertion over and over again that if section 745 were repealed today, individuals who have lost loved ones through brutal and tragic acts would somehow be spared the pain of section 745 applications.

It is the correct and predominant view of the law that even if section 745 were repealed today it would not prevent people from applying for a section 745 hearing. All the people currently in the system would have that right which cannot be taken away.

Why do Reform members keep insisting and telling people that somehow their pain will be spared when it will not be? Why do they keep using victims in this shameless manner?

Mr. Benoit: Mr. Speaker, I have a different solution for not having this thing brought up again and again so the victims, members of the surviving families of murder victims, do not have to feel the pain as deeply again and again. I am in favour of capital punishment. I believe that for premeditated first degree murder we should have capital punishment reinstated. That is the first thing. I believe that would help to some degree, but nothing is going to ease the pain.

This member who is a lawyer talks about the law as though the law cannot be changed. The government seems to forget and to hide behind the current law. It forgets that this House is exactly the Chamber that can change the law. It astounds me that we hear again and again that the common view of the law is this or that. We can change the law in this House, which is exactly what should have happened with regard to section 745. We should have changed the law. We had the chance. The government still has the chance to do that if it wants before the election is called. It should do that or Canadians will make it pay the price.

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, I hesitate to say that I agree with the member for Vegreville on very many occasions but I certainly agree with his opening sentiment that he did not really wish to be participating in this debate. I think many of us in the House share that preoccupation. This is not a debate we wish to participate in. It is a debate, however, that has been brought by his party and it is incumbent on us to challenge and at least look

at the real reasons behind this motion and what we should be doing as responsible parliamentarians about it. Let me take the last matter first.

• (1305)

Many members have expressed a deep desire to see a proper balance in criminal law, as the hon. member for Vegreville said. We all must achieve that balance.

I am not a criminal lawyer but I had the opportunity to study criminal law many years ago. I remember being taught that the purpose of criminal law was threefold. First was to punish, not with a view to punishing for the sake of punishment but with a view to deterring crimes for the protection of society. Second was to serve as an example. This too was for the protection of society so that others would not follow a bad example. Third, equally important in any civilized system, was that of rehabilitation, to rehabilitate those people who had committed crimes. This too is in the long term interest of society. Criminals should be rehabilitated and not incarcerated forever at a cost to society.

The hon. member for Vegreville brought up a new preoccupation in criminal law and one equally worthy of weight. What about the interests of those who are victims, those who must suffer as a result of terrible crimes such as those committed by Clifford Olson? We owe to those people the best concern we can develop in the context of creating a system that has integrity and guarantees a stable criminal justice system which will achieve all the objectives I set out at the beginning.

If we look at the history of this matter we can see that 745 was designed to do that. Until 1976 Canada had the death penalty for first degree murder. In 1976 Parliament abolished capital punishment and replaced it with mandatory life sentences for high treason, first degree murder and second degree murder. Parole ineligibility periods were established at the same time. They were 25 years for high treason and first degree murder and 10 years for second degree murder, with the judge having the power, after considering any recommendation from the jury, to increase the period up to 25 years.

[*Translation*]

Why did Parliament consider it was necessary to provide for a reduction in the ineligibility period in certain circumstances? The first reason given was that at the time the minimum sentence of 25 years was longer, and I stress the word longer, than the average prison sentence served by murderers whose death sentence had been commuted to life.

Until 1976, the average sentence served by these offenders before parole was about 13 years. For non-capital murder, it was seven years. Parliament was also aware that in other countries with values similar to ours, the average time served before parole was

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15 years. Even in the United States, individuals convicted of murder who were not executed served an average of 18 years.

Subsequently, to make the law more balanced, last January we adopted Bill C-45. Until this bill came into force, an offender convicted of murder could apply to the chief justice of the Superior Court of the province in which he was convicted for a review of the parole ineligibility period. The odious nature of the crime, the anti-social behaviour of the murderer in prison, the fact that he was practically certain that the period would not be reviewed, all this did not exempt the chief justice from the obligation to empanel a jury to hear the application.

[*English*]

It was exactly for that reason that the Minister of Justice introduced Bill C-45 in June of 1996. The solicitor general discussed with the House the background of Bill C-45 and its important provisions. I would like to just very quickly speak to those issues as well, to remind the House that Bill C-45, which we recently adopted, has tightened the process in three important ways. It has denied the application of section 745 to multiple murderers, it has added a screening process before a convicted murderer is allowed to apply to the chief justice for judicial review of the ineligibility period, and it has substituted the rule of unanimity for the rule of two-thirds decision by the jury.

• (1310)

In all three areas, multiple murderers will no longer have the benefit of this early release or even to apply for it. A screening process for all section 745.6 applications means that before proceeding to a hearing before a section 745.6 jury, applicants will be required to persuade a superior court judge to whom the application is made that the application has a reasonable prospect of success. The screening is conducted on the basis of written materials only in order to spare the victims' families the ordeal of testifying in cases that are manifestly undeserving. I will come back to that because I think that point is capital in the debate that we are having before the House today.

Both the crown and the applicant are allowed to submit evidence by affidavit. Where the applicant is screened out the judge may decide whether and when the applicant may apply again but it can never be before two years. Any subsequent application will be again subject to the screening process.

The third point is all members of the jury must be unanimous in their decision. Obviously a unanimous decision is much more difficult to obtain and where the application is denied the jury may decide if and when the applicant can apply again but under no circumstances would an applicant be allowed to apply within two years of the application.

Clearly it will be much more difficult to meet the requirements of the new section 745.6 than it was before Bill C-45. It will be more difficult to get a hearing. The hearing will be much less likely to be successful. As a result, only successful applicants will have a public hearing and at that point the unanimity rule will apply.

The member for Crowfoot specifically said that the reason the hearing for Mr. Olson tomorrow is being held is precisely that Bill C-45 did not get through this House in time to deny that hearing. He laid the fault of that at the foot of the Bloc. That is all very well for him to say but what he forgot was that he is basically undermining the whole purpose of what he is standing up here today to say. He admitted clearly before the Canadian public that in fact if we had been able to get Bill C-45 through in time Mr. Olson would not be having his hearing tomorrow and we would not be having this debate.

This brings me to my question of the leaders in the Reform Party. Why are we having this debate today? We are not having this debate today because I, as the member for Crowfoot suggested when he introduced his motion, when I asked him a question, was somehow duplicitous, not interested in the true justice system and I was some sort of evil person trying to benefit from victims. That would be totally ridiculous.

The real people who are calling this debate today are Reformers who clearly by the debate have demonstrated that they know that now under Bill C-45 a type of hearing such as Mr. Olson will have will never be held again because of the changes that have been made. Yet they persist on crying across the House suggesting that we are culpable and guilty of some conspiracy to do exactly what they are doing today, which is to stir up people's emotions and create grief for the victims.

The real crime of today's debate is that it is being held on the backs of the victims of people like Clifford Olson to give the Reform Party some political credo for the next election. That is the real reason for this debate today.

It has nothing to do with the reform of the criminal justice system. The criminal justice system has been reformed by Bill C-45. It has been reformed by this government. It would render any such application of Mr. Olson's tomorrow absolutely impossible. Reformers have admitted that in the House today. Yet they chose to bring this debate. Why did they choose to bring the debate? They chose to bring this debate because they wish to profit from the suffering of families of innocent victims of Clifford Olson. That upsets me a great deal. I am shocked that is the reason for it.

• (1315)

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I heard what the hon. member opposite said. I really find it offensive that he is suggesting that Reform is trying to make political hay with this issue. If he would look at what Reform has done and what it has proposed on this issue since coming to Ottawa and since this

party was started in 1987, he would see its members have pushed criminal justice issues. We have pushed this issue specifically. We have made our position clear.

The government has refused to take the tough stand that would have prevented Clifford Olson from having his hearing tomorrow. We are going to use that date and that event to try to force the government to take the action it should have taken from the start. We are using that event to help focus on this change that should have been made. We are trying to have the change made.

I would like to ask the hon. member a question and I would like a direct answer if I could possibly get one on this issue. In all of the changes his government has made, has it made it so that the families whose children have been murdered will not have to once again deal with all of their feelings because of an event that is allowing Clifford Olson to apply for early release? Have any of the changes done that?

Mr. Graham: Mr. Speaker, I thought I made it clear in my remarks that is precisely the purpose of Bill C-45. I thought that the member for Crowfoot made it very clear in his remarks. I am sure the member for Vegreville would agree that if Bill C-45 were applied in this case, Mr. Olson would have applied to a judge. I cannot believe that a judge would have granted the success of such a hearing and of course this would not have had the terrible impact that it is having on the victims and the families of the victims of Clifford Olson.

I have no sympathy for Clifford Olson whatsoever. He is repugnant in every way. I have every sympathy with the families of his victims. I understand the terrible turmoil they are going through. We have tried to adjust the criminal justice system in a way to take into account that which represents the integrity of the whole criminal justice system.

In answer to the member's question: Will the members of the families of Clifford Olson's victims never again be troubled by this matter? That is something that is outside of the power of the state. It is a terrible thing for people to live through. Any of us who have had to deal with people who have had to live through these sorts of tragedies know there is no end to the pain and suffering one suffers as a result of this situation.

The criminal justice system has been mended in a way to ensure that the best possible protection for families of victims in these circumstances. I genuinely believe that Bill C-45 does precisely address that. We will work on it to make sure that it does address it and it addresses it in humane and proper ways.

Mr. Benoit: Mr. Speaker, the hon. member did not answer the question. The solicitor general earlier in response to my question acknowledged that he had wanted to make the change that would

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have prevented this hearing from ever happening. If he had wanted it badly enough we know that he could have made it happen. The government has forced changes through the House completely against the will of the Bloc and Reform opposition many times. The government could have made the changes.

Again I ask the hon. member, why did it not?

Mr. Graham: Mr. Speaker, is the member from the Reform Party asking me why the government did not apply time allocation to this bill?

• (1320)

I do not know that, but I find it singularly reprehensible on behalf of the member for the Reform Party, who screams about the use of time allocation when it is used by the government, to be encouraging its use at this time. It reminds me of the member's statement when he was talking about the gun control bill.

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, I am not certain that I take any pleasure in joining in today's debate because the only person being served today is Clifford Olson and I am deeply saddened about that.

I am a father. I come to this point in life somewhat later than most. My children are four and two. I cannot find within myself the ability to imagine how I would feel if my children suffered what some of the families of the victims of Clifford Olson and some of the others have suffered. I cannot imagine the visceral pain and rage I would feel having been a victim to that. However, I want to ask the members of the Reform Party to stop and think a little bit about what they are doing.

Some years ago I was involved in a survey in the area that I now represent, just talking about issues that were important to people, how they felt about their community and things like that. One of the things we noticed early on was that elderly people, particularly elderly women, and young women, felt unsafe walking the streets. They identified a fear of going out after dark. This surprised us because the area that I represent and live in is a very comfortable, respectable and quite a decent community with a very low crime rate.

After I became the member for the area, we repeated some of this survey just to see what was happening. We found that it had gone up. Women were locked in their houses because they were afraid to walk down the street in what, by any standard, is one of the nicest residential communities in this country.

A little while ago I had dinner with the new police chief in Winnipeg. I was talking to him about this. He pointed out that in the last few years crime in Canada, certainly in my community, has gone down. Instead of there being an increased reason for people to feel unsafe in their communities there was a reduced reason.

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When we got into this and looked at what was happening at home and on the streets in the southern part of Winnipeg, we found that there was no evidence at all to support the kind of outrageous allegations that the Reform Party brings to the House on a daily and weekly basis. However, the people in the riding feel fear because the chamber that they look to for some leadership or some sense of what is happening in the country is seized over so often by the members of the third party talking about the most gruesome, horrible, nasty, violent events that they can possibly bring here, giving an illusion or a sense that we are awash in crime.

The situation with Clifford Olson is a serious and despicable one. I think the member for Vegreville put it very succinctly when he made his comments to the member for Rosedale. He said: "We are going to use that event. We are going to attempt to profit from the pain, the suffering and emotional feelings that circle around someone's killing of children". I personally feel that is wrong.

There has been a debate. A great deal of work has been done and a great many changes made. The members know that they cannot have the change that they want.

• (1325)

It is not that members do not want to have it happen but because it requires a constitutional change. Despite this, the day before a day when we will be one more time forced to be dragged through the most unfortunate point in our history, the members choose to do everything they can not to soften the impact on the victims but to heighten it. It is time that we reflected on what we are here for.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I feel I must respond to the accusations made by the hon. member who has just spoken. He accused me, first of all, of saying that we would use this event tomorrow, that of Clifford Olson applying for an early release hearing, to profit. Personally, I did not say that.

I said that we would use that event to try to get this law changed so that victims do not have to suffer through reliving crimes, these terrible events again and again. That is what I said.

I do not think Canadians will tolerate that kind of misleading representation. It is not something we must have. We should stick to open, honest debate on the issues. The member has chosen not to and that is a sad moment.

Second, the hon. member said that it would require a constitutional change to prevent Clifford Olson from receiving his hearing. That is a debatable point. It is not clear one way or the other. The government, to which the hon. member is a part, has passed legislation many times where there is real question whether it would fit within the Constitution or not. Those members have chosen in those cases to go ahead with the legislation anyway.

I wish the members in the House would stick to open and honest debate. The Reform Party, in all good faith, is honestly trying to get a change to the law that it feels should be made. Reformers feel very strongly. We have called for that again and again in every way we can. This is one more way.

We will keep calling for that change until the government either makes it or until we become government and we make it. It is a change that has to be made. I want to make those comments. I really do not think there was anything in the member's comments that warrants a question.

Mr. Alcock: Mr. Speaker, I wrote down the quote as the member was speaking when he was asking the question of the member for Rosedale. He said: "We are going to use this event". He said it two, three times. The whip for his party talked about how they were going to take advantage of this event because of what was going to happen tomorrow and the fact that this was going to be front page, tomorrow.

There are lots of times when a party can bring forward issues to debate, but to choose to do it at this time serves only one purpose. It is a rather shabby, thinly disguised attempt to grab headlines and further create fear in the community in the hopes of furthering their own political objectives. This is not the kind of issue from which anyone should profit.

Mr. Benoit: Mr. Speaker, once again we have the accusation that we are doing this for political reasons. How could the member say that when we made clear in our speeches the change we want to have made.

He knows well that ever since we have been here, and for years before, we have been pushing for changes along these lines and for this specific change which would have prevented Clifford Olson from ever having this hearing.

The reason we want this change is exactly so that the families of the children who Clifford Olson so viciously killed, and the families of other victims of other murderers, will not have to suffer through reliving the events again and again. The families will bear that pain as long as they live, but at least we could try to change things so that it will not be brought to the forefront again and again.

• (1330)

The hon. member should acknowledge that is the reason for the debate today.

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, we have certainly generated some debate in the House. It occurs to me that some of the debate among members is quite different from what victims often look for when they look to the House. They are looking for a voice to represent their concerns. Today we are trying to offer our voices because victims feel that

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very often the government does not represent their points of view, certainly not on a priority basis.

We had a good description this morning of Reform's concerns. The victims bill of rights went through the House and we have yet to see it come back as substantive legislation. It is unlikely to happen before an election despite a moral obligation on the part of government to do exactly that.

We are talking about section 745 today. A private member's bill was put before the House by a Liberal member who is now an Independent member of the House. That bill was to repeal section 745. It went through. Legal counsel of the day did not advise the member that the bill was somehow out of order because it would be unconstitutional. Nor did I hear much in the way of debate that the bill would be unconstitutional at the time. All this argument has come up because we put a motion before the House today. This is valuable debate.

If this is really the way members of the government feel, why did they not say so earlier? The reason is that the government does not believe the concerns of victims should overwhelm the concerns of an intellectual elite who believes it knows better what is good for the public.

I am not a lawyer but I understand legalese reasonably well. I am appalled by some of the comments I heard this morning from members of the House. An earlier comment was made about the rights of prisoners under section 745 and how they should not be taken away retroactively.

What are we talking about? It is the same type of thinking where prisoners were given the vote. The government does not have the jam to appeal the decision of the court on the rights of prisoners under the charter. If that is the case and the public does not buy it, there is an obligation on the part of the government to try to change it.

Then there is the argument that even if section 745 were repealed today somehow things would be different. What took the Liberals so long? Reform has been asking for this piece of legislation since 1994. Why did it take so long?

● (1335)

Other legislation has been brought forward in this Parliament. We had Bill C-55 concerning high risk offenders. The Reform Party warned that if conditional sentencing were allowed under dangerous offender legislation, which means they would not serve one day in jail, it could be a real door opener for violent offenders.

Our words had no effect in this place. They certainly had an effect in the courts of the land. The message sent to a rapist in Abbotsford, British Columbia, because of that bill was that the first one was free and there would be no jail time.

We also heard the solicitor general blame the Bloc this morning for the loss of retroactivity on the bill as it affects Clifford Olson. First there is an argument about retroactivity. To blame it on the Bloc is nothing less than intellectually cute. The minister waited too long and did not make it retroactive.

It is a moot point to talk about closure in the House of Commons. I do not believe this type of hearing in the Clifford Olson case will not happen again. There are other applicants in the pipeline and there will be for some time.

Some of the tinkering done by Bill C-45 that amended section 745 made things worse than they previously were. Under the rule changes, at the preliminary stage a supreme justice or his or her designate decides whether an application can proceed to a jury based on expectation of success. What message does that send to the families if it goes to a jury? The expectation is even greater that it will succeed. What a travesty.

We would not be dealing with this despicable section if in 1976 the Liberal government and an out-of-touch solicitor general had listened to reason when they were told of the havoc it would wreak on the families of victims. The Liberal government then did not care and the Liberal government now does not really care about all this. Their track record on high risk offenders, as I described, is testimony to their bizarre view of compassion and fairness.

On the eve of the processing of the application for early release of Canada's most horrendous dirt bag, Clifford Robert Olson, the families of the innocent victims he savaged are sick to their stomachs. Mr. Olson, from his condo at Prince Albert penitentiary, is having another laugh at the expense of the victims and their families. It is a constant reminder of the naivety of Canada when it comes to rights of prisoners.

The Reform Party, the Canadian Police Association, parents, victims and millions of Canadians have begged this complacent and insensitive Liberal government to repeal section 745. It is as simple as that. The minister's response has been insulting.

Over the next decade and a half we will have 600 similar killers who will presumably be eligible for judicial review which will once again expose their victims to the horrors they try to forget.

The Reform Party and sensitive, fair-minded Canadians are not mute. We will fight for the repeal of section 745 for as long as it takes. It not only applies to Olson. It also applies to all of Canada's worst killers, no matter whom they killed, how they killed or how many times they killed.

As of 1994 there were 60 hearings of the kind that will take place tomorrow at the Vancouver court house. With the rules of evidence set up as they are now, 43 of the 60 hearings have given killers a chance to get out early. That is a 72 per cent success rate from the killers' point of view. The rules of evidence at these hearings are

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harebrained. Do we really think that Clifford Olson is not laughing?

• (1340)

As hard as this is to believe, at these 15-year review hearings victims are not allowed to give evidence. Correctional Service Canada is selective about information it gives the crown and the jury about the inmate. Unlike the trial, the verdict at the hearing only needs to be two-thirds in favour and the Clifford Olsons of the world win and walk.

We have heard a lot of talk about unanimity, that unanimity is talking about the future. Mr. Olson is still two-thirds as are others in the pipeline. Only in Canada they say. According to the Canadian Police Association, to date the experience of these hearings indicates that Correctional Service Canada is not exactly forthcoming about what evidence it hands over, especially if it is negative toward the killer. It is double jeopardy. This has the effect of ganging up on the families of victims one more time. Will it never end?

The Canadian Police Association confirms the unbalanced nature of the hearings to date, pointing out four major unfair elements. First, there is no oral testimony evidence of the offence. Instead it is done by agreed on facts. Yet the offender is allowed oral testimony regarding his or her rehabilitation. Which kind of testimony has a greater impact?

Second, no victim or surviving family evidence is allowed. It is deemed irrelevant. Are we getting the picture?

Third, Correctional Service of Canada supplies one person of its choosing to present what it chooses to release to the crown and to highlight for the jury. In the experience of the Canadian Police Association in one case this produced grossly unreliable, unjustified and on occasion wrong factual conclusions on the part of the Correctional Service of Canada.

Fourth, if the list were not already stacked enough, Correctional Service of Canada currently invokes the federal Privacy Act to disallow crown access to what it deems to be privacy matters. As the Canadian Police Association indicates in one case the originally concealed material turned out to contain information that this "model prisoner" inmate was a member of a lifer's group in prison known as the controllers that ran drugs, muscle and extortion in prison. This only came out when the judge ordered it released and admitted into evidence.

On more than one occasion privacy information has turned out to be ongoing criminal activity of the inmate while in prison. While CSC is no doubt embarrassed by this it does not justify concealing the truth, especially considering what is at stake.

The son of one of my constituents, Marjean Fichtenberg, was killed by Paul Butler. Paul Butler was on parole although he had committed 40 wrongdoings in prison which included a stabbing. That is the record of our parole board. The principle of section 745 may be out of touch but the process is an outright sham.

Let me add further insult to injury. In 1981 Clifford Olson pleaded guilty to the murder of 11 children. He received one life sentence for 11 murders. However a life sentence does not mean that a person will spend the rest of his or her life in jail as it would imply. A life sentence equals 25 years in prison, but 25 years in prison does not really mean that the offender will spend 25 years in prison. It means that he or she might only spend 15 years in prison. It is very confusing and misleading to say that a person receives a life sentence when it might only be a 15-year sentence. That is how the Canadian legal system works. Fifteen years for the taking of a human life, is that justice? In the end if Olson did get out in 15 years, which is unlikely but not impossible, he would have served 1.1 years for every child he was convicted of murdering. The only change in this travesty known as section 745 was the September 1996 amendment which excludes first and second degree murderers who are multiple murderers, but only for those who commit after the amendment was enacted in January. That still leaves the group of 600 on the path to parole.

• (1345)

In 1976 the then solicitor general for the Liberal government of day, Warren Allmand, felt that keeping an offender in prison for 25 years was the waste of a person's life and that it cost the taxpayers too much. Really, what about the 11 plus lives Olson took? Since when have Liberals become so conscious of taxpayer dollars?

The same solicitor general, Warren Allmand, argued in the same year that a person who commits a crime in the heat of the moment would not have to spend 25 years in jail because they probably would not commit another crime again. As of April 1994, 43 murderers had applied for early release under this section. Fifteen received immediate parole, 18 had their minimum terms reduced and 7 were denied early release. The rest are able to reapply in three or four years.

Over 70 per cent of these killers have been successful in obtaining early release at their hearings. Hearings in Quebec have had a high rate of release; in B.C., Manitoba and Saskatchewan, moderate release rates; in Alberta and Ontario, low release rates.

A report put out in 1991 by Correctional Services Canada surveyed 495 offenders entitled to judicial reviews. It said that those offenders with sentences of 15 years or more committed crimes that "involved extreme violence and were of a rather gruesome character". So much for Allmand's concern over crimes of passion. The report went further, saying that the treatment participation level as a whole for these kinds of offenders was low. More than 68 per cent never took part in any treatment programs.

Less than 5 per cent participated in a program that specifically dealt with violent personalities. Over 65 per cent did not take part in any professional training while in prison.

Yet despite the fact that very few violent offenders get any treatment, over 70 per cent have been successful so far at their judicial reviews.

In Ontario over the next five years over 211 murderers will apply for early release. In Canada between 500 and 600 murderers could get early release and be walking Canada's streets.

The Canadian Police Association has spearheaded debate on section 745 with the Reform Party and calls for its repeal. The association calls for this repeal based on five elements. The original sentence requires a discretionary parole system after a number of years set by a court, so why add a new discretionary step at all? Fifteen years is an insufficient specific or general deterrent for those most serious crimes. Fifteen years does not adequately express the principle of denunciation which these crimes merit. It is wrong to revictimize a victim's family by allowing these hearings where killers seek up to 40 per cent discounts off their court sentences. The preparation and hearing process is expensive and these dollars could be better put to use for public safety.

• (1350)

I remember well remarks I made in October 1996 during debate on the high risk offenders bill surrounding a constituent of mine. I referred earlier to Mrs. Marjean Fichtenberg who lost her son Dennis to a career criminal. I would like the justice minister to face her, see her grief and explain why he sees this high risk offender and section 745 foolishness as being fair, responsible and compassionate to the victims and their families. Tell her the deck is not stacked and have her believe he is out to prevent crime.

Since we struck down capital punishment, Canadians believed life imprisonment meant a minimum of 25 years at the state country club. They were deceived. A human life is worth more than 15 years. There is no parole or judicial review for murder victims and their families.

[Translation]

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, I would like to react to the Reform Party's exaggerated stance. The motion before us is typical of the Reform Party, which wants to reinstate capital punishment in Canada. They take isolated pitiful cases in an effort to have section 745 of the Criminal Code on parole repealed. They want excessive repression to be used in our society against offenders. They do not consider that offenders can be rehabilitated.

I would like to ask the member if we could not go after the causes of crime, which, I would point out, is on the decrease in

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Canada, and fight poverty and unemployment instead of going after section 745 of the Criminal Code?

[English]

Mr. Duncan: Mr. Speaker, there are a couple of preliminary things here. We are not out to establish or re-establish capital punishment in this country. We are out to create a binding referendum whereby the public would decide whether that is appropriate for Canada in today's world. We think the public should be the determining factor on that very divisive question.

In terms of the broader question dealing with causes of criminality, I agree there are some very substantive things we can do to go after root causes of criminality. However, we do have to look at something under 10 per cent of our criminal population who are violent offenders. That is what we are dealing with in this bill. We want to deal very harshly with that small percentage of the criminal population which wreaks so much havoc in our society.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am happy to have an opportunity to also add my concern that this motion has come before the House. It saddens me when a party will cloak itself in the grief of families of victims for political opportunism. It is shameful. It saddens all Canadians.

The Reform Party continues to say that what it is trying to do is eliminate the grief for the families of victims so they do not have to go through this over and over again. However, the fact remains that again today the Reform Party has invoked all the pain and suffering of those families by somehow suggesting that the Reform Party can make it all go away simply by a little motion in the House of Commons. The member will know that the changes to section 745 provide for an initial review by a judge. It does provide for a unanimous requirement from a jury and then parole.

• (1355)

The member has also not been totally factual with the Canadian public when he implied that section 745 is an automatic 15 years when in fact the members knows it is after 15 years. It may be 20 years or 25 years. Does he really believe that the pain and anguish of the families of victims will go away simply by eliminating section 745?

Mr. Duncan: Mr. Speaker, I am not a lawyer and I do not want to put a fine point on some technical items. This victims bill of rights is there. The Liberals can do themselves a great favour by doing something with it.

In terms of being proactive on making our streets safe again, we have done a lot in this area. We would like to enact a victims bill of rights that puts their rights ahead of those of criminals. It is very basic. We want to reform the parole system so that violent offenders serve their full sentence. We would like to eliminate the Young Offenders Act and replace it with laws making juvenile offenders accountable for their actions.

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An hon. member: Oh, oh.

Mr. Duncan: Mr. Speaker, we have people in this House who find this all rather disgusting. I am not certain why I am getting that kind of reaction.

The Speaker: The member for Vancouver Quadra can put his question right after question period. This way we can get into Statements by Members.

STATEMENTS BY MEMBERS

[*English*]

THE INTERNET

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, the Internet is the system linking computers all over the world, allowing the free flow of information. Now the new chair of the CRTC, Madam Bertrand, has stated that her commission intends to regulate the Internet to ensure adequate levels of Canadian content. If information is flowing freely how and why is Madam Bertrand going to measure its Canadiana?

Rather than spend our money in such a fashion perhaps a suggestion of redirecting her cash to libraries, book publishing or literary programs would be infinitely more meaningful. Regulating the flow of information is in a historical sense an extraordinarily dangerous step. I would suggest that regulating the flow of information is in fact censorship.

As parliamentarians I suggest that we stop the CRTC's flight of fancy before it takes one further step.

* * *

PRIME MINISTER

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the Prime Minister came to Saskatchewan last week on a pre-election campaign tour. Talk about a public relations nightmare. That is what happens when you send your chief spin doctor to Miami.

He had hoped to talk about jobs during a photo op. Unfortunately the stats for February came out the very same day. Unemployment is stuck at 9.7 per cent. The story was "depression level of unemployment continues for yet another month".

Then he told farmers he could not or would not do anything about the grain transportation disaster on the prairies. It was so arrogant, reminiscent of Pierre Trudeau when he gave farmers the finger and told them to sell their own wheat.

Shunning protesters who challenged him on broken promises, he then finished off the day telling school kids it was okay to gamble so long as they did not overdo it.

A goodbye and thank you to the Prime Minister for campaigning in my province. Come back soon and help us elect more Reformers in Saskatchewan.

* * *

• (1400)

[*Translation*]

LAVAL COSMODOME

Mrs. Madeleine Dalphond-Guiral (Laval-Centre, BQ): Mr. Speaker, after long months of uncertainty, a miracle has occurred: the Laval Cosmodome has been saved.

Thanks to major financial commitments by a number of partners in Laval, such as CIMA+, the Dessau group, Gendron-Lefebvre and Multimarque, Ottawa and Quebec City have agreed to be part of the Cosmodome's revival. The National Bank, another major participant in this salvage operation, has agreed to forgive a \$4 million debt.

I would like to draw attention to the important role played by Alain Contant, the chairman of the Conseil de développement régional de Laval, who never stopped believing in the viability of the Cosmodome. A hard driving manager, he proved that the Cosmodome has all the elements of success. As we can see, solidarity moves mountains.

To the young and the not so young who want to find out about it, I extend a welcome to the Laval Cosmodome.

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[*English*]

TRANSPORTATION

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, NDP leader, Alexa McDonough, and the federal NDP caucus joins with the Saskatchewan NDP government in expressing outrage at the news that the federal Liberals are giving the railways the right to charge more for hauling grain by increasing the cost of capital formula by 1.5 per cent.

The federal Liberals have failed to defend farmers' interests again. In fact, this Liberal government sat silently as the railways let farmers' grain accumulate into an unprecedented backlog costing farmers \$65 million.

The Prime Minister said last Friday that his government would not force the railways to speed up the movement of grain. Instead of holding the railways accountable for poor performance, the Liberals have the gall to reward the railways with a raise of \$15 million for their bad service record.

The Liberal government is allowing the railways to boost their profits for poor service at the expense of farmers. This is yet one

more example of the federal Liberals' arrogance which will come back to haunt them in the upcoming federal election.

* * *

NEGATIVE OPTION BILLING

Mr. Rex Crawford (Kent, Lib.): Mr. Speaker, Canadian cable subscribers are currently being ripped off by large cable companies with negative option billing. Right now, the cable monopolies are adding new specialty channels to existing services with a big price hike. The problem is that consumers do not have a choice in the matter. This is wrong.

I would like to congratulate the hon. member for Sarnia—Lambton for getting Bill C-216 passed in the House of Commons. This bill prohibits the crime of negative option billing by cable companies and defends the rights of Canadian consumers. The great cable revolt is still going on and the citizens of Kent and across the country are sick of being cheated by the cable companies.

As this bill sits in the unelected Senate, I would hope all sides of the House strongly encourage senators to get this important bill passed. If the rights of consumers are once again compromised by the lobbying of big business, Canadians will lose their faith—

The Speaker: The hon. member for Hamilton Mountain.

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JUNO AWARDS

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, the 1997 Juno awards were held last night at Copps Coliseum in Hamilton.

The 10,000 people attending the show, and the thousands who worked on the event, meant that the hotels and restaurants in Hamilton were booked solid for the weekend. The city organizers can be proud of bringing this economic boost to Hamilton.

This event provides a great showcase for the tremendous talent of Canadian singers and Canada's vibrant music industry. The organizers of the Junos are to be congratulated on producing a wonderfully entertaining program.

Many awards were handed out last night. The recipients included Celine Dion, Shania Twain, the Tragically Hip, Bryan Adams and the best new band was the Killjoys from Hamilton.

I am sure all members will join me in congratulating last night's winners and in saluting the great achievements of all Canadian artists.

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PAY EQUITY

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, over this past weekend, members of the Public Service Alliance of Canada had an extended stay at my constituency office in Hunter River over the issue of pay equity.

As a government, we have supported and continue to support the principle of pay equity. I understand that currently the issue is before the Human Rights Tribunal and, as such, the government cannot interfere. The dispute is not on the principle of pay equity but on the methodology of calculating the amount of pay equity.

Government believes that the PSAC request is too high, especially in light of the fact that other unions have already settled. I personally believe we must settle as soon as possible but in a way that is fair to the public as well.

• (1405)

I would therefore urge the minister responsible for Treasury Board, as soon as the tribunal reports, to act on this in a reasonable and fair fashion as quickly as possible.

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[*Translation*]

ABITIBI-CONSOLIDATED

Mr. Bernard Deshaies (Abitibi, BQ): Mr. Speaker, we have just learned that the new Abitibi-Consolidated, a merger of Stone Consolidated and Abitibi-Price, has decided to locate its head office in Montreal.

Abitibi-Consolidated is thus joining other companies like Avenor, Donohue, Tembec, Cascades and Kruger, which also have their head offices in Montreal. This good news means that Montreal can consolidate its role as a major player in the pulp and paper industry.

The new company, whose annual sales top \$4 billion, becomes the world's top producer of newsprint; 54 per cent of its jobs will be divided among 14 plants set up in Quebec.

In addition, the presence of numerous other head offices of paper manufacturers, forestry research and training centres, and the Canadian Pulp and Paper Association, is a clear indication of Montreal's strong position in the pulp and paper sector.

We are delighted at this news and welcome Abitibi-Consolidated to Montreal.

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[*English*]

JUNO AWARDS

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, the Junos were awarded in a gala ceremony in Hamilton last evening. Congratulations to all those who were nominated and to the winners of this most prestigious award.

Last evening we saw the depth of the pool of Canadian talent. However, it is unfortunate that the heritage minister continues to

S. O. 31

exhibit her lack of faith in the development of the great Canadian spirit in our artistic community. [English]

On February 10, in a CBC radio interview, the minister stated: "Canadian artists essentially would not be where they are today if not for the policies, particularly the Canadian content rules, of this government". To which I say shame.

These performers are talented and successful because of their hard work and perseverance and determination. They are stars nationally and internationally because Canadians and people around the world recognize their talent for what it is. Canadians support these people not because of this minister's bureaucratic Canadian content rules. Canadian support these people because they are good.

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MINING

Mrs. Marlene Cowling (Dauphin—Swan River, Lib.): Mr. Speaker, I would like to congratulate the government and the hon. Minister of Natural Resources for releasing the government's response to the House standing committee's final report on streamlining environmental regulations for mining.

The response is an impressive demonstration that the government is making significant progress toward the reform of environmental regulations affecting mining. These reforms will improve Canada's investment climate, not only for the mineral and metal sectors but for all natural resource sectors.

Canada is an excellent place to invest. It is estimated that some 30,000 direct and indirect jobs related to mineral development may be created over the next five years. These high paying, high tech jobs will benefit every region of the country including Manitoba. The economic, environmental and social benefits that come from the mineral development managed in the context of sustainable development will contribute to the prosperity of all Canadians.

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[Translation]

MUNICIPALITY OF ST. NORBERT

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, I would like to congratulate the members of the St. Norbert sociocultural centre committee. They have worked tirelessly in recent years to revive this old Trappist monastery, which was the centre of community life in St. Norbert in the last century.

With support from the federal and provincial governments, these very creative people have renovated this lovely building so as to revive the social and cultural activity of the fine community of St. Norbert.

COMMONWEALTH DAY

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, today is Commonwealth Day and this year's theme is "Talking to One Another".

I have a children's poem written by Joseph Nancoo, and I will read some of it.

Children of the Commonwealth,
In countries large and small,
Children of the Commonwealth,
We are brothers, sisters all.
Children of the Commonwealth,
Of every creed and race,
We are God's creation
We share his love and grace.
Children of the Commonwealth
Let's Talk To One Another:
Our unity in diversity;
A model for humanity.
Children of the Commonwealth,
A new century challenges you
To be the best—only you can be,
And respect each other's dignity.
Children of the Commonwealth,
Remember those who led the way,
Again, our Affirmations let us say,
This glorious Commonwealth Day.

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● (1410)

[Translation]

INTERNATIONAL WOMEN'S DAY

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, it is a pleasure to rise in the House today to draw your attention, somewhat belatedly, to International Women's Day and comment on the place of women in politics.

In the latest study by the Interparliamentary Union about men and women in politics and "unfinished democracy", we read that women today have only 11.7 per cent of the seats in parliaments throughout the world. Here in this House we are not doing much better, since women have only 18 per cent of the seats.

Much remains to be done to remedy the under-representation of women in politics, a situation that is one of the most serious flaws of our modern democracies.

To improve the situation, all political parties should follow the example of Scandinavian parties and adopt measures to promote the integration of women in politics. The Scandinavian experience has been successful, since that region has the highest percentage of female parliamentarians at over 37 per cent.

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[English]

CRIMINAL CODE

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, tomorrow, March 11, will be a day of shame for the Canadian

justice system as Clifford Olson's application for early release is filed. Tomorrow, March 11, will be a day of sorrow for the parents, relatives and friends of the 11 innocent children who were so sadistically murdered by the same Clifford Olson.

Many Canadians believe that the Liberal government has failed to take the actions that are within its power to stop the revictimization of those that suffer from the evil deeds of vicious criminals. Liberal governments over the past 20 years have shown too little sympathy for victims of crime and have placed far too much emphasis on the rights of criminals.

Canadians are protesting the inaction of this government. Tomorrow protest demonstrations will be held in Vancouver, Saskatoon, Terrace, B.C. and Edmonton in support of the parents of these murdered children.

A Reform government would enact a victims' bill of rights that would put the rights of law-abiding Canadians ahead of those of criminals.

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[Translation]

QUEBEC LIBERAL PARTY

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, I speak for all my colleagues when I congratulate the Leader of the Quebec Liberal Party, Daniel Johnson, on the tremendous vote of confidence he received from his supporters.

At their convention in Quebec City on the weekend, the provincial Liberals discussed and adopted a series of innovative resolutions that will form the nucleus of their next election platform. They also reaffirmed their faith in Canadian federalism as the only valid alternative for Quebec.

The only fly in the ointment was the totally inappropriate and uncalled-for attempt by the Conservative Leader to approach Liberal supporters. His attempt to attract the attention of Liberal supporters can only be explained by the panic and fear that are rampant in his party.

* * *

REGIONAL DEVELOPMENT

Mr. Mark Assad (Gatineau—La Lièvre, Lib.): Mr. Speaker, residents of the Gaspé and the Magdalen Islands have reason to celebrate the latest intervention by the Government of Canada in their region.

This morning, before an audience of representatives of the socio-economic community, the Secretary of State responsible for the Federal Office of Regional Development—Quebec and the Liberal member for Bonaventure—Îles-de-la-Madeleine announced \$3 million in assistance for the purchase of the Chandler-Gaspé line.

Oral Questions

This amount, which will go to the Gaspé railway corporation, will be used to cover the estimated \$2.6 million needed to buy the line, as well as the costs of development activities for the first two years of operation.

The Canadian government recognizes the importance of transportation for the economic development of regions like the Gaspé and that is why we are happy to provide assistance.

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BOLO AWARD

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, *La bande à Gilet*, a popular radio program on FM 93 in Quebec City, is at it again. Last Friday, the BOLO award for blunder of the week went by popular vote to the federal health minister.

The member for Rimouski—Témiscouata will award him the prize in the House of Commons foyer after oral question period.

Bravo to the public and way to go, minister of health.

ORAL QUESTION PERIOD

• (1415)

[Translation]

JOB CREATION

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, this government got elected by making Canadians believe that its priority was job creation. However, since the beginning of 1996, the unemployment rate has gone up instead of down, although there was a significant drop in the number of unemployed who said they were seeking employment.

Would the Minister of Finance confirm what was said by economist John Lester of Wood Gundy, who indicated that if the labour force participation rate of Canadians were the same as it was in 1989, the current unemployment rate in this country would be 14 per cent?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, there is no doubt there is a connection between the participation rate and the unemployment levels reported by Statistics Canada.

This is why we talked mainly about job creation. The Prime Minister has said many times, and so have I, that since we came to power, we have created more than 790,000 jobs in the private sector alone, the vast majority of which were full-time jobs.

Even with last Friday's figures, if we consider the past five months, we created more than 70,000 jobs, most of them in the private sector, and these are full-time jobs, precisely for the reason mentioned by the hon. member. We must mention job creation, because the unemployment levels only tell us part of the story.

Oral Questions

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, 14 per cent unemployment based on the 1989 participation rate is hardly something for the Minister of Finance to be proud of. The government has certainly nothing to be proud of. And if it does not mean a thing to the Minister of Finance, it has a particularly cruel meaning for the families of those who are looking for work.

The Minister of Finance bragged about creating full-time jobs. How can he brag about full-time jobs when, according to Statistics Canada, 40 per cent of the new jobs created in the last 12 months are part-time jobs?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member knows perfectly well that figures are very volatile, that the situation changes from month to month, and that since we came to power, the vast majority of jobs have been full-time jobs. In fact, if we consider the five past months, that is what the situation is.

The hon. member would probably be able to find another period with figures to suit him. However, when we look at the indicators, we see that consumer spending increased 5.6 per cent during the fourth quarter, that investment in housing is rising. In January, housing resales rose 3.8 per cent. In February—and this is very important because of the multiplying effect—housing starts reached their highest level in two and a half years. Fixed investment by business rose to 23 per cent.

My point is, yes, we are concerned about the employment situation, and yes, we are concerned about the job situation for young people, but when we consider Canada's financial situation at the very beginning and the improvement in the employment situation since we came to power, the indicators show that Canada, despite its shortcomings, has one of the strongest job creation rates of any industrialized country. There has indeed been tremendous progress.

• (1420)

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, the Minister of Finance made a number of appalling statements that deserve some comments at the very least.

He said that I could always find figures to suit my purposes. We know he specializes in finding figures to suit him over the short term, to try and justify the government's poor performance. He also said that figures were volatile. Well, I would say it is not the figures but the jobs that are volatile.

What justification does he have for the fact that, always according to Statistics Canada, between February 1996 and February 1997, young Canadians lost 64,000 jobs?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, we are of course concerned about the employment situation among young people. In fact, less than a month ago, the Minister of Human Resources Development announced a very detailed program to help young people, a summer job program, a program creating internships with large corporations. That is why the government also encouraged the private sector to make the announcement they made last week about creating internships for young people.

It would also be very helpful if the Bloc Quebecois voted with the government. The Leader of the Opposition seems to object when I quote economic indicators. But I can tell him that the economy is recovering, and the broad indicators show that we are already seeing the results of our policies. Retail sales are reaching record highs, exports are picking up, manufacturers' deliveries are resuming and interest rates have dropped. So all the conditions are there, and next year we can expect an economic upswing.

Now, Mr. Speaker—

The Speaker: Thank you very much. The hon. member for Mercier.

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EMPLOYMENT INSURANCE

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development.

Not only is there reason to despair at the low number of jobs created in Canada, the increasingly low quality of jobs created moreover, but also the unemployed have had increasingly less access to unemployment insurance since this government came into power.

How can the minister explain that, when the Liberals came in, 60 per cent of the unemployed were drawing unemployment insurance while, according to Statistics Canada, in 1996 the figure for the percentage drawing benefits was no longer 60 per cent, but only 41? How does he explain this?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member for Mercier is drawing to our attention a problem that is of concern to the government, and it is true that the number of people who can make use of the employment insurance system has dropped.

I do, however, question the figure the hon. member for Mercier is giving out. Unfortunately—or fortunately, I should say—that figure excludes people who are in the EI system and who can work, which was not the case until now. This raises the numbers considerably, when those who are working for a time as well as drawing EI are included.

Oral Questions

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, for the past six months the employment insurance figure has been, not 41 per cent, but 36 per cent. If the minister is satisfied, I do not know what he can be satisfied with.

Leaving fine speeches aside, will the minister admit that, in fact, the true impact of the reform is not that it makes it possible for Canadians to get back to work, as the minister has tried so often to tell us, but rather that it condemns them to falling back onto welfare, a provincial responsibility?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I am delighted to see the hon. member for Mercier concerned with what is going on at the provincial level as well. I have noted recently that she has been keeping an eye, not only on our government and its ideology, but also on the Government of Quebec, and that she is beginning to be concerned about certain decisions that have been taken by it.

I would like to reassure the hon. member for Mercier, in the enthusiasm she is manifesting once again, that where employment insurance is concerned, we have, as a government, acted with a great sense of responsibility.

• (1425)

This is the greatest reform in 25 years, one with which we wanted to help Canadians break out of the cycle of dependency into which too many of them had fallen. We wanted to create conditions that would help them break out of the cycle of dependency while continuing to provide assistance with their income, so we created a transitional fund in order to create jobs, and wage subsidies in order to help people set up their own businesses.

We have brought about a major reform and are most pleased with it, because we are helping first and foremost with current conditions.

The Speaker: The hon. member for Fraser Valley East.

* * *

[English]

SOMALIA INQUIRY

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, over the weekend we learned of a defence department memo that advised the minister to shut down the Somalia inquiry because it was not in the national interest to investigate allegations of a high level military cover-up. It is no surprise that defence headquarters would think it is not in the national interest to investigate defence headquarters. What is a surprise is that the minister accepted this very biased piece of advice and shut down the inquiry.

My question is to the minister of defence. Why is it not in the national interest to get to the bottom of a high level military cover-up?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, one of the things that is a requirement for the minister of defence as well as for any other minister who is involved in serious problems that confront the government and the nation is to take advice from as many sources as possible.

It was not very long ago that the hon. leader of the third party was asking the Prime Minister of Canada to guarantee that the commission of inquiry on Somalia end its work before the next federal election.

I have tried to take advice from as many sources as possible, but in the final analysis the Government of Canada made the decision to extend the Somalia commission of inquiry for a third time and to ask it to please report by the end of June, which would be in excess of two years after it began an inquiry that was scheduled to finish in December 1995.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, one of the sources the minister could have listened to was the commissioners themselves who said that shutting down the inquiry early amounted to a cover-up and a whitewash. He could have listened to them.

The national interest is not the reason the Somalia inquiry is being shut down. It is being shut down because of political interests. It is not in the Liberal interest to have inquiry commissioners look into allegations of cover-up that occurred under this Liberal government.

Again, why does the minister not want Canadians to know the truth about a high level cover-up that occurred under this Liberal government?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, to find out as much as possible is in everyone's best interests as long as the information available is of some contemporary utility.

As recently as September of last year the hon. leader of the third party felt it was appropriate to try to get to the recommendations of the commission of inquiry before a federal election. As a government we have extended for the third time the mandate of this commission. We recognize that not everyone is satisfied with that decision.

The hon. member speaks about the recommendations of the commissioners of inquiry. I recall there were three recommendations in the last letter. As I remember the text of the letter, one recommendation clearly indicated that the ultimate scenario would be that the commission would not finish its work until at the earliest the end of 1998. At some point you have to decide what you think is in the best interest.

If the hon. member would check with members of the Canadian forces and with most of the people who have been observing the

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work of the commission of inquiry, he would find there is a fair amount of support for the decision the government took.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, today at the Somalia inquiry Major Vincent Buonamici raised further questions about a cover-up at the highest levels of national defence. On Sunday it was revealed that the former defence minister's office participated in a departmental smear campaign to discredit Dr. Barry Armstrong. A lot of people seem to be working very hard to ensure Canadians do not get the truth about what happened in Somalia and in the subsequent events.

Why does the minister not want Canadians to know the truth and does the minister really believe that hiding the truth will bring a just resolution to what happened in Somalia and the subsequent events?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the need to determine what happened and why it happened in Somalia and what occurred subsequent to the very unfortunate events in Somalia is obviously very important.

What I think is of equal importance and what Canadians have come to accept as being absolutely essential is what we are going to do to ensure that the kinds of situations that occurred in Somalia do not reoccur and that what happened after those incidents occurred be an appropriate response to those kinds of incidents.

• (1430)

Obviously the hon. member and members of his party have not yet decided how they want to address matters relating to the Canadian forces because, as the hon. member would know, by the end of this month we will be reporting to the Prime Minister, to the government and to the people of Canada on what we think should be done with the Canadian forces. We have yet to hear from the Reform Party.

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[Translation]

EMPLOYMENT INSURANCE

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development.

The opposition has joined with demonstrators in the maritimes and Quebec criticizing the new employment insurance plan, which clearly, makes no sense. The program has barely been implemented and already the minister is having to rush in and make adjustments, because things are not working, and this morning once again, the Minister of National Defence was taken to task in Tracadie.

How can the minister justify the fact that the new measures apply to only certain regions—primarily those that fought his reform the strongest—other than for electoral purposes?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the question is quite simple: we obviously brought the solution to where the problem existed.

These are the regions that demonstrated the most clearly and drew our attention to the importance of changing the system.

My two predecessors, now the Minister of Foreign Affairs and the Minister of National Defence—my immediate predecessor—and I have always recognized, in undertaking a reform as enormous as the one involving unemployment insurance, which is 25 years old, that we would monitor the transition and implementation of the new system very carefully.

We knew that inevitably minor adjustments would be required here and there. My attention was drawn in the Atlantic caucus to an anomaly in the system relating to short weeks. The Government of Canada worked hard to correct the situation satisfactorily for the location where the problem arose.

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, how can the minister justify choosing the criterion of 10 per cent unemployment, when it will mean that the people of Westmount will be entitled to the new measure and the people of Saint-Hyacinthe will not?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I recognize the demagoguery of those opposite. No doubt they are talking about the committee—

Mrs. Tremblay: You are not allowed to say that.

Some hon. members: Oh, oh.

The Speaker: I would ask the hon. minister to withdraw the word “demagoguery”.

Mr. Pettigrew: Mr. Speaker, if the hon. member was referring to Saint-Henri, is she—

Some hon. members: Oh, oh.

The Speaker: I ask the hon. minister to withdraw the word “demagoguery”.

Mr. Pettigrew: Mr. Speaker, I withdraw the word “demagoguery”, but I would say with pleasure that we worked hard to solve the problems brought to our attention. Where unemployment is at 10 per cent, there is less likelihood of finding work that would give people longer weeks. The aim of our system is precisely to encourage people to accept as much work as possible.

So, in Saint-Henri, where unemployment is above 10 per cent, the situation is remedied. Where unemployment is less, people are

more likely to work a full week. That is the logic and that is the sort of logic that promotes work.

* * *

[English]

SOMALIA INQUIRY

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, like the Canadian public, I found it extremely difficult to know exactly what went on Somalia and even more to know what has gone on here in Ottawa with regard to the events in Somalia.

The minister of defence made it quite clear from his first day as minister that he wanted to get the inquiry over as quickly as possible.

Why did he want it over last September and now why does he want it over? Is it for the good of the armed forces? Is it for the good of the country or is for the good of the Liberal Party?

• (1435)

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, obviously these events and much of what took place around the situation the hon. member refers to occurred under the watch of the previous administration.

To the hon. member, because of his background and his respect for the Canadian forces, in direct response to his question, he has finally recognized on behalf of his party that I indicated immediately upon coming to my position as Minister of National Defence that it was my fervent hope and the government's that the commission of inquiry would end its work as scheduled in March.

When he asks why I felt it should be ended in March, although we have subsequently extended it to the end of June, it is because everywhere I have gone in Canada and abroad, speaking but mainly listening to members of the Canadian forces, I can tell the hon. member that if he spoke with many of his former colleagues he would know that in great part it was time to turn the corner and there is no question that the decision in part was because it is in the best interests of the Canadian forces.

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, I certainly share with the minister the interest of the Canadian forces.

As a former member, I have really looked on with a lot of anguish. I have seen members of the airborne regiment, especially the junior ranks, persecuted, prosecuted and otherwise vilified. So I agree with the minister, at least let us clear the air.

But how can we clear the air if the full testimony of the likes of Kim Campbell's staff, Bob Fowler, Major Buonamici and Major Armstrong is not out? What will the minister do specifically to clear the air and get those unanswered questions answered?

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Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the hon. member was a valued member of the Canadian forces for many years and I understand his anguish.

I have never commented, nor will I, on the roster of witnesses or how the commission of inquiry conducted its work. It was entirely within its prerogative to set out its work schedule the way it wanted to. It has done that for over two years.

The hon. member has asked a very pertinent question. He has asked how we intend to move on and how to clear the air. I have undertaken to submit to the Prime Minister, to the government, to the people of Canada and to the Canadian forces by the end of this month a very comprehensive and substantial set of recommendations on the future of the Canadian forces. We have sought and received the input of literally hundreds of Canadians who feel very strongly about the future of the Canadian forces.

I still look forward to hearing that kind of input from the Reform Party, but regardless of that we will make public our position and our recommendations by the end of this month.

* * *

[Translation]

FEDERAL PUBLIC SERVICE

Mr. Richard Bélisle (La Prairie, BQ): Mr. Speaker, my question is for the President of the Treasury Board.

The government has decided to transfer to the private sector the management of the 150 casual employees who were working for its regional cheque printing facilities. These 150 people, who hold precarious jobs, will now have to decide whether to accept a 40 per cent salary cut or stay home.

Given that, in a release dated August 2, the President of the Treasury Board stated that he wanted to act responsibly and in a spirit of fairness regarding the cuts affecting government employees, what does he intend to do to correct such an unfair situation?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, I will have to look into the facts of the situation to which the hon. member is referring. I am not aware of that situation right now.

However, I can assure the hon. member that, in the public service, we have put in place the necessary systems and procedures to make sure government employees are treated properly. Whenever transfers have been made from the public to the private sector, we have strived to respect the rights of all our employees and to treat these employees fairly.

Mr. Richard Bélisle (La Prairie, BQ): Mr. Speaker, the minister says he will look into the facts, but how can he claim to care about the fate of these former public servants, who used to earn \$11 per hour and who, because of the minister's agreements with companies such as Drake International, will only get \$9 per

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hour in Ottawa and \$7 per hour in Quebec City, for exactly the same work? Why such an injustice?

• (1440)

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, again, I ask the hon. member to send me the facts of the case he is referring to, so that I can look into the matter, because I am not aware of this case. I will then be pleased to provide him with a reply.

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[English]

JUSTICE

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, tomorrow in Vancouver hearings begin into Clifford Olson's application for early release. This man brutally murdered 11 Canadian children.

Will the minister who is responsible for letting this hearing take place take action to ensure in the future that families of murder victims will not have to relive their pain and agony over and over again?

The Speaker: Today we are debating this very motion. I thought perhaps the member would ask a more general question. However it deals directly with what we are discussing today, that is section 745.

If the member can rephrase the question so that it is acceptable, I will permit it.

Mr. Ramsay: Mr. Speaker, I do not know whether or not I can do that. Therefore I will withdraw my question.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, 15 and a half years ago Clifford Olson was convicted in the most horrible crime imaginable—

The Speaker: Because I do not know where the preamble is leading, may I ask the hon. member to please put her question and I will decide whether it is in order.

Mrs. Ablonczy: Mr. Speaker, does the justice minister believe it is fair and just to innocent victims, parents, relatives and friends for murderers to be allowed to plead for early release after serving only 15 years of their sentence?

The Speaker: Go ahead.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I thank the hon. member for the question.

As the hon. member will be aware, the Minister of Justice has brought forward significant changes to section 745 of the Criminal Code.

The Speaker: Order. I find myself in a quandary. I found the question to be acceptable but now I get into the response and it deals precisely with what we are dealing with today.

If I cannot accept a question for that reason then I surely cannot accept an answer. I am really in a dilemma. Those questions would be quite in order on virtually any other day.

I will pass and go to the member for Rimouski—Témiscouata.

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[Translation]

UBI SOFT ENTERTAINMENT

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development.

On February 14, the Quebec finance minister wrote the Minister of Human Resources Development, seeking financial support from the federal government for UBI SOFT, a multimedia product project. Although time is of the essence in this matter, the minister still has not written back.

Could the Minister of Human Resources Development tell us whether or not his government plans to financially support UBI SOFT, an innovative project that could generate more than 550 high technology jobs in the Montreal area?

• (1445)

Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, the hon. member may or may not be aware of the fact that there have been discussions between FORD-Q, Human Resources Development Canada and Quebec government officials regarding UBI SOFT.

Before getting involved in this project, we must determine whether it is worthwhile and whether the jobs that will be created are long term jobs and justify the request submitted to both governments. I think that even the Government of Quebec would want to know that much.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, I thank the minister for his answer, but while the letter from the Quebec minister was sent to the Minister of Human Resources Development and our question was directed to the Minister of Human Resources Development, we have the Minister of Industry answering.

Given how important this matter is, the number of jobs at stake in Quebec, and the fact that UBI SOFT is growing impatient and thinking of setting up operations in China if Canada does not show interest, could the minister give us the assurance that there is someone, somewhere, in his government who will at least indicate

what Ottawa's intentions are in this respect, so that the Quebec government can get UBI SOFT to wait a little longer?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, again, I would like to remind all members that we, on this side of the House, are a government team. When a project deals with industrial matters, it is only natural that the Minister of Industry offer his views.

Since one aspect of this matter is of interest to the Department of Human Resources Development, and considering that I indeed received a letter from the Government of Quebec, we did act with due diligence.

Mrs. Picard: Answer.

Mr. Pettigrew: Of course, we will answer. We already met with Quebec government officials and local stakeholders last week and we have agreed to work together with the Quebec government and the Federal Office of Regional Development in this matter. The three parties involved met last week.

We want to assess this very important issue together, but it raises all sorts of questions, precisely because it is so important.

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[English]

INTERNATIONAL CO-OPERATION

Mrs. Dianne Brushett (Cumberland—Colchester, Lib.): Mr. Speaker, my question is for the Minister for International Co-operation.

Daily we see the plight of women throughout the world who are living in poverty with their children, in abject poverty and in horrible conditions.

Saturday marked International Women's Day. What is our government doing to improve the standard of living of women and their children to ensure a brighter future?

Hon. Don Boudria (Minister for International Cooperation and Minister responsible for Francophonie, Lib.): Mr. Speaker, Canada is one of the world leaders on issues related to women in developing countries. We support projects throughout the world to assist women.

From Sri Lanka to Namibia to Bolivia we have established mother and child health institutions. In Africa, the Canadian International Development Agency has a number of projects. In Nicaragua more than 5,000 women were able to become land owners thanks to a program supported by our government.

Canadians can be proud of the work we do in international development, particularly the work we do to assist women in other parts of the world.

Oral Questions

EMPLOYMENT

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, not long ago the Prime Minister told the Toronto *Star* that he wanted to run in the next election on his jobs record. Friday's job numbers should give him pause. There were 38,000 fewer jobs than in the previous month; 44,000 women lost their jobs; and for 77 months in a row unemployment was over 9 per cent.

Does the Prime Minister really have the nerve to run on his jobs record?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, let us take a look at the situation in 1993 when we took office. Taxes were rising. The deficit was increasing. Interest rates were on the increase. Total insecurity was reigning throughout the land.

Let us take a look at the situation today. The deficit is down. Interest rates are down. There have been no personal tax increases in the last budget and \$2 billion worth of selective tax decreases.

We see a set of economic indicators that can match those of anybody in the world. We see that virtually every economist in the country is predicting 300,000 new jobs will be created this year.

No other country can ascertain that record and the fact is that will happen.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, that may go over well down at the yacht club, but for a guy who does not have a job on Main Street it is pretty hard to swallow. There are 1.5 million unemployed Canadians, two million to three million underemployed and 800,000 who are moonlighting just to make ends meet. That is the Liberal job record.

● (1450)

What is the Liberals' answer to this crisis? It is a 73 per cent hike in payroll taxes that their own bureaucrats say will kill jobs.

With an unemployment rate of 9.7 per cent and with 1.5 million people unemployed, why is the government hiking a guaranteed job killer by 73 per cent?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, if anybody wants to take a look at the debates in the House over the last three years, when the government has been bringing in job programs, whether it be cleaning up the nation's finances, short term job programs such as the infrastructure or longer term programs such as investing in education and R and D, they will see one thing, that the Reform Party has opposed every job creation measure brought in by the government.

If the member is sincere in his statement that he does not want to see the 9.9 per cent increase in Canada pension plan premiums, why has he brought forth a proposal that would increase those

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premiums by 13 per cent? Why does he not lay the numbers out and tell Canadians what he and his party are really after?

* * *

[Translation]

AGRICULTURE

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, my question is for the Minister of Agriculture.

For a little over two years now, in a relentless effort to abide by the new rules of the WTO, the federal government has been slashing its various farm support programs. For instance, dairy subsidies will be completely abolished as of August 1, 1997, without any financial compensation.

Can the minister tell us how our farmers will benefit from the fact that the U.S. government is planning to cut its overall farm support by 23 per cent over a period of seven years, while Canada will cut its support by 21 per cent but over only three years?

[English]

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the hon. gentleman's preface made reference to the implications of world trade agreements with respect to Canadian dairy policy. While there are some implications of world trade agreements for Canadian dairy policy, the particular connection that he draws in terms of the dairy subsidy is not a connection at all.

The reductions in the dairy subsidy that have been announced are taking place over a seven-year period, two years of which have already gone by and five years of which are yet to come. We consulted with the dairy industry very closely in terms of the best possible way in which to manage the issue. The phase down approach we have adopted is quite consistent with the advice we received.

As the dairy industry deals with the reductions in subsidies I am hopeful there will be good co-operation between the producers and the processors in terms of how pricing issues and a variety of other issues are handled within the framework of a long term dairy policy.

[Translation]

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, I will remind the Minister of Agriculture that we are talking here about the total reductions expected. Overall, Canada will reduce its subsidies by 21 per cent over three years, while our neighbours south of the border will take almost twice as long, seven years in fact, to cut their subsidies by 23 per cent.

Since the level of farm support in Canada is now among the lowest in the world, except for Australia and New Zealand, can the minister at least approve the dairy producers' request to postpone the next reduction in dairy subsidies from August 1, 1997 until February 1, 1998, as this would give them another six months to adjust to the austerity measures taken by the Liberal government?

[English]

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, there are two aspects to that question. The latter point was about a change in the timing for the period during which the phase down of the dairy subsidy would occur.

• (1455)

That request was put to me a number of weeks ago by the dairy farmers of Canada, I understand with the support of the National Dairy Council. That request is under active consideration as we speak. I hope to be in a position to respond to the dairy industry within the next short while.

On the other point, the comparison between the Canadian situation and the American situation, I point out to the hon. member one fundamental distinction. In the United States there is essentially an open market system with respect to the dairy industry. In Canada we have a supply management system which was instituted by a Liberal government and not three months ago was thoroughly, totally and successfully defended by the government before the NAFTA commission.

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CANADA PENSION PLAN

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, all Canadians are now facing a 73 per cent tax hike because of the government's decision to double CPP premiums, all Canadians that is except federal public servants. Due to the government's delay in amending the public service pension plan they are exempt from this huge tax grab.

If private sector employers could get their act together to adjust their pension plans, why couldn't the government?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the Superannuation Act for the public service is not negotiable.

A committee of people have for the last few years been looking at ways to amend it. A way to amend it to deal with the increase in CPP premiums is part of the discussions which should be concluded within the next few months.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, that is an interesting answer. If the act is not negotiable I wonder how the government intends to change it.

The government just like its Tory predecessors has been talking forever about overhauling the federal public service pension plan. For years it has lacked the political will to tackle the issue.

How does the government intend to convince public servants that an increase in premiums is justified when the government is benefiting from using the \$24 billion surplus presently in the account?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the way in which the pension plan is accounted for is according to the rules of the Canadian chamber of actuaries and accountants.

Not only that, but it is done with the approval and support of the auditor general. Would the member want us to start breaking the rules just to satisfy his biases?

* * *

CHILD LABOUR

Mr. Gar Knutson (Elgin—Norfolk, Lib.): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa.

The people of my riding of Elgin—Norfolk are horrified by recent images of child labour in the developing world.

Could the secretary of state tell us what were the results of a recent international conference on child labour and, furthermore, what Canada is doing in general to deal with the issue of child labour?

Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, I had the privilege of attending a conference in Amsterdam a few weeks ago that dealt with the most serious abuses of child labour worldwide.

Canada, along with the Dutch government, the International Labour Organization and other members of the international community, is working to put together a convention in 1999 which will ban the worst cases of child labour abuse.

Examples of this are the exploitation of children in hazardous work including military service, the sexual exploitation of children, and the exploitation of children when they work in indentured and slave labour.

Legislation has been brought into the House this past session which would make it possible for Canada to bring to court Canadian citizens involved in sexual tourism abroad to face the same charges they would face if the situation had occurred in Canada.

As well a subcommittee on sustainable development has brought in a report with several recommendations and we look forward to responding to those valuable recommendations.

Oral Questions

EMPLOYMENT EQUITY

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, my question is for the acting Prime Minister.

On Friday the secretary of state responsible for women's issues said the Liberal government had over three and a half years strengthened employment equity for women by targeting women as a key group for employment, creating opportunities for women in construction and addressing women's jobs in a comprehensive and holistic way.

• (1500)

Today the Minister of Finance says he is proud of his jobs' record as it pertains to women. How does the Acting Prime Minister explain the so-called economic priorities to employ more women with the fact that 44,000 women saw their full time jobs disappear last month?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, in terms of the public service, it is incorrect to say that women are being discriminated against in terms of numbers. The percentage of availability of women in the workforce is 47 per cent. For this year our report indicates that women make up 48.7 per cent of the public service, more than their actual number in the labour force.

In the public service in the last few years of downsizing we have been careful to maintain the number of women to at least what they were as a percentage of the total labour force and we have more than succeeded.

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PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Dr. Benita Maria Ferrero-Waldner, State Secretary in the federal Ministry of Foreign Affairs from the country of Austria.

Some hon. members: Hear, hear.

The Speaker: Before I hear the point or order I have notice of a question of privilege from the hon. member for Laurier—Sainte-Marie.

[*Translation*]

Is the question of privilege related to something which happened during oral question period?

[*English*]

I will take the question of privilege first.

Points of Order

[Translation]

PRIVILEGE

ORAL QUESTION PERIOD

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, during Oral Question Period, the Prime Minister called members on this side of the House, members of the Bloc Québécois, racists and fanatics. I ask the Prime Minister to withdraw these unacceptable and unparliamentary terms.

The Speaker: Colleagues, the Prime Minister is not here right now. I did not hear him say that, but I will review the blues and, if necessary, I will get back to the House.

Mr. Duceppe: Mr. Speaker, I certainly hope it is in the blues, the Leader of the Opposition and I asked the Prime Minister on three occasions to repeat what he had said, and he did. You might want to ask the Prime Minister himself.

The Speaker: As I told the member, I will review the case. I will look at the blues and the video tapes to see what happened. If necessary, I will get back to the House.

* * *

[English]

POINTS OF ORDER

ORAL QUESTION PERIOD

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, I rise on a point of order with regard to the hopefully raised questions of my hon. colleagues from Crowfoot and Calgary North. The point of order I want to raise is with regard to consistency in judging how questions can be asked and what the content of those questions can be.

The Speaker: I explained to the hon. member for Crowfoot the decisions that were taken today and the dilemma I was having because of the specific nature of his question. At that point—

Mr. Benoit: What about the tobacco bill? What about that? What about fairness?

• (1505)

The Speaker: I hope I did not hear the words “what about fairness” because if I did, and if they were directed to me, then that is another matter altogether. However, I am going to let that pass.

I permitted the hon. member to rephrase his question and he withdrew. He decided not to go on with his question. I proceeded to another member from the same party. I thought the preamble to the

question was going down the same road, but I permitted the question to go ahead. I thought the question was marginal but permissible. But then I got into the answer and the answer dealt directly with that subject matter which is going on today.

I want to give members as much room as I possibly can in formulating questions at all times and I want to give the government as much room as possible to answer the questions that are put because I think they are important.

However, if we are dealing with that precise subject matter and it is not general enough, in my view, then I would hope that members in turn would be fair enough to accept my decision that the question is out of order. I judged the questions to be out of order and that decision stands.

Mr. Strahl: Mr. Speaker, a point of order.

The Speaker: If this is on another point of order, I will recognize the hon. member for Fraser Valley East. Is this another point of order? It is.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, in trying to formulate when an answer from the government side makes us out of order, you can see the dilemma this places us in.

When we were discussing the tobacco bill last week, the government answered in terms of amendments proposed for the bill being discussed that day in the House, specific amendments, and that was okay. But now when we have asked questions and the answer comes back in such a manner that you, Mr. Speaker, consider that answer out of order, then it rules everything we are doing out of—

The Speaker: Now members see the dilemma into which the Chair is put. Now you see the dilemma that the Speaker is put into because if the question—

Mr. Strahl: You let them go with seven questions in a row on the tobacco bill. Two days in a row they had seven questions in a row.

Some hon. members: Oh, oh.

Some hon. members: Order.

The Speaker: At best you are putting your Speaker virtually in an untenable position. I would invite hon. members to discuss this with me if they like in my Chambers, but this is surely not the place.

Mr. Hill (Prince George—Peace River): What's the point?

Some hon. members: Oh, oh.

The Speaker: I would like to let this point rest right now and we will proceed from here.

ROUTINE PROCEEDINGS

● (1510)

[Translation]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to four petitions.

* * *

COMMONWEALTH DAY

Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, today is Commonwealth Day. It is observed every year on the second Monday in March by all Commonwealth countries to celebrate the Commonwealth, its values and principles.

[English]

The theme for this year's Commonwealth Day is "Talking to One Another". Communication has always been an important feature of the Commonwealth whether it is between governments, non-governmental organizations or simply interested individuals. Although the Commonwealth consists of 53 diverse countries, it is a family of nations with many shared values and beliefs. By talking to one another, whether at intergovernmental meetings or increasingly through the Internet, we in the Commonwealth have advanced the causes of democracy and human rights and the fight against poverty and injustice that are extremely important to us.

Last year was an important year for the Commonwealth. Canada played an active role in the Commonwealth Ministerial Action Group on the Harare Declaration, CMAG, which has met seven times in the last 15 months to discuss serious and persistent violations of the Harare declaration.

CMAG was created as a result of the last Commonwealth heads of government meeting in New Zealand in 1995 to study the situations in Nigeria, the Gambia and Sierra Leone. This was part of a wide ranging plan adopted by leaders for increased action to promote democracy, development and consensus building.

The action group will be presenting its report to the heads of government in Edinburgh in October. At the Edinburgh meeting the Harare declaration will be consolidated and strengthened as we revisit the issues of democratic development in our member states. In addition, for the first time, the broader economic issues of trade, investment and development among our member states will be a

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major focus of our discussions. A non-governmental organization forum and a business forum will be held in conjunction with the governmental meeting, which will draw together the vitality of the private and public spheres.

The Commonwealth is much more than governments and officials. It is also a vibrant and growing association of ordinary people in every part of the globe. Thousands of Canadians are active in the professional, development and service associations which are the strength of the Commonwealth. The relationships built between Canadians and individuals through these organizations are an important force in developing international understanding.

This year we went one step further by looking beyond governmental meetings to actively consult with both the private sector and the Commonwealth NGO community on how government can best promote and preserve democratization and human rights. The round table sessions were successful and several good initiatives are being developed as a result. We look forward to more consultative sessions in the future.

The Commonwealth is a force in the world for the values Canadians cherish, and I urge all members to join me today in saluting the Commonwealth.

[Translation]

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, it is impossible not to notice the paradox between this theme, communication, and the lack of transparency and information that characterizes this government.

Why is it so difficult if not impossible for members of Parliament, who are the elected representatives of the people, to obtain the right to take part, even if only as observers, in consultations with various groups in our society? Why is it that the government, which is constantly promoting communication, especially through the Internet, has cut subsidies to the NGOs responsible for making the Canadian public aware of the importance of development? We know that the key to gaining support for our efforts toward sustainable human development depends mainly on raising public awareness in donor countries.

Why is silence the only response we get when we try to find out what is happening within the ministerial action group since the disguised failure of the special mission sent to Nigeria to examine the situation with regard to democracy and human rights?

● (1515)

In the meantime, General Abacha's regime continues to hold sway with complete impunity. The Commonwealth is even considering welcoming that country back as a member although the situation has not improved in any way since the execution of Ken Saro Wiwa and eight other Ogoni political opponents.

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The Commonwealth is indeed a valuable forum to discuss important issues as long as the political will is there. Canada has succeeded in distinguishing itself in the past when it fought against apartheid in South Africa. Despite this positive example, which shows that communication is possible, it remains extremely difficult to reach a consensus when it comes to democracy and human rights, even within a group as limited as the ministerial action group.

Canada can and must exercise strong leadership within the Commonwealth in order to promote democracy and human rights. There are signs of a tendency to use all multilateral forums, including the Commonwealth, to deal with trade issues as separately as possible from human rights and democracy.

In these times of increasing globalization, there is a great risk that vital questions will be overlooked. Canada must not give in to this tendency and must continue to defend human rights and democracy, as it began to do in the case of Nigeria, with the support of Parliament and of the people of Quebec and of Canada.

That having been said, I would also call on the government, next year and in subsequent years, to implement one of the unanimous recommendations of the report by the Sub-Committee on Sustainable Human Development. The committee recommended that the Canadian government play a leadership role within the Commonwealth and elsewhere, in order to raise the issue of child labour and to bring about concrete solutions.

Given that the problem of the exploitation of child labour is one that affects a number of Commonwealth countries, including India, Canada must seize the opportunity provided by this multilateral forum to help move the cause of children throughout the world significantly forward.

In this regard, the Bloc Québécois intends to keep an eye on the results of the next meeting of Commonwealth heads of government, scheduled to take place in Edinburgh next October 24 to 27.

[*English*]

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, it is certainly a pleasure to respond to this noble day called Commonwealth Day and the remarks that have been made in the House.

I have listened to what the minister and the member from the loyal opposition said. I take note of the fact that one of the messages trying to be transmitted throughout the Commonwealth at this point is talking to one another. That is certainly a good message, very idealistic and is an attempt to bring these countries that form the Commonwealth together so that they can have some common aim or purpose. I think we should have that.

However, as a nation and a participant in the Commonwealth, one of the responsibilities we have when we are talking to one

another is to make sure we are not just talking about things that are politically correct and somewhat acceptable. There are times when we must talk about human rights and the actions taken by some of our fellow countries in the Commonwealth that are not appropriate as such, and if they are not appropriate we should clearly say that in the most positive critical to bring them to task to live up to the expectations that we have in Canada where human rights is certainly an item of top priority.

I would think, in speaking with regard to this more noble idea of countries in the Commonwealth talking to one another, that the same thing should apply in this assembly where we talk to one another in an open and fair manner, where we have the opportunity to speak on behalf of western Canadians, central Canadians and eastern Canadians equally and where it is heard. Sometimes we forget that in this major partisanship forum, as is the case today. Question period today was no exception.

• (1520)

Certainly the noble cause to talk to one another in the world is good. To keep peace and harmony in the world is good. However, let us remember the lesson right at home as well.

* * *

INTERPARLIAMENTARY DELEGATIONS

The Deputy Speaker: Pursuant to Standing Order 34, I have the honour to present to the House, in both official languages, the report of the meeting of the Standing Committee of the Conference of Commonwealth Speakers and Presiding Officers held from January 2 to 8, 1997 in Cape Town, South Africa.

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[*Translation*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 58th report of the Standing Committee on Procedure and House Affairs pertaining to the list of associate members of the Standing Committee on Foreign Affairs and International Trade.

With leave of the House, I intend to move for concurrence in the 58th report later this day.

* * *

COMPETITION ACT

Mr. Dan McTeague (Ontario, Lib.) moved for leave to introduce Bill C-381, an act to amend the Competition Act

(protection of those who purchase products from vertically integrated suppliers who compete with them at retail).

He said: Mr. Speaker, it is a great honour for me to present and table this bill entitled Act to amend the Competition Act (protection of those who purchase products from vertically integrated suppliers who compete with them at retail).

[English]

The evolution of this bill follows the recognition that small business is the backbone of our economy and the recognition that there is certainly ample evidence of abuse of dominant predatory pricing going on in this country but we seem to have a lack therein or a shortage of legislative levers in order to address this reality, particularly in the oil industry.

This enactment will give a basis for the enforcement of fair pricing for a manufacturer who sells a product at retail, either directly or through an affiliate, and also supplies the product to a consumer who competes with the supplier at the retail level in order to give the customer a fair opportunity to make a similar profit.

[Translation]

As I indicated, other provinces, such as Quebec, are proposing the same bill in their jurisdiction. The text also states that a supplier forcing or trying to force a client to establish a retail pricing policy or a marketing policy for retail sales is guilty of anticompetitive practice.

(Motions agreed to, bill read the first time and printed.)

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, with leave of the House, I move:

That the 58th report of the Standing Committee on Procedure and House Affairs be concurred in.

The Deputy Speaker: Does the parliamentary secretary have unanimous consent to move this motion?

Some hon. members: Agreed.

(Motion agreed to.)

* * *

• (1525)

PETITIONS

CONDITIONAL RELEASE

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, following the tragic events that occurred in the city of Disraeli, in the

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Eastern Townships, I wish to table a very important petition bearing more than 22,200 signatures.

The promoters, André Beaulieu and Jeannot Talbot, supported by the petitioners, call upon the government to ensure stricter enforcement of conditional release legislation and increase surveillance. I support these 22,200 people in their undertaking and I hope the Minister of Justice will be attentive to their demands.

[English]

EMERGENCY PERSONNEL

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions to present today.

The first petition comes from Dartmouth, Nova Scotia. The petitioners draw to the attention of the House that our police and firefighters place their lives at risk on a daily basis as they serve the emergency needs of all Canadians. They also state that in many cases the families of police officers and firefighters killed in the line of duty are often left without sufficient financial means to meet their obligations.

The petitioners therefore pray and call on Parliament to establish a public safety officers compensation fund to receive gifts and bequests for the benefit of families of police officers and firefighters killed in the line of duty.

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition comes from Edmonton, Alberta. The petitioners draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society.

The petitioners therefore pray and call on Parliament to pursue initiatives to assist families that choose to provide care in the home for preschool children, the chronically ill, the aged or the disabled.

EMERGENCY PERSONNEL

Mrs. Rose-Marie Ur (Lambton—Middlesex, Lib.): Mr. Speaker, I have a petition to present today pursuant to Standing Order 36. The petition comes from constituents in Regina, Saskatchewan.

The petitioners draw to the attention of the House that our police and firefighters place their lives at risk on a daily basis as they serve the emergency needs of all citizens.

The petitioners call on Parliament to establish a public safety officers compensation fund for the benefit of the families of public safety officers killed in the line of duty.

GASOLINE PRICING

Mr. Dan McTeague (Ontario, Lib.): Mr. Speaker, I am pleased to present a petition signed by many of the constituents of my riding from Pickering, Ajax and Whitby who call on Parliament to adopt legislation which would require gasoline companies to give 30 days notice to the appropriate minister of an impending

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significant increase in the price of gasoline and that such notice also contain the reasons for the increase and when it will take effect.

NATIONAL HIGHWAY SYSTEM

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I have a petition with signatures of Canadians collected at a filling station on the Trans-Canada highway in my riding.

The petitioners draw attention to the fact that 38 per cent of the national highway system has fallen below accepted standards, that Mexico and the United States are upgrading their national highway systems, and that the national highway policy study identified job creation, economic development, saving lives, avoiding injuries, lower congestion, lower vehicle operating costs and better international competitiveness as benefits of the proposed national highway upgrading program.

Therefore the petitioners call on Parliament to urge the federal government to join with provincial governments to make the national highway system upgrading possible in 1997.

JUSTICE

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, I have the privilege to present to the House a petition signed by 125 concerned citizens from my riding of Cambridge and southwestern Ontario.

The petitioners pray and request that the Parliament of Canada enact legislation prohibiting convicted criminals from profiting financially from writing books, setting up 1-900 numbers or producing videos which detail the stories of their crimes.

The petitioners also request that legislation be enacted which would prohibit convicted criminals from selling their stories to others for publication through books, movies or videos, and from selling details of their crimes to publishers and producers outside Canada.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following question will be answered today: No. 100.

[Text]

Question No. 100—**Mr. Simmons:**

Could the Minister of Health indicate what will happen to the existing national AIDS strategy due to finish in March 1998 and in particular the existing HIV clinical trials network?

Hon. David Dingwall (Minister of Health, Lib.): Health Canada remains committed under phase 2 of the national AIDS

strategy to support the infrastructure of the Canadian HIV trials network (CTN). The decision regarding future funding of the CTN and the appropriate level and distribution of funds will be made following the completion of the evaluation of the CTN, which will take place in 1997. Health Canada is prepared to continue to work with the CTN to support opportunities for Canadians to participate in collaborative research on a national international basis.

AIDS will continue to be a critical public health issue in Canada and the world for some time to come. A future national strategy will require the co-operation of other governments, non-governmental organizations and other interested parties such as the CTN and must be undertaken within current fiscal resources. The Minister of Health is continuing to meet key stakeholders in the AIDS field including the CTN to consider future national approaches on HIV/AIDS.

[Translation]

Mr. Zed: Mr. Speaker, I ask that the other questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

• (1530)

The Deputy Speaker: Dear colleagues, I wish to inform the House that, because of the ministerial statement and responses, government orders will be extended by 10 minutes.

GOVERNMENT ORDERS

[English]

SUPPLY

ALLOTTED DAY—VICTIMS OF CRIME

The House resumed consideration of the motion and of the amendment.

The Deputy Speaker: The hon. member for North Island—Powell River has four minutes in questions and comments.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, in questioning the hon. member, may I say as a preface that I became acquainted with these cases 15 years ago when one of the victim's families asked for my advice on constitutional issues relating to the ability of the attorney general of B.C. to renege on the so-called "blood money" contract paid for information leading to solution of that case.

I have followed with great interest the development of the debate and his own valuable intervention. However, I would ask him whether he has considered the impact of section 11 of the charter of rights, particularly subsections (g), (h) and (i) on retroactivity and

in particular section 11(i). Does he not consider it creates major constitutional difficulties for the establishment retroactively and the denial to persons like Olson, already convicted, of the right to proceed under existing provisions?

Would he not be better advised to direct his feelings about the obscenity of the particular person concerned—which I think are shared—and suggest closer attention by the tribunal hearing the matter to abusive or frivolous use of a device, the existence of which on most constitutional authority cannot be retroactively taken away?

I ask that question seriously because I think there is room for representations to be made in the tribunal hearings.

Mr. Duncan: Mr. Speaker, we dance around these questions a lot. We make presumptions about whether something will be acceptable under the charter or not.

I mentioned something very basic in my earlier response about whether prisoners have the right to vote or not. My memory is that was not challenged at the federal level. When the decision was made that prisoners have the right to vote, as a federal presence we chose not to appeal the decision. Why would we do that? Is it because we agreed that prisoners should have the right to vote? I would go so far as to say that the vast majority of the population does not think so.

When it comes to the constitutional difficulties the member for Vancouver Quadra mentioned, yes there will be difficulties. Does that mean we create convoluted legislation that does not address the nub of the problem or do we go for the nub of the problem and then deal with the fallout on the constitutional end? We have mechanisms such as notwithstanding clauses.

Are we ever going to deal with the problems in some of these documents, particularly the charter of rights which has its own baggage? It has been in place for some time now and we know there are inherent problems in it. Are we ever going to deal with the problems if we continue to dance around them? I do not think so. I think we have to do the right thing and hope the right answer comes out of it.

• (1535)

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, I will be splitting my time with the member for Burlington.

To restart this debate, members opposite from the third party have called on the government to apologize to families of murder victims. One cannot appreciate nor can one understand what sort of grief and suffering the families of those who have been murdered go through.

At the same time it is a sad commentary if this debate has been raised today simply on the basis of scoring some political points if that is the only motive. There is no reason for this government to

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apologize. And I do not think there is any reason why the government would want to get involved in all of this to make these people, the families, political pawns.

We know from earlier debate raised by my friend from Rosedale that criminal law is not there just to punish. Punishment is part and parcel of the criminal law but it is not the sole factor. Punishment does not bring back victims. Locking up offenders is not the sole answer and there is a cost factor attached to it. We also believe that while people are incarcerated we should look at rehabilitation with a view that some of these people may be put back into society.

The law requires that those who are convicted of first degree murder must serve a minimum of 15 years. We also know that most people convicted of first degree murder serve a full life sentence. We do know that after 15 years release is only possible after a very thorough review process. This is not just a review by the Minister of Justice or by the courts. Ordinary Canadians have a say as well.

The Criminal Code requires that offenders must serve their full 25 year sentence unless a jury decides that they should be allowed to apply for parole. First they have to serve at least 15 years of their sentence. Then they must go to the jury and if and only if that jury approves can they apply to the parole board in the same way as other inmates. This is not a green light from the beginning and this is not an easy process.

We on this side of the House believe that Canadians are best served by a complete criminal justice system, not by a system that says the only factor in sentencing is punishment. The criminal law has greater width than that and the ultimate purpose of criminal law is to make Canada a safer place.

We have talked about punishment and we have heard about deterrence but we also believe that we are here to protect Canadians from violence and by preventing violence. Every murder that we can prevent means that one less family is victimized. A criminal justice system is not just about deterrence and incarceration. Everything possible must be done to prevent crimes from happening in the first place and to deal with those who commit them so they will not reoffend again.

The safety of Canadians requires that offenders be rehabilitated if possible and if it is not possible then they will not be released. The possibility of release after 15 years instead 25 years is a part of rehabilitation. It offers a reward to those who modify their behaviour. The strict review process ensures that those who do not change will serve out their sentences.

The interests of all Canadians are better served by preventing crime than simply by punishing people. That is why we have brought in legislation to prevent murder and other violent crime.

In Canada one-third of all homicides are committed with firearms. In recent years more Canadians have been killed with a gun than any other type of weapon. We listened to the families of

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young women killed at the Montreal University Ecole Polytechnique in 1989 and the families of victims of firearms violence all across Canada. We believe that the families of these victims want more than anything to see that it does not happen to someone else.

That is why the government has enacted new gun control legislation. If someone is shot the whole family is victimized but Canadians are also victimized.

• (1540)

Unfortunately the new decorum in the House means they keep talking but we have to keep the killer in jail. It also costs about \$50,000 a year which is over \$1 million for every offender. If murders can be prevented from happening everyone benefits. Sadly the members opposite disagree. They voted against gun control. They would rather lock up murderers than prevent people from being killed in the first place.

I ask: who voted against measures that would allow us to identify illegal firearms so that the guns could be seized and those who import and sell them to Canadian criminals could be prosecuted? Who voted against measures that would ensure that police officers could find out whether a gun is in the house before they knock on the door? Who voted against laws that would control imports to ensure that guns that enter Canada are sold only to those who have been screened and have been issued a permit for them? Who voted against measures that would make sure that only those who owned their guns legally and had them registered could go into a store and buy ammunition for them? Where do the members opposite stand?

Earlier in debate today, members talked about accountability. Earlier today they talked about how they stand in solidarity on this issue. Yet they also talked about accountability. We also heard the talk, and it is only talk, of how they are accountable and how they go out, in this infinite wisdom of theirs, and discern how people feel.

However, members opposite know that three of their members voted for the gun legislation. They spent taxpayers' money to do a poll in their ridings. They knew all along that this was a way of preventing victims, of protecting families and of preventing murder.

Does the hon. member and his colleagues opposite, with the three exceptions who spent the money to do a poll, oppose all of these things because they think it will cost too much money? It is okay if it is out of the member's budget. They want to spend money on prisons but not on preventing crime. They are not willing to spend money on saving lives. They also oppose it because it is inconvenient for their supporters. They oppose holding gun owners

responsible for gun storage requirements that would help keep guns from being stolen and keep them out of the hands of children.

Some of their supporters object to registering their firearms. They object to the idea that they should have to keep their guns locked up. They think that they should all be allowed to have assault rifles and machine guns. They think they should have the right to have any kind of gun. They would like to see everyone with a loaded gun to protect themselves from criminals. They have adopted the American principle of the right to bear arms. Those are simplistic and unrealistic policies.

The hon. member and his colleagues do not seem to be very concerned that we would also have the kind of homicide rates that would inevitably result from their policies. They would like to repeal gun laws. They say they would do it all if elected. They say they care about the families of those who were shot yesterday but they do not seem to care very much about the families of tomorrow's victims.

One-third of Canadian homicides are committed with guns. That means that one-third of the families about whom the hon. members opposite are so concerned lost their loved ones to gunshot injuries. However, they do not worry about that as long as the killer spends 25 years in jail. In that way their consciences are clear and their supporters are happy. What about the families? They are still victims. Their loved ones are still dead and their lives are still devastated.

I would suggest that the shame is on that side. They should be embarrassed for calling on the government, which is trying to prevent similar killings in the future, to apologize fully to the families of the victims. If anyone should apologize it is those on the other side of the House, not here.

• (1545)

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the hon. member talked at length about previous legislation the House had dealt with such as gun control. He correctly pointed out that two-thirds of all homicides were caused other than by firearms. I am thankful he pointed that out.

My question for the hon. member for Sarnia—Lambton concerns the subject of the debate today, the whole issue surrounding section 745 and whether or not scum like Clifford Olson should have the right to come before the public and revictimize the families of the children whom he slew. My question also concerns how his own constituents feel about the issue.

He mentioned that some of the Reform Party members in the past went to their constituents on extremely important issues. He is right. We certainly have. We have a duty to represent our constituents on very important issues.

Supply

Dealing with Clifford Olson, somebody who slew 11 children, could he tell me that his constituents support his stand to allow such people to come in front of the public again and revictimize the families of the children whom he killed?

Mr. Gallaway: Mr. Speaker, there is a really interesting philosophy going on here. They take one issue and stake their lives on it. I was elected in the riding of Sarnia—Lambton because people knew what I stood for and what I could do. People also knew what the government stood for on a whole range of issues.

Members opposite love to talk about how they have the only method known to mankind of consulting with their constituents. I will put my method of consulting with constituents against theirs any day.

In any event, let us examine the way they consulted with their constituents on gun control. Their method of consulting was to have their constituents fill out a questionnaire they received in their mailboxes and send it in to them. I am certain there were little clubs and groups who were Xeroxing these, stuffing them in envelopes and mailing them off to their local Reform member of Parliament. Of course it can be sent free, without any charge.

From the mailbag they said they learned how their constituents felt. A bunch of anonymous people had mailed in forms. It was like clipping coupons from a newspaper. This was supposed to be a very scientific process. It was the way the Reform Party discerns how their constituents feel.

Out of that came a policy they said represented the views of their constituents. Yet, three of their members dared to go into the communities and say they wanted to engage a professional polling firm. They wanted to find out exactly what the people in their ridings were saying. They did not want a bunch of anonymous people mailing in clippings and flyers. They wanted to know what the people in their ridings truly felt. They were willing to spend 2,000 or 3,000 bucks of Government of Canada money to find out the people of Canada supported Bill C-68.

They are using the same kind of logic in the most wondrous fashion to tell us that Canadians are opposed to section 745 and therefore it must be repealed. Let us have a little clipping service. Let us have a discount. Let us find out what those nameless people who are responding to the Reform polls are saying.

It is nonsense to discern or gauge public opinion that way. They do not have a stand. They are like willow trees. They blow with the prevailing wind, and the prevailing wind comes from the little coupons people clip and mail to them.

That indicates why they are sitting where they are in the polls. They are devoid of any opinion other than what is in their mailbags.

It is an indication of how special interest groups seize such minds and propel what they discern to be public opinion. I do not agree.

• (1550)

Ms. Mary Clancy (Halifax, Lib.): Mr. Speaker, judging by the wording of the motion I get the impression the Reform Party is accusing the government of being insensitive to the concerns of victims regarding section 745.6 of the Criminal Code. Let me assure hon. members of the House that nothing could be further from the truth.

In developing the amendments to section 745.6 which were recently passed by the House the government had the concerns and perspective of victims squarely in mind. I am referring to the amendments introduced in the House on June 11, 1996 as Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, now S.C. 1996, chapter 34. These amendments received royal assent on December 18, 1996 and were brought into force on January 9, 1997.

Turning to the substance of those amendments I note for hon. members that as of January 9, 1997 any person who commits multiple murders will no longer be entitled to bring an application under section 745.6. Judicial review of the parole ineligibility period will simply not be an option for anyone who commits more than one murder. This would include those offenders, fortunately few in number, who have become known in the popular media as serial killers.

In these cases the offender will be required to serve the full 25 years with no eligibility for parole and no chance under section 745.6 to review that ineligibility period. This means that for future cases of this nature victims' families will not be forced to face the prospect of a section 745.6 review.

The second point I note about the amendment is the introduction of a mechanism to screen out applications that have no merit. As of January 9, 1997 any application brought under the section regardless of when the offence was committed will be submitted to a superior court judge for a paper review of the case to see if the case has a reasonable prospect of success.

During the paper review the judge will consider written materials presented by the crown and by the offender. If the offender cannot show that his or her application has a reasonable chance of success—and the legislation places the onus on the offender to prove this point—the application will be stopped there. It will not be permitted to proceed to a hearing before the jury.

The amendment will prevent the type of revictimization the Reform Party motion refers to in any case where the application has no reasonable prospect of success. These applications will be screened out at any early stage. They will not be allowed to proceed to a full and public hearing before a judge and jury.

Supply

The third point to note about the amendments is that a significant change has been made concerning the number of jury members that must be convinced before an offender can obtain a reduction in the parole ineligibility period. Before these amendments were passed an offender only had to convince two-thirds of the jury or eight members out of twelve. As a result of Bill C-45 an offender will now have to convince each and every member of the jury to get any reduction at all in the parole ineligibility period.

To recap the effect of these important changes to this section and to the review process, as of January 9, 1997 no person who commits multiple murders will be allowed to apply for a review under section 745.6 of the Criminal Code. All applications brought after this date, whether the crimes were committed before or after January 9, 1997, will be subjected to a paper review by a superior court judge and may well be screened out if the offender cannot show a reasonable chance of success. For those applications that do not get screened out, the offender will have to convince all 12 members of the jury to get any reduction in the parole ineligibility period, not merely eight members of the jury as was previously legislated.

• (1555)

The government listened. It listened long and hard to the concerns of victims before and during the development of these amendments and during their passage through both Houses of Parliament.

During this process it became apparent that one of the reasons for the concern about section 745.6 was that until recently many people were unaware of the existence of this provision. For example, the families of murder victims often find out about section 745.6 through the media many years after the trial and conviction of the offender. This late discovery leads to a sense of surprise and betrayal. It reopens old wounds.

The sense of surprise and betrayal was evident in the testimony of many of the victims who appeared before the House of Commons Standing Committee on Justice and Legal Affairs and the Standing Senate Committee on Legal and Constitutional Affairs when these committees considered Bill C-45.

As a result of listening to this concern, on February 27, 1997 the Minister of Justice and Attorney General of Canada announced that he had written to his colleagues, the provincial attorneys general, to ask them to issue instructions to their crown attorneys that the families of victims were to be advised of the existence and the effect of section 745.6 at the time of sentencing in all appropriate murder cases.

By implementing this simple and practical procedure we can ensure the families of victims are never caught by surprise by the existence of section 745.6 again.

Sadly there are people sitting in the House who would rather muddy the waters with half-truths than come out with what exactly happened in the amendment of the legislation.

I am delighted the hon. member for Sarnia—Lambton was here at the beginning of this afternoon's debate to set the record straight.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I listened to the brief comments of the member opposite. She referred to the reasonable prospect of success. That is rather an ambiguous term which has not been defined.

It reminds me a little of the relativity of medical and other information as contained in Bill C-46 wherein sexual assault victims will now be protected. Any information they might have granted or given to a doctor, a counsellor or whomever will be protected and will be denied to defence counsel unless the relativity of the evidence is established in the mind of the court.

Professional witnesses appeared and told us that the courts, without any question, were considering the relativity of information. They are not willing to leave out any information so relativity is a matter of speculation from their point of view.

We are faced with the same thing. What judge would say whether or not there is a reasonable prospect of success? All the applicant has to do is create a doubt in the mind of the judge as to whether or not there is a reasonable prospect of success. We will have as many different definitions of that as we have judges sitting on the cases.

Does Clifford Olson have a reasonable prospect of success? I do not know. There are some judges who might say yes to that. He would not have in my mind. He would not have in the mind of the victims. He very well may find judges who will not take the onus of responsibility but will leave it to a judge and jury to hear the whole of the evidence and view it from stem to stern.

By relying on the second level or another level of appeal in Bill C-45 is unproven. It is untested.

• (1600)

Perhaps the hon. member would like to comment on that, bearing in mind the evidence that was submitted before the standing committee on Bill C-46 with respect to the judges simply saying any evidence might be relative to the defence.

Ms. Clancy: Mr. Speaker, I am of course to delighted comment on the hon. member's comment.

I would first like to say that I was slightly confused by his comments at the beginning with respect to the theory of relativity, but realizing that the hon. member is not Einstein I was soon reassured. I suspect he meant relevance, but we will see.

Supply

As to his worry about the judges of the various courts across this land being loath to make decisions, I can only say that certainly has not been my experience. I would go to my colleague, the hon. member for Sarnia—Lambton, and suggest that probably is not his experience either. Judges, when they are put on the bench, wish to make decisions based upon their considerable knowledge and ability, which is the reason they were put on the bench in the first place.

If the hon. member has no faith in judges, if he clearly has no faith in governments, if he has no faith in anyone, why is he here? Why bother to take part in a process that he thinks is totally irrelevant, or should I say irrelevant?

I have come forward to attempt to allay some of the wilder theories about this legislation. I think I have done so. I know that the hon. member for Sarnia—Lambton has done so. I would suggest that comments such as the ones we have just been subjected to come more under the heading of sour grapes than they do the theory of relativity.

[*Translation*]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, I am pleased to also speak to an issue that has been dealt with widely and at length during the 35th Parliament, that is section 745 of the Criminal Code, and I would say, the Criminal Code in general, because this Parliament will go down in history as one of those that legislated the most with regard to criminal law.

We may have opposite views on section 745, as did my honourable friend from Charlevoix, who voted in favour of Bill C-234 that was introduced by our colleague from York-South—Weston and that called for the repeal of section 745, while others voted against it. I will come back later to the bill introduced by the hon. member for York-South—Weston.

I must first give some historical background to show how section 745 is neither fish nor fowl. These things sometimes happen in the Criminal Code. As we pointed out when Bill C-45 was introduced, this provision is somewhat peculiar.

Let us go back to 1967, 30 years ago. Since you were a young attorney at the time, you probably recall, Mr. Speaker, that the Criminal Code of Canada provided that capital murder was punishable by death. As a matter of fact, there had been no execution in Canada since December 6, 1962.

Using the royal prerogative, the government had systematically commuted the death sentences, the hanging sentences, one of the most infamous being that of Wilbert Coffin, in Quebec, who had been sentenced to death for murders committed in the Murdochville area, in the Gaspé region, after a trial that had left people with a bitter taste. At the time, people were not quite sure if Wilbert Coffin was really guilty.

I would say that Wilbert Coffin's execution in 1956 triggered the abolition of the death penalty in Canada, since it was one of the last times a person was sentenced to death and executed in Canada after a superior court trial that was never reviewed on its own merits by a court of appeal or by the Supreme Court of Canada.

• (1605)

It is somewhat disquieting to see a man deprived of the most basic right he possesses, the right to live, by the judgment of a single court, under circumstances that are a matter of concern, to say the very least.

In 1967, the federal lawmakers intervened in order to temporarily abolish the death penalty, for five years. There was no longer any need to use the royal prerogative, which had already been used an nauseam, to commute sentences.

People of my generation will recall the Léopold Dion case in the early 1960s. He was found guilty of the murder of a young child, and was apparently guilty of three other child murders as well, but the death penalty was not applied. It thus became unthinkable for that penalty to be applied to lesser cases in future.

The government of the day introduced a bill to suspend the death penalty for five years. Theoretically, it was revived briefly for a few months after that, until the House passed another bill, again for a five year moratorium, if I can use that word in this context.

This brings us up to the spring of 1976. The Trudeau government did promote certain human values. On constitutional issues, there is nearly universal agreement that his administration was a failure and a similar argument could be made in other areas as well, but in criminal matters or matters of criminal law, it certainly did promote such values. That must be said, all partisan considerations aside. Let us think, for example, of the reforms that abolished whipping, the reforms that enabled people taken into custody who were without assets to be released without having to post a cash bond, as they had had to in the past. Between 1970 and 1980, persons under the jurisdiction of the courts—in other words, all of us—saw their rights improved as far as criminal law was concerned.

Another Liberal government, the one we have during this 35th Parliament, has succeeded in virtually undoing everything the previous government had accomplished. We have seen the hon. member for Notre-Dame-de-Grâce, a former Liberal cabinet member, vote against this legislation, as very few others did. I believe that the hon. member for Kingston and the Islands also did, a few times, even on section 745, the object of today's motion before the House.

To put ourselves back in context, here we are in the spring of 1976, and the government is introducing a bill to definitively—I nearly said *sine die*—abolish the death penalty in Canada. Howev-

Supply

er, the government realized it did not have the majority it needed in the House to pass the bill. It was supposedly a free vote, although members of cabinet were expected to toe the government line, but it seems they were short five or six votes. Not all historians agree, but it was less than ten votes.

That is when the Trudeau government, which had not included section 745 in its initial bill, negotiated an unlikely compromise. To buy, or should I say obtain, the consent of some reluctant members, who with a little arm twisting could be persuaded to adjust their consciences accordingly, the government moved an amendment.

The amendment provided a minimum prison sentence of 25 years for a person sentenced to the maximum for first degree murder—in other words, life—before becoming eligible for parole. For second degree murder, the offender had to serve a minimum of ten years, depending on the court's decision.

However, since this was a concession to the hard liners, the government added a sweetener elsewhere for in the bill. The sweetener was section 745, which allowed offenders sentenced to more than 15 years imprisonment—which means all those who are convicted of first degree murder and second degree murder and have to serve a minimum of 15 years—to apply, after 15 years, to a judge of the Superior Court of a province, not just any judge but the chief justice, asking him to empanel a jury.

• (1610)

The judge has no choice, he has to empanel a jury, two thirds of which make a recommendation. No decision is even made. Before being amended by Bill C-45 in this legislature, section 745 provided that two thirds of the jury made a recommendation.

If the jury recommended parole, the inmate was not automatically freed, he could simply apply to the Parole Board. It was a stage allowing him to go to another door, and, with the time it takes in our legal system, the inmate could spend several months behind bars before being denied parole.

And then we had in this legislature Bill C-234, introduced by the hon. member for York—South—Weston, which proposed the repeal of section 745 of the Criminal Code. Everyone in opposition supported a review of section 745, given the circumstances of its creation and the fact that it had been in effect for 20 years. This is why we agreed to its review.

We did not agree to much else. Bill C-234, however, was clear at least; section 745 would be removed from the Criminal Code. You could agree or disagree. It was a free vote, because it was a private member's bill. In our party, most of the members were opposed. As I mentioned earlier, our colleague from Charlevoix voted for Bill C-234. Whether we agree with it or not, Bill C-234 takes an honest approach in that it is unequivocal: either section 745 goes or it stays.

At second reading, the government let the House vote overwhelmingly for Bill C-234 to go forward, only to let it get buried and die in committee as most private member's bills do. The government itself came back with Bill C-45.

To all intents and purposes, Bill C-45 repeals section 745 of the Criminal Code. Why? Because the criteria set in 1976 would now be much more difficult to meet, because they have been changed and the mark is definitely set much higher.

From now on, any inmate who wants to apply for early release under section 745 of the Criminal Code after serving 15 years, inasmuch as 15 years can be considered as early, will be required to first apply to a superior court judge, a modern day judge as appointed under the Constitution, and satisfy the judge that, at least on the face of it, there is a reasonable chance for his application to successfully be submitted to a jury.

Before, all inmates had to do was to apply to the chief justice of the province's superior court or supreme court and a jury had to be empanelled. Now, a judge designated by the superior court must at least consider written evidence. Because the common law is quite liberal in that regard, the judge may decide to hold a hearing if the court so pleases.

How much of an onus of proof will be borne by inmates? We cannot tell yet, because this particular provision has not really been challenged in court. We do not have jurisprudence to guide us in this matter; time will tell how much evidence our courts will require.

As I pointed out repeatedly at the Standing Committee on Justice and Legal Affairs, I fear this legislation might be applied differently in different regions of this country, depending on whether, where the judge is from, people do not put much faith in rehab or whether the circumstances of the crime for which the inmate is doing time are particularly aggravating, the judge could be tempted not to allow the case to proceed in the first instance.

• (1615)

It is also more difficult to get a recommendation under section 745, since each and every member of the jury must now be convinced, as opposed to only two thirds of them. This unanimity rule works well, for the purpose of determining guilt, when it is used in conjunction with the notion of reasonable doubt. Under our legal system, guilt must be proven beyond a reasonable doubt. This is why a jury's guilty verdict must be unanimous.

In our provincial courts, which deal with civil matters, it is not necessary to prove guilt beyond a reasonable doubt. There must merely be a preponderance of evidence, and a jury is not required to make a unanimous decision. Generally speaking, civil courts use the two thirds rule, as it was applied in Quebec until 1976, when civil trials by jury were abolished. Under that rule, it is enough to get four out of six jury members to agree. In a civil trial, it is

money, not the life or the freedom of a person, that is at stake, and the burden of proof is different.

But here the more strict criterion is used, the one that usually applies to the determination of guilt, and only for the purpose of a recommendation. This is wrong. Using the two thirds rule seemed quite appropriate and did not appear to pose any problems. We made a strong plea in committee to allow the victims, or those who represent them, to be heard when an application is made either before the jury, or before the National Parole Board, so that the board or jury members can have all the available information, including the views of the victims and their families and how they were affected.

The hon. member for Crowfoot explained on several occasions in this House that he has confidence in the jury system, provided members of the jury have all the facts. I agree with him. Jury members must have all the facts so they can render a fair and logical decision.

The bill that was passed, C-45, does not, in my opinion, allow enough information to be made available to the jury making the decision, to the judge authorizing procedures, or to the National Parole Board.

Finally, an additional condition Bill C-45 imposed that did not exist before is that, in the case of multiple murders, an offender is not eligible to apply under section 745.

At first blush, one might say this was a good change, because section 745 is not for serial killers. But someone who has committed more than one murder is not necessarily a serial killer, someone who enjoys killing for money or some other form of remuneration. It could be someone who has held up a bank and killed two people while doing so. Such an individual is no longer eligible for parole; he must serve his 25 years.

I think that Bill C-45 was an awkward attempt by the government to keep everyone happy by telling hardliners: "You see, we have, to all intents and purposes, repealed the provisions regarding release after 15 years", while saying to those who are more liberal, with a capital L: "Look, we believe in rehabilitating offenders, because we are still letting them apply after 15 years, if their behaviour has been good".

• (1620)

What I say is that a law that does not apply in the same way in Vancouver, Edmonton, Quebec City and Halifax is a bad law. For once, we have the jurisdiction to take action; nobody is questioning the jurisdiction of the federal Parliament over criminal law. It would be interesting not to have to speak about the Constitution today, because it is clear in our law, in section 91 of the Canadian Constitution, 1867, that criminal law is a federal responsibility. I say that the federal Parliament should have given more thought to the equality of application of the new section 745 as amended by Bill C-45.

Supply

There may be recourse under the equality provisions of section 15 of the Canadian Charter of Rights and Freedoms if someone is treated differently, if statistics show that people in Quebec are systematically released after 15 years, while those in Edmonton are not. Is there inequality? I think they have opened a Pandora's box of challenges, constitutional challenges.

But I would rather have seen them go with the vote on Bill C-234. That bill was clear and we would not have been in the convoluted situation we are in now.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to thank the member for his thoughtful comments on the motion. It demonstrates how there are real issues to be discussed and dimensions and complexities which have to be looked at very carefully.

Clearly the position of the law prior to the amendments under 745, which only required two-thirds of a review panel to provide for consideration for early parole, was dealt with in the revisions. Now, as the member well knows, there is a provision for the judge to stop the process even before it gets to that review panel. Now it requires the unanimous consent of the 12 member panel before an application can be made to the parole board.

I just want to thank the member, although I do not agree with all of his points, for being thoughtful and constructive and not pulling the same kind of approach that others might have chosen.

The question I have for the member has to do with the description and insinuation the member made that somehow at the end of 15 years the prisoner can get out. I think the member will know, as he has probably done his homework, that 15 years is the point at which one can apply but the reality is that the time at which a person might get out under the provisions could be as late as in the 22nd or 23rd year of their sentence.

Would the member please confirm and not leave the impression that it is 15 years and a person is out and that there really is a period during which consideration might be given to some measure of control.

[*Translation*]

Mr. Langlois: Mr. Speaker, the hon. member for Mississauga South has touched on an important point.

He will allow me to point out that in 1976, when section 745 was adopted, the average length of detention for capital murder in Canada was 13.2 years. The penalty for what was later to be called first degree murder had, therefore, been made far more severe.

In my opinion, then, those trying to prove that sentences have got lighter are barking up the wrong tree, or else I have a poor understanding of the history of our Criminal Code. Perhaps I need someone else to explain it to me, but since 1976 sentences have

Supply

become harsher, given that there has been no death penalty since 1962.

From 1962 to 1976, however, the length of time a person was imprisoned for capital murder, premeditated murder, or murder in the first degree, was barely over 13 years.

• (1625)

We now have a formal guarantee that the minimum is 15 years. I am convinced that, with the present wording of section 745, it will be much more, in the order of 20 or 25 years. So people must stop circulating this false idea that sentences are getting lighter.

Personally, I am an abolitionist, having assumed in my own life, as well as in the lives of those I have had a hand in educating, that killing someone to teach him that murder was unacceptable was no way to teach anyone anything. A second execution, even in the name of the state, makes no positive contribution. More people are left to mourn, more wounds are opened, and I cannot morally support the way things were done in the past.

Times have changed, and fortunately things are different today. But we are still faced with the problem of section 745, because this is what today's motion is about. It is not settled. This debate will probably turn into an endless one, to be started up again every time it is necessary.

[*English*]

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I would like to thank our colleague from the Bloc for his comments. He is a member of the justice committee and I have always appreciated his participation on that committee.

Very quickly, the question for the hon. member is when will the families of the victims ever have peace of mind? The first shock comes when they lose a child. The second shock comes during the lengthy court hearing. And 15 years later all that is reawakened with the third shock.

Following that, if the application is not successful, the shocks can come in rapid succession every two or three years or whenever. When are the families entitled to peace of mind?

[*Translation*]

Mr. Langlois: Mr. Speaker, the hon. member for Crowfoot asked a perfectly legitimate question which, to all intents and purposes, I answered in my 20-minute speech just now when I said victims must be heard.

The problem today is, when are the victims included in the process? At the trial, when the evidence is heard and they are asked to testify, but afterwards they are dropped, just when they need the

support of society. They have suffered the loss of a dear one who is irreplaceable.

Of course, just attending the hearing provided under section 745 may be stressful. I realize that, and you may rest assured I have every sympathy for the victims.

However, after hearing the victims and giving them the broadest possible hearing and every facility for making themselves heard, both by the jury and the National Parole Board—that is where the problem is, in my opinion—when the process is finished, we must rely on an impartial body, in my opinion the jury, and ultimately the National Parole Board, to determine whether or not the offender should be released.

Notwithstanding the grief and pain of the victims and their right to show that pain and to be heard, the decision is not up to them. They cannot distance themselves. They are too involved emotionally. But as long as we do not give victims and their families a better chance to be heard and to explain their personal grief and that of their family and their friends, and how this has affected their lives, to be heard by the National Parole Board and the juries empanelled under section 745, we will not be on the right track, because these people will be frustrated, and rightly so, because of what can happen to them under the present rule of law.

That is why I say the Bill C-45 has solved nothing and we must keep fighting for victims' right to be heard.

• (1630)

[*English*]

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, very quickly so that the hon. member from the Bloc will have a chance to respond, the point that we are trying to make here today is that we are dealing here with first degree, premeditated, cold blooded, planned murder. That is what we are dealing with.

We are saying that those types of criminals do not deserve to have any hope of getting out of jail before 25 years. If we look at Olson's crimes, they were certainly first degree murder. I would question anybody who could dispute that.

In light of that, why is section 745 still in place to give those types of criminals the hope of early parole?

[*Translation*]

Mr. Langlois: Mr. Speaker, I think the member for Prince George—Peace River is asking the right question. Our answers would be different. I say that there will always be an exception. If the law does not provide for an exception, there should be recourse to royal prerogative to allow people to go free, as had to be done in Quebec City.

A 62-year-old was sentenced for first degree murder—a crime of passion obviously. The jury, however, felt that there was enough

vidence for a sentence of first degree murder, with the individual having to remain in prison until the age of 89, before release. The individual was released through royal prerogative.

There will always be an exception. If there were only to be a few exceptions, our laws should provide for certain release mechanisms.

Obviously, in cases like those cited by the hon. member, where the evidence speaks for itself, there would simply be no parole. And I have every confidence in the jury system and in the procedure in place to ensure this never happens.

[English]

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, we have a fine tradition that usually when members rise on a bill they say it is their pleasure to rise. It is with great sadness that I rise today to respond to this motion urging the government to apologize to the families of murder victims for not repealing section 745.

Mr. Ramsay: Why?

Ms. Torsney: Thank you, Mr. Ramsay. My sadness is—

The Deputy Speaker: Will all hon. members please refer to each other by the names of their ridings rather than by their last names, first names or middle names.

Ms. Torsney: Mr. Speaker, duly chastised. To the member for Crowfoot I was going to explain why I have sadness. It is actually on three points. It is with great sadness for the victims, for the families of the victims who have experienced pain in the past. It is with great sadness that the Reform Party has given a media platform to Mr. Olson, which is something I am sure he is very happy to have.

I speak with great sadness because the opposition parties are exploiting the pain and suffering, knowing full well that legislation could not have stopped this hearing from happening this week, that no one can go back in time and change the rules under which somebody was convicted. I have great sympathy for the families of the murder victims. No one in our society should suffer such violent and tragic loss.

It is interesting that today we are debating a piece of legislation that only affects those who are victims of murder and yet when the Reform Party is called on to enact other legislation it votes against it, legislation which would be hate crimes prosecuted with a heavier length of sentence, measures like gun control, something that was asked for by victims.

Section 745, unfortunately one of the members opposite misunderstood, also affects those who are convicted of second degree murder and had a lengthier sentence imposed on them.

Supply

Section 745 will not address the loss that the victims are feeling. We have taken appropriate measures to address the issue. In all our considerations we have been made aware that victims must be included in the process, that we cannot exacerbate the pain and indeed our awareness of victims' concerns has prompted action on many concerns. As I have already mentioned, Bill C-45 affects not just the victims of that crime but all the people who are victims around that crime.

This government has done a great deal to address the concerns of victims of crime and to facilitate their participation in the criminal justice system. Government has responded and will continue to respond to a trend to be more responsive to victims. It did not start with the Reform Party's coming to this House. It has come up many times before. Almost a year ago the government and all its members responded with overwhelming support to a motion to ask the Standing Committee on Justice and Legal Affairs to consider the issues of national legislation to provide for victims' rights.

• (1635)

In lending support to a national bill, which I assume suggests some federal legislation, we must be careful not to prescribe rights which the federal government has no jurisdiction over and no authority to enforce. Our actions speak louder than words. Setting out principles and calling them rights which could not be effectively enforced would be pointless and likely more frustrating than beneficial for victims. Rather, we should direct our energy at addressing specific issues we have the power to address.

Colleagues and viewers should know that recommendations for a victims bill of rights are not novel. This debate has been ongoing since the mid-1980s. Ever since the American Congress passed a federal victims bill of rights, many Canadians have advocated that we follow suit. It is difficult to disagree with a victims bill of rights, but we should ensure the victims of crime will benefit from such a bill before we enact it.

We have had this discussion at the federal level and at the provincial level. In a report to the ministers of justice of the federal-provincial task force on justice for victims of crime in 1983, the federal government, the provinces and the territories engaged in ongoing consultation. They have continued consult with regard to improvements to the criminal justice system that would benefit victims of crime within their respective areas of responsibility. These consultations have squarely addressed the enactment of a victims bill of rights. However, the time has come to revisit the issue.

Much has happened in the last 10 years to improve the victim's role in the criminal justice system. In 1985, as many will know, Canada co-sponsored the United Nations statement on basic principles of justice for victims of crime. Canadian listeners can be

Supply

proud that Canada's justice system already reflected those principles in 1985 and will continue to do so into the 21st century.

In any event, the UN declaration prompted the federal and provincial governments to re-examine the issue of a victims bill of rights. While all the provinces and the federal government were sincerely committed to making changes to the justice system, it was recognized that certain concerns could only be addressed by provincial legislation and that other concerns could be addressed by federal legislation. The majority of the concerns cannot be addressed in legislation at all but by changing attitudes about the role of the victim in the process and about the basic human values of dignity and respect.

When we consider the role of victims in the justice system we also have to think about a meaningful mechanism to enforce their rights. Rights without remedies cannot truly be said to be rights. For instance, if a bill of rights states that victims have the right to receive timely information about the status of an investigation or about the prosecution of an offender, what is the remedy if they feel they have not received timely information? Who is responsible? Likely the police and/or the crown, but is it reasonable to expect that a single piece of legislation can assign obligations to different participants in the justice system that play distinct roles and are employed by separate ministries? Moreover, what is the remedy? Should the prosecution be called off because the victim did not get their information?

What we can do is prescribe in our justice system a set of principles to guide the players. We can continue to encourage them to adhere to those principles of our criminal justice system that deserve the utmost consideration at all stages of the process.

The federal government is responsible for the enacting of criminal law while the provinces are generally responsible for the enforcement of the law, the prosecution of the offences and the administration of justice in the province. We opted among ourselves for a statement of principles to recognize the need for joint action and co-operation.

In 1988 the federal and provincial governments at a meeting of justice ministers endorsed the Canadian statement of basic principles of justice for victims of crime. The notion of a statement rather than a bill of rights addressed both the jurisdictional and practical concerns. All jurisdictions would ensure that whatever initiatives they pursued would reflect these principles, whether in policy or in legislation.

Since 1988, all provinces and both territories have enacted victim legislation which does refer to these principles. I will not go through all the principles as I am sharing my time with the member for Simcoe North. It is important today for us to reflect on the changes to section 745 and how victims will be brought into that process.

• (1640)

It is important to know that Bill C-45 has changed the judicial review process. It established a judicial review so that it will eliminate frivolous cases. It also went further. If you do go before a judge and jury there must be a unanimous jury decision and if more than one individual has been killed there will be no process for you.

The provincial attorneys general have been communicated with and have been instructed to ensure that upon application, a notice will go out to all the victims and they will be called on to attend so that they are not surprised, as some members opposite have suggested. These are exceptional cases and I think we need to be aware of the issues.

It was raised earlier that the faint hope clause was a sure thing and that everybody gets out in 15 years. I thought it might be helpful to have some information from one of the practitioners in our criminal law system, someone who has been on both sides, the crown and defence, my constituent, Mr. Geoffrey Manishen, with the firm of Ross, McBride and Hamilton.

When he came to committee he said: "Practically speaking, you cannot start the process until the criminal has done 15 years. In most jurisdictions by the time he goes through his application there is a judge appointed, they have the preliminary inquiry, they have the day scheduled for the hearing and they have a hearing with the parole eligibility report prepared along the way. It is not 15 years but now that whole process is 16 years. Even if the parole eligibility was reduced right to 16 years, and it is not, we would go through at least 2 to 3 years of graduated release from unescorted temporary absences to day parole before ultimately getting full parole".

It is also important that when the people came before our committee to testify on Bill C-45 they described another factor which the party opposite has refused to discuss. It is selective in its choice of victims. The victims who want this section repealed, it is willing to talk about; the victims who want gun control, for some reason it was not able to address their concerns. Maybe there needs to be some reminder about the other victims who are out there.

Mr. Partington, who has worked in correctional services for a number of years and has done section 745 applications, said: "When you sit in a courtroom trial, on one side you have the victim's family, the deceased's family, and on the other side you have the offender's family who has spent 15 or 16 years as victims of the same offence, I suppose the forgotten victims. Their perspective is somewhat different. They still have a son or a daughter to visit with, to celebrate birthdays and so on. Yes, they still have him alive but they are as victimized in some ways as the deceased. I think it is important to keep the balance".

Supply

To members opposite, we have to make some changes that go forward. We now have victim impact statements in our legislation for sentencing and those are considered. Members need to realize that if that is what victims want, to stop at that process and not come back to a hearing 15 or 20 years later, and in some cases like the Olson case that would not occur, those statements will serve in the consideration and that if the victims do not want to testify, they do not have to come forward. Their statements will stand.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I appreciate the energy my hon. colleague across the way always devotes to her efforts. I find that she does not support our proposal or our position that we want to eliminate section 745 completely from the Criminal Code and yet she stood in this House and voted to do that very thing when the private member's bill submitted by the member for York South—Weston was voted on.

Over 70 members of the Liberal Party joined Reformers in support of that bill. She has made a turnabout and she is quite satisfied now with something that is much less, something that is watered down and something that has allowed and will continue to allow the families to suffer and have their agony relived over and over again. She might want to comment on that turnabout.

I was surprised and pleased when I saw her and her colleagues standing and voting for what I think they know the vast majority of Canadians support and would like to see brought forward. I am sure that the discipline within her party has simply caused her to vote along party lines and reject the private member's bill that she originally supported. She might want to comment on that and give the people of her riding and the people of Canada an explanation why she did that.

• (1645)

She criticized the Reform Party for bringing the Olson disgrace to a public forum. I suppose she would have the same criticism for Mike Duffy of CTV television who devoted almost his program yesterday airing this very issue, the absurdity of the Olson application. People like Michael Harris appeared on that program to express their dismay and outrage over this kind of an application being allowed to proceed under the law. She might like to consider that as well.

We are providing a platform for public debate, representing the views and concerns of the victims and their families. The Liberals have provided a platform for Clifford Olson. They have provided the platform based in law where he can bring those families back into court, cross-examine them and put them through the hell they suffered when their children were kidnapped, raped and murdered one more time. I would like her to comment on that.

Ms. Torsney: Mr. Speaker, I would be happy to comment on that.

As the member for Crowfoot has quite rightly recognized, I did vote for a bill to go to committee and be heard at committee because there has been so much misinformation on this section of the Criminal Code that I thought it needed to be properly aired.

It was not to give Clifford Olson more publicity, not to give the multiple killer more publicity as the Reform Party has done by choosing today, of all days, to debate this. I did it to make sure that the facts get on the record so that people will recognize it is not a sure thing and that it is a faint hope and the facts about what time people get out of our jails do get out of our jails.

It is absolutely paramount that all of the legislation I have been involved with has been trying to ensure that more people are not victimized. We must work on high risk offender legislation. We must work to prevent more people from being victimized in our communities. That is my number one goal.

I was not here 15 years ago when this legislation was enacted. I am not responsible for it. I have worked to change it by voting for Bill C-45 and by making sure that when this issue came to committee it had a full and fair hearing and a reasonable approach was found.

I am trying to ensure, in those cases where somebody does not need to be in a maximum penitentiary, we can devote those resources to crime prevention rather than waste them needlessly.

I am concerned that there remains an opportunity for people like Leo Rocha. His family had a victim and the family members said: "No, we think he should get out at this point". It was their sister who was killed by their father. It is important that we recognize they are victims too.

If there is a potential for someone to be rehabilitated we should not waste resources when those resources could be working to ensure crime prevention. We must ensure there are not more victims in our communities. That is what I am trying to do.

Mr. Paul DeVillers (Parliamentary Secretary to President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the Reform Party motion implies that the government has not paid attention to the needs of victims of crime and that it has been generally so negligent and insensitive that it should formally apologize to the families of victims, presumably for its inaction. This criticism is unjustified.

There are two kinds of actions a government can take to help unfortunate victims of crime and their families. First, it can implement laws, policies and programs which are directly focused on the needs of the families and the victims themselves, for example, by giving them information, by allowing them to partici-

Supply

pate in the prosecution of offenders through victim impact statements, et cetera.

The second way a government can show solidarity for crime victims is by enacting laws that prevent crimes in the first place, that deter criminality and, when crimes do occur, impose tough sentences of imprisonment that will keep chronic offenders away from potential future victims.

• (1650)

[*Translation*]

Some colleagues talked about murderers, their eligibility for parole and the legislation recently passed by this Parliament, but it seems to me that today's motion gives us an opportunity to address another government bill, which is before us, since it recently came back from the Standing Committee on Justice and Legal Affairs. I am referring to Bill C-55, concerning high risk offenders, and the tools it provides to fight the most serious and violent crimes provided for in the Criminal Code after murder.

[*English*]

Bill C-55 is responsive to the demands of victims' rights organizations for tough measures. Let me briefly touch on the highlights of the bill because it is proof that there is no need for the government to apologize to anyone for its anti-crime strategies.

The legislation will create a new sentencing category to be called the long term offender. This measure targets sex offenders. It will allow courts to impose a regular penitentiary sentence on those sex offenders. Then if the judge decides to designate the offender as a long term offender, he can add up to 10 years of supervision to the sentence.

I ask colleagues to think about this. Someone who commits the offence of sexual assault causing bodily harm might normally receive a sentence of say 10 years, but under Bill C-55 the court could find him to a long term offender and add 10 more years of intensive supervision, thus effectively doubling the period of control over the offender by the correctional system.

This period of supervision will only begin when the offender has completed his full prison sentence. This long term supervision period has teeth. It will have conditions attached to it similar to parole conditions. These could include, for example, staying away from specific past victims and staying away from potential victims such as children. They can include a range of reporting and treatment requirements, all of which will allow authorities to keep very close tabs on the long term offender while hopefully encouraging his rehabilitation.

Moreover, Bill C-55 creates a new offence of breach of a long term supervision order. If the offender breaches one of the condi-

tions, the supervisor can bring him into custody and bring charges for the new offence.

[*Translation*]

Some may argue that criminals should be locked up indefinitely. In some cases, this can be done. There has been a dangerous offender provision in Canadian law since 1976.

Since then, this provision was used approximately 186 times and it still is successfully used to deal with about 15 new cases every year, where offenders are found to be dangerous offenders. Dangerous offenders are covered by part XXIV of the Criminal Code, which contains a special procedure whereby individuals sentenced for a serious personal injury offence, who have previously committed similar offences and are likely to reoffend, may be locked up indefinitely.

This extremely severe sentence is justified not only by the past actions of the offender, but also by an observation made at a special hearing that the offender poses a constant threat to the community.

[*English*]

I would also point out that a recent study revealed that 90 per cent of the successful dangerous offender applications involve sex offenders, those who prey on women and children. The dangerous offender law certainly is severe but the Supreme Court of Canada has upheld it as a well crafted, legitimate form of sentencing. Bill C-55 does not tamper with the core concepts of the dangerous offender procedure but it does strengthen it with a few strategic amendments.

As the law presently stands, a judge who finds the offender to be a dangerous offender would normally hand down an indeterminate sentence, in effect indefinite confinement, but he can in exceptional circumstances impose a sentence for a definite term. A federal-provincial task force which reviewed the law concluded that it makes little sense for the crown and the court to go through the special lengthy dangerous offender process only to obtain the same kind of sentence that would have resulted from a normal prosecution.

Bill C-55 will require the court to impose an indeterminate sentence in every instance. This will ensure that these very serious, high risk offenders are detained indefinitely.

• (1655)

Although these offenders fall into a high risk category, it is still important that they receive periodic parole reviews. The current law provides for the initial parole review of a dangerous offender to occur at the three year point of the sentence with subsequent reviews every two years thereafter.

Supply

Bill C-55 will change that initial period review to the seventh year. An offender who is sentenced to indeterminate detention because of his ongoing dangerousness is unlikely to achieve parole after only three years. In fact, the average parole release date for dangerous offenders is closer to 14 years.

[Translation]

The new provision regarding long term offenders and the improvements to the dangerous offenders legislation will provide invaluable tools against violent offenders. We also introduced a provision dealing with sexual offenders, as victims rights groups had been demanding for a long time.

I should point out that the expression “dangerous or violent offender” includes those who commit crimes of a sexual nature. Indeed, sexual crimes are among the crimes for which someone may be designated as a violent or dangerous offender. Bill C-55 provides not only that a person convicted of a sexual crime may be designated as a dangerous or violent offender, but also that, if there are no reasonable grounds to believe that the offender might be found to be a dangerous offender, the court may still designate that person as a long term offender.

What do victims rights groups have to say about Bill C-55? During consideration of Bill C-55 by the Standing Committee on Justice, the Canadian Resource Centre for Victims of Crime commended the government for its initiatives.

As for Victims of Violence, it was pleased by the proposed amendments to the legislation on dangerous offenders. This group also commended the minister and the government for their proposed changes.

Jim and Anna Stephenson, whose son was murdered, are well aware of the needs of victims’ families. They stated that the amendments to the existing provisions on dangerous offenders and the creation of a long term offender category, as proposed in Bill C-55, are major government initiatives. According to them, these initiatives will fill significant gaps in the current legislation, thus reducing the potential threat posed by violent sexual offenders.

[English]

These are examples of what the government has been doing. I reiterate that there is certainly no reason for the government to apologize for its crime policies.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I listened to our colleague across the way. When the families of victims appeared before the standing committee on Bill C-45 none of them agreed in testimony with the position of the government. I am sure my hon. colleague who just spoke knows that.

When the member makes statements such as those he has made today, that the government is doing a good job in this area, the question is for whom? Certainly none of the mothers, who lost their children and grandchildren to murderers and who appeared

before the committee, thought the government was doing a good job. None of the hundreds of thousands of people who have written and signed petitions opposed to section 745, think the government is doing a good job.

• (1700)

Inasmuch as my hon. colleagues have attacked the Reform Party for exploiting emotional issues surrounding the issue they are mocking, scorning and insulting the victims, the family members, the mothers, grandmothers, fathers, aunts and uncles. They are not represented by the government side. I have not heard a speaker from the government side represent the victims, the families.

In view of the concerns and in the view of the opposition, those who were able to appear before the justice committee and the people of Canada who wrote to us and signed petitions that were tabled in the House, how could the member honestly state the government is doing a good job in this area?

Mr. DeVillers: Madam Speaker, it is very clear the government has made the proper amendments to section 745 by the screening process and by making it not apply to multiple murders such as Mr. Olson who has caused the debate today and by requiring unanimity of the jury.

Up until now under section 745 it only took two-thirds of the jury to allow a reduction in the ineligibility of parole. The amendments deal with those three items. They would cover each and every one of the situations the Reform Party is complaining about today.

Reform members complain about a lack of respect. I have a great deal of respect for our judicial system. Even more important, I have respect for the Canadians who sit on juries and hear the full evidence in those cases. As has been pointed out, approximately 78 per cent of the cases before the court on 745 application receive some reduction—they are not all released on to the streets—in their ineligibility for parole.

I have faith in the Canadian people, something I do not think my friends in the Reform Party share.

Mr. Leon E. Benoit (Vegreville, Ref.): Madam Speaker, why did the solicitor general, earlier in response to a question from me, say that he would have made the changes we were pushing for except the Bloc prevented it from happening? The solicitor general said he was in favour of the changes we are talking about.

Does the hon. member opposite support the position of the solicitor general on this issue?

Mr. DeVillers: Madam Speaker, I am at a disadvantage. I did not hear the comments of the solicitor general. I doubt very strongly that he said he agreed with the position of the Reform Party.

He was likely indicating the amendments to section 745 would have been through the House to preclude Mr. Olson from making

Supply

the application that will be dealt with shortly except that we did not receive the co-operation of the Bloc.

Mr. Jay Hill (Prince George—Peace River, Ref.): Madam Speaker, at the outset I would like to say I am splitting my time with the hon. member for Comox—Alberni.

I thank the hon. member for Crowfoot for bringing forward the motion. Unlike the Liberals opposite, I do not believe this is a sad day or that the Reform Party is somehow a villain for bringing forward the motion. Rather, I believe tomorrow will be a sad day, a day of national disgrace for which the Liberal government will be held accountable in the next election.

• (1705)

We are debating the following motion put forward by my hon. colleague from Crowfoot:

That this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code, and as a consequence, this House urge the Liberal Government to formally apologize to those families for repeatedly refusing to repeal section 745 of the Criminal Code.

I wish the Liberal government had paid the attention to the rights of victims and to repealing this offensive section of the Criminal Code that it has paid to going after legitimate firearms owners. If it had put in that type of effort this clause would no longer be there for the use of people like Clifford Olson.

I quote from an article in yesterday's *Vancouver Province*. I do not think it can be said any better than an unnamed staff reporter wrote in yesterday's paper:

Gary and Sharon Rosenfeldt cannot celebrate their wedding anniversary. Christmas dinner with the family ends in tears. Their life is a quiet struggle with no nights out for movies or dinners. They go to bed thinking how it would be if their son, Daryn, was around. Daryn was only 16 when Canada's worst mass murderer claimed him as a victim 15 years ago.

On Tuesday, from the recesses of Canada's most secure prison in Prince Albert, Saskatchewan, Clifford Olson will begin a process to say he is a changed man and deserves the right of parole.

The Rosenfeldts know that he will be lying. On their wedding anniversary several years ago the mailman delivered a letter to them from their son's killer. It detailed the killing and Daryn's last words snuffing out what little joy the Rosenfeldts had left in their lives.

"We go to bed at night every night thinking about Tuesday's hearing", says Gary Rosenfeldt. "It takes us back 15 years. It is as simple as that".

The article went on further:

Olson, sentenced to life in jail with no hope of parole for 25 years for his killing spree, has exercised his right to move his parole hearing forward by 10 years. The murderer is owed his early hearing under section 745 of the Criminal Code, commonly known as the faint hope clause.

The Rosenfeldts, along with those families who have chosen to bear witness for their children at this week's hearing, will appear at a painful press conference tomorrow to remind the world there is not a faint hope in hell that their lives will ever be the same.

As I said at the outset, I do not think it could be said much better than that staff reporter in the *Vancouver Province* said it. As a parent of three children I cannot imagine the horror of having to go through something like that, of losing a child to someone like Clifford Olson. I cannot even begin to comprehend what those families have gone through.

To have those families relive that horror tomorrow is a national disgrace. This psychopath is a man that rehabilitation cannot even touch. He cannot be salvaged. He can never live in the community again.

The chance of Olson getting early parole is about as good as the proverbial snowball's chance in hell. In my opinion that is where this man belongs. The point is that there is something very wrong with the Canadian justice system when a man like Clifford Olson is allowed to waste Canadian taxpayers' money strutting his stuff in the courtroom.

Make no mistake, that is what will happen if he is successful tomorrow and is granted a hearing later this summer. The very thought of it is an offence to the memory of his victims. They did not even get the opportunity to really live. Clifford Olson took that away from them.

We are talking about a cold-blooded killer who is living in a federal institution with more perks than many Canadians have in their homes, including 24-hour access to cable TV in his cell.

• (1710)

Section 745 has a shady past. It was quietly slipped by Canadians in 1976 without any real discussion. The existence of the provision is linked to what I would describe as one of the greatest political scams of all time. In July 1976, in a fit of political correctness, the Liberal government of the day abolished capital punishment despite the fact that the majority of Canadians supported the death penalty.

It was abolished by a margin of only six votes. The trade-off offered to Canadians was so-called life in prison. Canadians were told that even though murderers would now be allowed to live they would at least be put away for 25 years. Then section 745 was quietly slipped in and the effect of section 745 gave a new meaning to the word life: 15 years. It is a mere drop in the bucket in terms of an average person's life. All this was done quietly in the hopes that Canadians would not notice that convicted killers were being let out of jail after only 15 years.

There is more than just a moral issue here. Tied to that is the financial issue. The procedure involved in applying for early parole

is a costly three-stage process. First a judge screens the application. Then a jury hears the application. If a jury decides that early parole is appropriate the offender can apply to the National Parole Board for early release.

The jury is not even given the whole story about the crime. All it hears is an agreed upon statement of facts. To top it all off, the jury makes its decisions based on a lower burden proof than is used in criminal trials. There is no need to find beyond a reasonable doubt that the offender is not a risk to the community.

It is truly disturbing to think of all the financial and human resources that go into this joke of a process. Section 745 is called the faint hope clause, but when we look at the figures it is not such a faint hope after all. As of March 1996 figures show that 78 per cent of murderers applying under section 745 had success in either getting early parole or having their sentences reduced. That is quite a success rate. Even if it is truly only a faint hope provision it is a lot more than Clifford Olson ever gave any of his victims.

It terrifies Canadians to realize that in the next five years between 500 and 600 murderers could get early release and be out and about in their communities even with the new changes. If the minister really wanted to send a message to multiple murderers maybe he should have proposed consecutive sentencing instead of the minor changes he made in Bill C-45. At least this would have put a value on each and every human life that has been taken.

To make matters even more offensive Bill C-45 only applies to applications made after September 1996. It is ironic that these amendments were only two days late in stopping Clifford Olson from applying for early parole. I see my time is up. I could go on and on.

Let me close by saying that most Canadians, myself included, believe that breathing is too good for the likes of Clifford Olson, let alone the chance to get out after 15 years.

Mr. Bill Gilmour (Comox—Alberni, Ref.): Madam Speaker, I am pleased to address the Reform motion which proposes:

That this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code, and as a consequence, this House urge the Liberal government to formally apologize to those families for repeatedly refusing to repeal section 745 of the Criminal Code.

Section 745 implemented by the Liberal government in 1976 deals with parole for convicted killers. It provides the notorious faint hope clause which enables murderers to apply for a judicial review of their case and the option of early parole after completing only 15 years of their sentence. Section 745 allows murderers like Clifford Olson, who molested and murdered at least 11 innocent children, to apply for early parole in only 15 years. Madam Speaker, you will notice that a number of my colleagues are wearing this ribbon today. On this ribbon are the names of the 11 victims of Clifford Olson.

Supply

• (1715)

This week section 745 will be seen in action when the Vancouver courthouse initiates the process of Olson's application for early release from his life sentence in prison. This is the Liberals' idea of justice. It is an absolute travesty. Murderers like Clifford Olson and others who have committed horrendous crimes should not be allowed to make a mockery of justice.

Let me describe Clifford Olson. He is a predatory vulture, a slime bag, a scum bag of the lowest order. Look at what he is getting through the system. The system is allowing him to come forward and have his parole heard.

The Liberals have accused us of using this as a media platform. We are responding to the platform. That platform was given to Olson by the Liberals and the social workers in the system. They are defending Clifford Olson. Who is defending the victims, the parents of the sons and daughters?

Just imagine, Madam Speaker, that you are in a court house. You have got Olson standing in front of you and he is cross-examining you. What is wrong with that picture? It is absolutely wrong.

The majority of Canadians, supported by the Canadian Police Association and Victims of Violence all support the elimination of section 745. Do not massage it, as the Liberals have done. Get rid of it.

However, this has fallen on deaf ears. The only change that the government has made is to deny multiple murderers section 745. What does that say? That means it is okay to kill once. That is just sort of a trial. Is this what it is? Give us a break. What has happened to our justice system?

First degree murderers can still appeal their parole ineligibility and apply for parole after serving 15 years of a life sentence with no parole for 25 years. Under the absurd law of our land Olson, convicted in 1981, still has the government guaranteed right to apply for early parole. This is absolutely beyond reason.

Why should Olson be given this platform? It is absolutely ludicrous. Why should taxpayers have to shell out hundreds of thousands of dollars to get him from Saskatchewan to Vancouver, to pay for the process? Why should the families of the victims be forced to relive their pain?

The noon news today had some of those families. The anguish and the agony that they have to go through is absolutely wrong. What is wrong with our system? That is what we are talking about. Olson is the trigger, but the system is what is at fault here. That is what has to be addressed. It is not being addressed by the Liberals across the way. They tinker with it but they are not addressing the actual problem. It is an absolute public outrage. It is a public disgrace.

Supply

When Clifford Olson was convicted of the murder of 11 children he received only one life sentence of 25 years. What happened to concurrent sentencing? Eleven victims at 25 years is 275 years. What it means, Madam Speaker, is whether you kill one or eleven it makes no difference in our system. This is absolute lunacy. Yet this is what is going on.

Clifford Olson will receive, if he gets out, 1.1 years for each life he took. I ask the members across the way, is 1.1 years for every child he killed justice? That is a disgrace.

• (1720)

The previous speaker said that section 745 was brought in 15 years ago and it was not her responsibility. Whose responsibility is it? She is a member of the government. It was brought in by a Liberal government. For God's sake, fix it.

The Liberal members, as part of the government, are here to change the law of the land. They are not changing it and yet the member stood up and said that it was not her responsibility. I ask again: Whose is it?

First and foremost the goal of sentencing should be the protection of the public. That is not happening. It goes back to the bill of rights. In this case it could be called the bill of wrongs. That is what the bill of rights has done to us. The rights of the criminals are addressed but not the rights of the victims, the parents, the grandparents, the brothers or the sisters who have to go through the anguish time and time again. What is wrong with the laws of this land?

At present there are about 2,100 killers serving life sentences in Canada, which is about 15 per cent of the nation's prison population. As of September 1996, 63 cases were heard to reduce the term of the sentence. Fifty of the 63 were successful. Fifty of the 63 killers had their sentences reduced. What is wrong with this picture? Of those 50, two reoffended within a mere nine months.

What are we looking at? Is Olson going to be out on the streets? Can you imagine that?

Some hon. members: He won't.

Mr. Gilmour: Members opposite are saying that he will not get out. That is what the solicitor general said. That is what the Minister of Justice said. He should not get out. There should not even be an opportunity for him to get out.

Mr. Cannis: Nobody believes you any more. Be honest.

Mr. Gilmour: They are sitting there whining and moaning. They are trying to defend a law that is not defensible. Fix it. That is why we are here today. Tomorrow this whole platform will move forward. It will be an absolute disgrace to Liberals and to Canadians.

My final words to the Liberals are: Fix it or the Reform Party will fix it during the next election.

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, as this debate winds down things are becoming very clear. I do not think anybody in this place does not share the grief and the sorrow of the families of victims.

I want to tell the truth about a couple of issues which people should understand.

Number one, under section 745 Clifford Olson could not apply today. Members opposite know that, but in the speeches we have heard they continue to talk about Clifford Olson. They are cloaking themselves in the grief of the victims.

Some hon. members: Oh, oh.

Mr. Ramsay: Tomorrow he is applying. Tell that to the people of Canada.

Mr. Harvard: Order. There are a bunch of animals in the House.

The Acting Speaker (Mrs. Ringuette-Maltais): Can we have a little bit of order?

Mr. Szabo: Madam Speaker, you can see that when we tell the truth it tends to upset the Reform Party.

I want to quote from the speech made by the hon. member. He wanted to know why we are "forcing the families of victims to relieve their pain".

• (1725)

I do not think anybody here honestly believes the grief and the pain that one feels for the loss of the family member is something that can be turned on and off. It cannot be turned on and off. There is no way that grief can be legislated away. The Reform Party is saying to Canadians, here is simple solution to the grief of families of victims.

I ask the member to be honest with Canadians and to say whether he believes that Parliament can legislate away the grief of families or whether he would not agree that we have to work to make sure we have a strong and safe society, safe homes and safe streets, so this grief will not occur in the first instance.

Mr. Gilmour: Madam Speaker, we are talking about honesty and grief. The member says that grief cannot be turned on and off. That is exactly what this legislation has done. It has dragged the whole thing forward 15 years for these families. They are trying to put it behind them. They cannot do that because the legislation the Liberals now have in place allows for this animal to come forward 15 years later to make them relieve the whole situation. Not only that, but Olson gets to cross-examine these people. He gets to question them. This is absolute lunacy and it is just inhuman.

Supply

The member said that under the new legislation Olson could not apply, which is fine. We asked the members during consideration of the legislation to make it retroactive. They knew Olson was coming up. The justice minister knew that Olson was coming up within a year yet he would not make it retroactive. The Liberals are saying that they cannot do it. These are the people who make the laws and now they are saying that they cannot do it. It is a very selective set of laws.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, the hon. member makes reference to honesty. I want to know when it is the correct and predominant view with respect to the law that you cannot change section 745 to give it retroactive, retrospective effect. After somebody is already in prison you cannot take away the right to apply for a section 745 review. Even if we were to repeal section 745 today, anybody who is now be in prison at the date of the repeal could apply for a hearing. Why does the Reform Party not tell this to the victims of crime instead of letting them think that if we were to repeal it, it would stop the hearing process today?

The Acting Speaker (Mrs. Ringuette-Maltais): Resuming debate, the hon. member for Saskatoon—Dundurn.

Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.): Madam Speaker, this is a subject that is rather sensitive for members of the Reform Party who are so concerned about victims. I find it rather interesting that the last member to speak, the member for Comox—Alberni, said that section 745—

Mr. Gilmour: Madam Speaker, I rise on a point of order. My understanding of the rules is that when I am asked a question I should have the opportunity to respond.

The Acting Speaker (Mrs. Ringuette-Maltais): The time for questions and answers had expired. We now continue on to debate.

• (1730)

Mr. Hermanson: Madam Speaker, I would like a clarification from the Chair. Previously, Speakers have indicated how much time the questioner has to make his questions or comments and has indicated that the time must be shared evenly between the person who has questions or comments and the person who has made the speech so that they have equal time to answer the question. That did not occur in the case of my colleague from Comox—Alberni. I would like to understand why the rules were not followed in this instance.

The Acting Speaker (Mrs. Ringuette-Maltais): The rules of this House are always followed by the Chair. The rules have been

followed and there is no written rule concerning what you have just raised. We are now resuming debate.

Mr. Bodnar: Madam Speaker, as I was saying when I began speaking, the hon. member for Comox—Alberni had indicated that section 745 allows Clifford Olson to apply for early parole. He said that a few times in his speech but it is absolutely not true. That is the misrepresentation that we are getting from the Reform Party. It is absolutely not true. It allows him to apply so that he can become eligible to apply. There is a big difference. It is not a parole application.

However, that is too much for the members of the Reform Party to comprehend. They have never decided to deal with reason. Of course Reform Party members claim to act on behalf of victims. They claim they deal with the victims. Do they not realize that Clifford Olson after 25 years can still apply for parole? They do not seem to realize that.

There is room to manoeuvre in this whole area of dealing with section 745. Unfortunately it is quite difficult for the members of the Reform Party to deal with this area.

Let me suggest a solution to this whole matter. Unfortunately it appears that many of them will not be listening. That is fine, they can read it in *Hansard* some other day. Section 745 perhaps should be abolished in the future. It is something we should look at. I suggest that we take a serious look at abolishing section 745. The amendments that were made by the hon. Minister of Justice were good amendments and a good first step that we had to take.

However, getting rid of 745 does not end the whole matter. There has to be a step that takes place at the same time with the abolition of 745, returning discretion to the judges. We have to return discretion to the judges in the sentencing process. If we do not return discretion injustices occur. I will use a couple of examples to illustrate the problems that result.

Most recently there was a case in Saskatchewan, which I am sure hon. members are all aware of, in which a person was convicted of murder for having put his daughter to death because of his belief in her suffering as a result of illness. The judge in the case should have had the discretion to determine whether that individual would be eligible for parole on a second degree charge in 10 years time, for a first degree murder charge in 25 years, or whether he should reduce it. Maybe he should reduce it to two years, three years or four years, but he should have the discretion to vary from those numbers because we could have an injustice occur. All fact situations are not the same in murder cases.

Heaven forbid that they reoccur, but they seem to, in cases like Olson and Bernardo, the judge should have been able to say "I sentence you to life imprisonment with no parole for life". There

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is no application for parole and no parole application can ever be made.

Reform members never suggest this. They simply tell us to get rid of section 745. They never mention this second step. That is what we need. We need this second step. They will probably leave the House and try to take credit for such an idea. Unfortunately some of the ideas that come from the other side of the House are only rehashed ideas they get from this side of the House.

• (1735)

Someone like Bernardo should have been dealt with at the trial process by the trial judge. He should have had the discretion to say no parole or no parole for 250 years. Outlive that, Bernardo. Or no parole for 500 years or whatever figure. He should have had that discretion. Unfortunately the Criminal Code does not allow him that discretion.

Another situation similar to this occurred well in excess of 20 years ago in the city of Saskatoon where an individual was convicted of killing four children, David Threinen. He had killed four children and plead guilty to second degree murder. The very well respected judge in the system in Saskatchewan, Justice Ian Hughes, who had to sentence him, subsequently left Saskatchewan and went to British Columbia.

At the sentencing he increased the parole eligibility to the maximum he could at that time which was 20 years for second degree murder. He made a recommendation that this individual never be paroled. That should not have been something he had to do. He should not have been obliged to do this. He should have had the discretion to be able to make that order at the time of sentencing, not left to the parole board, 20 years plus to be dealt with again. He should have been able to deal with it then.

These are the types of cases where there are injustices, when the judges should go lower in ordering parole eligibility or go substantially higher in ordering non-eligibility for parole. It deals with the whole matter. However, the amendments that have been proposed to Bill C-45 are good amendments. They have changed matters. It has been made such that an initial step has to be taken.

Why would the Reform Party ever vote against such a requirement when it makes it tougher for someone who is serving time for first degree murder in excess of 15 years to get parole eligibility? Why would Reform members, who claim to represent victims, vote against the bill? They claim to represent victims and yet they vote against anything that helps victims. That seems strange. Favour victims, vote against victims; favour victims, vote against victims. That is the Reform policy.

Recently I received a document from the Church council on justice and corrections, a coalition of 11 churches, Roman Catho-

lic, Anglican, United, Presbyterian, Batiste, Evangelical, Lutheran, Salvation Army, the Quaker, Mennonite, Christian Reform and Disciplines of Christ. In that document they indicated they favour judicial reviews. They indicate judicial reviews are working reasonably well in the country. More than half the offenders eligible for a judicial review are not even applying for one, they indicated, often because they either know they do not stand a chance or feel they are not ready.

Then they come out with this statement: "None who has been released into the community has murdered again". None. We are getting a lot of fearmongering from the Reform Party, saying that Canadians are terrified that murderers will be released into their community. Of those who have been successful in their application under section 745, none released into the community has murdered again. So why this fearmongering by the Reform Party if not to make this a political issue when it is not a political issue?

With that we proceed to other matters. The Reform Party claims that this a joke of the judicial process.

• (1740)

The hon. member for Prince George—Peace River indicated it is a joke of the process. Where is the joke? We have people charged with murder. There is evidence. They are convicted of murder. They are sent to jail for life. The question is one of parole eligibility. Where is the joke in this system?

People are consistently convicted in courts for the offence of murder. Is this a joke? If this is a joke, I cannot understand what the Reform Party would want in its place. Would it prefer trial by ordeal? Would it prefer—

An hon. member: What about cross-examination of victims?

Mr. Bodnar: There are no victims who can be cross-examined on a murder trial, and that is what I am discussing now. It is unfortunate but that is the position. There are victims in cases but they had better realize what is being talked about in the speech. This is how the Reform Party deals with this matter. It treats it as a complete political matter. It is not concerned about victims of any sort in the process.

It is important to get rid of section 745 at some time in the future and replace it with what I have suggested. Prisoners want finality in sentencing as well. When they have been convicted, they want to know exactly where they stand. There is no reason for them to put on false pretences to prison guards in wanting to be treated better or have a favourable report in 15 years.

They should have finality planned for that period of time and deal with rehabilitation rather than trying to impress authorities.

The comment by the hon. member for Comox—Alberni that it is 1.1 years for every child he has killed in referring to Olson is absolutely ludicrous. His suggesting that Olson will only serve 1.1 years for every child he has killed is simply trying to inflame the public when what is being said is completely and absolutely inaccurate because he has not been granted parole.

Everybody knows he will not be granted parole, yet a comment like that is made. It is inflammatory to the ultimate degree. That is Reform policy. Its members not only deal with inconsistencies, what is inaccurate, but they show their extremist qualities throughout and continuously. Desperation is written all over the Reform Party.

On Bill C-45 the Reform Party, in its fresh start campaign platform, should realize that most of us did not need a fresh start part way through this Parliament because we had a good start when we started in 1993. We do not have to restart.

In their fresh start Reformers say that section 745 should be repealed and they do not deal with a situation like another Olson applying for parole after 25 years. Give the judges the discretion. Let them deal with situations like this. Unfortunately it is never dealt with.

Of course, they try to show how crime is increasing, it is really bad. It is not true. Crime is falling. The national crime rate has been falling for the fourth year in a row.

All we have to do is look at the Reform documentation. One can see what Reformers are saying, fearmongering with respect to the public. They are trying to show to the public that the justice system does not work. Everything is getting worse. It is absolutely not true.

The crime rate is dropping.

● (1745)

The crime rate has decreased for a fourth year in a row. Violent crime also fell last year. Does it not hurt their policy when the facts do not support them? How do they back out of it? They cannot. They cannot back out of it. They are stuck with fearmongering and alteration of the facts in matters such as this one. That is what we have seen in debates and written articles about crime control by Reform members.

I simply ask Reformers to take a look at my suggestion today. It is not a new one. It made it to the Police Association of Canada. Section 745 should be abolished, giving back discretion to judges to deviate from the mandatory sentences in exceptional cases upon giving reasons. I have indicated that to the association. It is very interested in looking at that suggestion to see whether or not to support it. I am waiting to hear what it has to say.

I am not about to say that we should not parole people forever or if a criminal is convicted put him away for 25 years with no discretion for judges. I have a lot more faith in the judicial system

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than I do in the wisdom of the party across from me, the third party. Its ability to deal with section 745 has been most lacking.

We must have constructive debate rather than the Reformers continuously trying to insinuate that we are not dealing with the rights of victims. We cannot have good debate with them. I am putting out a suggestion for them to consider. Perhaps there are problems in my suggestion but I would like to hear what those problems may be.

I do not want to be called names. I heard one from the member for Swift Current—Maple Creek—Assiniboia. I do not want to hear that. I prefer getting into constructive debate rather than being called names. It is irresponsible. They will pay the price in the next election. In the province of Saskatchewan there will be no Reformers re-elected, none. We will see to it.

This is not the time for name calling in such a discussion. This is a time to deal with alternatives. Unfortunately that is not on the agenda of the Reform Party. Alternatives are not on its agenda because it deals with alternatives on a different fact basis, facts that are not there.

We cannot deal with alternatives like those. I simply ask that all members to consider the alternatives I have put before the House today.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Madam Speaker, I just heard a disappointing speech from the member for Saskatoon—Dundurn. He epitomizes—and he was very pitiful in doing it—everything we find wrong with the justice system.

Some hon. members: Oh, oh.

Mr. Hermanson: They are heckling and jeering after their member talked about name calling. To hear all the names they have been calling us all day puts him in a very tenuous position, to say the least.

The member for Saskatoon—Dundurn talked about crime rates going down. Actually, if we look at the long term trend over the last 20 years, crime rates in Canada have been on a steady increase. Like all charts they bump up and down but overall they are on an increase.

● (1750)

I was talking to some social workers in the member's riding, people who work at the Friendship Inn. He knows very well where it is. They are the experts in this field. It is one of the most difficult areas in the province of Saskatchewan. It happens to be Premier Romanow's riding as a matter of fact and the hon. member for Saskatoon—Dundurn is the Liberal representative for that riding.

I asked them about the crime situation there. I asked if it was as bad as a lot of people thought and if it was getting better or worse. I am sure they were honest. They work there every day. They care for

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these people. They are concerned about their well-being. They said that without a doubt things were getting worse in Saskatoon.

Crime is increasing. There is solvent and substance abuse, break and enter, robbery and prostitution. Young offenders are a big problem in that part of the city in Saskatoon.

The hon. member does not even know there is a crime problem in his own riding. Yet he stands and has the nerve to say it is no big deal that Reformers are concerned about section 745 of the Criminal Code. All the members over here have been making apologies all day for Clifford Olson and hundreds of murderers like him who will get their day in court, who will be able to stand and plead for mercy after the despicable things they have done.

I have been in the House most of the day listening to the Liberals. A number of them over there have defended Clifford Robert Olson and section 745 of the Criminal Code. They are glad he will have his day tomorrow. They are trying to point the finger at us and say that we are in the wrong because we brought it to the attention of the House. All of Canada knows what is going on. All of Canada is upset. Yet these Liberals in their little cocoon are complaining because the Reform raised the issue for debate in the House.

Mr. Cannis: Madam Speaker, I rise on a point of order. I have been following the debate throughout the day. There has not been a member from either side of the House rise to defend this criminal. They talked about the process and the system and how they unfold.

Mr. Hermanson: Madam Speaker, I have listened to members on the other side defend the process. They have defended section 745 of the Criminal Code even though many of them voted for rescinding that section when their former colleague put forward a private member's bill to do so. Now they have flip flopped and are defending section 745 of the Criminal Code.

One of those members is the member for Oshawa. Can we imagine what his constituents would think if they heard him in the House? I hope some of them did, although most of his comments were heckling rather than intelligent ones.

The member for Rosedale was also doing the same thing. He was supporting section 745 of the Criminal Code. I wonder what those constituents think of their member.

Right beside the member for Rosedale was the member for Sarnia—Lambton. He rose to make a speech. All he did was rail against Reform because Reformers are concerned about victims.

The hon. member for Saskatoon—Dundurn had the gall to say that family members of the murder victims are not victims. I could not believe that he would be so insensitive and non-compassionate to suggest that family members of murder victims were not

victims. I could not believe he would make such an atrocious statement in the House.

The member for Scarborough Centre yelled insults at Reformers and he was defending section 745 of the Criminal Code. I believe I even heard a way off in the corner the member for Victoria—Haliburton defend this awful section of the Criminal Code which Canadians from one end of the country to the other want to see rescinded.

The hon. member for Halton—Peel serves with me on the agriculture committee. I thought he would be concerned about Canadians and their concerns over section 745 of the Criminal Code, but no way. He was heckling as well.

In front of him was the hon. member for Prince Albert—Churchill River, the Parliamentary Secretary to the Minister of Justice. He has been involved with the issue. He heckled Reform because we brought the issue before the House. He belittled the importance of repealing or rescinding section 745. He said that it could not be done retroactively. However they could retroactively do away with the Pearson airport deal. We know what a Reform government could do in a retroactive way.

• (1755)

They will push the most regressive legislation through the House. They will use closure. They will use time allocation. However when it came to a bill to deal with section 745 of the Criminal Code they could not do it because the Bloc did not like it.

Can we imagine those poor, helpless, majority government Liberals not being able to make changes to our legal system because the Bloc did not want them to do it? They had to bow to the separatists. They could not do the right thing. The member for Prince Albert—Churchill River justified that action. I find it incomprehensible.

The member for Dauphin—Swan River heckled Reformers. She said it was just awful that we were bringing the issue before Canadians. The member for Winnipeg St. James was his usual self. He is always yelling at us in the House. He is very unkind and very undiplomatic. He was doing his usual routine. The member for Halifax was babbling about Reformers and calling us names. I am sure you could not hear her, Madam Speaker, but that is the usual spiel we get from that member as well.

The member for Mississauga South also said some very unkind things about Reformers. He said we had no right to bring the issue to the floor of the House. Can we imagine that? We are the people's elected representatives in the Parliament of Canada. On a serious issue like section 745 of the Criminal Code he thinks it is wrong for us to bring it before the House of Commons. He would rather have it debated in the papers. He would rather have it debated on talk shows across Canada—

Supply

Mr. Szabo: Madam Speaker, I rise on a point of order. With due respect, the member is attributing to me things which I did not say in the House. I would like to refute them and I would like the member either to withdraw the allegation—

Some hon. members: Oh, oh.

Mr. Hill (Prince George—Peace River): That is debate.

Mr. Szabo: He has attributed to me things I did not say in the House.

Mr. Hermanson: Madam Speaker, the hon. member for Mississauga South certainly made some comments. He thought it was very inappropriate for Reformers to bring this issue for debate in the House of Commons today, the day before Clifford Olson had his day in court.

We could always check *Hansard* to find out what the hon. member said. He thought it was opportunistic. I cannot remember exactly what he said as there have been so many members who have spoken along the same line. However that was the gist of what he said. I may not be quoting him word for word but that was the gist of the message that he was trying to get across.

The member for Burlington spoke in the same vein. She criticized Reformers. She did not think this was an issue that was important to Canadians. She obviously has not been listening to her constituents.

Then, my dear friend, the member for Vancouver Quadra, got into the act. Why he would do that I do not know. Perhaps he has been a constitutional expert for too long and is out of touch with how Canadians feel and what is in their hearts. They still believe in decency. They still believe in justice. They still believe that when somebody ruthlessly takes another human being's life there should be severe consequences that will last for more than just a few years.

I have taken almost all the time available to me in questions and comments. In closing, I wish Liberal members would set aside their partisanship and come to their senses. I wish they would start to listen to Canadians.

I cannot believe that the member for Prince Albert—Churchill River and the member for Saskatoon—Dundurn would show such insensitivity to the concerns of Canadians who see people brutally murdered. Then the justice system protects, cares and pampers the murderers while the victims continue to suffer. It is wrong and I bring that to the attention of the House.

Mr. Bodnar: Madam Speaker, unfortunately the hon. member did not hear the speech I made. I never referred to other members of the family as not being victims of the crime.

Mr. Benoit: Yes, you did. Check *Hansard*.

Mr. Bodnar: Unfortunately they are not telling the truth at this time.

• (1800)

Mr. Hill (Prince George—Peace River): Check the tape.

Mr. Bodnar: Certainly.

As a further matter, with respect to crime in my riding, it is interesting that he is busy campaigning in my part of the riding and the election has not even been called.

Madam Speaker, I have had information passed on to me that during my speech the hon. member for Swift Current—Maple Creek—Assiniboia uttered the word “asshole”. I am asking that this be withdrawn at this time.

The Acting Speaker (Mrs. Ringuette-Maltais): On the point of order, the Chair did not hear that but we will certainly review the blues.

We are now resuming debate.

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Madam Speaker, I guess we are going to be a little short of time, but I would like to advise the House that I will be sharing my time with my colleague, the member for Cariboo-Chilcotin.

Mr. Kirkby: Madam Speaker, I rise on a point of order. It was my understanding that the hon. member for Saskatoon—Dundurn was sharing his time with me.

The Acting Speaker (Mrs. Ringuette-Maltais): No, he was not.

Mr. Ringma: Madam Speaker, I would like to reiterate the motion that we are supposedly debating today proposed by my colleague from Crowfoot. It reads:

That this House recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code, and as a consequence, this House urge the Liberal government to formally apologize to those families for repeatedly refusing to repeal section 745 of the Criminal Code.

That is what we are about today. I am disappointed that we had this misunderstanding of what the member for Mississauga South said or did not say. I would like to tell the House what I heard him say. He said: “There is no way that you can legislate away grief”. I have to disagree with him. If we were to change the legislation, we could prevent the family from going through the grief that they have to go through.

I am going to cite a specific case of a constituent family of mine whose daughter was a murder victim. The family members are now victims themselves of the murderer and of the whole flawed judicial process. The family's name is Clausen. Svend and Inge Clausen live in Duncan. Their 15-year-old daughter was murdered in 1981. Because of section 745, since August 1996 the Clausens have had to be on the edge of their chair asking: “Will that murderer now appeal in order to get his reprieve after 15 years?” It has not happened yet but day by day this family is living through this misery of having the whole thing come to life again.

Supply

● (1805)

This came to my attention in part because the Clausen's sent me a copy of their letter to the current Minister of Justice. Because of that I asked if they minded if I used their name in the House, if I talked about their case. I asked if it would bring back the horror for them. They replied, "no Bob, it won't do that because we live with the horror every day, and because of section 745 we will be living it every day for the next 10 years. We don't know when this maniac who murdered our daughter will put his name forward and say that it is his right to appeal".

With that I will quote from the Clausen's letter to the Minister of Justice:

I am the mother of Lise Clausen who was abducted, sexually assaulted and murdered on August 2, 1981 by Paul Kocurek, a convicted sex offender free on mandatory supervision. I am writing this letter on behalf of my family.

Kocurek had borrowed a car from a friend and was cruising the quiet roads of our neighbourhood looking for prey. He came well prepared [in other words premeditated] with a starter gun and handcuffs ready in the car. He spotted Lise who was out for a quick afternoon run before dinner, found a suitable place to park, opened the hood of his car pretending to have car trouble. When she came close and asked if he needed help, she found herself staring at the gun. He pushed her into the car, handcuffed her and then drove past our driveway and up the mountain behind our property. By the time she was located the next day it was all over. Her life, her future, her dreams were all taken from her. Our lives were changed forever.

This was the third offence committed by this unbalanced, perverted individual who consequently was found guilty of first degree murder and sentenced to life in prison with no parole for 25 years. According to our justice system the ultimate punishment for the ultimate crime. However, we soon realized that "life" does not mean life and later we found that 25 years with no parole does not apply either—due to a little known section in the Criminal Code, namely section 745".

We learned that in 1976 the Solicitor General of the day, Warren Allmand, publicly stated that: "To keep them in [jail] for 25 years in my view is a waste of resources, a waste for a person's life". At the time Allmand was fighting to get the minimum life sentence for first degree murderers set at 15 years. When he failed, he introduced a loophole dubbed the faint hope clause, namely section 745.

This clause is an insult to all victims and their families. We are talking about the worst kind of killers here. First degree murder is a planned cold-blooded killing, but section 745 is being used as a sneaky back-door route to freedom for these murderers so that they can have the opportunity to kill again. For you and your government to condone this defies common sense, and we are at a loss to understand why this government is so eager to help such killers on to our streets long before the sentence imposed on them by the judge has been served. Victims, past, present and future should be so lucky to have such advocates for their concerns.

Most citizens were led to believe that the safety of society was important to you. Did we misunderstand? If we didn't, then please explain why you are doing everything possible to help convicted killers to get out. So that they can assault and/or kill more innocent people?

We are well aware of the arguments put forth by your ministry. Points like "there has to be a light at the end of the tunnel," and "if we repeal the section we would close the door for people who are in no danger of reoffending, such as those who killed an abusive partner".

The answer to point one is straight forward—there is a light at the end of the tunnel—at 25 years. The answer to point number two is that very, very seldom will the killing of a partner result in a first degree murder charge, most likely manslaughter, for which the sentence is much less.

In Canada today we continue to see a miscarriage of justice. As a matter of fact most feel that we do not have a justice system. We have a legal system.

● (1810)

My time is running out so I will finish. Section 745 demeans the value of life and the balance is again swinging in favour of convicted killers.

I do not have the time to finish Ms. Clausen's letter to the Minister of Justice, but I think it speaks reams. The victims of murderers are families such as this who have to relive it, not just their daughter. Section 745 by being there as a hope which murderers such as this one and Olson and Bernardo can invoke at any time keeps them in agony from here on in. That is not justice.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, had I, instead of the Reform Party member or the Minister of Justice, received such a letter, I would have tried to reassure the family by telling them about the existing legislation. I would certainly not have added fuel to the fire as the Reform Party members have been doing since this morning. The question of parole is perhaps not without problems, but neither is it unremittingly bleak, as the members of the Reform Party have been saying since the beginning of this debate.

I would have told this family that I fully understood their sadness, what they are going through, and that I hope never to have to live through anything like it myself. But I would remind them that there are provisions for dangerous offenders. I would explain to them the definition of "dangerous offender" and how the system can designate murderers as "dangerous offenders" not eligible for parole under section 745. I would take the time to explain that to them.

I would also take the time to explain the parole system. I would give them statistics. When you are involved in such a case and you yourself become a statistic, it is, of course, a sad thing. But I would use statistics to show them that the system is not as bad as all that. Some things could be improved, I agree.

As I said this morning, one repeat offender is already too many, in the case of murderers like those we are considering. I would try to reassure this family by telling them that the ideal solution we are seeking is the one that ultimately eliminates repeat offences.

If I were to do anything, it would be to seek a way to eliminate this kind of criminal in our society. Perhaps we should pay more attention to education, invest more in our young people. But one thing I would not do is add fuel to the fire as the Reform Party member and his colleagues have been doing since this morning.

I would like to put a question to the Reform Party member who just spoke. We have seen with Bill C-45 that the government has changed the rules for obtaining parole under section 745. It has become section 745.6. There are extremely specific criteria, one in particular. We have been hearing about the Clifford Olson case since this morning. I do not always agree with the Liberal government, but when they do something good from time to time, they deserve credit.

Supply

• (1815)

Could the Reformers tell me whether, under section 745.6 an application for parole from someone like Clifford Olson would simply be blocked?

So, after hearing everything they said since this morning I think things could be discussed more calmly if they were aware of the provisions already in the Criminal Code and if they did not invent things to make political points, which in the West, it appears, is the way things are done.

I was listening to the Liberals and the Reformers earlier. This subject requires calm and very careful examination, because not only does it cost a lot to imprison murderers, but it costs a lot to rehabilitate them and reintegrate them—something we have to think about eventually.

I therefore ask the Reform member whether he thinks that, with the amendments to section 745.6, someone like Clifford Olson or Joe Blow would have a hard time getting paroled. Did he take the time to look at the amendments and apply them to a specific case, as he seems interested in doing?

[*English*]

Mr. Ringma: Mr. Speaker, it is probable that Clifford Olson will not be granted parole. However, the answer to my hon. friend from the Bloc is that just the possibility of it makes the family live in trepidation.

I am sorry the member does not care to hear my answer. Let us forget about answering if it means that little.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Madam Speaker, shortly after coming to Ottawa, there was a comment in the paper by a woman who said that she had been picked up along the highway by Clifford Olson and raped.

Following that, a media reporter asked for a comment from me. I simply said that if that is the case, it should be investigated and that if he is convicted, add it to his sentence.

I received a personal letter from Mr. Olson after that. I am not proud to have received it. It was a letter that showed no remorse. It showed contempt for the justice system and contempt for everyone involved with him.

This is the man we are dealing with. Where is this government's compassion when I think of the victims and their families?

Tomorrow on March 11 child killer Clifford Olson will begin his appeal for early parole under section 745 of the Criminal Code, the so-called faint hope clause. This government could have stopped Olson's appeal but it chose not to. Therefore tomorrow, March 11, will be recognized as one of the saddest and most disgraceful days in the history of our justice system because it does not carry justice.

It is tomorrow that the families of Olson's victims will relive the horror, the suffering and the pain of what this child killer did to their loved ones in the most brutal and gruesome way imaginable.

To bring some conciliation to these hurting people, I exhort the House today to recognize that the families of murder victims are subjected to reliving the pain and fear of their experience as a result of the potential release of the victims' murderers allowed under section 745 of the Criminal Code.

To give some justice to these hurting people, I exhort the House to urge the Liberal government to formally apologize to the murder victims' families for repeatedly refusing to repeal section 745 of the Criminal Code.

I participate in this debate today and I want to argue two points. First, the families of murder victims needlessly are made to suffer more when murderers make appeals or applications for early release under the so-called faint hope clause.

Liberal members talk about respecting the justice system. If there is so much respect for the justice system, why is the decision of the court which tried, convicted and sentenced Clifford Olson now being questioned using different standards of evidence and a different standard of reasonable doubt? If we have such respect for the justice system why are we revisiting this and trying to redetermine what was decided 15 years ago?

• (1820)

Second, the government had an opportunity to repeal section 745. It refused to do so and for this hurtful and neglectful action the Liberals must formally apologize to murder victims' families for their unnecessary pain and suffering. These are the people who are having their wounds reopened and their suffering and loss reimposed on them. This is unjust and this is cruelty.

I want to outline for the House what a Reform government would do to protect the rights of murder victims' families. Before I do let me give some historical background to provide a context for today's debate.

Section 745 dates back to 1976 when Parliament abolished capital punishment with the passing of Bill C-84. Included in Bill C-84 was the mandatory sentencing clause which gave anyone convicted of first degree murder a minimum 25 year sentence before parole eligibility. The mandatory sentencing clause also included section 745, the so-called faint hope clause. It gave every first and second degree murderer the right to apply for early parole after they served 15 years of a 25 year life sentence.

Fifteen years after the passage of Bill C-84 the families of murder victims started to discover for the first time that section 745 existed. This is when they realized that the murderers of their sons, daughters, brothers and sisters were getting out of prison on early parole.

To the end of 1995, 50 of 63 first degree murderers who applied under section 745, a shocking 79, per cent were recommended for some form of early release. In Quebec, which accounted for 60 per cent of all recommendations for early release, not a single applicant was turned down. Quite clearly the faint hope clause has become the sure bet clause.

Supply

Section 745 appeals and hearings have traumatized the friends and families of murder victims for too long. These are the people who go home every night to an empty house or an empty bed and who live out every day with grief, sorrow and pain knowing that the one they love is not coming back. These families would find out that the one who murdered their loved one is applying for or already has a hearing for early parole. After this happens they would discover that the criminal who inflicted so much pain on them has been released early from prison. There was no honesty in the sentence that was provided.

I am always amazed when we talk about serious things like this at the levity that takes place on the government benches. This is no joke. These are suffering people. I have listened to some of the people who have gone through this experience and it is heart wrenching to say the least. No one can understand the shock, the horror and the pain that these victims endure when the person who murdered their loved one has been let out of prison early or is being considered for such a privilege. These victims relive the suffering and pain of their loved one's death. They too are victims. They hurt day after day for the rest of their lives.

Let me read to the House some personal testimonies of people who have been revictimized because of section 745 of the Criminal Code. Mrs. Rose Onofrey, whose son Dennis was murdered, said: "Is that all my son's life was worth, 15 years? Why do I have to be victimized again and again? Dorothy Malette, a convicted murderer who received early parole under section 745, wants to visit her children. I have to go to the cemetery to visit my son".

Willa Olson, whose brother was murdered in 1978, said of section 745 hearings: "It is so hard on the family. You think you have forgotten some of it and then you are reminded all over again".

Sharon Rosenfeldt, whose son Daryn was killed by Olson, said this of section 745 last year: "I can only hope to God that it will be repealed before August so that our families and the 10 other families will not have to go through this whole nightmare again".

The Liberal government had an opportunity to stop the suffering. I have just described the opportunity. But it chose not to. Instead, it decided to tinker with the faint hope clause by amending it under last year's Bill C-45. The inadequacies of Bill C-45 I would like to bring to the House's attention but I lack the time to do that.

I conclude by simply reminding the House of what a Reform government would do to protect the families and friends of murder victims. First, there would be no parole application for early release for Olson or any other killer. A Reform government would repeal section 745 of the Criminal Code and bring back truth in sentencing. This means the sentences given would be the sentences served by all offenders.

Second, a Reform government would enact a victims bill of rights that would put the rights of law-abiding Canadians ahead of those of criminals.

A Reform government would make compassion and caring for victims the centrepiece of its justice policies. Where there is a choice to be made between the rights of victims and the rights of convicted criminals, victim rights would always come first.

Reform would make sure that child killers like Clifford Olson are never given a cruel weapon like section 745 again to impose on and further hurt and damage the lives of many innocent people.

The Acting Speaker (Mrs. Ringuette-Maltais): It being 6.25 p.m., it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the business of supply.

[*Translation*]

The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mrs. Ringuette-Maltais): All those in favour will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mrs. Ringuette-Maltais): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mrs. Ringuette-Maltais): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mrs. Ringuette-Maltais): Call in the members.

And the division bells having rung:

The Acting Speaker (Mrs. Ringuette-Maltais): The division on the question now before the House stands deferred until tomorrow at the end of government orders, at which time the bells to call in the members will be sounded for not more than 15 minutes.

It being 6.30 p.m., the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.29 p.m.)

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