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(HANSARD)

Tuesday, September 24, 1996

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, September 24, 1996

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

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PETITIONS

PROFITS FROM CRIME

Mr. Peter Milliken (Kingston and the Islands, Lib.): Madam Speaker, I have the honour to present a petition signed by numerous residents of my constituency of Kingston and the Islands calling on Parliament to enact Bill C-205 introduced by my distinguished and learned colleague, the hon. member for Scarborough West. This bill is an attempt to ensure that in Canadian law no criminal may profit from the commission of a crime by the publication of memoirs or other details of criminal activities.

NATIONAL PEDOPHILE REGISTRY

Mrs. Jan Brown (Calgary Southeast, Ind.): Madam Speaker, I rise to present another set of petitions with well over 100 signatures from concerned parents and constituents across the country who support the effort to create a national pedophile registry.

The petitioners I represent are concerned about making our streets safer for our children and they are opposed to the current status quo in the screening of pedophiles in the community.

The petitioners pray that a federally implemented pedophile registry be established in order to help better protect our children.

[Translation]

BILL C-267

Mr. Dan McTeague (Ontario, Lib.): Madam Speaker, I have the honour today to present a petition .

[English]

The petition calls on the Parliament of Canada to enact legislation along the lines of Bill C-267 which would require major oil companies to disclose and to provide a period of notification of no less than 30 days for any increase over and above the current price of oil at the retail pumps.

INCOME TAX

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, I have two petitions to present. The first comes from Orillia, Ontario.

The petitioners would like to 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 eliminate tax discrimination against families that choose to provide care in the home for preschool children, the chronically ill, the aged or the disabled.

LABELLING OF ALCOHOLIC BEVERAGES

Mr. Paul Szabo (Mississauga South, Lib.): The second petition, Madam Speaker, comes from Kingston, Ontario.

The petitioners would like to draw to the attention of the House that the consumption of alcoholic beverages may cause health problems or impair one's ability and, specifically, that fetal alcohol syndrome and other alcohol related birth defects are 100 per cent preventable by avoiding alcohol consumption during pregnancy.

The petitioners therefore pray and call on Parliament to enact legislation to require health warning labels to be placed on the containers of all alcoholic beverages to caution expectant mothers and others of the risks associated with alcohol consumption.

JOB CREATION

Mr. Maurizio Bevilacqua (York North, Lib.): Madam Speaker, pursuant to Standing Order 36, I am pleased to present two petitions signed by the residents of York North.

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The first petition concerns job creation. The petitioners draw to the attention of the House that in the past year alone short term interest rates have declined three percentage points, that for the last two and half years inflation has averaged less than 2 per cent, and that by 1997-98 the federal deficit will have been reduced by \$25 billion.

The petitioners further draw to the attention of the House that since the Liberal government took office over 600,000 jobs have been created.

The petitioners therefore call on Parliament to continue to work diligently to create a healthy environment for jobs and economic growth.

THE DEFICIT

Mr. Maurizio Bevilacqua (York North, Lib.): The second petition, Madam Speaker, draws to the attention of the House the government's red book commitment to reduce the deficit to 3 per cent of GDP and the fact that we have surpassed that goal.

The petitioners call on Parliament to continue to keep its commitment to Canadians and pursue its deficit action so that the government will reach its deficit target of 2 per cent of GDP by 1997-98.

• (1010)

GASOLINE TAXES

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, I have two petitions to present this morning. The first petition is signed by constituents and people from around the province of Saskatchewan, Davidson, Macrorie, Dinsmore, Outlook and from people in Ontario.

The petition calls on the federal government to not increase the federal excise tax on gasoline in the next federal budget.

EDUCATION REFORM IN NEWFOUNDLAND

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, the second petition has been signed by many of my constituents in Regina—Lumsden, other parts of the city and the province of Saskatchewan.

The petition calls on Parliament not to amend the Constitution as requested by the Government of Newfoundland but to refer the problem of educational reform in that province back to the Government of Newfoundland for resolution by some other non-constitutional procedures.

GASOLINE PRICES

Mr. John Solomon (Regina—Lumsden, NDP): The third and final petition, Madam Speaker, has been signed by hundreds of people from Saskatchewan, Elliott Lake, Fort Frances and in other parts of Canada.

The petition calls on Parliament to urge the government to set up an energy price review commission to keep gasoline prices and other energy products in check due to the fact that oil companies are gouging consumers, business people and farmers throughout this land without justification.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mrs. Ringuette-Maltais): Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed from September 23 consideration of the motion that Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, be read the third time and passed; and on the amendment.

Mr. Randy White (Fraser Valley West, Ref.): Madam Speaker, yesterday, just before closing time in debate on Bill C-45, a point of order was raised. In fact, after the point of order was stated by my colleague from Wild Rose, the Speaker, which was you, Madam Speaker, did not rule on that point of order. In fact, you went back to the government whip who was asking a question at that time and asked the government whip to resume questioning.

Madam Speaker, the point of order that my colleague from Wild Rose was talking about related to a statement by the government whip who said: "Instilling that kind of hatred in Canadians is not going to work".

My colleague from Wild Rose was referring to the rules of debate in section 481(c), imputing bad motives, different from those acknowledged by a member.

All we asked yesterday, Madam Speaker, was that you rule on that point of order which you did not. Therefore, I ask today whether or not you would be prepared to rule on the point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): I did rule yesterday on that point of order and I ruled it out of order. We are now resuming debate on Bill C-45.

Does the hon. member have another point of order?

Mr. John Williams (St. Albert, Ref.): Madam Speaker, I would like to draw attention to *Hansard* for yesterday when the hon. member for Glengarry—Prescott—Russell stated: "Instilling that

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kind of hatred in Canadians is not going to work” as a response to the previous member’s statements.

• (1015)

The member for Wild Rose rose on a point of order. It is quite clear at page 4589 of *Hansard* the member for Wild Rose said: “Madam Speaker, I rise on a point of order. It is improper and unparliamentary to start referring to us as hate pushers of any nature. I would ask this member to retract it”.

My hon. colleague made the Beauchesne’s reference to substantiate the request by the hon. member for Wild Rose. There is absolutely no record in *Hansard* of your acknowledging the point of order, addressing the point of order, dealing with the point of order or asking the member for Glengarry—Prescott—Russell to withdraw the remark.

The Acting Speaker (Mrs. Ringuette-Maltais): I remember fairly well the words that were spoken yesterday. They were not unparliamentary. I must admit that they were a little borderline, but not unparliamentary. So I say it again, this is not a point of order. I have ruled on this issue. We are now resuming debate on Bill C-45.

Mr. Benoit: Madam Speaker, I rise on another point of order. After you refused to rule on the point of order brought up by the member for Wild Rose, several of us called very loudly for another point of order and were ignored and not recognized.

I want to find out whether this will be a standard practice in this House, where our points of order are not recognized.

The Acting Speaker (Mrs. Ringuette-Maltais): Hon. member, points of order are always recognized in this House, but you must admit that points of order are not to be abused. We are now resuming debate on Bill C-45.

Mr. Ron MacDonald (Parliamentary Secretary to Minister for International Trade, Lib.): Madam Speaker, it is indeed a pleasure to be back here in the House. I was off doing some business with international trade last week but I am sure that all of my colleagues conducted the affairs of the House in a manner which would add to the respect of this place.

The bill we are discussing today certainly adds to the respect this place has garnered from the Canadian public. It is a bill that has been very carefully crafted in response to the concerns not just of government members but of members from both sides of this House and clearly of many Canadians from coast to coast to coast. They want to ensure that the Canadian justice system is responsive to the Canadian public at this time in our history.

It is very important when we talk about issues of law and justice that we do not take extreme positions at either end of the spectrum. It is important as we try to gauge what is right for the Canadian

judicial system to understand that the vast majority of Canadians, no matter which aspect of criminal justice we are looking at, are reasonable individuals who wish to see the laws we pass in this place not only be laws that are enforceable but laws that are supportable by them. That is very very clear.

One might argue that a law that is not supported by the public is not truly a law. As law makers we are elected by the people to make laws for the people which must be supported by the people.

This bill has come to the floor of the House with a considerable degree of controversy. A private member’s bill was presented by one of our members in the last session and it was debated. It caused a lot of very important public debate. We saw a polarization in some cases of those who thought the bill that was debated in the last session which sought to repeal section 745 should have been passed and that the entire section should have been repealed. Very good arguments were made and they were worth listening to.

• (1020)

The bill now before the House seeks to change the application of section 745 of the Criminal Code. Again it has caused considerable debate in this place as well as in the Canadian public.

It is a difficult piece of legislation. As I said earlier, most Canadians are somewhere in the middle of the extremes. We are dealing with parole eligibility for people who have been convicted of the most heinous crimes in our society.

Indeed, after a particularly horrific crime has been committed the Canadian public seems to swing very much to the right. They say that the perpetrators of these crimes should be prosecuted to the fullest extent of the law and that there should be no consideration given to the ability of the system to rehabilitate those individuals.

We have all done it; I have done it myself. When we read about a child being murdered or some of the other horrific crimes which human beings can perpetrate on other human beings, the initial reaction is to put the criminal in jail and throw away the key. However, on sober second thought we have to sit back and ask: Is each case exactly the same? Is each case so unindividual in its circumstances that laws should be passed which effectively indicate that anybody who is convicted of any of the crimes covered by section 745 should be automatically treated the same way? Should the key be thrown away? Should there be no possibility even for an application for a reduction in the length of time which has to be served before parole eligibility is attained?

It is a difficult bill. If we had to deal with each case, nearly every member would see that all cases are not the same. There are different circumstances. We are dealing with individuals who have been convicted of the most heinous crimes: first degree murder;

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multiple murders; serial murders; second degree murder; treason. These are the most serious crimes one can commit in our society.

This bill probably sets the balance where it should be. The bill as proposed and as presented after report stage seeks to rebalance the system from where it had been under section 745 eligibility to where the Canadian public wants to see it and where our government thinks it should be in the interests of the successful application of justice in our society.

This bill responds to the absolute gut wrenching aversion which each and every Canadian must feel when they see those in our society who have been murdered in cold blood and when they see the horrible crimes which have been committed against our children. It says that those who commit the most serious crimes against Canadians and against humanity will no longer be able to make an application under section 745.

The bill also sets important new parameters. It tries to resolve the undue hardship which the families of victims suffer as a result of some criminals making frivolous applications under section 745. The bill adds a new layer to the application.

Those who are applying under section 745, if they have been convicted of first degree murder, must wait 15 years before the application can be filed. Before the application receives a full hearing, it must go to a superior court justice in the province in which the sentencing occurred. Based on the written evidence only, that justice will now make a decision as to whether or not there is a reasonable likelihood that an application for reduced parole eligibility has a chance of success before a jury.

• (1025)

The current way the system operates is that anybody who reaches that 15-year threshold has a right to make an application which must be heard by a judge and a jury. In many cases, we understand that individuals who have no chance under the rules to have a shortened period before parole eligibility take it to the court to add more public attention to themselves. At the same time they drag the victims' families through the court system who relive the memories of the atrocious crimes that were committed.

This bill addresses that. This bill makes sure that those frivolous cases as they are put forward will be vetted by a superior court judge. If that judge believes there is at least the possibility that the application for parole eligibility reduction might succeed, then it will be referred to a jury.

The other significant change is that in the past, when it was a judge and a jury, and the way it is done under the current system is that only eight out of twelve or two-thirds of the jurors could agree that there should be a reduction in the parole eligibility period.

Under the new system it must be unanimous. Twelve out of twelve jurors must agree that the period before parole eligibility comes up should be shortened. Again, this seeks to rebalance the rights of the convicted as well as the rights of the community and the victims' families. It is a very progressive step in the right direction.

There are other important things in this bill. We have to understand that the Canadian public seeks to put law and order on the front burner again. This is one of a series of bills that have come forward in the term of this government to try to address and to rebalance the justice system in Canada.

This bill understands that perhaps some who are on the right wing would say to completely repeal section 745 and treat everybody the same no matter who they are, that somehow that will right the wrongs of those who have been the victims of these crimes.

Mr. Mills (Red Deer): First degree murderers.

Mr. MacDonald: Murderers, I agree. Maybe the members opposite would contain themselves a bit. We have had plenty of time to hear them in debate. Perhaps I could address some of their concerns.

The Reform Party members opposite say to repeal it and they go to the victims of crime. They go to the very victims, the people who have suffered the most and say that if this is repealed, according to the Reform Party's representations during the processing of this bill through Parliament, suddenly everybody who is behind bars will have to come under the new regulations. My understanding of the law is that simply is not the case. It is a fundamental principle of justice that when dealing with substantive issues, they cannot be retrospective in their application.

We have many lawyers. I am not a lawyer. I am just a poor soul from Cape Breton who is representing the good people of Dartmouth in the Parliament of Canada and lucky enough to do it. I talk to lawyers. They tell me that even if we wanted to, if we repealed this bill so that some of those criminals, the bottom dwellers who have perpetrated the most heinous of crimes in society, never get out, we could not do it. A fundamental tenet of justice not only here but in any country that has responsive systems of justice would be violated. As much as some in this place, maybe on our side as well, would like to see that done, it does not have the same impact as some of the amendments would propose.

Nobody on this side of the House is saying that individuals who are convicted of murder should be treated with kid gloves; it is exactly the opposite. What we have to say, as legislators, and what we have to understand is that not every case is the same.

Yes, what we have to do when we craft our laws is to ensure that we do not craft our laws based on a gut reaction as to where it

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should be. We must do it on a careful examination as legislators regarding what is workable and what is fair for Canadians.

I have come a long way since I was first elected to Parliament in 1988. When I was elected in 1988, I was one of the people who perhaps was more on the left side of the administration of justice.

• (1030)

I have been here for eight years and have listened a lot to the people of our communities and I have seen the impact of some violent crimes. Members opposite may laugh, but I have seen some victims of crime, young girls of 13, 14 and 15 years of age who had been viciously raped by pimps. They were taken from their communities and became addicted to drugs and prostituted on the streets of Toronto, New York and Niagara Falls. I was one of the people who stood up in my caucus in government and in this place and said that the laws we had dealing with those types of criminals had to be revised and reformed because the sentences simply did not fit the crime or the aversion of the Canadian public to the perpetrators of those crimes.

I will continue to speak up in Parliament for what I believe are necessary reforms to the criminal justice system. But I will not fall off the edge of the world into the right wing abyss which says that everybody who commits any type of crime should be dealt with in a very harsh and uncaring manner by the court system in Canada.

This bill is a step in the right direction. It stops short of lumping all individuals into the same category. It ensures that those people in future who are convicted of multiple or mass murders will not have access to section 745 of the Criminal Code. It makes sure that does not happen. It puts firm rules in place which will stop the frivolous application by criminals of section 745 to gain earlier parole. In many cases it is not to get the earlier parole, because there is no chance for it, but simply to draw more attention to the crimes they have committed.

In conclusion, I support the direction this bill is taking. I fully understand that maybe in one, two or even four years the bill and the entire issue of the application of section 745 must be reviewed. Indeed, when the bill passes this place the Minister of Justice and the officials of the Department of Justice, I would counsel, should keep close watch on its application and implication in the criminal justice system. They should also take into account how this has impacted and what are the responses from the victims of these heinous crimes.

To have a criminal justice system in Canada supported by the Canadian public it must be responsive to the Canadian public as a whole, not just people on one side or the other side of an issue, but for the Canadian public in general.

I applaud the Minister of Justice for this bill. I know he has very strong personal views on this which may or may not be reflected in

the legislation. However, I think the Minister of Justice understands how the criminal justice system in Canada must be responsive to the needs, aspirations and the demands of Canadians for a safe and secure society and that those people who break the rules are treated effectively under the law, that people can be rehabilitated, that the resources will be there to do it; but that those people who commit the most heinous of crimes do not have access to provisions for application under the law for early parole.

I think this bill does it and I applaud the minister for it. I look forward to its speedy passage in the House.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Madam Speaker, I listened quite attentively to the member for Dartmouth and I take exception to some of the things he said. He suggested the Canadian public is fickle, that it reacts and then thinks. I take exception to the minister's put down of Canadians and their ability to assess the happenings of the time.

Canadians get on with their lives. That is not to say they do not carry the seriousness of what they read in the paper the previous day or what they heard. They do care very much and they feel very strongly when they hear of these vicious crimes.

I point out to the member for Dartmouth that in my riding I took a survey, not at the time when there was a vicious crime. The survey did not reflect any particular event that took place in society at the time. It was a survey asking my constituents what they thought about capital punishment if they could be assured that capital punishment would affect only heinous crimes, mass murders, after all appeals had been exhausted.

• (1035)

I had 45,000 households in my riding at that time and had a return of 2,680 replies, 4.6 per cent. That proves what the member has said is not true, or is not always the case, because these Canadians feel so strongly even though they did not have a paper reaction right in front of them. Under those terms 87 per cent said we should look at capital punishment. The hon. member for Dartmouth can be assured that if we are talking about getting rid of parole, life is life for those kinds of crimes, they would certainly definitely say repeal section 745.

The member speaks in contradictions. He said he has been in this House a long time. That when young girls were raped he immediately came to their defence and tried to change the laws. That is exactly what Reformers are doing. Why put down Reformers and Canadians who are responding to the needs of this society, and yet say he has done the same thing himself? I am interested in his response.

Mr. MacDonald: Madam Speaker, I certainly do not need a lecture from the member opposite on how to read the mood of the Canadian public.

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As far as the Canadian public being fickle, I would caution the member to look at the results from the last election with respect to the Reform Party and see where the Reform Party currently sits in the polls.

She says the Canadian public sticks to the topic. I will stick to it as much as she did when she talked about capital punishment which, by the way, is not covered in this bill.

The member opposite said that 4.6 per cent of households responded, and 87 per cent agreed that capital punishment should be reinstated. I think we have to be very careful here. I remember when the gun legislation was forwarded. I know what the numbers were in my riding and I would like for each of the Reformers to tell me what the numbers were in their ridings.

In my riding 87 per cent indicated they felt very strongly that the gun control legislation put forward in this Parliament by my government should be passed. There was a very small percentage that believed we should not put gun control and the rest did not have an opinion.

The member opposite says I read it wrong. I did not read it wrong at all. If I had just gauged it from the letters that came in from organized lobby I would have thought that everybody in my riding of Dartmouth wanted no part of gun control legislation. Nothing could be further from the truth. We cannot govern by polls, which is what the member opposite is telling us we should do.

When you are elected to this place, to the highest court in the land, you take your responsibilities seriously and understand when you stand in your place in this House that it is not just your opinion that you carry but the opinion of the people in your riding. I can tell the hon. member opposite that I do not need polls to tell me what is the right thing to do.

I talk to the people in my riding and I understand that the people in my riding have the same type of aversion to horrible crimes as I have. I do not need to be misquoted by the member opposite. What I indicated was that after there is a particularly horrible crime the Canadian public immediately will probably come up with opinions as to how best deal with it, which are not the opinions in the light of day they would have three, four or five days later.

Rather than having knee-jerk reactions to the administration of justice my government has made a decision to go about this in a very methodical manner to ensure the individuals, the victims, people in the judicial administration are consulted and that we hear from Canadians. Where appropriate, laws are introduced into the Parliament of Canada to adjust those elements of our criminal justice system that need adjusting.

What we will not do, and I hope it will never be done, is that we will become so controlled by extreme knee-jerk reactions, no matter how appropriate at the time, in response to a horrible crime that we start introducing legislation in this place which I believe would do a disservice to the evolution of the criminal justice

system in Canada. I will continue to stand in this place on behalf of the good people of the city of Dartmouth and represent them to the best of my abilities.

I think the Reform Party opposite, rather than constantly taking positions for the minority, should think about governing responsibly in opposition, playing a responsible role and start speaking for the majority. The poll numbers lately would certainly tell Reformers they have not been doing that.

• (1040)

An hon. member: We will see who wins in Dartmouth.

Mr. MacDonald: The last thing I wish to say to the member opposite who is yelling we will see who wins in Dartmouth, is I have a better shot of walking back into this Chamber than almost anybody because I have not fallen victim to extremists in my riding or across the country.

This country deals with issues such as the criminal justice system, such as social policy, such as maintaining the social fabric of this country, such as ensuring that things like equalization and the concept that the Government of Canada has a role to play in ensuring that programs of national standards go from one end of this country to the other are part of the fabric, something the Reform Party knows nothing about.

Ultimately the electorate will be the judge when the next election comes around and I will tell the members opposite that I do not fear that judgement, whatever it will be. I know the job I have done and my party has done is in the best interest of Canadians.

Mr. Bob Mills (Red Deer, Ref.): Madam Speaker, I have a couple items and I will try not to get wound up the way the previous member did and try not to be quite so partisan.

In my riding over 12,000 names came into my office about Bill C-68. Seventeen names came in saying I should vote for that bill. Twelve thousand to seventeen is an interesting figure when talking about listening to people.

I could say more about the good people of my riding who are equally as good as the hon. member's constituents. What we are talking about here is first degree murder. What troubled me most about what the member had to say was how he never said that. He kept saying criminals, someone who commits a crime, and talked about dealing with them in this way.

We are talking about first degree planned murders, and that is all we should be talking about in this bill. Is 15 years the time for the life of a victim? When someone has killed should that person serve 15 years? Is that the price of that life? I would like to ask the member that. This is premeditated, first degree murder.

Mr. MacDonald: Madam Speaker, the member raises a very good point. An individual convicted of first degree murder will serve a life sentence, no matter whether they do get a reduced

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period of time before parole because they served that sentence. That sentence is still applied even though they may be on parole.

This bill states that anybody who is convicted of first degree, premeditated murder will get the minimum of a 25 year sentence but after 15 years may make an application through a new process, an application that does not automatically get heard. It is an application that can be made but not necessarily automatically heard, which is the current case. The hon. member knows that.

Currently anybody who is convicted of first degree murder has a mandatory life sentence with a minimum of 25 years. They can now make an application after 15 years and that application must be heard. It means that a judge and jury must be convened and the judge and jury must make a ruling as to whether or not—

[*Translation*]

The Acting Speaker (Mrs. Ringuette-Maltais): I am sorry to have to interrupt you, but we are resuming debate.

I wish to point out that the next speaker will be the last to take advantage of the period of 20 minutes for speeches followed by ten minutes of questions and comments.

Mr. Ghislain Lebel (Chambly, BQ): Madam Speaker, I am pleased to again speak on Bill C-45, which deals with changes to the Criminal Code, section 745 in particular.

According to the present section 745 of the Criminal Code, a person convicted of first degree murder who has served 15 years of his sentence may apply to a judge and jury in order to become eligible for parole.

• (1045)

The effect of this bill would, in my opinion, be to make the conditions for eligibility for a reduced sentence more difficult, frankly, too difficult.

According to this bill, first of all, a person has to submit a written document to convince a judge of the justification for the request. He cannot go before the judge to present his arguments verbally as to why he is eligible for having his sentence reduced to 15 years on the basis of good conduct or certain other factors. This must be done by written representation, which does not work in the inmate's favour.

Second, once this judge has been convinced, the jury which will hear the inmate's representations must be also convinced, this time unanimously according to the bill. Once the jury is convinced unanimously—not an easy thing to do—that the inmate might eventually be entitled to a reduced sentence, he then has to go before the Parole Board, which acts as the final decision-making authority and will probably allow a reduced sentence. If it does not allow it, the initial sentence will be retained as it was.

This is the process proposed to us in the new Bill C-45.

I have just been listening to the Reform and the Liberals squabbling over this matter of reduced sentences. As I see it, the two of them are not talking about exactly the same thing.

In fact, the Reform Party's main grievance is that sentences for first or second degree murder are often reduced as a result of plea bargaining between the counsel and the court. In other words, agreement is reached on a lesser charge that carries a shorter sentence. In the case of first degree murder, counsel will often negotiate with the Crown, and finally the parties agree to a charge of second degree murder, thus avoiding a life sentence. This means, according to rules that are beyond me and beyond most people, that in the final instance, we have people who get 12 years and are released after serving only two and a half years. Those who get ten years are walking around scot free after only three years, often repeating the same offence. That is not the problem here.

The problem we are concerned with here is people who are sentenced to 25 years without parole, what we call a life sentence, and who are not eligible for review till they have served 15 years of their sentence. The statistics show that, among individuals who served 15 years, and very few saw their period of ineligibility reduced after 15 years, only a few cases since section 745 came into effect—I may be wrong, but I doubt it—and I think that fewer than one per cent repeated. There are practically no repeat offenders. Fifteen years is a long time in a person's life.

When Parliament abolished capital punishment, and capital punishment is certainly very much on the minds of Reform members as we listen to their message, when Parliament abolished capital punishment, it knew what it was doing. Sociologists prepared studies on the subject and submitted reports to the justice committee. They said: Sentencing someone to 25 years without parole, without any hope of having his sentence reduced for good behaviour or other factors, is asking for trouble.

So it made sense to assume that providing opportunities for a reduced sentence would make it easier to keep the prison population within bounds, while at the same time ensuring the public safety.

• (1050)

However, some people had harsh words for this bill. They said it would raise false hopes among the prison population in maximum security prisons because of the length of their sentence. It was a way to tell them that if they kept their noses clean for a certain time, they had a chance, with good behaviour, to have their sentence reduced from 25 years to 15 years, which in some cases, was acceptable.

We have a Canadian—and this is a true story—we have a Canadian, Mr. Trần Triêu Quân, a Canadian of Vietnamese origin who has just been sentenced to life imprisonment in Vietnam. He asked to be shot. He said he would rather be shot than be

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imprisoned for life or sentenced to 25 years hard labour. In one way or another, he knows he will not get out alive so he would rather be shot right away.

This is consistent with what I said last week: some people would rather be executed right away than be sentenced to 25 years in prison without parole. Mr. Trần Triêu Quân, whose release we as members of Parliament are fighting for, asked to be shot rather than having to put up with such outrage for 25 years.

The same goes for Canadian inmates. I think it is wrong to say that a convicted criminal must serve 25 years without parole. We must give inmates some real hope, not only on paper, not just a semblance of hope as the Liberals are trying to do with this bill and know very well they are.

This is nothing but partisan politics. The Liberals do not want the Reformers to be too gutsy, as my grandfather used to say. So they introduced a bill to make western Canadians feel like the Liberal government understands them, not completely but a little.

The Liberals do not want to go too far either, because if they do, if they give the Reform Party full satisfaction, it is Quebec that will object. As we say in hockey, "they will get it". I hope it will not be for too much longer, but Quebecers, too, are currently subject to the Criminal Code and Canadian justice, and their mentality is not exactly the same as that of western Canadians.

Quebecers, who also experience all manner of crimes and acts of violence, of extreme violence—as we recently saw in the Isabelle Bolduc case—but who believe more strongly in social reintegration, in the possibility of rehabilitation, are not fooled by the requirement for a unanimous jury.

In the end, it is nothing but a smoke screen. This bill is basically hypocritical. It is obvious that if an inmate has to apply to a judge, secure a unanimous jury decision and then have a majority on the Parole Board rule in his favour after completing a 15-year sentence, chances are that he will have served his full sentence before the Parole Board has to make a decision.

This is what we object to in this bill. We feel that the bill is hypocritical, and that is why the hon. member for Bellechasse has put forward an amendment. We are not proud to see the rules in section 745 become more stringent for inmates, not out of compassion for them, but because the safety of our prisons is at stake.

It would already be an improvement if the decisions did not have to be unanimous. An inmate who behaved during his years in prison and who had an opportunity to show remorse for his crime might benefit from a reduction of up to a maximum of ten years in the number of years. This person could be rehabilitated and perhaps become a productive citizen.

• (1055)

There are costs involved in keeping people locked up. A study conducted about 18 months or two years ago showed that each inmate costs the state something like \$50,000 per year, if not more. There are also social costs related to keeping people in jail when they should no longer be detained.

Statistics show that very few of those who applied for a judicial review under section 745 relapsed into crime. Those who did relapse were the ones who were the subject of some wheeling and dealing at the time the complaint was lodged and who were sentenced to 12 years but did three, or 10 years and did 2, or five years but spent six months in jail, etc. They are the ones who relapsed, because they felt the justice system had no backbone. But those who actually spent 15 years in jail think otherwise, because 15 years is a long time.

Fifteen years ago, most of us here, including myself, had hair on our head. During those 15 years, some people, including myself, gained 25 pounds. Things change over a period of 15 years. Reformers should realize that 15 years is a long time and that the possibility of being paroled is a glimmer of hope that we give to inmates during that period.

People have come to my office to make representations. Chiefs of police have told me truly shocking stories. They expressed their views. I respect them and I understand them. This was evidenced recently, just a few days ago, when the Minister of Justice tabled his bill on the wearing of a bracelet by criminals who are potentially dangerous but may not in fact be dangerous, who have not been convicted but could eventually be. The chiefs of police applauded to this measure.

If police chiefs were authorized to put everybody on file, to have a record on everybody and to restrict people's movements to a very limited area, their work would be made that much easier. I cannot blame them for that. But human rights may not be police chiefs' primary concern.

In the headlines in Quebec these days, you can read about officers in charge of investigating other officers being openly threatened by fellow officers, and this is apparently not unusual in the police community. Human rights may be relegated to the fourth, fifth, sixth or seventh place in the police community, but politicians must give them a higher priority. We do not represent only police officers. We represent people from all walks of life, including the victims of often heinous crimes.

I do not think we should come here to demand an eye for an eye. Society should not seek revenge. The purpose of the justice system is not to avenge, to repay those who do violence to someone else in kind. Society must protect itself against criminals, and that it why

we have criminal legislation: not to avenge heinous crimes, but to provide public protection. That is what we are here for.

I guess my friend opposite, the hon. member who has rejoined the Liberal caucus, agrees with me on this, because he normally objects immediately when he does not. I congratulate him and I congratulate him on his return as well, but I am sure that, like me, he understands that society, the government, justice, must not go after individuals. Justice transcends everything represented by hate, outrage, bitterness. Justice must be there to be applied.

• (1100)

And if I had any recommendations to make, one would be to begin by putting a stop to the well known practice of plea bargaining: someone who has committed a murder would be liable to a sentence of murder in the first degree, that should be the charge. But in the guise of speeding up the process, of saving the taxpayer money, we will reduce his sentence by just a bit, instead of sticking him with the offence he actually committed. If he co-operates, a little more is shaved off, if his behaviour is good, a little more again, and if he is an employer providing jobs, another little bit. In the end, we have ridiculous situations where 10 year sentences have been whittled down to 2, 9 years to 3, and so forth. Every day we read in the papers about repeat offenders. Often it is because they have not been through the deprivation and frustration of 15 years behind bars. But those who have, and the statistics prove it, do not reoffend.

I think that, ideally, section 45 should have been left alone, but they wanted to quiet the agitated rumblings of people with an axe to grind. They wanted to satisfy people who are applying political pressure and who have political clout, in order to keep everyone happy. The result is something that is neither fish nor fowl. It is just like all the wonderful Liberal bills we have seen for the past three years. That is Bill C-45 for you.

Bring us a bill that would state in black and white that, in the case of such a charge, lawyers may not plea bargain, because this is where the sentence is actually decided, and then I might listen with more interest. But I totally disagree with Reform's attempt to bring in capital punishment through the back door for an upcoming debate. This is Reform's hidden agenda.

If Reform's main concern is to protect society from dangerous criminals, there is the new legislation on dangerous offenders, a very interesting bill I urge them to read.

[English]

Mr. Randy White (Fraser Valley West, Ref.): Madam Speaker, I am never really sure at times where some of the folks from the Bloc are coming from, and whether the hon. member supports or does not support the bill.

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The member made a very interesting statement a moment ago. He said, with regard to first degree murderers, that 15 years is a long time, people are suffering. I really find that incredible statement, considering that first degree murderers have pre-planned the execution they have undertaken. They have usually, if not always, little or no regard for the victims.

I wonder how my colleague across the way can rationalize the plight of the victim with that of a first degree murderer for whom he says 15 years is a long time, people are suffering. If he believes for a minute that the families of the victims of these first degree murderers are not suffering for their whole lives then he is truly mistaken.

I would like to ask the member how he rationalizes a statement like that in view of the fact that all of the victims in our society suffer even more?

[Translation]

Mr. Lebel: Madam Speaker, I fail to understand how the victim's pain and suffering will be reduced if the convicted criminal is sentenced to 20 rather than 25 years in prison. I do not understand.

My learned colleague, whom I salute and for whom I have enormous respect, tells me that 15 years is not long. He should go ask Brian Tobin, the current premier of Newfoundland, whether or not 15 years is a long time. He should go ask him. Fifteen years is a long time in an active person's life. It is probably the maximum sentence that can be given so a convicted criminal has a real chance to rehabilitate himself and reintegrate into society. After 15 years, the inmate is often too old to start over on the right foot.

• (1105)

It is the kind of balance we try to achieve when drafting a bill like this one: giving a criminal a real chance to return to society while limiting the possibilities that he will reoffend. We are trying to find the right balance between the two, something the Reform Party does not seem willing to acknowledge. This is unfortunate.

[English]

Mr. Myron Thompson (Wild Rose, Ref.): Madam Speaker, I have a quick question. The member seems to eliminate the word justice in his speech.

I would like to remind the member that the victims of this land are calling for justice, not revenge. That is the only thing that could happen that would ease the pain of a victim to the slightest degree. If they believe that at least justice prevailed in their case, they would feel better. It has not.

Would the member explain to me, if he can, why there are tens of thousands of Canadians who belong to all kinds of victims' groups across this land, calling not for revenge but for justice.

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I do not know why these members have such a hard time with that word. I know how the member would respond if I said: "Would capital punishment be a deterrent?" We would get into a long debate about no, it does not deter, et cetera.

Does the member believe that serving 15 years for first degree murder is a deterrent to crime in this country?

[Translation]

Mr. Lebel: Madam Speaker, we must not confuse justice and vengeance, as reformers seem to do. I do not think they are acting in bad faith, but I do believe they confuse the notions of justice and vengeance.

An uncle of mine got killed. It was an accident. There was no malicious intent. He was killed in a car accident and it was not clear whether the driver involved was under the influence or not. This was in 1952. In those days, a driver who had had just one beer would automatically have been sentenced to life in prison. It was considered a very serious offence. Finally, a pardon was granted, and the driver involved spent three years in prison. Our family saw him again, because he was a friend. This person never relapsed. He led a perfectly normal life. He was much more a victim of circumstances than anything else.

Had we let our frustration get the better of us, this person would probably have spent 10, 15 or 20 years in prison, at an enormous cost to society. This person would not have made a contribution to the community, while today he is rehabilitated. He is the father of several children who work and who make a contribution to our society. This is an example of rehabilitation and this is why I believe in it.

[English]

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Madam Speaker, I could not let the last little bit of meandering go by.

We are talking about first degree murder. What does that have to do with a traffic accident, for heaven's sake? We are talking about the lower rung of human society going out and obliterating people for whatever reason. It has nothing to do with traffic accidents. It is terrible that the member should even entertain that type of argument because it is specious.

The other thing that he mentioned—he mentioned it twice in his long and rambling speech—was that it costs money to keep these people in jail. It costs \$50,000 a year. If \$50,000 a year is too much, what value does the hon. member put on human life?

• (1110)

[Translation]

Mr. Lebel: Madam Speaker, I am not at all sure that we can put a price tag on human life, as does the Reform Party. When a person dies in a freak accident, it also causes grief to the family. If we try

to establish a link between one's grief, the prejudice that is caused and the person responsible for this grief, we are bound to make miscalculations or mistakes. It goes without saying that everyone is sad, particularly when we are the victims of a heinous crime. Our purpose is not to protect those who commit heinous crimes.

Earlier, I referred to the current dangerous offender legislation. A few days ago, we kept hearing about the Bernardo case and the case of the serial killer in western Canada who was eligible after 15 years, whose name escapes me for the moment. Reform Party members lump it all together and this is where they are wrong. Justice that is just, the word says it all, and unbending, yes, up to a point, must not allow itself to be flouted and ridiculed, which is very often the case in criminal trials when lawyers get to plea bargaining. But once the sentence and the rules of the game are clearly set out, justice itself must abide by the rules. That is what we are saying.

In our view, 15 years is not automatic. Reform Party members think that, on the morning of the fifteenth anniversary of someone's sentence, the prison warden brings the keys, opens the cell door and says to the inmate: "Off you go, now". That is what they would have Canadians think in the current debate. This is quite simply not what happens. Inmates already have to go through an involved process, which will be even more involved with the new bill, and Reform Party members paint a picture of prison walls coming down. I do not agree.

[English]

Mr. Randy White (Fraser Valley West, Ref.): Madam Speaker, before I get into a couple of the points I want to make during this speech, I want to cover some comments that have been made.

Yesterday, for instance, the government whip read some statistics about crime. He said crime was going down. Maybe it is well-meaning to try and win an argument on that basis, but by and large where there are murderers and where there is crime one has to deal with it.

It is pretty difficult in my riding to talk about crime going down because crime is not going down. In Vernon, not too far from my home, about three or four hours' drive, in April 10 people were shot. A week and a half ago five people were murdered in my riding.

This week, starting this morning, many members may know that the trial of the individual charged with murdering young Tanya Smith is taking place. That happened very close to my home. It is difficult to listen to people on the other side downplay the importance of what this debate is all about.

Members have talked about all kinds of crimes in this debate. We just heard a little bit of rambling from one of the separatist individuals, again downplaying the issue of first degree murder. First degree murder is premeditated murder. It is deliberate. It is a pre-planned action by people with no conscience, by people who

deliberately obliterate a life or lives and who are not worried about the consequences.

I think we have to consider when these people are getting out and why. I heard the member for Dartmouth a while ago talking about knee-jerk reactions from the Reform Party.

• (1115)

It is rather interesting that now the Liberals are taking credit for the amendment to section 745 of the Criminal Code when in fact it was one of their own members who brought up in a private member's bill the repeal of section 745, which they dislike so much. For that reason and for voting against the budget, that member is no longer a Liberal. And they are taking credit for the amendments to section 745. I find it incredible. The next thing we know they will be bragging about it.

It was not this government at all. It was due to the efforts of an individual who had the courage of his own convictions to fight and ride it through, to work with victims all over the country.

An hon. member: His government was the problem.

Mr. White (Fraser Valley West): That is right. The Liberal government was actually the government that was standing in the way. It was the government that delivered this section 745 to us in the seventies.

I have been at a parole hearing, and I may be the only one in this House who has, of an individual who went up for the first time for a section 745 federal review. That person and another individual took the life of a young policeman in Cloverdale, British Columbia in the seventies. They encouraged him to chase them down the street. When the 19-year old RCMP officer stopped them and came over to the car they killed him with a shotgun. It was premeditated first degree murder.

They were both sentenced to hang. Did they hang? No, they got life. They got Liberal life, 25 years. Did they do 25 years? One of them is attending college today very close to my home, much to the disappointment of the sister and the brother of the young policeman who was killed.

The brother attended the parole board hearing. The sister lives in Montreal and could not get there. They were in complete disgust. They had been saying: "There he was, out of our lives. This person had life". But this year they had to relive it all over again. What is wrong? Why do we have to put victims through this time and time again? It is appalling the way this government thinks.

Another comment by the member for Dartmouth is Reformers are extremists. This is the most insulting tactic of the Liberal government and all of its hacks sitting over there. If you think that

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section 745 should be repealed, to those folks you are an extremist. If you did not agree with Bill C-33, special rights for homosexuals, you are a homophobic. In this country, if you fight immigration cases and try to get people deported, as I have—criminals, a killer, a rapist—you are a racist.

This government and its members are getting our society to think that if we do not agree with the Liberal point of view, we are racists, bigots, homophobics or extremists. It is terribly insulting.

Let us see what the Liberals think about victims. On April 29 we brought in a victims bill of rights. They said they agreed with it and would deal with it in the fall. Is it on the agenda of the Liberal government at the justice committee for the fall? Absolutely not. The victims bill of rights is not on the agenda, but we will spend a whole bunch of time in this House talking about a faint hope clause for first degree murderers. Look after the first degree murderers. A separatist colleague said fifteen years is a long time, people are suffering. That is too damn bad. I will tell members who is suffering in this country: millions—not hundreds of thousands—of victims.

We brought nonsense which came from the lips of a Liberal member here. I said guess who is suffering? The victims are suffering. He says "nonsense". There you go.

• (1120)

An hon. member: I wonder what the people in Kingston think of that.

Mr. White (Fraser Valley West): No victims in Kingston perhaps. That is nonsense that they are suffering. They are saying those who are really suffering are the poor individuals who got 15 years for first degree murder.

Let us talk about victim rights. We brought a victims bill of rights in the House. Is it going to be talked about by this government? Absolutely not. What did we ask for? We asked for victims to have the right to be informed of their rights at every stage of the process. Has the government mentioned that in this discussion? Absolutely not.

We asked that victims have the right to be informed of the offender's status throughout the process, including where the offender is, when he is getting out and where he is going when he gets out. Has that been discussed here? No, we have discussed first degree murderers and the faint hope that they get out in 15 years.

We asked that victims have the right to choose between giving oral and a written victim impact statement before sentencing, at parole hearings and judicial reviews. Has that been discussed? No, it has not been discussed.

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What about being informed in a timely fashion of the details of the crown's intention to offer a plea bargain or to know why charges are not laid if that is a decision of the crown or police? Or the protection of anyone who intimidates, harasses or interferes with the rights of a victim, or to know if a person convicted of a sexual offence has a sexually transmittable disease? Does it care about that? Did it vote on it? Did it take it to the justice committee? No. What it takes is a faint hope clause for first degree murderers. That says everything about this government.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Madam Speaker, I always think it is disgraceful that an institution such as the Parliament of Canada—I am unable to begin for the noise. I was saying that I always think it is disgraceful to hear insults, comments on both sides of the House, and I think it is one of the reasons the Canadian public has lost confidence in Parliament as an institution and in politicians.

When we hear comments such as those we have just heard, when insults are hurled back and forth, this affects Parliament's credibility. We should be able to respect our differences. That is all I wanted to say, that it bothers me. When I was elected in 1993, I had a great deal of respect for the institution, and I still do. I believe in it, and I do not feel that comments such as those we have just heard will do anything to increase its prestige.

I am pleased to speak to Bill C-45, which deals with changes to section 745 of the Criminal Code. First of all, I think it would be appropriate to tell this House and our viewers just what section 745 contains.

Sometimes we tend to speak a sort of insider's jargon. We speak of "745, paragraph 1, paragraph 2" and so on, and therein perhaps lies the problem of legal language. These are discussions between people in the know, and the ordinary people listening to us need to know what this section is all about.

Before I read the section, just to put us in context, people need to know that the government tabled Bill C-45 right at the end of the session, June 11 to be precise. One of the reasons for so doing was to prevent British Columbia serial killer Clifford Olson from making an application under section 745 of the Criminal Code during the summer of 1996. As the section stood, he became eligible to apply for parole on August 12, 1996.

• (1125)

I must make it clear immediately that this bill, pushed through at full speed by the Liberal government, by the federal Minister of Justice, is somewhat reactionary, along the lines of the right wing approach of the Reform Party. By adopting a Reform-style program with all possible haste, the Liberal government wished to show that

it was looking out for victims and for victims' rights, that criminals ought to remain in prison, and so forth. I must point out, right from the start, that the party to which I belong feels, as has been stated already in prior speeches by my hon. colleague from Bellechasse, that the interests of victims must come first.

However, in Canada there are certain principles of natural justice that must be respected, which is what I intend to demonstrate in the next few minutes. I may point out that the first paragraph of section 745 of the Criminal Code provides, and I quote:

(1) Where a person has served at least fifteen years of his sentence

(a) in the case of a person who has been convicted of high treason or first degree murder, or

(b) in the case of a person convicted of second degree murder [—]he may apply to the appropriate Chief Justice in the province in which the conviction took place for a reduction in his number of years of imprisonment without eligibility for parole.

The same section also says that on receipt of an application under subsection (1), the appropriate Chief Justice shall designate a judge of the superior court to empanel a competent jury that will determine, and this is the important part of paragraph (2) of section 745, "whether the applicant's number of years of imprisonment without eligibility for parole ought to be reduced having regard to the character of the applicant, his conduct while serving his sentence, the nature of the offence for which he was convicted and such other matters as the judge deems relevant in the circumstances."

So, very briefly, this section provides, as also specified in paragraph (4), that the jury, in full possession of the facts, may reduce or eliminate altogether the number of years. So it does have certain powers.

It should be clear before we go any further that, if we take the Clifford Olson case, a jury in full possession of the facts would never authorize the release of Clifford Olson, and that should the National Parole Board receive an application, its reply would be negative.

We must see this section in context. The section was introduced in 1976 by the Trudeau government, when capital punishment was abolished. This measure was introduced at the very end of the debate to ensure a majority in Parliament for the abolition of capital punishment. Twenty years ago, this section represented a kind of security for supporters of capital punishment. The government could say: "This does not mean that after a certain time, we will automatically release dangerous criminals or serial killers, and so forth".

Again, I agree with the comments made by my colleague, the hon. member for Chambly, who said earlier that this was not a question of mathematics, with different sets of criteria depending on whether two, four or ten murders were committed. These are

totally subjective criteria. Still there must be a common thread, some uniformity in dealing with this or that type of murder, whether it is murder in the first degree or murder in the second degree.

As far as the Bloc Québécois' position is concerned, we must point out that our party is not against reviewing section 745. After 20 years, I think this section needs to be updated. Legislative review is normal process in the Quebec and Canadian society. We do not do things in 1996 as we did in 1976. Our values, as a society, may have changed. In saying this I am trying not to pass judgment on today's values, but the fact remains that we do not have today the same values as we did in 1976 or in the 1950s.

Again, I am not passing a qualitative judgment on today's values. We know that, as a society, we still have a some way to go in terms of values. It was therefore normal to review section 745.

On the other hand, as I mentioned earlier, just days before the summer recess, the Minister of Justice brought in what we consider an important amendment to the Criminal Code.

• (1130)

It is our party's opinion that Bill C-45 would have deserved, and still deserves, thorough and careful consideration, instead of being rushed through for emotional reasons in reaction to a Reform Party agenda item and that the Liberal government should act differently.

The Minister of Justice maintains that section 745 should not be repealed, as requested by the Reform Party, because he believes in the rehabilitation potential of inmates. But the proposed amendments restrict the judicial review process to such an extent that, while it still exists in theory, the provision is all but inoperative.

So, he is not prepared to repeal the section, as requested by the Reform Party, but he makes its application so difficult that it does not mean anything any more. That is what the people on Ile d'Orléans, around Beaupré, call talking out of both sides of one's mouth.

Madam Speaker, you have indicated to me that I have only a minute and a half left, so I will have to skip certain parts of my presentation.

I do wish to state, however, that we consider this amendment to section 745 to have been badly presented, badly managed by the Liberal government. As a party, we are well aware of the pain and suffering experienced by victims' families in seeing the person who murdered their loved one resurfacing in the court process. For this reason, as a party, we feel that the Criminal Code ought to contain clauses to ensure that the families of victims are not forgotten.

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This is the problem with our legal system, we are strong on inmate rights, and so forth, but often tend to forget victims and victims' families. If the victim has had the misfortune to lose his life, his survivors must bear the burden of their suffering for years. We ought to keep victims' families firmly in mind.

We ought therefore to make sure that victims' families are given a hearing, if they wish one, during the review process. Another bill, Bill C-41, requires judges to consider victims' or victims' families' testimony as part of the evidence, and this is a very good thing.

In conclusion, we feel that section 745 ought to be examined far more thoroughly, possibly with public consultation. Statistics on the use of judiciary review and the very low percentage of repeat offenders among released criminals warrant far more extensive and far more serious attention.

An important section of our Criminal Code cannot be modified in a rush, at the end of a parliamentary session, by getting around the usual rules of parliamentary debate. The Minister of Justice cannot change the basic principles of criminal law in Canada because he is carried away by emotion, or for political expediency.

[*English*]

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Madam Speaker, I have prepared a 20-minute speech so I hope I do not run over my time. I know you will let me know.

First, I would like to thank you, Madam Speaker, for recognizing me in the debate. I did speak last Tuesday on second reading debate of Bill C-45. I am speaking today for a very special reason. Why? Because it is rush, rush, rush with this government trying to put this bill through, the same as it did with Bill C-68 and C-41 when it invoked closure and Bill C-33. It seems whenever we have a real contentious issue, whenever we have something that really affects Canadians this government just pushes it through with total disregard.

An hon. member: Oh, oh.

Mrs. Jennings: I hear the member for Kingston and the Islands in his usual form, continually talking when others are talking, continually being rude. I have come to expect that from him so I will just continue.

Since last Tuesday I did look over the justice committee meeting minutes. I noticed that where the witnesses spoke in the justice committee every one of them seemed to be concerned with time.

Mr. Jessop is a police staff sergeant and his concern, apart from the fact that he mentioned dangerous offenders, is why is the Liberal government not doing something about dangerous offenders. He said: "I am told we are not introducing dangerous offenders

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at this particular point because it is not politically expedient to do so. I would suggest that this is not the way we should be thinking. We should be dealing with dangerous offender legislation". That was from a police sergeant.

He also goes on to say that the RCMP are really displeased with the justice agenda of the Liberal government. He said: "The government should be considering repealing section 745 if they want to restore some integrity to the criminal justice system". He continues: "Section 745 contradicts fundamentally not only public confidence but the entire philosophy of how our criminal justice legal system has grown". That is a staff sergeant speaking.

● (1135)

What about time? Are we rushing it through? He looks right at the committee and says: "You have the opportunity in the three days left—and I address this specifically to the Liberal members of this committee—to actually do the right thing. I would urge you to repeal section 745".

Mr. Scott Newark, executive director of the Canadian Police Association, also spoke. He was concerned about clause 5 of Bill C-45 which deals with victims' information. He said: "It potentially excludes victim information from section 745 screening hearings or judicial reviews, other than for new offences". He is right to be concerned on that.

He also pointed out that having notification on Monday, when he was out of Alberta, that the bill was going to be introduced on Wednesday, is terrible. Shame on the justice committee when they had ample opportunity, over a year of preparation on C-45 and on private member's Bill C-226 since it was introduced in December 1994. They have known about it since that time. He was correct when he stated: "It has been the case that parliamentary committees were supposed to have the time and the ability to analyse legislation". That is a very important statement. Indeed, that is what parliamentary committees are supposed to do.

He finishes with: "I share not only what I would call your frustrations"—he is talking to members of the committee—"but frankly as a citizen, the outrage at the process that is being foisted on people when the opportunity to do a proper job was present for over a year. And that is not only true on this bill; that was the case last year on the DNA search warrants that resulted in another sloppy piece of legislation without a DNA data bank attached to it". Those words are straight from the mouth of this expert. "The right thing here", he said, "is to repeal 745".

He was questioned on cost. As a matter of fact it was Reform's justice critic from Crowfoot who questioned him on the costs of these hearings and whether they were costly to the Canadian public. He said that he could not be definite but it was between

\$50,000 and \$100,000 a hearing and that the more sensational hearings are probably up to millions for the taxpayers. Of course they take a lot longer than the original trial.

I look at this and say to myself: Debt, deficit and accountability. This government has us so far in debt and deficit, there is no accountability and let us just keep on having hearings even if they should not be allowed and are not necessary and to heck with worrying about the taxpayers and the dollars.

Witness Sharon Rosenfeldt from Victims of Violence International, who everyone I think is aware of the tragic loss in her family, said: "This is such an important issue it has to be talked about and addressed in a much broader context than is being done at this time by just a few days in a quick rush in front of the justice committee. I just cannot accept the new amendments the justice minister has put forward. I still have to stay with the total repeal of section 745".

What about Darlene Boyd, another person who has had a tragic loss in her family? She said: "Murder is all too readily said. Another word I frequently hear is rehabilitation. I truly believe that the man who took our daughter's life and that of the young girl from High River is not and never will be rehabilitation material, especially after serving only 15 years in his confined environment. To rehabilitate there has to be some spark of remorse and James Peters did not demonstrate any of this. The chance of filtering men like James Peters back into society after 15 years through the system we now have is too great a risk. We will be digging more graves for innocent people".

I think the member for Kingston and the Islands again misses the point, the chance is there and that is what is so frightening and scary.

There is witness Debbie Mahaffy. We all know about Debbie's loss. She said: "We found out about the various committee hearings by accident and I am very glad that we scrambled our way to Ottawa and got here on time". What is this rush? "Is life in prison with no eligibility for parole up to 25 years enough for taking the life of one person? No. Is it enough for taking the life of more than one person? No. Is 25 years a waste of a life? Yes. But the killers who decided to murder my daughter made that choice. By doing so they decided their own fate and are now wasting their lives in comfort. Our laws should reflect our evolving society and everyone in society should be protected by our laws".

These witnesses are people who are experienced. They are not removed from the situation. Debbie finishes with: "It is irresponsible of this government to allow time that much power and control over its decisions. Less time for communication, less time for discussion, less time for murderers to serve is a sad commentary on the quality of life we are now leaning toward in Canada".

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• (1140)

The presentation by Priscilla de Villiers, president of CAVEAT, is very interesting. She said:

I am appalled at the way this has been presented to the people of this country. I am appalled not just because of section 745 or any other section of the Criminal Code. This is a travesty of the parliamentary system.

We have had a bill asking for discussion of this on the books for 18 months. We got an official communique on Thursday, I think. I first read this bill on the airplane to Saskatchewan and Steve Sullivan and I had to come back in the middle of last night to beg for five minutes of time to make our little statement because we are the few people here who do not benefit from the system. Shame.

Shame on this reluctant concession to what is becoming very quickly a serious election issue. Shame on you that you have not taken into account the words of ordinary Canadians who say: We are bothered by this; we are concerned. Give it the consideration it deserves. If you then, in your wisdom as a governing party decide not to support it, fine, that is your right. But to have this ramshackle excuse for an appearance just to say that we actually appeared here, it is a shame on the entire process.

I have to agree with her. Why has this country deteriorated so far from people facing responsibilities for their actions? It began in 1971 with the Liberals and Solicitor General Goyer who summed up the government agenda when he told Parliament: "We have decided to stress the rehabilitation of individuals rather than the protection of society". Therein says it all. They stressed the belief that society and not the criminal was responsible for the crime. From that time on the whole system existed to serve the criminal. And in 1976 when the Liberal government abolished capital punishment, Canada replaced it with a life sentence of 25 years.

Mr. McKinnon: Rubbish. Rubbish

Mrs. Jennings: But that is not good enough. Now we are still talking about section 745 which was brought in in 1976. I am really concerned that members on the opposite side who are busy right now constantly harassing me when I am speaking do not understand.

Mr. McKinnon: How about extremism?

Mrs. Jennings: We are talking about first degree murderers here. We are talking about mass murderers. For goodness sake let us have some common sense in the remarks coming from that side.

I must comment on what the member for Glengarry—Prescott—Russell said yesterday because according to him the crime rate is going down. I guess it depends on what poll we read or what political group we listen to.

I have in my hand the poll from the *Readers Digest* which I think is pretty non-partisan. It says that between the 1960s and the 1990s the total Criminal Code violations reported to police nearly quadrupled from over 2,000 to over 10,000 for every 100,000 people. Property crime soared from almost 2,000 to over 6,000 during the same period. Violent crime exploded. Whereas there were 221

violent crimes per 100,000 people back in the 1960s, the figures in the 1990s are now astounding at over 1,000.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Madam Speaker, it is a pleasure today to stand in support of the motion to hoist the bill. Fortunately from my point of view I will speak from a different perspective of why the bill should be hoisted than the member who introduced it.

It is a piece of legislation that I have to oppose for two main reasons. The first is that it totally ignores the wishes of the majority of the Canadian people. The second is that it tramples on the will of this Parliament whose members voted in favour of a private member's bill which would have repealed section 745 of the Criminal Code, and not just tinker with it as the justice minister is doing with Bill C-45.

Regarding my first point, I wish to emphasize the terrible impact on the families of murder victims when their loved one's killer is eligible for parole after only a 15-year sentence. When this legislation was introduced in June, Debbie Mahaffy whose daughter Leslie was one of Paul Bernardo's victims, made a passionate plea to the justice committee to simply repeal section 745. She said how disappointed she was with the half measure proposed by the justice minister.

Sharon Rosenfeldt, the mother of a Clifford Olson victim spoke on behalf of the national group Victims of Violence saying: "I have fought for 15 years for the rights of victims and I think we are all in this together". Unfortunately, not the case according to this government.

• (1145)

Another mother, Darlene Boyd, whose daughter Laurie was raped and murdered south of Calgary, spearheaded a 35,000-name Calgary *Sun* petition to repeal section 745.

These people are not speaking just for themselves. It has been proven with the names on the petitions and the groups that they represent. They speak for many of the families that have suffered the murders. They suffer for life, not for 15 years.

From personal experience, this bothers me a great deal. Outside the House we have a plaque. That plaque is in memory and honour of officers who gave their lives in service to their communities.

My cousin was married to one of the officers whose name is on the plaque. His name was Lenard Shakespeare. He was an officer in Toronto who in the line of duty happened to stumble upon an attempted bank robbery.

Lenard was the kind of officer who did not believe someone had to use firearms in order to rectify a situation. When this was taking place, he happened to spot a taxicab in front of the bank that was in

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the process of being robbed. He thought it was his duty to warn the people in the cab that they were in danger.

When Lenard walked up to the cab and put his head in the cab to warn the people that they had to move, the man in the back seat shot him. He not only shot him then, but he stepped out of the cab and pumped five more bullets into Lenard as he laid there without his gun drawn.

Lenard's wife happened to be at our place. I was there when the officers knocked on the door. Members have not been through hell until they have to sit with the wife or the children of the victim of a premeditated murder.

We try to honour these people through different organizations, through plaques on the Hill. However, we have a government that says we must look after the predator in these cases. The man who shot Lenard is now out in Vancouver as a businessman. Is this fair?

For any member on the other side of the House who would like to know the name of my cousin, I am quite willing to give it. She lives in Atikokan, Ontario. They can phone her family members and see what they think about this joke on society that members call 745.

Premeditated murder was an automatic hanging or execution at one time. The government of the day decided it had some hope for these murderers and would only make it 25 years. It was sold to the public as 25 years without parole. That sounded not too bad. It gave everybody a chance to get over the healing, if they could, and get on with their lives.

• (1150)

Now we look at 15 years. I hear that 15 years is hard on these people. From death to 15 years. We heard the outcry that this might be too much, so we passed section 745. Five years down the road, mark my words, if we have a Liberal or a Conservative government we will be looking at 10 years for premeditated murder.

The government likes to throw out fancy numbers. It forgets to tell the people what the population is in the country, what the unemployment rate is and what the actual crime statistics are. It does not bother to bring forward those statistics. According to Statistics Canada violent crime increased 782 per cent from 1971 to 1994. Argue that one. From 1986 to 1994 violent crime by youth increased 124 per cent. Many of those crimes were murders.

We have a system which I hope people understand. Our courts are so overworked that we have a bargaining system. We have a bargaining system in which the charge will be reduced for a guilty plea. If we want to know why the statistics are starting to show on the other end, it is because we have lawyers and judges who are agreeing to bargain. They are not representing the people; they are

representing themselves and their own self-interests, the same as the government.

I wish everyone involved in this debate would go back to their constituents to get their opinions.

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Madam Speaker, I am pleased to have the opportunity to rise on behalf of my constituents of Okanagan—Similkameen—Merritt to express our opposition to the Liberal plan to amend section 745 of the Criminal Code. We are talking about Bill C-45 which is the Liberal government's thinly veiled support of the so-called faint hope clause which nullifies the Criminal Code's penalty of life imprisonment for first degree murder.

Millions of Canadians, including my constituents, believe that section 745 of the Criminal Code should be abolished because it serves no purpose. It is no deterrent for people who go out and ruthlessly take the life of another or others.

At best, Bill C-45 introduces a few cosmetic changes to the law, but it does not repeal the faint hope clause. The Liberal justice minister is adamant in refusing to do what Canadians are asking the government to do.

Canadians want to take away the right of a convicted murderer to have their sentence reduced. Canadians do not want convicted murderers to serve anything less than the sentence they have been given. Victims of Violence, the Canadian Police Association and millions of Canadians want section 745 to be repealed. However, the Minister of Justice, just like the separatist Bloc members, has ignored their pleas and are pushing Bill C-45 through the House.

The bill makes a few amendments to section 745. First, the right of multiple murderers to apply for a judicial review for early parole will be removed. However, instead of making this provision retroactive so that it would apply to serial killers such as Clifford Olson and Paul Bernardo, who are already incarcerated, it will apply only to those convicted of multiple murders after the bill comes into effect. If a person kills people before the bill comes into effect they still have a chance, a faint hope, to avoid serving the full sentence which our Criminal Code sets out as the penalty for their crime. These convicted murderers can still apply for parole. They are exempt from the bill.

• (1155)

Canadians do not support giving Paul Bernardo hope. The people I represent want to have a binding national referendum on the return of capital punishment. The case of Paul Bernardo gives Canadians a very real reason to want a national vote on returning to our statute books the penalty of death. The Liberals want to give people like Paul Bernardo hope.

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The Liberals are giving serial killers who are already incarcerated a better chance to get out of their sentence than those who will commit multiple murders in the future. Canadians are finding it very difficult to believe that the Liberals think they can sell this as some kind of deterrent.

This Liberal government should be giving Canadians hope. The Liberals should have the courage to give Canadians what we want and that is a binding national referendum on capital punishment. The Liberals would rather do nothing. That is what the Liberals do, nothing.

The Liberal's campaigned on a platform featuring political change and promises, promises, promises, just like their promise of jobs, jobs, jobs. Then they say they will scrap the GST, but once they are elected the Liberals do nothing.

The defence minister tackles what the Prime Minister says will be a difficult job of cleaning up the top echelons at national defence in the wake of the Somalia crisis. The Liberal defence minister does nothing. He hides behind the Somalia inquiry and says he can do nothing.

The justice minister has done nothing to prevent serial killers who are already in jail from getting a chance of a reduced parole. The Liberal justice minister has done nothing about this.

This bill is a sham. It is not what Canadians are asking for. The bill would ensure that a murderer will have to convince a superior court judge that their application has a reasonable chance of success before they would be allowed to proceed before a jury. This sounds like a good measure. However, considering that applicants have a 72 per cent success rate since May 1994 in having their parole ineligibility reduced, it is unlikely that a judge will find fault with the majority of applications and dismiss them.

In short, the new hurdle the Minister of Justice so proudly stands up to defend, which the Bloc so quickly supports, is really no hurdle at all. We will continue to see far too many section 745 hearings.

Finally, Bill C-45 stipulates that a section 745 jury will have to reach a unanimous decision before the applicant's parole ineligibility is reduced. At present only two-thirds of the jury need to find in the applicants favour. What kind of change is this? This is typical Liberal do nothing tinkering with our criminal justice system. I am sure the Liberals will be shaking each other's hands and patting each other on the back in an orgy of self-congratulation, but Canadians will not be congratulating the Liberals.

Canadians feel that section 745 should not exist at all. What the Liberals are doing is absolute nonsense. This bill is nonsense. The Liberals are most concerned about the rights and privileges of criminals and they have ignored the rights of victims of crime. If

the Liberals had any basic simple understanding of victims' rights, and they do not, they would have abolished section 745.

Canadians can see clearly that the Liberals are actually creating categories of good and bad murderers. If a person kills another person the killer will be entitled to a section 745 hearing. These are good murderers, according to the Minister of Justice's understanding. However, serial killers are not entitled to a section 745 review because according to the justice minister's understanding, these are bad murderers.

• (1200)

It is truly unbelievable that the minister has actually quantified human life in this legislation. He actually sets himself up as the one who can quantify whether one killing is worse than two killings. It is unbelievable.

According to this bill, a murderer should be given a glimmer of hope if they kill only one person, but killing more than one person prevents a murderer from getting a review and serving something less than the 25 year imprisonment.

The minister has set the quota at one life. It is reprehensible that this Liberal minister would sit down and draft his very own category of murderers, some deserving of leniency and some not. I submit that one life is as important as two, three or four. If the minister wanted to differentiate between murderers he should have introduced consecutive sentencing. That is the way to deal with this problem. It would ensure that serial killers like Clifford Olson would never have a chance for parole.

Canadians want to have the criminal justice overhauled. Canadians want the government to stand up for victims instead of standing up for criminals. It is time for the abolition of section 745. The Liberals should be ashamed that they have not repealed this section. They should be ashamed that they have ignored the views of millions of Canadians, in particular the views of victims' rights groups.

I cannot support this bill. My constituents cannot support this bill. My party cannot support this bill. We stand here today speaking for Canadians and standing up for the rights of victims and their families.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, I thank you for the opportunity to speak to Bill C-45. This bill deals with section 745 of the Criminal Code. Section 745 is not a bad law that needs changing. It is a bad law that needs to be turfed.

Several experts have spoken about section 745 and have spoken about Bill C-45. I do not propose to this House that I am expert of justice matters. I have many colleagues who have far more knowledge in this area than I do and they have spoken very eloquently after extensive research on the issue. We know that officials from police forces have spoken about section 745. They

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have far more knowledge than I do on this. They have talked about the fact that section 745 needs to be repealed. I respect the views of my colleagues, I respect the views of the police.

Interestingly enough, provincial officials have spoken about section 745 of the Criminal Code. They also are very knowledgeable and expert in the area with which they are dealing. They are the attorneys general of some of the provinces.

On May 11, 1996 the *Ottawa Sun* reported that during a meeting, the attorneys general of Manitoba, Alberta and Ontario pushed for the total repeal of section 745, while Saskatchewan and Quebec argued that it should be amended.

Harnick from Ontario and Evans from Alberta said they would like to see the screening of first degree murderers for early release be done by the justice minister's office rather than the parole board or a provincial judge. The provinces were concerned about Bill C-45. They thought it would be a financial burden and an imposition on their judicial system as it will be the provincial judges who review and determine which first degree murderers' 745 applications will be referred to a jury.

This underlines the fact that there was not proper consultation between the federal government and the provinces when the government introduced Bill C-45. This is not uncommon. We have seen several examples of the federal government failing to work co-operatively with the provinces within confederation. Here we have another example.

It is interesting that the financial agreements with the provinces and the territories expired on March 31 and to date the justice minister has only signed agreements with a couple of the Atlantic provinces. There is a total lack of co-operation between the federal government and the provinces and Bill C-45 to repeal section 745 of the Criminal Code is a prime example.

• (1205)

I do not have extensive and deep knowledge of the justice system but I certainly have heard very capable critics and very knowledgeable experts suggest this bill is bad, it should not be passed and that section 745 of the Criminal Code should be repealed.

I appreciate what others have said but I want to tell the House what I am hearing from constituents and from ordinary Canadians like myself who are not experts in the area but who may have very strong feelings about the justice system and what is wrong with it.

Reform MPs have learned to be excellent listeners. I would encourage members opposite who are pushing this type of legislation to take a few moments and actually listen to what their

constituents are saying, what the people on the street, the people on the farms, are saying about section 745 of the Criminal Code.

I want them to listen to the victims' rights groups that have stated categorically that they are opposed to any tinkering with section 745, and are calling for the repeal of that section. They do not support Bill C-45.

I ask them to listen to the taunting of convicted killers such as Clifford Olson who are making a mockery of the justice system, that we would even consider a faint hope clause. They are becoming notorious because of the lack of action by the Liberal government. It is really ridiculous when we see the publicity they are getting simply because the Liberal government wants to put criminals' rights ahead of victims' rights and not correct the justice system.

I hear from the local RCMP officers. They certainly do not support section 745 of the Criminal Code. They do not support changing the act to have two degrees of killers, those who are serious killers and should not be given a faint hope clause and those who are not quite so serious because they have just killed one person and they deserve a faint hope clause. They have been very outspoken in their opposition to the Liberal government's initiative.

My constituents have no use whatsoever for a faint hope clause which would allow premeditated killers to get out early on any type of parole. I even hear from people who live in Liberal members' ridings. They are not very happy with their MPs.

I am happy that the member for Prince Albert—Churchill River is sitting in the House. The other day I met one of his constituents on the plane when I was flying here. His constituent recognized me and began to talk to me. He was concerned about justice and crime. He talked about the high rate of crime in the Prince Albert area and the fact that his member did not seem to be very concerned about it. He told me quite frankly that his member would not be re-elected.

I thought this person is probably not a Liberal, so we have to take his words with a grain of salt. He may have been playing politics. However, he told me the feeling in the Prince Albert area was pretty widespread that the member did not take criminal issues seriously. Of course, he has a federal penitentiary in his riding so the issue of crime and convicted killers being released on early parole is an important issue in his constituency.

I read in the paper the other day that it looked as if the hon. member for Prince Albert—Churchill River was going to be challenged for the nomination by someone in his own party. Even his own people are not very happy with his performance.

I suggest there could be broad support for the member beyond partisanship. There are Liberal members who actually do try to stick up for their constituents and represent them. But this member

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does not seem to be one because his own party, for reasons I do not know—maybe justice issues, maybe some other issues—feels their member is not doing a good job.

All I know is that everything I have heard from his riding, and I have heard these complaints for a couple of years, indicates the member is in real trouble in his riding and may very well not be re-elected. Liberal Party people are concerned about the performance of this government for a number of reasons. The trouble with Liberals is that they cannot admit they are wrong.

Mr. Kirkby: You're third in the polls in Saskatchewan.

Mr. Hermanson: They can heckle in the House—I am being heckled right now—but they cannot admit they are wrong. They do not know how to apologize when they are wrong and do not correct themselves when they get off course.

• (1210)

Prior to the last election, the Prime Minister said he had the people and he had the plan. One of his people is the hon. member for Prince Albert—Churchill River. He is the Parliamentary Secretary to the Minister of Justice and is supposed to be a heavyweight on justice matters. However, he does not seem to have the support of his own constituency, of his own party in his own riding. One has to wonder where they have gone wrong.

As I pointed out, it seems fairly obvious that the Liberals cannot admit they have made mistakes, have not addressed the seriousness of criminal and justice matters, have been totally off course on the issue of section 745 of the Criminal Code and are totally off base on this bill, Bill C-45.

We have debated these justice issues in the House for a long time. We talked about repealing section 745 even before one of the colleagues of the Liberal members brought forward a private member's bill, which had broad support in the House, for repeal of the section.

However, the Liberal hierarchy on the front benches—I suppose the parliamentary secretary would be a supporter of this—decided to sidetrack its own member's private member's bill. Of course he was kicked out of caucus because he did not see eye to eye with the Liberals and they derailed his private member's bill which actually had the support of the entire House. It was approved by the elected body.

That private member's bill would have brought in a more strict justice system, which was actually what the people wanted. The people of Kindersley—Lloydminster want that. The people of Prince Albert—Churchill River want that. But that would never do. That would mean that people like Clifford Olson and other first degree murderers would not have a faint hope. That would probably alleviate some of the opportunities for people in the legal profession to generate more income for their law firms. Who

knows all the reasoning behind the Liberals who determined that their colleague's bill should not be passed.

I would like to hear some of the explanations from the other side why they dumped that private member's bill and brought in this bill which does not do the job. It does not repeal section 745 of the Criminal Code but provides special status for some murderers and less status for others. It is the same old repetitive story: special status for some and let us deal more harshly with others. In this case it is special status for murderers of one person but does not provide that same special status for murderers of more than one person. It is really silly when one stops to think about it.

It is time for some common sense to emanate from this House. We have to start seeing some of it from the other side. We have been speaking on behalf of Canadians on these issues but it has been falling on deaf ears in the justice department and on deaf ears in almost every ministry on the other side. It has to stop. Our country is too important to play games with Canadians and not abide by their wishes any longer.

Mr. Speaker, I thank you for this opportunity to speak on behalf of my constituents in Kindersley—Lloydminster. I just hope that for a change colleagues opposite will listen to what has been said, will recognize the error of their ways and correct them very quickly.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, it is interesting to have the opportunity to talk about a criminal justice bill. It is not something I do very often, but certainly the constituents of my riding have indicated very clearly that this is a major concern of theirs. It does not matter at what level you talk or to whom you speak, very clearly they state that they are concerned about this issue.

Therefore I am pleased to have the opportunity to go into this in a little bit of detail at least, again not as an expert but certainly as a concerned citizen, representing my constituents.

The public are disgusted with the criminal justice system. They feel that too many Liberal governments, whether they are called Liberal or not does not seem to matter, but it seems that once Ottawa fever sets into people when they come down here that all of a sudden they start thinking about the criminal. They very quickly lose sight of who we should really be concerned about and that is the victims of these crimes. Certainly the opinion is that our justice minister is very soft on crime. He is so liberal that he is more liberal than all the other Liberals who have been responsible for our criminal justice system.

• (1215)

It does not matter what area we talk about, the concerns are over the whole range. Let us start off with the Young Offenders Act. Everybody is upset about that. I have had the opportunity to speak to people across the country. Not once did I go into a presentation and question period when someone did not ask about the Young Offenders Act. It might be senior citizen who is now afraid to go

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out because of the young hoodlums they perceive to be out there and who may be a threat to them.

It could be a handicapped person in my riding, which I think is pretty peaceful. It is certainly a riding I am proud of. I have lived there a number of years. In a period of one week two handicapped people were attacked by young offenders and sent to hospital. One severely handicapped lady received a broken arm by these young offenders.

The police will say that when there are break and enters they do not bother going anymore because they just cannot handle them all. This is a major issue. It is part of the whole problem with the criminal justice system.

We can talk about the parole system and sex offenders who are put back out on the streets. Some sex offenders do not even have to take treatment. We are told they cannot be cured and yet they are put out on the streets. Again the Liberal policy is "well, let us hope they do not reoffend".

I have a letter from a constituent: "It has come to my attention that prisoners are being released on parole based on their behaviour inside an institution, not on the crime they committed. This is a grave miscarriage of justice when the crimes committed are of a sexual nature. How many inmates have daily access to sexually assault children? I hope none. If released on to our streets, the pedophile has unlimited access to our children. We should not be required to lock our children away to keep them safe from sex offenders". This is just another cry for help to change the system.

Our parole boards are made up of political hacks with high salaries. They are not professional people. They are not there to try to provide treatment, to provide protection for citizens. They certainly are not interested in the victims.

In Bill C-45 we have even created categories. If a person kills once, premeditated murder, it is one thing. He or she would be eligible for parole. If a person kills more than once, then he or she is a little more serious criminal. The victims did not have that choice. The victims were not given a choice of how serious a murder was. Murder is murder is murder. First degree murder is planned, premeditated murder.

There is no standard for sentencing. Often the punishment does not fit the crime. I read an interesting article from the *Innisfail* paper two weeks ago when I was at home. There had been a break-in at an auction mart. The person was caught and the owner of the auction mart wrote a letter to the paper and said: "I have no confidence in the criminal justice system that the fine or the minimum sentence this person will receive will in any way stop

him from additional crime". His suggestion in the article was that the true way to deal with this person would be to have him come to work at the auction mart for three months. His job would be to clean out cattle liners that arrive day after day. He said that after three months of cleaning cattle liners he doubted very much that this person would break in to an auction mart again.

We have to look at things like this. We have to look at punishment that fits the crime. For first degree murder what should the punishment be? Is 15 years the price we put on a life? Is that what we say is enough? It is premeditated. I have heard so many speeches in the House about this subject. They talk about murders. They say that someone who was in a traffic accident should get parole. We are talking about premeditated first degree murder.

• (1220)

The fact that they should not have a faint hope is by far and away the majority point of view in the country. This law does not go far enough. It is middle of the road liberalism. It is liberalism at its very worst. We are talking about first degree premeditated murder. Bill C-45 is soft.

We have to get back to the punishment fitting the crime. We have to get back to thinking about the victims. We have to think about the victims who are going to have to relive the crime in just 15 years. We must think about the victims.

I am sure I am not unique in the amount of mail I receive on the criminal justice system. This is a letter that I received, not from a constituent, but from someone in B.C.:

You as our government have seen fit to enact a faint hope clause which gives convicted murderers the opportunity to be released and kill again. It is my opinion that you as our government should remove this faint hope clause for all serial killers and all murderers that torture, mutilate or sexually assault their victims, as parole boards are releasing all murderers that apply for early release under this clause.

We have been told that up to 80 per cent of the applications are successful.

The letter continues:

It is also my opinion that Clifford Olson should never have the faint hope of being released on to our streets. That individual, in my opinion, should be given a lethal injection. I would not have any objection to doing that job myself.

That is a pretty strong statement, but that is what Canadians are saying out there about first degree premeditated murder. That is what we are talking about.

We should look at the Liberal record. What we will find is a great deal of underachievement. There is a great deal of deceit and deception being practised, of saying one thing and meaning something quite different, of not really doing what they say they will do.

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In the criminal justice system we might talk to the justice ministers of Ontario, Alberta, Saskatchewan, Manitoba, the North-west Territories and Yukon and all of them will say they were not consulted by the justice minister.

Mr. Scott Newark, director of the Canadian Police Association, openly said he has not been consulted and neither has his membership. There is a total lack of consultation.

I could go on to talk about the broken promises of the GST and no tax increases. There have been \$26 billion in increased taxes. We can talk about the threats to health care and the threats to pensions. Those are all coming from the deceit and lies of the Liberal government. That is exactly where they are coming from.

We can look at committees. Just this morning I sat in a committee and watched the member for Edmonton North vote for a Bloc member to be the vice-chair of the committee because he had to.

This is a government made up of underachievers who do not listen to the people.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, it is a pleasure to speak to Bill C-45. Unfortunately, I am going to have to speak in opposition to this piece of legislation. Once again, as my hon. friend from Red Deer pointed out, the government has fallen well short of the mark. It has fallen well short of where Canadians want it to go.

It is the primary purpose of the justice system to ensure that justice is first applied and, second, that it is applied evenly. I want to talk about that aspect of this piece of legislation.

One of the strange anomalies of the bill is that it will grant those people already in prison, who were convicted of heinous crimes, the right to apply for early release. This is a continuation of the so-called faint hope clause.

• (1225)

People like Clifford Olson, Paul Bernardo, Daniel Gingras will have the option under this piece of legislation to continue to come before the public to make their case to be allowed out.

Have we, in this country, not learned that people like Clifford Olson crave that type of attention? What right do we as legislators have to allow these people to come forward and continue to wreak havoc in the lives of the victims?

When I talk about victims in the case of Clifford Olson, I am talking about the parents of the 11 children he murdered. Why do we as legislators have a right to allow him to come forward and say

the sorts of things that he says in the media to really continue to perpetuate a crime in the lives of those parents? That is ridiculous.

What is the government thinking about when it allows that to happen? Obviously it has forgotten the purpose of the justice system. The justice system is not to serve the criminal, it is to serve the law-abiding citizens. It is to serve the rights of victims.

I have a friend here, the member for Fraser Valley East, who brought down a piece of private member's legislation that received wide support in the House. It called for a victims bill of rights.

That is the appropriate type of legislation to be bringing in. Why in the world are we bringing in what amounts to a criminals bill of rights? Why are we granting criminals more rights? It is absolutely contrary to everything Canadians are telling us. It is contrary to everything we know in our own hearts, yet the government continues to bring down flawed pieces of legislation like Bill C-45. It is absolutely ridiculous. It is counter-intuitive. I do not understand it at all.

To personalize this a little more, I must tell the story of how Daniel Gingras wreaked havoc in my riding several years ago. People may remember the case where he was out on a pass after having murdered a person. He murdered a fellow because he did not like the look of his face, according to his own testimony.

He murdered someone and was subsequently released on a day pass, because it was his birthday, in Edmonton. He overpowered the guard and eventually made his way to Medicine Hat, my riding. He took the shoe laces from a woman and strangled her with them because, according to his own testimony, she was crying like a cow.

These people are scarcely human. They are hubris as far as I am concerned. I do not understand how we can allow these people any rights at all. Yet the government has brought down a piece of legislation that will allow people like Daniel Gingras and others of his ilk to come before not only the courts, which is bad enough, but before the public and to again have their say. They will stir up many bad memories.

That is contrary to what just people in this country believe. It really makes me wonder what possibly goes on in the Department of Justice when they think up pieces of legislation like this.

People across the way will say we have to be compassionate. Compassionate should mean compassionate to everybody, not just to criminals. When people talk about letting loose one virtue like compassion without a counter-virtue like justice, then they will simply allow some of the worst things possible to go on. That is exactly what is happening with this piece of legislation.

What could have happened? I mentioned a minute ago my friend from Fraser Valley East bringing down victims rights legislation.

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That is the sort of thing we should have in this country. A lot of people ask why life does not mean life in this country. Even a life sentence in this country usually only amounts to 25 years where there is eligibility for parole after that.

Many people in this country want to go further. They want life meaning life, but in the wake of the Bernardo trial there were many people, as there are still today, believing we need to have a plebiscite, a referendum on capital punishment.

• (1230)

Why is it that people such as Paul Bernardo, Daniel Gingras and Clifford Olson can murder perfectly innocent people, children in some cases, and be allowed to live out their lives when they know that their victims will never ever see another day? That is so wrong yet people across the way allow it to happen. People across the way, who I know in their own hearts do not believe in this legislation, will stand up and vote for it simply because it is the condition, the price that they pay if they want to stay in that party.

At some point principle should mean more than just sticking around in a party so that you can possibly get re-elected. If you believe in principle you should be willing to jettison all that party stuff and stand up for your constituents. That is what members across the way have to do.

I urge all people who are watching today, and I know there are many people watching out there, to let their local MPs know that Bill C-45 simply is not adequate. In fact, not only is it not adequate, it is actually dangerous. It allows all those people who have committed murder in the past to come back and wreak havoc in the future and I think that is wrong.

This legislation tells me the government has not yet gotten the message from the constituents and even from some of its own MPs. People out there want the problem of crime dealt with in a serious way and they want people to get their just deserts when they commit a crime. In some cases that means a life penalty and in other cases I would suggest it means the death penalty.

During the last election campaign I remember going door to door and probably every member in the House ran into this. If you were out after dark very often it was difficult to get women to come to the door.

I know members across the way will say: "Have you not heard the statistics that crime is going down?" I can tell you that people feel very threatened in their homes. I remember how difficult it was to get people to come to the door, especially women, and there is a good reason for that. Let us not cast aside their concerns and say that they just do not know what they are talking about. Let us start introducing some laws that have an effect not only in dealing with crime but in restoring the confidence of people who are afraid to go out on their own.

Nowadays there are bars on the windows of houses and businesses. But in some cases, like the women's prison in Edmonton, we do not even have bars on the jails any more. They are trying to rectify that now after there were some real problems which actually led to the death of an inmate. Certainly people should not feel they have to be prisoners in their own homes simply because we have a government that refuses to get tough with criminals.

Let us face it. There is not an MP in this House who has not heard over and over again from their constituents that people cannot understand why the government has not been tougher on crime. It is not just this government, it was the Tory government before. The Tories were the ones who brought in that ridiculous Young Offenders Act. That is another issue which we will save for another day. It is not just this government, it is several governments in succession.

I hope members across the way will find it in their hearts to stand up for the innocent victims and citizens out there instead of criminals in the next go round.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, on a beautiful fall day like today members, those Canadians in the gallery here and those Canadians who are viewing this on television will know that the fall colours all across our country are just starting to change.

If you were in my home of Edmonton, Alberta today and you were at the north end of High Level Bridge, the bridge that goes across the North Saskatchewan River, you would see a park at the northwest corner of High Level Bridge. In that park is a statue of a police officer. The police officer has his arm around a young lad of about seven or eight years of age. The statue of that police officer is pointing across the river at the University of Alberta.

• (1235)

Every time I drive by that location I am reminded of Constable Ezio Faraone. That park and statue are dedicated to Constable Ezio Faraone. Constable Faraone was a young policeman who was cut down in the prime of his life by someone who had very little to contribute to our society and over the course of his life had contributed nothing. He cut down a young man with much promise, a young man who had dedicated part of his life to guiding other young people. That is why that statue and that park are so poignant: because of the contrast of the two lives; one full of richness, promise and hope and the other life for whatever reason generally speaking of incarceration and despair.

We do not know what led to the incarceration of the perpetrator of the horrendous murder of Ezio Faraone and we are not suggesting that life is fair and that everybody starts with an equal chance. However the fact of the matter remains that there are very few of us in our country who do not appreciate the difference between right and wrong.

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The problem in our country is not so much that people do not appreciate the difference between right and wrong, but we are not as a nation prepared to accept the consequences for having done wrong. That is really the nubs of it. We see this every day in our country. People elected or people appointed to positions of responsibility, authority and leadership abdicate that leadership role or that role of responsibility by sloughing off accountability for their actions to someone else or by blaming it on some incident in life that caused them to do whatever they did.

The fact is that the death of Constable Ezio Faraone, the snuffing out of that life of promise, of that young leader of men who was working on behalf of all of the citizens of Edmonton and of the larger community of our nation, was in part because of the actions of this House of Commons. It is the actions of this House of Commons and the laws that are promulgated herein which set the stage for what is likely to happen in our country.

In my opinion there is a direct link between the death of Constable Ezio Faraone at the hands of a convict on parole on the streets of Edmonton and the Solicitor General of Canada on October 6, 1972 who stood in the House and stated, using these words which can be checked in *Hansard*: "From this day forward rehabilitation will be the driving *raison d'être* of our criminal justice system. It will not be the protection of society. It will be the rehabilitation of prisoners". From that day forward, 24 years ago almost to the day just a couple of weeks from now, the criminal justice system and Correctional Services Canada have had to focus on the rehabilitation of prisoners.

That is not all bad. The vast majority of people who commit a crime or break the social contract that we as citizens have one with another are worthy of rehabilitation and should be given a second chance. Yesterday the member for Kingston and the Islands, who has a major prison in his constituency, spoke long and eloquently about the need and the reason for compassion, about how it is honourable and correct to turn the other cheek. We as parliamentarians have a responsibility that goes beyond ourselves.

• (1240)

When a perpetrator kills somebody or commits any major crime—we are now talking about capital offences in particular, murder—the charge is not written as victim v. defendant, it is the Queen, Regina v. defendant. This is because when someone kills another citizen, the crime is not only against the victim but also against the community. It is against the nation. That is why when a crime is committed it is the crown in opposition to the perpetrator.

When we gathered under the oak tree, or whatever tree we gathered under, as human beings to suggest and to agree one with another that we were going to give up some of our individual freedoms in order to ensure the greater good would be served, we

then one with another created a social contract. That social contract meant that we would not have the personal liberty that animals do to kill whatever they choose for whatever reasons. We were going to conduct ourselves in a fitting manner. We willingly gave up some of our freedoms in order to enjoy the greater good.

The populations of various countries, including our country, vested with parliamentarians the authority and the responsibility to frame that social contract, to give it meaning, to give it foundation, to make it work. Therefore when we are called upon to generate the laws by which we will govern ourselves, we must use not only compassion but reason.

Our laws must have strength. They must state that certain crimes will be dealt with in the harshest possible manner. We are not talking about manslaughter; we are not talking about crimes of passion; we are not talking about a momentary fit of madness. We are talking about cold blooded murder. We are talking about an occasion where someone will take a hostage and kill a prison guard or policemen who are on the frontlines to defend us day after day after day.

We are not talking, as members opposite have said from time to time, of everybody who is in jail or of everyone who commits murder. We are talking specifically about those criminals who have been charged and convicted of first degree murder. This gives the courts many avenues of leniency. Not everyone who commits murder is charged with first degree murder. As a matter of fact, the vast majority is not.

When someone commits an offence that is judged by the legal community to be first degree murder, that person should be prepared to accept the consequences, which brings us right back to my first words. The problem is not that our society does not have the means and the wherewithal to maintain order and discipline. The problem is that we as a society do not have the discipline to accept the consequences of our actions.

• (1245)

Therefore if someone is prepared to commit first degree murder they should do so in the full knowledge that the sure consequence is that they will spend 25 years behind bars, not 24 years and not 26 years, 25 years. Twenty-five years was the *quid pro quo* for getting rid of the death penalty. We will not put anyone to death, but the people who commit first degree murder would do so in the full knowledge that by breaking the social contract, one with another, they will pay the full penalty.

That is why I would urge members opposite to support the original bill by the member for York South—Weston which would scrap section 745, which was wanted by virtually every victim group and every police group, and not accept this watered down version of Bill C-45 presented by the Minister of Justice.

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Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I wish I could say that it was a pleasure for me to rise today and participate in this debate on Bill C-45, but I find it is just the latest example of this minister's and this government's half baked justice policy that they are holding up to the people of Canada as a way of getting tough with crime when it does exactly the opposite.

However, I do appreciate the opportunity to point out to this government, on behalf of my constituents of Prince George—Peace River and on behalf of the majority of Canadians, that section 745 of the Criminal Code should be abolished.

I believe that Bill C-45 simply introduces more cosmetic changes. Over the debate of the last couple of days in this place on this piece of legislation—and I use that term charitably—many of my colleagues in the Reform Party have said that it is high time this government started listening to the people. Of course when that was said what we heard from the other side, amidst howls of heckling, was that the government is indeed listening to the people. I question that.

A poll was recently conducted and completed in my riding, which is virtually the entire northeastern corner of British Columbia. One of the questions the people were asked in this scientific poll was: "We are interested in knowing how you feel the federal government is doing with respect to criminal justice matters".

Interestingly enough, 56 per cent of the people said they felt the federal government was doing a poor job reforming the criminal justice system; 11 per cent more were uncertain as to how it was doing. Clearly two-thirds of the people of my riding feel either that the federal government is doing a poor job of addressing criminal justice issues or are uncertain as to exactly what it is attempting to do.

I view that as a clear indication that the people of my riding and I believe the people of Canada are growing increasingly concerned, despite what we hear from the government that crime rates are falling and the incidence of violent crime is going down. What I hear from the people as I travel throughout my riding and across the country is that they are increasingly concerned about crime.

Victims of Violence, CAVEAT, the Canadian Police Association and the majority of Canadians want section 745 repealed. It is that simple. I find it appalling that this justice minister and this government would not listen to, for example, the Canadian Police Association on this issue or on the issue of a referendum on capital punishment. Yet, during the debate on the gun control issue they said that the major reason why they were bringing in this preposterous gun control legislation was because the police association wanted it.

The justice minister conveniently uses the police association and its resolutions where it suits him but does not listen to them on other issues. He has ignored the pleas of these groups and he is pushing Bill C-45 through the House.

● (1250)

The bill makes a few amendments to section 745, and these have been recounted over the past few days. First, the right of multiple murderers to apply for a judicial review for early parole will be removed. However, instead of making this provision retroactive, the new measure will only apply to those convicted of multiple murders after Bill C-45 comes into effect. Therefore the minister has done nothing to prevent serial killers who are presently incarcerated from getting their day in court and getting a chance at a reduced parole ineligibility period.

Second, the bill will ensure that the murderer will have to convince a superior court judge that their application has a reasonable chance of success before they will be allowed to proceed to appear before a jury. This sounds like a good measure, but considering that applicants have had a 72 per cent success rate since May of 1994 in having their parole ineligibility reduced, it is unlikely that a judge will find fault with a majority of these applications and dismiss them.

Yesterday my hon. colleague from Wild Rose referred to this not as the faint hope clause but as the sure bet clause. He hit the nail right on the head.

In short, the new hurdle is really no hurdle at all. We will continue to see far too many section 745 hearings.

Finally, Bill C-45 stipulates that a section 745 jury will have to reach a unanimous decision before the applicant's parole ineligibility is reduced. At present only two-thirds of the jury need to find in the applicant's favour. However, in my view the bottom line is that section 745 should not exist at all.

Section 745 was introduced as part of Bill C-84 in 1976 by the hon. member for Notre-Dame-de-Grâce who was serving as solicitor general at that time. Bill C-84 abolished capital punishment and established two categories for murder, first and second degree. However, not many people noticed the inclusion of section 745 in their review of the original bill. As a result, we have had to wrestle with this provision for some 20 years.

Many Canadians believe that 25 years before being eligible for parole is not a suitable sentence for first degree murder. In fact, polls have consistently shown that Canadians favour a return to the death penalty for those who are convicted of first degree murder.

Yesterday the hon. member for Glengarry—Prescott—Russell said that Reformers were attempting to instil a hate pattern in Canadians by advocating a return to the death penalty. In my riding of Prince George—Peace River, when I did a poll, 85 per cent of

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the people favoured the return of the death penalty for cold blooded, premeditated first degree murder. That is what we are talking about today. We should be very clear about that.

On May 14 of last spring we had one hour of debate on my private member's Bill C-218, which would have brought about the reintroduction of capital punishment. One hour of debate. That was all the government deemed the debate on capital punishment was worthy of.

Last Friday one of my colleagues from Nanaimo—Cowichan introduced private member's Bill C-261 and there was an hour of debate on a referendum on capital punishment. In other words, it would have let the people speak. The government does not want to let the people speak on this and many other issues.

Government members know that people are outraged that murderers are given a glimmer of hope after serving only 15 years. What glimmer of hope did those murderers give to their victims? Speaking of victims, section 745 does them an incredible disservice. The whole judicial review process causes the revictimization of families and at times of entire communities.

• (1255)

Gary Rosenfeldt, whose son was murdered by Clifford Olson, said the whole section is an insult to victims. What is coming from the Liberal government? It is simply window dressing with respect to dealing with section 745. This really comes as no surprise. The Liberals are constantly promoting the rights and privileges of criminals and constantly molycoddling the very worst people in our society while victims are completely ignored.

I see my time is almost up. I could go on all day talking about the government's lack of commitment to the victims of crime. The real point here is that the entire misguided and sad policy in the area of justice over the past quarter century by this government and governments preceding it has been built on a false premise that everyone in society is basically a good person. Everyone can be rehabilitated in the eyes of the member for Kingston and the Islands. It is always the fault of society that they go astray. It is always the fault of the parents or because they are poor.

There are some in our society who are inherently evil. That is a reality. I believe the majority of Canadians know that and it is why they want to see section 745 repealed. That is why I am voting against this piece of trash, Bill C-45.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I too am pleased to speak on Bill C-45 and to register my opposition to the bill as presented by the Minister of Justice. I certainly would like to concur with the closing comments of my colleague for British

Columbia who said the entire misguided policy of the government is built on a false premise. That it absolutely true.

Let us take a look. He talked about the original section in the Criminal Code, section 745, not to be confused with the Bill C-45. Section 745 was called the faint last hope. It was brought in on the premise that perhaps these criminals who had been convicted of one murder, two murders or many murders would in prison change their ways, be sorry for their deeds, rehabilitate themselves and be eligible to be turned loose into society and society would have to fend for itself and protect itself from these killers who are now back in society once more.

The faint last hope became the open door that after 15 years anybody who applied for parole was virtually assured of getting parole. These Liberals and left leaning socialists believed: "The poor guy has been locked up for 15 years. How can we do this? That is terrible. We should let him back out into society". Back into society so that he can do it again. There have been umpteen situations where he has done it again.

Many times we have seen headlines in the papers that another family has been destroyed, another murder has been committed, another innocent Canadian who just unfortunately happened to be in the wrong place at the wrong time is now dead because of this government's desire to let these people back on to the streets because they are sorry for those folks because they have been locked up for 15 years.

The information I have is that after 15 years when the parole hearing comes up and the families that have suffered the tragedy of having one of their members murdered are devastated by having the whole thing dredged up once more. Surely the families of innocent Canadians are the people who should be protected. People should be able to walk the streets without fear rather than worrying about one, two, three or fifty killers who are locked up and should stay that way, just because the bleeding heart socialists think it is time to let them out after 15 years.

• (1300)

My colleague from Fraser Valley West introduced a victim's bill of rights. He said, and many Canadians agree with him, that it is time to put the rights of individuals who have not committed a crime ahead of those people who have forfeited their rights because they have committed the most heinous of crimes, murder.

It does not take a great deal of mental effort to say that the people who have not committed a crime should have preferential treatment over those who have. I do not think it is a mental leap of logic, but obviously it is beyond the government's capability to understand that it is the Canadian people who have to be protected. Innocent people deserve to be able to walk this land without fear rather than worrying about murderers let loose by the government because of the bleeding heart policies of saying 15 years has been a long time.

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When someone is found guilty of first degree murder the sentence is usually 25 years without parole and after that the person is on parole for the rest of his or her life. Therefore a convicted killer is never completely free but after 25 years he or she may return to society.

It seems rather strange to me that a judge who has been in command of all the facts, has listened to all the testimony, has heard the dreadful unfolding of events, has seen the families and the tragedy that has been created and has decided in his wisdom that this person who is convicted of the crime should spend a minimum of 25 years in jail before being eligible for parole, and the government wants to interfere with the courts and say the decision made at that time in full knowledge of all the facts is now found to be too harsh and lets these people out after 15 years.

Why is the government siding with the criminal and not siding with society? That is the issue. If a judge, in full command of the facts decided that this crime warranted 25 years, then surely we should listen to this learned man who was put in the position of making this types of judgment.

The government turns around and second guesses. Government interference in the judicial system makes it a mess. For example, Karla Homolka, in retrospect got a sweetheart deal because an agreement was made between the government and the criminal. When the facts came out Canadians were outraged and rightly so. Government should stay out of the administration of justice and leave it to the courts where the courts have the authority to make the decisions. If the courts say 25 years I go along with them.

We are dealing with Bill C-45 in the fall of 1996 which is three years after the election. The government has had three years to deal with this issue. It seems rather ironic that it waited until the fall of 1996, when people like Clifford Olson of British Columbia is now eligible to apply for parole. It could have brought in this bill in the spring of 1996. It could have brought in this bill in the fall of 1995. It could have brought in the bill in the spring of 1995. It wanted to wait until Clifford Olson had the opportunity to apply for parole before it shut it down. The government could have stopped it but it did not. That is indicative of the bleeding heart type of attitude of the government.

• (1305)

It is an insult to Canadians that this could actually happen. Like my hon. colleague from British Columbia who spoke before I could speak further. This bill is too little, too late. The government should have repealed section 745 many years ago.

Reformers are not dealing with statistics. We are dealing with real people. We are dealing with the tragedy and misery and the hurt of families who have suffered needlessly. I feel a great deal of compassion for them. I have no compassion whatsoever for the

criminals who committed these heinous crimes. I have no compassion for the government which will not do something to stop these murderers from being back out on the street.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, I too would like to add my comments to the debate on the third and final reading of Bill C-45.

The bill was advertised as the response by the Liberal justice minister to the demands of the Canadian public that section 745 of the Criminal Code which allows convicted, cold-blooded, premeditated murderers to apply to be let back into society after serving only 15 years of a life sentence.

A large number of people have signed petitions, clipped coupons, written letters, made phone calls and otherwise in a democratic society indicated that they wanted this section of the Criminal Code to be done away with. The justice minister promised that it would be done away with. He made representations to victims' groups and to the parents and other loved ones of murdered Canadians that he would respond to their demand that these convicted killers would not be let back into society.

What do we find has actually been done? Again, it is typical of Liberal deception that they tell Canadians they are going to do something to deal with an issue, but when what has been done is examined, what the actual measures are, they are toothless, ineffective and not at all as advertised.

The only thing this bill actually does is keep multiple murderers in prison for 25 years. Realistically this changes nothing. People like Clifford Olson and Paul Bernardo were not going to get out after 15 years anyway. Mandating that they are now going to serve 25 years and hailing this as a great step forward for public safety is absolute nonsense. These people were not going to get out in the public under any circumstances.

What does it do to convicted killers who only murdered one innocent, law-abiding Canadian in a deliberate cold-blooded, premeditated manner? Does it get tougher for these people? Does it send a strong message that we do not like this kind of thing, that we are not going to put up with it in our society, that if a person takes an innocent life they are going to pay such a heavy penalty that they had better think a long time before doing it? No.

It gives these people even more avenues of appeal and redress than they had before. Instead of going directly to a parole board jury to have a decision made about whether they should obtain early release or early parole, now they have to convince a superior court judge that they have a reasonable chance before such a jury of getting a favourable decision. Then if they do not like the superior court judge's determination on that issue they can go to the appeal level of the superior court. If they do not like that, they can go to the supreme appeal court in Canada, the Supreme Court of Canada.

After all of that, they still have the possible right to go before a jury, which is what they are doing now.

• (1310)

Instead of doing anything to send a signal to killers that murder will not be tolerated in our society, instead of fulfilling promises to victims and families of murdered Canadians, we now have more loopholes, more avenues, more layers of redress, more appeals and using the system than we did before. That is what this bill does.

It does not change a thing for multiple murders, except send a message that somehow if only one person is killed, a murderer will be treated a lot more lightly than if it is more than one. It actually gives more loopholes and more hoops that convicted killers can access in our system. It will cost a lot more for Canadians to allow the access to these measures. It changes nothing that responds, in any way at all, to the legitimate demands and concerns of the families and loved ones of murdered Canadians.

What else does it do? It makes a small change that says that when a murderer finally gets before a parole jury to see whether he or she should be given early parole or early release, the decision of the jury should be unanimous instead of only two-thirds of the jury. This is truly a big step forward for democracy.

In our common law system in centuries of jurisprudence, unanimity of jury decisions has been mandated. Why the Liberals in the first place would have said that a parole decision could be made with only a two-thirds majority of the jury I have no idea. Thankfully they have finally seen the error of their ways and are going to correct that, and well they should. We can hail this as a huge victory for democracy. Now the Liberals are saying that a jury decision must be unanimous instead of only two-thirds. I am sure that Canadians will be cheering in the streets when this measure goes through. It is certainly significant for the rights of victims and murdered law-abiding Canadians.

I hope Canadians who are following this debate will not be taken in by the deception of this justice minister and this government who talk a lot about doing something with section 745 of the Criminal Code that everybody was complaining about. They did nothing to this section of even the slightest significance or, even in the smallest way, to respond to the demands of the loved ones, the families and friends of murdered Canadians to have more justice. The consequences of the actions that were taken against these law-abiding people to have some peace was absolutely nothing. Canadians need to know this.

We see this over and over again with the government. It makes great representations that it will change the things that Canadians are demanding. If anyone ever looks at what is actually done, it is totally insubstantial, totally at variance with the tough talk that is given to the people making the demands, to voters, to taxpayers.

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Much is made that something is being done. It is not much. It is not even worth mentioning. That is why we have been standing in this House, time after time, speaker after speaker, on our side of the House asking the government to be honest with Canadians, to do something substantial to deal with their very real concerns.

The Bloc does not want us talking about murderers but unfortunately for them, that is exactly what this bill deals with. It deals with first degree murderers. It is pretty hard to talk about first degree murderers without talking about their crimes. Of course, the Bloc finds it rather extreme to talk about murderers when we are dealing with a bill that tries to address the way first degree murderers are treated in this country.

We have an incredible situation in the law-making chambers of our country where a government is doing absolutely nothing to respond to the real concerns of victims and their families. We have the official opposition saying: "This is terrible, we do not even want to talk about these things. We think this is a little too extreme and too difficult to even raise".

• (1315)

Only the Reform Party is standing in the House and asking: "Why don't we as legislators give the people of this country what they deserve, something firm, something strong, something substantive, something that sends the signal to criminals convicted of premeditated deliberate murders in this country?"

I urge this House again to vote down this bill, to reject this bill and to demand this justice minister brings back measures that really respond to the concerns of the people of this country.

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, Bill C-45 makes some significant changes to section 745 of the Criminal Code.

It addresses three major changes. First, a murderer serving time for murder must appear before a superior court judge and prove to the judge that he should be allowed this glimmer of hope and that he has a reasonable prospect of success before this proceeds. That is just fluff. That is part of a routine procedure that I am sure judges will allow to happen. How does the judge know? He will let the jury decide.

Second, this bill introduces different classes of murderers. A person who commits first degree premeditated murder for the first time, or just once, will be given this opportunity. However, if a person does it twice or more, they will no longer be given that opportunity. This change is not retroactive to serial murderers, to people who are already in jail for multiple murders. It is lacking

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severely by not addressing the 58 multiple murderers who are in prisons now.

Those people will be allowed to come forward for a review. Those people will be considered for a review. Those people will bring agony to the lives of the families of the deceased and bring back the emotions of fear and hatred.

The Liberals are supposed to have such huge hearts and be so caring that they will spend billions of dollars just to save one life. Yet they do not seem to care or be aware of what they are potentially doing emotionally to the families of the victims of these 58 people. That is what is wrong with that section.

Third, the bill introduces a requirement that the parole board bring down a unanimous decision rather than just a two-thirds majority. I will return to that issue.

The justice minister is tinkering around the edges with this bill. He is trying to satisfy his legal buddies in the system that he is allowing them to continue with the high cost of defence and high cost of the defence justice system, yet also trying to satisfy the Canadian public that he is addressing a serious matter.

I believe it will be revealed, as I am trying to do, as a sham. He is trying to suck and blow at the same time and it does not work. He has created different classes of murder. Some are not as bad as others. He said that changes to section 745 are to enhance community safety. But how does it enhance community safety to allow murderers to walk our streets?

The minister also said that section 745 will be available to those who are deserving. Consider a person who commits a crime with intent to murder. He plans, knows what he wants to do and does it. Yet somehow he knows before he commits this murder that he will be deserving through a glimmer of hope clause, section 745. He is only allowed to do it once, though. He knows that he has a chance to get out. Deserving?

The Minister of Justice is using the word deserving and making it synonymous with premeditated, with murder and with criminal. That does not sound right to me and it is not what he should be doing when he is trying to address the deterrent and punishment for crime and focusing on the criminal. He says he is preserving this section for those who should have access to it in a way that makes sense.

• (1320)

Premeditated first degree murder does not make sense but it happens, and the punishment for that is life with parole after 25 years, which is the kind of truth in sentencing we need. A person must know, as my colleague from Edmonton Southwest said earlier today, that if the penalty is 25 years, they serve 25 years. If the penalty is life with no parole, it is life with no parole.

We should have the punishment meet the crime and truth in sentencing, but we do not have that now. We keep having these escape clauses. That is why our streets are not safe and why the perception is being created for Canadians that they have lots to fear from these criminals who are being coddled more than the victims and victims rights.

It does not make sense that when someone takes the life of another human being in a premeditated manner they are still given a carrot or, as the justice minister puts it, a glimmer of hope. When these people killed another person they took away their glimmer of hope. They ended all their dreams and all their plans. They took away any chance that these people had to contribute to society.

To worry about the rights and democratic freedoms of murderers I do not believe is as much of a high priority as the rights of the victims and of their families. The minister is not recognizing the emotional needs of the people who are left behind. Let us not forget that a victim's sentence is forever. It is life six feet under in a cemetery. Therefore life should mean life and a life should mean a life.

Under the charter of rights all people are supposed to be equally and are to be protected equally under the law. The justice minister has created different classes of Canadian citizens, telling people they may be valued more or less depending on how they die or how many people they die with. If one person is murdered, that murderer is deserving of a glimmer of hope. However, if two people are murdered at the same time by one person then that murderer does not deserve a glimmer of hope and is put away for the full sentence.

It gets more complicated. If two people kill two people are they deserving? In other words, one person's death is not proof enough. Is not one person's death in a premeditated, planned fashion proof enough of the criminal tendency of that individual? It takes two deaths for this government to act and then it will get tough.

Our first priority must be the law-abiding, taxpaying decent citizens. Government must respect that Canadians have the right to demand that their government give them safe streets and communities by cracking down on hard criminals, especially those who have been convicted of first degree premeditated murder, no matter how many people's lives they affect.

Parole boards are supposedly set in place for the purpose of rehabilitation after an individual is subject to parole and goes before this parole board. This is a quasi-judicial body. For many who serve on it the qualifications are vague. They are not really based on merit and no real knowledge is required to serve on this board.

This board is given the power, 15 years later or 18 years later, to overrule a judge's decision years after the fact. Years after the fact the circumstances are different and the evidence is somewhat forgotten. A prosecutor and a defence lawyer argue the case in a more detached and arm's length fashion. I know this to be true because I witnessed one this summer in Calgary.

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• (1325)

I went to a section 745 hearing—I believe the man's name was Ramsey—and listened to Ramsey's defence lawyer trying to justify why this person deserved to have his sentence reduced from 25 years. He had already served 16. He had been in there for 16 years but he was a model prisoner. He was rehabilitated and he had applied to get out early.

The prosecutor said: "No, this gentleman does not deserve to be let out. This gentleman is manipulating the system. He is playing games". There was a very descriptive and vivid explanation given of the crime. It was a drug related crime. He stood over his drug partner and shot him twice in the head. The jury listened to the description of the crime. I reacted to the evidence. I said to myself: "No, you stay in there and serve your 25 years".

That gentleman got 18 years because of the two-thirds rule. He got it reduced from 25 years to 18 years. By doing the right things in jail and by following the advice of his lawyer he was able to get his sentence reduced, despite the brutality of his crime.

This bill should be repealed, just like the prior bill that was introduced by the member for York South—Weston. We should get on with other legislation.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I am pleased to have the opportunity to rise to speak to Bill C-45.

Let us examine what this bill is about. Of course the amendment which the Bloc put forward is to give the bill a rest for about six months so it can be studied in even greater depth. Quite frankly, I agree with the motion, except that it does not go far enough. We should give this bill a rest, period. We should throw out this useless bill. Let us get back to talking about a criminal justice system in which sentences fit the crime and in which the sentences are designed to protect society by not allowing criminals to get out early to commit another crime. That is what we are talking about.

We listened to the hon. member for Kingston and the Islands verbally assaulting us out of the view of the cameras. I would like to talk about some of the comments which he made yesterday in his presentation.

He said: "The point is most murders, from my limited knowledge", and I will certainly agree with that, "in this area are crimes of passion. I do not think the offender sits and thinks of the consequences of his or her acts when a murder is taking place". What a profound statement. The fact is many murders are committed in this country with premeditation. That is what we are

talking about, premeditated murder, first degree murder. We are talking about cold blooded murder.

Do we accept the philosophy of the hon. member for Notre-Dame-de-Grâce, the philosophy of the hon. member for Kingston and the Islands, the philosophy of the Minister of Justice and the philosophy of the Liberal government and a good majority of its members? Do we accept that philosophy as being how we should deal with people who commit cold blooded, vicious murders? Should the Liberal philosophy be the guiding light as to how we treat these people? Or should it be how Canadians, how our society, how law-abiding citizens feel about this? That is the question we have to ask here today.

Surely one can see from the bill that the Minister of Justice has set himself up as some sort of king who is going to decide all. This is quite astounding. He has the audacity to determine unilaterally that in this country there are good murderers and bad murderers. If someone commits one murder they are, in his mind, a good murderer and they get to apply for early parole after 15 years. If they commit more than one murder they serve a life sentence of 25 years.

There are two points I would like to make. First, how does he have the audacity to suggest that the crime of killing one victim is any less severe than someone who kills two or three people? How can he make that judgment? Could he tell the family of a victim that the killer was in fact classified as a good killer and someone who killed three or four people was a bad killer? Could he actually say that? I think not.

• (1330)

The other point I want to make in talking about multiple killers is that in his philosophy and in most of the Liberals' philosophy, a multiple killer should serve a life sentence of 25 years. I would hazard a guess that most Canadians would prefer that a multiple killer serve a life sentence of 25 years for every murder he or she has committed.

In other words we are talking about consecutive sentencing as most other countries have. The governments of those countries try to reflect in the criminal justice system what society wants. If we were to carry that line of thought into this debate, then certainly we should not be talking about whether or not a killer gets out early if they kill one, two or three people. If we were to truly reflect the feeling among the Canadian people when it comes to first degree premeditated murder, then we would be talking about capital punishment in this House today.

Poll after poll, survey after survey has shown that a majority of Canadians first of all would support the return of capital punishment for first degree murder in this country, but most important, an

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even higher majority of the people in this country would simply like to be asked. That is what the Reform Party has been pushing for.

If this government had any intestinal fortitude, any sense, any brains, or any sense of democracy, it would take that question to the people of Canada. If the government is afraid to deal with that question, then let us let the government off the hook and take that question to the people of Canada in a national referendum. Ask them if they would like to have the return of capital punishment in this country. Just ask them. The government will not do that because it knows what the answer will be. The answer will be an overwhelming yes and that does not align with the Liberal philosophy.

The member for Notre-Dame-de-Grâce when he was justice minister was the one who put through section 745. A companion to that bill was to eliminate the death penalty and replace it with life sentences and the early parole application. That was a reflection of the philosophy of the Liberal government of that day and it is apparent in this group of Liberals sitting here today.

The minister has set the quota at one life, should at some future time the killer want the opportunity to make an application to reduce his or her parole. It is disgraceful and reprehensible that the justice minister, who really was elected only in one riding and was given a little bigger job once he got here, has set himself up as judge and jury as to how the criminal justice system is going to work without regard for the real jury out there which is the Canadian people.

Where do the Canadian people fit in this scheme of the justice minister's? Quite frankly, they do not count. That is very clear in this bill.

We talked about consecutive sentencing. If the minister is so determined that people who commit premeditated multiple murders should serve a life sentence, why do we not see something in the bill that says a life sentence for every life someone takes? Where is that in the bill? If someone kills two people, it should be two life sentences. If someone kills four people, it should be four life sentences. Consecutive sentences. That would be the thing that would keep these people in prison. Consecutive sentencing puts a value on the taking of each and every life in the case of multiple killers.

• (1335)

Clifford Olson should have received 11 life sentences. He killed 11 people. Premeditated and pre-calculated, he killed 11 people. As a matter of fact one of the victims was the daughter of the man who gave me my first job. That has no relevance to this except to point out that I have some personal knowledge of the savage acts Clifford Olson committed and he should never ever even have the opportunity to apply for early parole.

The U.S. uses consecutive sentencing. Some states have abolished their parole boards which would be a good idea given the record of our parole boards in this country. They have abolished them to ensure that criminals serve their entire sentences. However that is not in the philosophy of the Liberal Party, the Minister of Justice and cohorts from governments past, the cohorts in this bill. It is not in their philosophy.

The Liberals are too busy looking after criminals and placing them on the same plane as their victims. This government believes that the rehabilitation of criminals should have as much attention and as much respect as the victims of crime themselves.

Mr. Hill (Prince George—Peace River): Or more.

Mr. Harris: Or more.

The Liberals are too busy pampering criminals to have any time to deal with the concerns of victims.

The member for Fraser Valley West has put forward a victims bill of rights that has been widely accepted all over this country. No matter what the Liberals say about the Reformers when it comes to crime and punishment, we will say what the people say. Reformers will stand here and talk long, loud and clear about criminal justice. At least our party will reflect the views of the Canadian people in this House.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, one of the sad parts about this whole debate is the fact that the Liberals appear to have completely forgotten about the victims and the victim's families. There is a lot of talk about the rehabilitation and release of the convicted murderer. There is a lot of talk about the rights of the criminals. I have gone through *Hansard* and I have not come up with anything that has been said by a Liberal in this debate that deals with the issue of the victim's families in any substantive way. It is for the living that we speak.

I was interested in the speech of the member for Kingston and the Islands last evening. He said: "In my opinion the bill goes counter to the principles governing the treatment of offenders and that is why I am against this bill". He said earlier in his intervention that in fact he was planning on voting against the bill.

What about the treatment of the victim's families, not what about the offender? Further he said:

I would like to go back to the four principles of sentencing that I talked about. I mentioned first, the protection of the public; second, the punishment of the offender; third, the rehabilitation of the offender; and fourth, the deterrence to others. I believe those are the four principles on which any sentencing bill ought to be judged.

His comment makes my point does it not? His comment is: How are we treating the offender? It has been said many many times by

my colleagues that we are not talking about a crime of passion. What we are talking about here is premeditated first degree murder. We are not talking about an incident that just happened to happen. We are talking about the most vile offence that one human being can commit on another human being.

• (1340)

It is therefore strange that while the Liberal government, the justice minister and indeed the whole party would be spending time on Bill C-45, which is an anaemic response to the demand of Canadians for the repeal of section 745 of the Criminal Code, they spend no time talking about victims or victims' rights. It was the Reform Party that brought to this floor under the very careful guidance of my colleague from Fraser Valley West, a motion to which the justice minister agreed by the way, that the House was going to consider a victims bill of rights. That has not happened. Quite frankly, I think it will probably be a sunshiny day for bikinis in the Arctic on December 25 before we ever see the victims bill of rights in the House.

The member for Kingston and the Islands also said in his speech last night: "On the other hand, there are a large number of persons who have committed murder who pose no danger, who are remorseful and who wish they had never done it and, in my view, ought to be released and become contributing members of our society again".

Is that not wonderful. People have intentionally and willfully taken the life of another human being and have left behind them the shattered lives of their victims' families. The shattered lives of mothers and fathers, brothers and sisters, relatives. Their lives will never, ever be the same again. Their lives have been so twisted and distorted by this heinous crime, yet the member says, and I will read it again because it is just so, so outstanding. "On the other hand, there are a large number of persons who have committed murder, who pose no danger, who are remorseful and who wish they had never done it and, in my view, ought to be released and become contributing members of our society again".

I ask members opposite: What are we doing here? Why are we spending this amount of time on a meagre repeal of some parts of section 745 and spending no time looking after the victims' families? Why are we doing this? I would love to have an answer from any Liberal member. Why do we spend so much time mollycoddling the criminal and ignoring the victim? Why do we do that? Any answers? I would love to have an answer to that question because I do not think there is one.

Last evening the government whip also displayed an attitude toward the Reform Party, which has attempted to bring the concerns of the people of Canada to the floor of the House, that is really an example of how many if not most of the Liberals feel toward our representations. I will quote him now referring to the

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Reform Party: "They think they have a monopoly on the truth. Canadians know what they are all about. It is a game of fear and hatred that they are trying to promote, Canadians one against the other. That is wrong".

Those are not only spiteful words. Those are words of distortion. I have said so many times in the House and I will say it again. There is more common sense in the average coffee shop in Canada than we will ever have in the House of Commons.

When the comments of concerned Canadians are spoken on this floor in plain 25-cent English words, for the government whip to stand and say: "Oh, it is hatred. They are trying to pit Canadian against Canadian", no we are trying to represent the views and the wishes of the people in Canada's coffee shops. We are trying to represent the views of the people in the living rooms and kitchens of Canada. We are not falling over, the way the justice minister has fallen over to the people in his justice department and doing all of the things that are politically correct. We are trying to correct something in this nation and get the focus where it should be. The focus again is that we must return to consideration and respect for the citizens of Canada and not just the criminals.

• (1345)

This is a bill that is going to pass. It will pass because that is the wish of the Prime Minister and that is the wish of the justice minister.

It will not pass as a result of the wish of the majority of people in Canada. The Liberals have the arrogance and the audacity to come to this Chamber and say: "We know what is best for the people of Canada, so we are going to turn, we are going to twist and we are going to give a little puffery and a little image and we are going to make it appear as though we are actually responding to the current concerns of the people of Canada".

Time will tell. There was a time when the people of Canada were prepared to buy into the big old parties, buy into the Liberals and the Conservatives, which is where the old thing of "Liberal-Tory, same old story" came from. They are the same old story.

We had wonderful prognosticators like Dalton Camp on television last night saying: "People want to have choices, but they want to have a narrow band of choices". There are the Liberals here and there are their kissing cousins, the Conservatives, there. They want to be able to make those choices within that narrow band. The problem for many of the Liberals, particularly for the government whip, is that we offer choices outside the narrow band of this cosy little club. We offer choices that people in coffee shops are asking for. We offer choices to Canadians in ordinary plain English.

This bill is inadequate. This bill will pass, unfortunately. This bill will be a minuscule improvement, but when the Reform Party forms the government in Canada we will make this bill right.

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Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, I appreciate the opportunity to participate in the debate on Bill C-45 and also to comment on the amendment that was made by the hon. member for Bellechasse.

Bill C-45 in the discussion that is going on here is only a part of a much larger discussion. The real question we should be looking at in this House is whether the government is being tough enough on the criminals and those who break the laws of this country and fair enough to the people who are victims of those crimes.

We should examine the three years of the Liberal record, this Liberal government's record, led by the Prime Minister who was once a minister of justice, as to whether it is dealing with the criminal issues of this country or whether it is continuing this soft, easy, be kind, rehabilitative approach that the Liberal Party has used over the years which has brought us to the state of affairs we have in Canada today where criminals are out of hand.

They are not afraid to break the law. They are not afraid to commit a crime. Youth are not afraid to commit a crime because they know the punishment will not be severe.

That is the environment this Liberal government and this attitude of the House of Commons for the last 10 to 15 or 20 years have brought as a consequence to the citizens of Canada.

In the three years that have passed, the Reform Party came to this assembly saying: "We must be tough on criminals. Those who misuse a firearm in the act of some type of crime should be punished severely. Throw the book at them". That is what we said.

What happened? The government decided that it would punish the innocent citizens of Canada by making them all register, pay money, put in a bunch of red tape, and the criminals still have access to the guns that are unregistered, committing crimes.

A crime that was just committed in Abbotsford, the report for which came out yesterday, indicated that the person who took the lives of a family used a registered gun. This was after the authorities were told that this person was a threat to the family.

• (1350)

Now we are going to register six million guns and it will not do a thing against crime in this country. That is one issue. Again, the Liberals are soft on criminals. Register the guns of the innocent people but leave the criminals alone. They have the guns anyway and will use them.

Let us look at young offenders. We have raised the issue over and over again in this Parliament that we must be tough on young offenders, that they cannot get away with what they are doing.

Young people of 11, 12, 13 and 14 years of age are committing adult crimes. The courts cannot deal with them. We cannot give them adult sentences because the system, the law of the country, does not allow it to happen as easily as it should.

Again, that is a symptom of liberal attitude, a liberal approach to dealing with crime in the country, to keep peace order and goodwill in this country. You be kind, you rehabilitate, you spend a lot of money on social workers, counselling and talking, but you do not deal with the issue.

Young people are out of hand; not all of them, the percentage that wants to break the laws and take advantage and run in the drug trade and the sex trade and whatever else is going on, to steal and to violate other people's property. They are out there without a threat of what will happen to them. That must change.

What about those who violate families in any way? Do we have tough laws with regard to those who would violate members of their families in any way? Do we have laws in place that would say to a father who violates his children or his wife in a negative way that there will be severe punishment? Our books do not say that.

I had some faith in our Minister of Justice when I first came here. For the first three months I listened to him and I thought here is a person who is progressive and ready to change the system, to deal with the issues. But what has come out since then is this soft, rehabilitative, counselling, easy on the criminal approach that is not dealing with the problem of our country.

I could list issue after issue. Bill C-45 is a typical example of that where we are in a different era. One would think the Minister of Justice was in the 1950s or the 1960s when there were a few crimes. There were a few murders. But there was nothing as violent as what exists today. There was nothing at all in the system. Those old ways will not deal with the matters now.

Here before us is one opportunity to toughen up the laws. For those who murder someone, considered as first degree murder, we can change section 745. We can talk about Olson, Peters and others in a long list. We say to them that if they commit premeditated murder, if they take the life of someone else for their own exploitative purposes, we want to give them access to the right to serve a sentence of only 15 years rather than 25.

The two people I mentioned happen to have murdered more than one person, so the law before us, which would be hoisted by the amendment I am addressing, would not deal with those people. It would not deal with them because they have committed two murders. That is certainly a shortcoming of the act.

But where did this Liberal government begin to go soft and feel it had a better approach than the people of Canada? It was back in

1975 and 1976 when the matter of capital punishment was under discussion in this assembly. I recall that discussion very well.

• (1355)

At that time in the legislature of Alberta we also had a discussion. Many members of the Alberta legislature took polls in their constituencies to see how they should vote on this matter and what kind of a recommendation the legislature of Alberta should make to the House of Commons of Canada.

A member of Parliament at that time, an Alberta member who later became prime minister, took a poll in his constituency. The people that day voted in favour of capital punishment. In my constituency it was around 90 per cent. Most constituencies in Canada voted over 80 per cent in support of retaining capital punishment.

What did the Liberal government of the day do back in 1976? It abolished capital punishment. Member after member stood in the House and said: "Canadians do not understand. They do not understand. They do not realize that capital punishment may mean that we take the life of an innocent person". They thought capital punishment should be abolished because an innocent person might lose their life.

Many of the people who are charged with first degree murder are obviously murderers. Let us look at Olson and Peters. They committed murders. Should they have the right to continue to live on this land, supported by us in rather lavish facilities in the prisons of this country? I believe that is wrong.

I believe if we took a vote today in Canada on the issue of capital punishment there would be no question. Canadians would say, with at least a 90 per cent majority, that capital punishment should be reinstated.

We could categorize who it applies to and who it does not. We could protect ourselves as legislators against using the instrument of capital punishment on someone who may be innocent. That is very easy to do. We could define to whom capital punishment would apply. Canadians would accept that.

The point I want to make in this debate is that the Liberal government is not listening to Canadians who want to be tougher on criminals and fairer on victims. They want rights for the victims of crime in the country. Canadians want that and the government is not delivering.

The Reformers are that voice for Canadians. We are saying we want to be tougher on criminals. We must deal with the issues. If someone commits murder, whether they murder once, twice or more, they should be sentenced to 25 years in jail. That is the most severe sentence we can apply at the present time because the Liberals softened their whole approach in 1976 and changed the law so we could not take more drastic measures. That is the way it should be, 25 years and no less. There should be no right to appeal the sentence after 15 years.

S. O. 31

As legislators and as Reformers we will fight for that position during this Parliament and certainly in future Parliaments. When we become government that is one specific thing which will change.

The Speaker: As it is almost two o'clock, rather than begin with another speaker, perhaps we could move to Statements by Members.

STATEMENTS BY MEMBERS

[*Translation*]

THE LEADER OF THE BLOC QUEBECOIS

Mr. Nick Discepola (Vaudreuil, Lib.): Mr. Speaker, as time passes, the position of the Leader of the Bloc Quebecois seems increasingly uncomfortable.

He was obliged to campaign for the leadership because part of his caucus threatened to abandon ship if the hon. member for Laurier—Sainte-Marie became master of this vessel, and he was elected at the end of a leadership race that was not a real race. Following the referendum defeat, he face the need to justify the very existence of his party, which an increasing number of members seem anxious to leave, and now, according to *Le Devoir*, apparently part of his caucus has been pressing the former Premier, Mr. Parizeau, to take up the leadership of the Bloc Quebecois.

• (1400)

Faced with this challenge to his leadership, will the hon. member for Roberval remain at the helm of a ship that has become rudderless or will he do as others have done who dream of pursuing their careers under the more clement skies of Quebec City?

* * *

THE DEATH OF LUDMILLA CHIRIAEFF

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, the grand old lady of dance died yesterday. A leader in the development of dance in Quebec and the founder of the Grands Ballets Canadiens, Ludmilla Chiriaeff has been an inspiration to all young modern dance groups that make Quebec an outstanding centre for artistic expression through dance.

Throughout her career, Ms. Chiriaeff believed in the talent of Quebecers. Referring to her contribution to dance in Quebec, Ms. Chiriaeff said, and I quote: "We worked together to be creative, not to be different from others, but to be who we are".

Ms. Chiriaeff believed and invested in our homegrown talent. Today, other creative artists continue this legacy to ensure that dance maintains its special place in Quebec. Many thanks to Ms. Chiriaeff for bringing us her talent, her energy and her creative spirit.

S. O. 31

[English]

COPYRIGHT ACT

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, first it was the CBC, then the unity fiasco and now we have a copyright frenzy.

The Minister of Canadian Heritage displays a complete lack of understanding of her department. Parliamentary committee hearings on Bill C-32, an act to amend the Copyright Act, are beginning. The committee is to have the legislation back in the House in only eight weeks. All I want to know is, where is the fire?

This legislation is perhaps the largest undertaking this department has introduced and the Minister of Canadian Heritage is running a hurry-up offence in order to pass it. Phase II of copyright sat on the government's plate for almost two years, yet the minister wants Bill C-32 jammed through the committee in just eight weeks.

This is another example which clearly indicates the Minister of Canadian Heritage does not have a clue of the issues facing her department. The committee has received over 150 requests from Canadians to appear, yet because of the government's self-imposed time line, less than 60 submissions will be heard.

Canadians want to be heard. They should be heard. Why do we have a Liberal copyright frenzy?

* * *

[Translation]

THE ROYAL CANADIAN MOUNTED POLICE

Mr. Gilles Bernier (Beauce, Ind.): Mr. Speaker, did the government intend to give members of the RCMP the right to collective bargaining and binding arbitration before Bill C-30 is passed?

In the wake of the task force appointed to review the Canada Labour Code and led by lawyer Andrew Simms, it was specifically recommended the government seriously consider this possibility.

All police corps in Canada enjoy these rights. Why not the RCMP? I think its members should be treated impartially, and that will happen only if they have a union that is recognized by and above all independent of leadership.

* * *

[English]

SINCLAIR SECONDARY SCHOOL

Mr. Dan McTeague (Ontario, Lib.): Mr. Speaker, the Durham Board of Education and Sinclair Secondary School of Whitby recently received international acclaim at the Carl Bertelsmann Foundation's annual competition to identify outstanding public institutions.

The board was honoured for excellence out of a field of competitors which included school systems from Scotland, Norway, New Zealand, Hungary and the Netherlands.

In selecting the Durham Board of Education, the foundation noted its dedication to the improvement of education quality by offering optimum freedom of organization to individual schools which enables students to develop to their full potential. A \$300,000 prize from the foundation will be used to further improve learning opportunities in Durham region.

I wish to congratulate the Durham Board of Education and Sinclair Secondary School in Whitby on achieving this prestigious international award. Well done, Durham.

* * *

ROYAL NEWFOUNDLAND CONSTABULARY

Mrs. Bonnie Hickey (St. John's East, Lib.): Mr. Speaker, the Royal Newfoundland Constabulary celebrates its 125th anniversary this year. It was founded in 1871 to maintain law and order in Newfoundland and it continues to have a strong tradition of policing in the province.

After Confederation in 1949 the Royal Canadian Mounted Police arrived in Newfoundland to police most areas of the province but the constabulary force remained in St. John's. By 1981 it expanded its services to include the city of Corner Brook and all of the northwest Avalon.

• (1405)

In 1979, Her Majesty Queen Elizabeth II, added the prefix "Royal" to the constabulary. This is an honour given to only seven other police forces in the Commonwealth.

I am sure all hon. members will be pleased to join me in congratulating the Royal Newfoundland Constabulary's tradition of 125 years of excellent service to the people of Newfoundland.

* * *

SHEARWATER DEVELOPMENT CORPORATION

Mr. Ron MacDonald (Dartmouth, Lib.): Mr. Speaker, 26 months ago the Shearwater Base Adjustment Committee was formed to mitigate the loss of over 700 jobs at CFB Shearwater in the riding of Dartmouth as a result of the downsizing announced in the 1994 budget.

The committee was given only \$2 million, an amount significantly less than other bases which lost fewer jobs. Nevertheless the committee members have soldiered on, believing that once the transfer of national defence property occurs, Shearwater can become the premier intermodal site on the eastern seaboard of North America.

For two years, the chairman of the Shearwater Development Corporation has been stymied in his attempts to conclude the transfer of DND property. While I recognize there may have been some explainable delays, the fact remains that not on centimetre of DND property has been transferred to the Shearwater Development Corporation.

This situation is completely unacceptable to me and the people of Dartmouth. The potential inherent in the site must not be lost to departmental infighting on the part of some senior bureaucrats.

Therefore I ask my colleague, the Minister of National Defence, to become personally involved in this effort to clear this inter-departmental logjam so that the SDC can get on with the job of creating jobs for Nova Scotia.

* * *

INFORMATION HIGHWAY

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the constituents of Etobicoke—Lakeshore are great users of the information highway and are increasingly using this new technology to position themselves in the global economy.

In order to build a strong information society, the government intends to use the information highway to promote job creation and to reinforce Canadian identity while ensuring universal access at a reasonable cost.

Initiatives such as Community Access and SchoolNet will bring Internet access to rural areas, schools and libraries across Canada, legislation will be developed to protect Canadians' right to privacy and a national access strategy is planned for 1998.

As a member of our caucus information technology task force, I look forward to exploring the impact of new information technology on our citizens and government.

* * *

[Translation]

ASBESTOS

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, on July 3 this year, France announced a ban on the use of chrysotile asbestos on French territory.

Faced with this situation, the Quebec government has prepared a very specific action plan. The strategy includes developing counter-expertise and organizing an international seminar on the safe use of asbestos.

However, the federal government has yet to do anything concrete to save 2,000 jobs directly connected with the industry in my region, aside from the Prime Minister's personal commitment to speak to President Chirac.

Only three months remain before the French ban takes effect. This government's failure to act is trying the patience of the people

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of Frontenac. The Prime Minister should rally to the Quebec government's action plan and invest the funds necessary to save these 2,000 jobs. This is an emergency, and the Prime Minister should act now.

* * *

[English]

DISASTER RELIEF PROGRAM

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, on behalf of my constituents I would like to raise a concern today about the federal disaster relief program.

Although the flooding in northern Alberta did not receive the attention that the flood in the Saguenay did, the damage to homes, crops and businesses was no less devastating to those affected.

In spite of this, many of my constituents have been denied disaster relief funding to compensate them for the loss of a lifetime's worth of work simply because they were forced to pursue off-farm income to keep their farming operations viable.

I and my constituents believe that if the federal government is going to have a program to compensate Canadians for losses due to natural disasters, then all Canadians should be equally compensated for losses incurred.

The people affected by this biased criteria are only victims of circumstance and would have been full time farm operators if they had had a choice. The damage sustained is no less devastating to them and their families.

I have written to Emergency Preparedness Canada and to the Minister of National Defence and received no response. I ask the minister to re-examine the eligibility criteria as described under the disaster relief program.

* * *

• (1410)

CITY OF BURNABY

Mr. Svend J. Robinson (Burnaby—Kingsway, NDP): Mr. Speaker, last Saturday in Ottawa the city of Burnaby was awarded the 1996 Communities in Bloom prize. This award recognizes the quality of Burnaby's green spaces, the diversity and originality of its landscaping, general tidiness, environmental awareness, heritage and the level of community involvement.

As well, Burnaby has demonstrated its concern for the future development of public areas through land acquisition dedicated to preservation, restoration and recreational activities.

I want to congratulate Burnaby residents as well as city staff, the Burnaby Beautification Committee and elected officials for this terrific national recognition.

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This has been an exciting year for Burnaby. In fact, recently Burnaby's Simon Fraser University pipe band won an unprecedented second world championship at the world competition in Glasgow, Scotland.

Congratulations to the champions in beauty and in bagpiping.

* * *

[*Translation*]

JOBS FOR YOUNG PEOPLE

Mr. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, some 30 young people from Brome—Missisquoi spent the summer working in other ridings across Canada, while young people from those other ridings came to Bedford, Cowansville, Magog, Farnham, Bromont and the Champlain Lake region.

This was an extraordinary experience for these young people, and I will have the opportunity to elaborate on this in the coming weeks.

But for now I would like to thank my colleagues and their staff for taking care of our young people from Brome—Missisquoi, starting with Pat in Edmonton, Marc in Victoria, and Paul in Montague.

I also wish to thank my colleagues: the hon. member for Edmonton Northwest, the hon. member for Victoria, the hon. member for Timiskaming—French River, the hon. member for Cardigan, Prince Edward Island, the hon. member for Oxford, and the hon. member for Hamilton East.

I join with the people of Brome—Missisquoi and especially these 60 young Canadians in expressing our deep gratitude.

* * *

[*English*]

INTERNATIONAL PLOWING MATCH

Mr. Bob Speller (Haldimand—Norfolk, Lib.): Mr. Speaker, it was a great pleasure for the municipality of Haldimand—Norfolk to host the International Plowing Match and country festival this past week. This was a wonderful opportunity for the citizens of Haldimand—Norfolk and for all rural Canadians. Even though our fields were muddy, they were friendly.

I would like to thank the chair, Warren Burger and the hundreds of volunteers who invested endless hours of work to make the ploughing match a success.

I would also like to thank the Prime Minister and other MPs for taking advantage of the opportunity to attend the match. By joining us in our fields of friendship they have once again been able to recognize the importance of the traditional values associated with

rural Canada, values such as hard work and a commitment to friends and family.

This, indeed, was a match to remember. I call on all members of the House to attend the next one in Simcoe county next September.

* * *

[*Translation*]

LE MOUVEMENT DE LIBÉRATION NATIONALE DU QUÉBEC

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, yesterday, Raymond Villeneuve, a founding member of the Mouvement de libération nationale du Québec, made totally unacceptable comments about Quebec's Jewish and anglophone communities.

On behalf of the Bloc Québécois, I wish to condemn Mr. Villeneuve's comments, which are intolerable in a democratic society. I remind him that Quebec sovereignists condemn all acts of violence against others. A dispassionate, rational debate on Quebec's future can only be held in a climate of respect for democracy.

Yesterday, the Bloc Québécois strongly condemned Mr. Villeneuve even before the hon. member for Saint-Denis raised this matter in the House. The Bloc Québécois will always condemn those who make racist comments, whether it is Mr. Villeneuve or Mr. Galganov. The Bloc Québécois urges the hon. member for Saint-Denis to do the same.

* * *

[*English*]

GUN CONTROL

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, gun control Bill C-68. Yes, that Liberal attempt to be all things to all people. Let us not be too tough on criminals with guns, but let us make sure those rod and gun club members are watched. And do not forget the farmers and hunters. Why, who knows when they will rob a bank?

Just a few days ago five—yes I said five—people were murdered in my riding. No, the killers did not use sticks or stones or talk them to death. They used guns. I am now searching the gun registry to find out when the killers registered their guns. I also want to search the scene of the crime to see where the killers left the registration numbers of their guns so we can get a match and arrest them.

Perhaps the killers have not sent in their gun registration fee yet. We have to find out all these things to ensure we are protected.

Aren't we fortunate to have a Liberal government that understands how crime is prevented in Abbotsford and Langley, British Columbia?

Oral Questions

• (1415)

ORAL QUESTION PERIOD**CRIME STATISTICS**

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, the Reform Party has released a brochure called "Do You Feel Safe". This brochure is the Reform Party's attempt to mislead Canadians with false facts and use their fear of crime to add to the party's coffers.

Reformers choose to fuel the fear of crime and ignore the fact that crime in Canada has been steadily decreasing as the 1995 crime statistics clearly show.

Fact: violent crime fell by 4 per cent, the largest drop since 1962. Fact: the homicide rate dropped 3 per cent, reaching the lowest level since 1969. Fact: homicides involving firearms dropped 10 per cent.

Reform MPs stand up in the House and repeat the details of horrific crimes and grandstand in public as tough crime fighters. At the same time they consistently vote against the government's get tough measures such as sentencing reform and gun control. The Reform Party ask: "Do you want to feel safe in your own home and community?"

Actions speak louder than words. The government wants results, not rhetoric. It will continue to focus on substance, not cheap slogans.

* * *

[Translation]

**THE MOUVEMENT DE LIBÉRATION
NATIONAL DU QUÉBEC**

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, is it just a coincidence or a skilfully organized stunt? That is what we find ourselves wondering following the recent run-in the BQ leader had with the Canadian Jewish Congress, and the threats uttered against the Jewish community by Raymond Villeneuve.

In *La Tempête*, the Mouvement de libération nationale du Québec or MLNQ newspaper, Raymond Villeneuve stated: The B'nai B'rith lobby is now calling for the resignation of Michel Gauthier, the Bloc leader, after he requested that Jewish organizers distance themselves from the actions of activist Howard Galganov.

We pressed the Bloc leader to condemn the MLNQ president's statement, but he only timidly distances himself from this extremist movement. Are we to conclude that the Bloc and Raymond Villeneuve's movement have more in common than the Bloc leader would have us believe?

[Translation]

FAMILY TRUSTS

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, on the issue of the family trust scandal, we now have the Minister of National Revenue, while still refusing to shed light on the flight of capital out of the country, accusing the opposition of being on the wrong track for wanting to shed light on the decisions made in a panic on December 23 to allow a wealthy Canadian family to transfer to the U.S. more than \$2 billion without paying a penny in taxes. According to the minister, it is a mistake for the Bloc to want to get to the bottom of this.

How can the revenue minister accuse the opposition of being on the wrong track for wanting to know the truth about these tax loopholes, when the auditor general, experts with no connection to wealthy Canadian families and Canadian editorial writers join with the official opposition in demanding that light be shed on this tax-free flight of capital out of the country?

[English]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, let me begin by reiterating what I said in the House yesterday.

First, the government took very seriously the report of the auditor general and reacted quickly. It sent the report to the finance committee for its full review and for its recommendations. That committee has made recommendations that the Minister of Finance is reviewing and taking very seriously.

As the minister of revenue, I am glad to have received the recommendations which said that my department must act with transparency, make consistent decisions and have full documentation.

I am glad that the committee also noted that we have begun to take action in that regard and that it praises the government for ensuring integrity for the Canadian citizen.

[Translation]

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, as everyone saw in the newspapers, the minister is accusing the opposition of barking up the wrong tree, because we want to know the truth. We want to know what happened, period.

The minister explained that these tax loopholes are maintained because the law applies not only to the rich, as she said, but also to ordinary people.

Oral Questions

• (1420)

Does the minister realize that what the auditor general condemned was that over \$2 billion was taken out of the country, tax free, by a single Canadian family, and that it is on this case, and other similar ones which may have occurred in the past and which may occur in the future, that we want to shed light? It is clear, simple and logical to me.

[*English*]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, I will not engage in speculation about what may or may not have happened.

What I would like to do is quote from the report that was received by me and the Minister of Finance: "The committee heard no evidence that these transactions have already cost the Canadian fisc any actual tax revenue". The committee notes that the auditor general and his officials were able to identify any significant new tax avoidance opportunity created for other taxpayers by these rulings".

The auditor general could only speculate about tax laws. It is beyond me why the members opposite are so definite about this. If they have information that they presented to the committee, can they present it to this House?

My understanding is that when asked outside these walls by the press, they were unable to substantiate the claims they are making in this Chamber.

[*Translation*]

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, allow me to summarize.

The auditor general told us about over \$2 billion leaving the country, tax free. This is the first element. The opposition has been condemning this situation for three years, because we knew, we realized this was a possibility. This is fact number two. The third point is that the Deputy Minister of Revenue, Mr. Gravelle, told the finance committee that there may have been other similar occurrences. This is not just anybody. Her deputy minister said there may have been other such cases.

My question is for the minister. Does the minister not realize that she is making a mistake by attempting to cover up what happened with this December 23 ruling, by attempting to hide behind the report of the Liberal members of the committee to avoid shedding light on this issue? All Canadians want to know what happened, and we will find out.

[*English*]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, let us recall that this decision happened in 1991 with a

former government, not a Liberal government, a Conservative government.

When this was drawn to our attention, we acted very quickly and rapidly. As minister of revenue, I placed a moratorium on any further rulings on taxable Canadian property while the finance committee was doing a very important review, the first review of this piece of the Income Tax Act in 25 years.

As well, upon receiving the report of the finance committee, I have extended the moratorium on any further rulings to do with taxable Canadian property until such time as the Minister of Finance has had an opportunity to review the recommendations and make decisions on making changes that are appropriate and in line with the kind of government that we are.

[*Translation*]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, if the previous Conservative government is responsible, then what do the Liberals have to worry about if light is shed on this episode? What do they have to fear? Are they afraid that, if we scratch the blue, we may find some red underneath?

Yesterday, the revenue minister systematically refused to shed light on the family trust scandal. Instead, she attacked the official opposition which, according to her, was perpetuating a myth. When \$2 billion leave the country tax free, it is far from being a myth to taxpayers.

How can the revenue minister claim that the report of the Liberal majority of the finance committee shed light on the issue of tax leakages when, in fact, this report served only two purposes: to cover up the issue and to discredit the auditor general, who has become an embarrassment to the government?

• (1425)

[*English*]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, I fail to understand how the opposition can talk about any kind of lack of integrity. We received the response from the auditor general with open arms and then asked the committee, on which the hon. member sits, to review it in its entirety for the first time in 25 years and to make real recommendations not on issues upon which they speculate but on the reality of taxpayer migration and how we should tax that circumstance. We want to have a tax system that is fair and that the Canadian citizenry can have a sense of confidence in.

We have taken those actions. We have received the recommendations. There is a moratorium on further tax rulings. The Minister of Finance is looking at the recommendations that fully point to the policy in specific. As the minister of revenue, I have taken specific actions in terms of improving the manner in which my department operates.

Oral Questions

[Translation]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the first thing the Liberal government did when the auditor general denounced it was to try to cloud the issue, never to get to the bottom of it, to the bottom of this scandal.

I put the question to the revenue minister: Why refuse to clarify? Why refuse to tell Canadians what really happened on the evening of December 23, 1991, and what may have happened since then, because you have set a dangerous precedent?

The Speaker: My dear colleagues, I would remind you that you must always go through the Chair.

[English]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, let me be clear on a number of issues.

When I reviewed the report of the auditor general I spoke to him directly and said: "Are you concerned about the integrity of my department?" He said to me: "No, I am not". When I spoke to my deputy minister and asked him if we have a right to be concerned about the integrity of the Department of National Revenue, he said: "No, we do not". When the chair of the finance committee spoke to the auditor general and to the assistant auditor general about this issue he received this response: "There is no evidence of wrongdoing or interference in the decision making process here".

Yesterday the hon. member for Capilano—Howe Sound said: "In spite of serious efforts on my part, in no case could I discover any evidence of wrongdoing".

Mr. Speaker, our government does not engage in any kind of witch hunts. If the hon. member has proof that he has not yet made public, please ask him to do so.

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CANADIAN ARMED FORCES

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, retired Major-General Lewis MacKenzie is one of this country's most distinguished soldiers. Even the government acknowledges that. No one disputes that Major-General Lewis MacKenzie cares passionately about the men and women of the Canadian Armed Forces. Today he said: "There is a morale crisis in the Canadian forces and my plea is that the political leadership accept that and do something about it".

Does the Prime Minister accept that there is a morale crisis in the Canadian Armed Forces and will he do something by replacing the chief of defence staff and the Minister of National Defence?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, of course, like a lot of people, I respect very much Major-General MacKenzie. I know him personally. But the reality is there is an

inquiry going on at this moment on what happened in Somalia. Let the inquiry do its job.

In terms of the operation of the armed forces, today they made a decision to have a new function established to make sure that grievances from troops will go straight to the highest level possible in the army. That is the way to solve problems. Just shuffling people around does not solve problems. We are trying to reform an institution that is going through a very difficult time.

We had to close bases. We had to reduce the number of generals from 120 to below 80. It is very difficult for the people who operate in that situation to understand that it is difficult for everybody, not only for the soldiers who have to live with that and the managers of the department, but it is tough for us too. We do not make these cuts and readjustments just for the pleasure of doing them. It is because they are needed to make sure that the finances of the nation will be in proper shape.

• (1430)

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, if the Prime Minister does not act at the top others are forced to improvise down below.

Lieutenant-General Maurice Baril has become tired of waiting for General Boyle to appoint an inspector general. So he has created his own position of command inspector to investigate charges of poor leadership and morale. He says: "I can't wait six months. I want to find out immediately, did the leadership fail". The leadership did fail and it continues to fail.

How long do the soldiers have to wait? How low does morale have to get before the Prime Minister does the right thing, as distinct from the politically expedient thing, and fire General Boyle and the Minister of National Defence?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am very happy that the leader of the third party is mentioning General Baril. I heard General Baril last week on French TV supporting General Boyle and asking the people of Canada to let General Boyle do his job.

I agree that General Baril is competent, and he is on the inside. He is an outspoken person. He was not ashamed to say last week that he has confidence in General Boyle and that he should stay in his job.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the late Senator Stan Waters was one of Canada's most distinguished soldiers. He was a member of our first commando and paratroop unit in the second world war and he rose through the ranks to become commander of the army in the 1970s.

When General Waters was asked what was the most important quality a military leader should possess, he said he must be able to inspire others to follow him into battle.

Oral Questions

Will the Prime Minister acknowledge that General Boyle and the defence minister could not inspire soldiers to follow them across the street, let alone into battle, and that both should therefore be relieved of their responsibilities immediately?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, talking about leadership, I would think that the member who asked the question should take a good look at himself first.

The wheels were put in motion by this government when it took office to look at and to have a review of national defence. Flowing directly from that review was a new white paper for the armed forces. Flowing directly from that was the restructuring of the forces to bring them into the 21st century. Flowing directly from that we brought in private enterprise practices in our purchasing methods to ensure we received the best value and that they were more efficient. That is what we did. That is why they will not resign.

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[Translation]

FAMILY TRUSTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in the tax loophole scandal, the government first went after the auditor general, and then, yesterday, the revenue minister simply said that the official opposition was on the wrong track.

I submit to you that it is the government and this minister who are on the wrong track. I am merely asking her why she is refusing to get to the bottom of this affair, which has deeply shocked the people of Quebec and of Canada.

[English]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, all the issues of this particular case were full and front at the finance committee, a committee of all members of Parliament from across this country. Members of the hon. member's party were there. They had a chance to ask questions of experts, of departmental officials, of the auditor general. I do not understand where this question comes from.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is disconcerting that the minister does not understand, when the auditor general does.

The former auditor general understands, the independent experts understand, the editorial writers understand, the official opposition understands, the third party has written a report and understands, yet this government and its committee are trying to gag the auditor general.

• (1435)

Very simply, my question, a question being asked by people all over the country, is as follows: How many trusts are involved, and how many billions of dollars have gone out of Canada since the federal decision of December 23, 1991, which has been used as precedent?

[English]

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, I am afraid what the hon. member does not understand is responsible government.

We were given from the auditor general advice of a decision that was made in 1991 that may not be the kind of decision that he would like. In response to that, this government said that we need a review of this particular aspect of the Income Tax Act, the first one in 25 years, and that has been done.

We do things in a responsible fashion, unlike the opposition which insists on referring to and confusing Canadians about this issue. It is not about family trusts. It is about taxation of migrants. It is not about irresponsible officials. There is no evidence of that. It is not about erosion of the tax base. They have been unable to substantiate that. It is not about the mythology that legislation here does not apply to all Canadians, because it does.

Our government understands that and wants to make sure, as we review the recommendations of the committee, that we do it fairly. We recognize any law that is developed has to apply fairly to all Canadians.

* * *

VETERAN BENEFITS

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, another scandal is brewing around the defence minister.

Access to information documents obtained by CTV News reveal that the minister's campaign pal, Stephanos Karabekos, attempted to influence an RCMP investigation into veteran benefits.

The Prime Minister talks of ministerial accountability. Will the Prime Minister hold the defence minister accountable for attempts by the defence minister's paid political hack to influence the RCMP?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of National Defence was asked questions for many months about that situation and he gave an explanation for the work this gentleman had to do for the minister and the department of defence with the veterans.

He replied many months ago to my satisfaction and I guess to the satisfaction of most members of the House of Commons.

Oral Questions

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, Canadians are not satisfied with that answer. Mr. Karabekos attempted to influence an RCMP investigation and the Minister of National Defence did nothing about it.

The minister is spending more time abusing his own budget than restoring morale in the Canadian Armed Forces. I have learned that the minister has rewarded this campaign pal with yet another contract of \$16,000. Mr. Karabekos' contracts now total over \$165,000.

How can the Prime Minister continue to defend the defence minister who spends more time abusing his budget than restoring morale and leadership in the Canadian forces?

[*Translation*]

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I answered the question earlier. The Minister of National Defence has been questioned on this a number of times before this House, and he has answered all questions from the House of Commons.

[*English*]

After seven days of sittings already they have nothing to talk about, and so they are going back to questions from six or seven months ago. Very soon they will talk about the last election.

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, my question is directed to the Prime Minister.

Yesterday, the Minister of National Defence made fun of several generals when he said that their criticism had as much weight as a plumber's. I may remind the Prime Minister that when something is wrong with the plumbing, you call a good plumber, but when something is wrong in the army, you are better off with a good general and especially a good minister.

Does the Prime Minister realize that the situation has deteriorated to the point that the land force commanding officer has just appointed an ombudsman to deal with the leadership problem?

• (1440)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is very good news. This is the same General Baril who said last week on the French network of the CBC that he had complete confidence in General Boyle.

Together they are introducing the necessary reforms. Today, General Baril announced the creation of this new position to ensure that members of the armed forces can present their grievances to this new officer, who will have the specific task of ensuring that all authorities are advised of their content.

This new position is intended to help improve relations among the lowest ranks right on up to the highest echelons of the army.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, when it gets complicated like that, something must be wrong. Morale is at its lowest ebb, and this is mostly due to a lack of leadership.

Will the Prime Minister wake up and realize that the army does not need an ombudsman but a chief of staff who is respected and a minister who is credible?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is the same member who said two minutes ago that General Baril had done something positive. In his supplementary, it is no longer a good thing.

I suggest we let the generals, who are far more experienced than the hon. member, do their job and take care of the situation in the armed forces, and that we wait for the report of the Commission of Inquiry on Somalia. It is as simple as that.

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[*English*]

CHURCHILL FALLS HYDRO PROJECT

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, each and every day another \$2 million is sucked out of the economy of Newfoundland because of the unfair Churchill Falls hydro project. This \$800 million a year rip off is robbing the people of Newfoundland of their resources and relegating them to the status of second class citizens.

Will the Prime Minister stand up for the rights of Newfoundland and take action to ensure this injustice is rectified?

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, as I pointed out to the hon. member yesterday, this is a contract between two parties, a contract knowingly entered into by the Governments of Newfoundland and Quebec.

If in fact there is a dispute in relation to some of the terms of that contract between the two parties, I suggest that they sit down and attempt to resolve it. If they are unable to do that, there is always the possibility of recourse through the courts.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, this government did not have the same tender concern for the contract on Pearson airport.

Since Hydro Quebec and the separatist Government of Quebec have made it clear they have no intention of re-opening the Churchill Falls hydro contract, the only option left, short of shutting off the power, is for the federal government to take action.

Oral Questions

Again I ask the Prime Minister, will he sit and watch while Newfoundland's resources are pillaged in this disastrous deal or will he take action on this issue?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have nothing to add to what the minister said. There is a contract and there is a dispute. I believe Mr. Bouchard and Mr. Tobin previously discussed the contract and are making their cases.

There is no doubt that the rule of law exists for everybody in Canada, but sometimes, when circumstances change, people sit down and review the complex problem they face and try to find a solution.

The minister has said that there is a contract at this time and we must respect the contract which is the rule of law in Canada. This is not a new issue. It was debated a long time ago. I believe the minister gave a very good answer today and yesterday.

* * *

• (1445)

[Translation]

FRENCH LANGUAGE COMMUNITIES

Mr. Ronald J. Duhamel (St. Boniface, Lib.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

The French speaking residents of the village of Laurier do not have a facility to house the students of the Franco-Manitoban school division. In spite of its constitutional obligations, the provincial government has made no decision acceptable to the parents.

Will the federal government take action to ensure that section 23, dealing with minority language educational rights, will be complied with?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, to be sure the community of Laurier has good reasons to invoke section 23 of the charter, and I am convinced that the education minister will show her willingness to settle a situation which contravenes this section of the charter.

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JOB CREATION FOR YOUNG PEOPLE

Mr. Stéphan Tremblay (Lac-Saint-Jean, BQ): Mr. Speaker, I would like to comment on the Prime Minister's earlier remarks. He alluded to the age of my hon. colleague from Témiscamingue. All in all, I would rather have less experience and more common sense.

This morning, the newspapers reported that, as of August 26, the government still had no strategy for using the remaining \$45 million out of the budget originally earmarked for youth programs.

That makes no sense, considering that one young person out of four is desperately looking for work.

My question is for the Minister of Human Resources Development. How can the minister justify his government's inaction? Does the government lack imagination or is it hoarding money so it can spend it during the months preceding an election to charm young voters?

Hon. Douglas Young (Minister of Human Resources Development, Lib.): Mr. Speaker, I will leave any question about charm to the hon. young member. But regarding the funding still available to create jobs for young Canadians, the plan was originally, in the spring, to set funds aside to create jobs during the summer for those young Canadians who are in school.

We realized, however, that many unemployed people did not fall in the category of students going back to school in the fall. That is why I plan to work with my colleague, the Minister of Industry, Science and Technology, with the Minister of Canadian Heritage and with other stakeholders, including the private sector, to find appropriate ways of spending these funds. I can assure you, however, that every penny earmarked for creating jobs for young Canadians will be spent.

Mr. Stéphan Tremblay (Lac-Saint-Jean, BQ): Mr. Speaker, I am sick and tired of the government using my generation to score political points.

When all is said and done, does the minister realize that the government's reluctance to invest in jobs for young people speaks volumes about its lack of imagination in dealing with young people and the terrible unemployment problem?

Hon. Douglas Young (Minister of Human Resources Development, Lib.): Mr. Speaker, we never know what to expect from one week to the next. The hon. member and his colleagues often rise in this House to tell us we should not get involved in job creation or spend money on training and in other areas. What we are doing is honouring our commitment not to meddle in areas of provincial jurisdiction.

I have no doubt—and I reiterate to my hon. colleague—that all the money set aside for creating jobs for young people will be spent in due course and I hope that young people will not be as frustrated as my friend is.

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[English]

CHURCHILL FALLS HYDRO PROJECT

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, I want to follow up on the Prime Minister's comments with respect to the Churchill Falls contract.

I wonder if the Prime Minister would give the federal government's view as to whether this deal as a whole is fair or unfair to Newfoundland. Forget for a moment that the contract was a

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convoluted contract negotiated between the Liberal government in Newfoundland, the Liberal government in Quebec with the Liberal federal government looking over its shoulder.

Will the Prime Minister simply comment on whether the Churchill Falls deal is fair or unfair to Newfoundland?

• (1450)

The Speaker: Colleagues, I am trying to see the thread to the administrative responsibility of the government with these questions, which appear at least on the surface should be asked in another house. If the Prime Minister wishes to address himself to whatever question is posed, I would permit him to do so, but I cannot see the link to the administrative responsibility of the Prime Minister in the question.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, if I am to comment on every proposition about that type of question, there will be no end. We are a government here and we are responsible for the actions of the government.

I replied to the question before: It is a debate between the premier of Newfoundland and Labrador and the premier of Quebec. They have already talked about the question and I hope that they will still talk about it because both have an interest in having a good relationship. There is a lot of potential at the border between the two and they have to make sure that the atmosphere is the best possible so it will be conducive to more progress.

It is not my role at this moment to say to one or the other to respect it or not to respect it. We have courts to settle the question of legality. I am happy that both said they intend to respect the law of the land.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, I asked the question because there is a way the federal government could rectify this deal if it is truly unfair outside of the contract.

The federal government can do two things. First, it could refer this issue to the National Energy Board and ask it to determine a fair and reasonable allocation of the profits to Newfoundland. Second, it could adjust the equalization formula to reduce the amount that goes to Quebec by the amount that should go to Newfoundland. Has the federal government considered that solution to this problem?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, if one is issued payment that is the law of this House, of Parliament. I have no choice. It has been voted that there will be equalization payments and there is a formula that applies according to revenues of provinces. The leader of the third party is asking the Prime Minister of Canada not to respect the law. I am not that kind of Prime Minister.

[Translation]

FRANCOPHONES OUTSIDE QUEBEC

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, for decades now the government has been dealing out hard blows to francophones outside Quebec. Their lives are becoming increasingly difficult. They are losing ground. The rate of assimilation keeps on growing. And the government picks this moment to strike another hard blow to francophone and Acadian communities in Canada through the CBC cuts.

My question is for the heritage minister. How can she agree to be the one to add yet another blow to the history of francophones outside Quebec, one which will help to hasten their assimilation?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, the fact is that the number of francophones throughout the country is growing. Another fact is that, at the present time, after budgets cuts that are hard on everyone, what will happen to French language television across the country is that francophones in western Canada will see their programming doubled from a half an hour a day to one hour.

Of course, French language television in the West hurts the Parti Québécois and the Bloc Québécois, who would have people believe that francophones are to be found only in Quebec. But we are confident that with one hour of French television in western Canada, we will be able to improve the situation of western francophones and of French language television throughout the country.

• (1455)

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, everyone understands that French language radio programming will increase, if there are cuts of \$20 million and 240 jobs. Everyone understands that.

How can the heritage minister show herself to be so insensitive today about the fate of the francophone and Acadian communities, while being so sensitive to their cause when there are referendums?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, what I find rather deplorable about the hon. members across the way is that they are here today claiming that no cuts should be made to the CBC. On the other hand, on March 16 last year, the hon. member for Rimouski said the following about CBC cuts: "If any cuts are needed, there are big ones to be made at CBC". In response to the question by Michel Lacombe of RDI: "Concerning CBC headquarters, you are surely not recommending that headquarters be totally cut"? The hon. member responded: "Yes."

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The hon. members across the way are claiming both that the cuts are not necessary and that the CBC headquarters needs to be done away with. There is a contradiction here.

* * *

[English]

CABLEVISION INDUSTRY

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, it seems that the cable monopoly and the Canadian heritage department think negative option billing is a good thing. The people of Canada on the other hand have a distinctly different opinion.

Could the Minister of Canadian Heritage tell us what is her stand on negative option billing?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, we oppose it.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, I am sorry the answer was so quick I did not catch it. I do know that yesterday she did say that she believed in the spirit of it. Clearly, by saying that she was only in favour of the spirit of it, she did not make a commitment to it.

My supplemental is very simple: Was her Canadian heritage department actively lobbying to support negative option billing last weekend, yes or no?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, the position of the Government of Canada has been, continues to be and will be in the future that we oppose negative option billing.

* * *

NORTH ATLANTIC TREATY ORGANIZATION

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Recently I met with the Council of Central and East European Communities in Canada regarding Canada's support for the enlargement of NATO to include countries of central and eastern Europe which have expressed a wish to join the military alliance. What has Canada done to ensure that these countries will be integrated into NATO as part of a broad and comprehensive process of building up a new European security arrangement?

Mr. Francis G. LeBlanc (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, I would like to thank the hon. member for Parkdale—High Park for his question and for his strong representation of Canadians of central and eastern European descent.

Since the collapse of the Berlin wall, Canada has played an active role in urging the NATO alliance to reach out to countries in central and eastern Europe.

At the NATO summit of 1994 Canada enthusiastically joined the other allies in agreeing that NATO should enlarge. At the same time, Canada is working to ensure that NATO enlargement is done in a way that will increase the security of all countries in Europe and that the creation of new dividing lines is avoided. This means that we will work to enhance NATO's partnership for peace program and to strengthen the OSCE as a key element for the European security architecture.

* * *

[Translation]

AIR TRANSPORTATION

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, there seem to be strange and troubling links between the Liberal Party and the carrier Canadian. Let us consider, for example, the appointment of the Liberal Party's bagman in the West, Ross Fitzpatrick, to Canadian's board of directors, and that of the former special advisor to the Minister of Transport, Jeff Angel, to the position of government affairs officer, again with Canadian.

• (1500)

Does the minister not feel that these troubling facts point to an incestuous relationship between Canadian and his government?

[English]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, I indicated to the House yesterday that our policy with respect to the two airlines was one of even-handedness and equal treatment.

Airlines are free to hire whom they wish. If Air Canada chooses to hire a civil servant who was responsible for the negotiation of air bilaterals, that is all right. If Canadian International wishes to hire someone previously hired by one of my colleagues on either side of the House, that is all right as well. The fact is that we are treating the airlines on the basis of strict equality.

Having said that, I have to tell the House that we have a new policy in place, one which allows Air Canada for the first time to fly to Hong Kong, Korea and Japan. It is this government which made that change and allowed Air Canada to get that opportunity under our secondary airline policy.

If there is any indication of the importance that we attach to the competition between the two airlines and the importance of equal treatment, it is in the record of this government.

THE DEFICIT

Mr. Herb Grubel (Capilano—Howe Sound, Ref.): Mr. Speaker, since the beginning of this Parliament the Minister of Finance has used Canada's fiscal crisis as a club to suppress caucus and cabinet pressures for more spending, but now the dam has burst. The Minister of Canadian Heritage has increased spending by \$160 million.

My question is for the Prime Minister: How many more such spending increases are in the works? Has the Liberal government returned to its old ways of buying the next election regardless of the size of the deficit and debt?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the hon. member should know that we have a deficit reduction plan and we are ahead of the plan. In the last three years in every budget we had a figure of what would be the deficit and we have managed to operate the government in such a way that the deficit was always lower than predicted. This year we have predicted that it will be 3 per cent of GDP. We said at the beginning of our administration that it would go from 6 per cent of GDP to 3 per cent in three years. Not only will we achieve that, we will do better than that.

I thought the hon. member was going to get up to applaud us. I think that now he will.

* * *

CANADIAN WHEAT BOARD

Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, prior to the government's election in 1993 the Prime Minister promised to keep the Crow benefit and after the election he killed it. Now before another election he is promising that the wheat board will stay.

Since this government has already placed the wheat board, the dairy commission and others on the table as identified state trading enterprises for the 1999 round of trade talks, and since the avowed purpose of those talks is to eliminate all identified state trading enterprises, why given its record, should any farmer trust the Liberal government to keep the board? How does it propose to do that?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, it was abundantly clear in the last round of the GATT negotiations together with trade discussions since that time that the Government of Canada intends to preserve valuable trading institutions such as the Canadian Wheat Board.

I had the opportunity to discuss the whole issue of state trading enterprises with representatives from 14 different countries in the context of the Cairns group meeting earlier this summer in Cartagena. It was the common consensus of all of the Cairns group countries, most particularly countries like Canada, Australia and

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New Zealand, but all of the Cairns group, that we have every right to stand up for state trading agencies, and that we will do.

* * *

[Translation]

ASBESTOS

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, my question is directed to the Minister for International Trade.

France's decision to ban the importation of asbestos products effective January 1, 1997 may reduce the essentially Quebec-based Canadian producers' market by another 6 per cent.

What is this decision's impact on Canadian trade and what will the government do to protect Canadian producers?

• (1505)

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, this is an industry that exports in excess of \$300 million a year and over 2,000 jobs depend on it.

There are unsafe uses of asbestos, but on the other side of the coin there are safe uses of asbestos which is what we are trying to promote. My colleague the Minister of Health has made representations to the French government with respect to its ban.

In terms of the safe uses, there could be exceptions. The Prime Minister announced last week that he would make representations to the French government. My colleague the Minister of Natural Resources has also been very active on this file. We are making representations to the French government. I have made them to my counterpart. I offered to send some experts over to show the French government what the safe uses are so it can put them into its legislative exceptions.

We will continue to work with other countries in the European Union and around the world to help preserve the safe use of asbestos in international markets.

* * *

PRESENCE IN GALLERY

The Speaker: I wish to draw to members' attention the presence in the gallery of Dr. Faisal Zerra, member of the Shura Council of the State of Bahrain.

Some hon. members: Hear, hear.

The Speaker: Colleagues, I also wish to draw to your attention the presence in the gallery of Dame Janet Fookes, the Deputy Speaker of the House of Commons of Great Britain.

Government Orders

Some hon. members: Hear, hear.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, be read the third time and passed; and of the amendment.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, the Bloc has proposed that Bill C-45 be hoisted for six months. I think that is a splendid idea. I would like to see the bill hoisted indefinitely, if not forever. Then maybe the justice committee would have time for a little sober second thought and could allow this House to pass judgment on the private member's bill of the member for York South—Weston. However, we know that is not going to happen because the juggernaut is rolling.

Bill C-45 is typical of our justice minister's philosophy which values the rights of criminals far more than the rights of law-abiding, taxpaying, decent citizens. This philosophy does not just show up in Bill C-45. There is a pattern. For example, look at Bill C-68 which my colleague from Lethbridge has already touched on. In his bill the justice minister has expressed a willingness, an eagerness to harass and persecute millions of honest people in order to promote his social agenda.

• (1510)

Now he has a new thing coming forward, Bill C-55. Ostensibly it is to apply more restraint to dangerous offenders and to have to some limited extent more control over people who society would not countenance. I will admit it is a faltering little step in the right direction. But in this same bill there is provision for the surveillance and control of people who have never been convicted or even openly accused of a crime. What in the name of heaven ever happened to due process?

Liberals are always great on due process. To be entitled to it a person first has to commit a serious crime, preferably a really vicious premeditated murder and then the Liberals will love them to death. Then our justice system will pull out all the stops to protect their rights. But if the person is an ordinary citizen who has never done anything to offend anybody, look out. Our justice minister will have something in store for him, something which flies in the face of all traditional concepts of British and later of Canadian jurisprudence.

Some people say that it does not help to keep people locked up. The hon. member for Kingston and the Islands probably has

something to say about that. He has a lot to say about everything else. I just wonder how the people in his riding would feel about his views about just getting rid of the prisons and throwing the prisoners out on the street, that they are good folks and we have got to be nice to them and we should not be mean to criminals.

Does it help to keep people locked up? I will say one thing, it sure cuts down on recidivism. They do not commit a lot of crimes when they are already incarcerated.

The government calls section 745 the faint hope clause. The word on the street is that it is not the faint hope clause; it is the almost a sure thing clause. To date, although we have only been really using it for two years, 80 per cent of the people who have applied for the right to appeal for a reduced sentence have been granted that right. What kind of a faint hope are we talking about?

The other part of this bill which I find extraordinarily offensive and which many people have already mentioned is that it establishes a difference between good murderers and bad murderers. A person who kills only one person is a good person and is not really bad and therefore should not be terribly punished. If someone kills two, look out. What happens if three people kill two people? What do we do with someone who is guilty of one and a half murders?

With respect to good murderers and bad murderers, there is one Joseph Robinson who about 10 days ago was convicted of second degree murder. Perhaps the House will say I am digressing here by bringing forward a second degree murder but give me a little patience and I will explain where I am coming from.

Normally the penalty for second degree murder is life, ten. This gentleman was deemed to have been motivated by racism. It was a hate crime. His term for parole eligibility was increased by two and a half years. I have no trouble with the tougher sentence. As a matter of fact, in view of the crime that this gentleman was convicted of, I would not have trouble with a much tougher sentence. It was an extremely brutal crime and the extra time was probably warranted, but hardly the rationale.

• (1515)

However, if you shoot a police officer for sport, and there are two well documented cases of this that I am aware of, you have the right after 15 years to come forward and ask to have your parole eligibility reconsidered. As was mentioned in this House earlier today, one person who did just that had his parole period cut down to 18 years. He did shoot a policeman for sport.

Where in the name of common sense and rationale is the justice in that? We are making a mockery of our justice system. Nobody on this side, and I do not think anybody in Canada, is saying hang them high, hang them often, throw the key away. For heaven's sake, can we not reintroduce a bit of common sense into a system that has completely gone off the rails? This is where I come from, this is where my colleagues come from, this is where the general public of Canada is coming from. They are sick and tired of seeing

these miscarriages of justice perpetrated by our very own justice system.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I am very pleased to stand in support of the Bloc's attempt to hoist this legislation. This legislation is not really worthy of passing this House.

What I have seen in the debate around Bill C-45 is a pattern on the part of the Liberals across the floor to focus on the rights of the poor prisoner, rehabilitation of the poor prisoner, rather than on the issues that Canadians really care about, the rights of the victims and the safety of our society. Those are the issues that Canadians really care about. This legislation shows once again and is part of a pattern of this Liberal government in not going nearly far enough on legislation and on its actions as government.

For example, with regard to the deficit and debt this Liberal government has made a start in that area but has not gone far enough or fast enough. As a result what we have is almost a \$30 billion deficit added to our debt last year. Now our debt is up to almost \$600 billion. It is part of the Liberal pattern, not going far enough, not being tough enough.

What happens as a result of Liberal inaction? The interest payments on our debt are almost \$50 billion a year and because of this increase in interest costs the Liberals have cut spending on programs like health care and education. The Liberals have not gone far enough.

If Reform's zero in three plan had been put in place, and we campaigned on this during the last election campaign, we would be debating what to do with the surplus. Should we reduce the debt more rapidly? Should we maybe spend more on health care and education, the areas that are most important to Canadians? That is a much better type of debate than most of the debates that we have had in this place as a result of Liberal inaction.

On every justice issue that has come to the House the Liberals have refused to go far enough. Canadians are very unhappy about that and very displeased with that. As I have been listening to the debate on Bill C-45 and other justice bills over the past three years, it is very clear the government does not have the will to do what it takes to make our country a safer place in which to live.

• (1520)

It should be no surprise because in 1972 it was solicitor general Goyer and a Liberal government that deliberately changed the focus of the justice system. This is part of the problem and part of the reason we have not had changes that are nearly tough enough and which go in the right direction.

This change was a change away from a top priority in our justice system, the safety of our society, making our homes and streets safe places in which to live.

Government Orders

The focus was taken from that and changed. The focus became, as we have heard throughout this debate, especially from the member for Kingston and the Islands, the rights and rehabilitation of the criminals.

The hon. member for Kingston and the Islands probably got a lot of votes with the speech that he gave on this yesterday. What he was saying and showing is great concern for those poor prisoners. He has a lot of prisons in his riding of Kingston and the Islands. I am sure he got the prison vote. I hope they are not enough votes to carry him so that he is here in the next election.

This change in the focus to where the top priority has become the rights of the criminal, rehabilitation of the criminal, must change. It is certainly not what Canadians want. The focus that Canadians want is a focus that places as the highest priority in our justice system the rights of the victim and the safety of all Canadians in their homes and in the streets. That is what the focus should be. The Liberal's legislation that would move Canada toward that goal of being a safer place in which to live has been dismal indeed.

On the other hand, Reform has proposed several substantial changes that would refocus the justice system on the rights of the victims and on safety of people in this country.

For example, the hon. member for Fraser Valley West presented last spring a victims bill of rights focusing on the victim. The Liberals refuse to focus on the rights of victims. They do not seem to care about the victim.

The hon. member for Fraser Valley West presented a victims bill of rights. Had it passed, it would have become law. Did the Liberals support Reform on the effort to refocus the justice system, to give a higher priority to the rights of victims? Did the Liberals support this move? No. They voted against it. That legislation was shot down. Because of that, the victims still do not have the rights they deserve.

I want to quickly, because it is worthy of some debate and recognition, go through some of the points that the hon. member for Fraser Valley West has put forth in his victims rights bill, which is the type of legislation that Canadians want.

For example, he said victims should have the right to be informed of their rights at every stage of the process, including those rights involving compensation from the offender. They must also be made aware of any victim services available. It does not happen now.

They must be informed of the offender's status throughout the process including but not restricted to notification of any arrest, upcoming court dates, sentencing dates, plans to release the offender from custody, including notification into which community the parolee is being released and the conditions of release, parole dates and all that type of information.

Government Orders

We would think in a country like Canada with supposedly a well developed justice system that the victim would be shown at least as much consideration as the criminal. That is not the case. That change is needed.

• (1525)

Another proposal by the hon. member for Fraser Valley West is that the victim would have the right to choose between giving oral and/or written impact statements before sentencing. It is a right one would expect in Canada.

If this Liberal government will refocus, if it will come back again and do what Canadians want, focusing much more on the rights of the victim and on the safety of society, we will not have nonsense legislation like this and Canadians will be much more pleased with what it is doing. Right now Canadians are extremely upset with the inaction of the Liberals.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I could not let the moment pass. I listened to colleagues opposite who have made a point here this afternoon of detailing in debate how bad things are. I do not for a moment think the Canadian criminal justice system is nearly as bad as they say it is.

The most important thing I want to say here today is that both of my colleagues opposite have failed to address the bill that is being debated here now. Each one of them has criticized the section 745 procedure that is now in the Criminal Code. They have attempted to outline why it is unbalanced, unfair, inappropriate, unjust. But neither one of them has stated what this bill, which amends the section 745 procedure, does.

It attempts to redress the perceived unfairness that existed in that procedure. It increases the criteria that would enable someone convicted of a capital crime, someone who is serving more than 15 years in prison, to readdress the issue of parole ineligibility.

This bill raises the bar, raises the standards so it will be extremely difficult for someone to obtain a reduction in the period of parole ineligibility. Some of my colleagues think this bill goes too far and is too strict and will make it virtually impossible for a convict to obtain a reduction in a parole ineligibility period.

I know most of my colleagues on this side of the House support the bill, support the purpose for which it was put forward. They believe it will redress inequities perceived by the Canadian public with respect to the application of this section.

In case anyone would want to take members opposite as having the complete picture on criminal justice reform, each of the colleagues opposite has failed to note criminal law reform initiatives, statutes passed in this House involving the corrections act, the Criminal Code, the Young Offenders Act and the Prisons and Reformatory Act, all of which have been passed and are being worked on by this Parliament. Not a mention of these progressive reforms in the criminal justice area. I wanted the record to show that just in case anybody might have failed to note that.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I want to say a few words on this topic. I cannot believe that we are taking such mediocre steps to solve what is a very big problem.

I do not know if all the members here have gone through the trauma of having a person in their family murdered. We have and it is devastating. It is absolute abhorrent. It is totally impossible to imagine. If any of us were to imagine that this evening our life might come to an end because someone else would choose to take it, it would give us a perspective on this problem that is quite different.

• (1530)

We need to pay very close attention to what we are talking about and that is the gravity of the situation. We need to send a message loud and clear that cannot be mistaken, that in our society, in our country, it is not acceptable to contemplate and to actually carry out the taking of the life of another person. If that message does not come through, then I do not know what does.

I am aware of the fact that we cannot pass a law that will make people good. I do not think that is possible.

The purpose of the law is to restrain those who are not good. The purpose of the law is to say to that person who is contemplating the act of first degree murder that the person is going to have to say: "If I do this, there are big consequences for me". Right now in Canada those consequences are inadequate.

We are talking in this bill about the question of first degree murder, contemplated, carried out deliberately. I urge members, especially the Liberal members, who are the ones who can do something about this, who are the majority in the House, they are the people ones who can say by voting correctly on this bill we want to send that message. We want to protect society. We want to protect the lives of law-abiding citizens.

Failure to do so is failure to exercise our responsibility as parliamentarians to do what is right in protecting law-abiding citizens in this country.

The Speaker: Is the House ready for the question?

Some hon. members: Question.

The Speaker: 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 Speaker: All those in favour of the amendment will please say yea.

Some hon. members: Yea.

Government Orders

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And more than five members having risen:

The Speaker: Call in the members.

[*Translation*]

During the ringing of the bells:

Mrs. Dalphond-Guiral: Mr. Speaker, I request that the division be deferred until 5.30 p.m. tomorrow.

The Speaker: Tomorrow?

Mrs. Dalphond-Guiral: Yes, Mr. Speaker, until 5.30 p.m. tomorrow.

• (1535)

[*English*]

Mr. Boudria: Mr. Speaker, the chief opposition whip has asked that the vote be deferred until tomorrow. We ask that the vote be deferred to later this day at the conclusion of Government Orders. Mr. Speaker, you will have to make the decision.

The Speaker: My colleagues, I am thinking about it. I am not going to think too long because the bells are ringing. If there are going to be discussions, I am prepared to wait a few minutes while I discuss this with my chief clerk, but no more than a few minutes. Unless you want me to make the decision, I will give you a few minutes to talk about it if you like.

Hon. members have asked me to decide. Of course the sole criteria for deciding is not who came to the table first. Members will recall that about a year ago I was asked to make a decision on this type of matter. At that time I ruled that the vote would be taken at the later time that was asked for in order that all parties could get as many of their members here to vote as possible.

My decision is that this vote will be taken tomorrow at the latest possible time. That is at 5.30 p.m. That is when we will hold the vote.

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PRISONS AND REFORMATORIES ACT

The House resumed from September 17 consideration of the motion that Bill C-53, an act to amend the Prisons and Reformatories Act, be read the second time and referred to a committee.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I am pleased to have the opportunity to address Bill C-53, an act to amend the Prisons and Reformatories Act.

I have had the chance to observe what has been going on here over the last couple of weeks and indeed what has been going on in this House over the last few months. What we have here is a simple case of Liberal electioneering.

I give the Liberal Party more credit than do most Canadians. The Liberal Party knows very well that the criminal justice system is a huge concern in the minds of the Canadian people. Liberals have done their polling and their homework and know that most Canadians think there is a huge void between where the criminal justice system is and where it should be.

Let me be the first to say that my colleagues in the Reform Party and I take a whole lot of credit for getting out the information to the Canadian people. It has raised their awareness to a point where they are starting to say that there is something wrong with the justice system.

The Liberals know that the Canadian people are very concerned about the justice system, the way the prisons, the parole system and the sentencing procedures are. The Liberals are trying to balance just how much it will take to make the Canadian people think that they are actually doing something about the disparities in the criminal justice system. They are trying to balance that and at the same time not offend the bleeding heart philosophy of the Liberal Party and most of its members.

If ever there was a definition of a conundrum, we have it right here between the Liberal philosophy of dealing with the criminal justice system, with people who commit murders and robberies and with people who drive impaired and kill people. There is a problem in dealing with all of those issues in the criminal justice system and balancing that against Liberal philosophy.

I do not envy the Liberals for being in that position. The fact is that when it comes to being honest with themselves, let alone with the Canadian people, when they are faced with this situation they honestly know they cannot give Canadians what they want because it throws their philosophy out of balance.

What we have here is a situation of tinkering, smoke and mirrors, deception, making believe that they are doing something but they are not. We see the government failing to take the necessary steps to restore justice to the criminal justice system.

Bill C-53 would amend the Prisons and Reformatories Act by adding a statement of purposes and principles with respect to the temporary absence programs. It also permits the provinces to create additional types of temporary absence programs for people convicted of crimes. Further, and this comes as no surprise as far as this government is concerned, Bill C-53 will extend the period of temporary absences to 60 days. Does this mean that prisoners are now going to be able to go on a Club Med holiday because they have more time out of the can?

Government Orders

• (1550)

Finally, the bill sets out the grounds for suspending, cancelling or revoking temporary absences and confers the power to apprehend and return persons to custody.

Those are the provisions contained within the bill, but a huge concern to the Reform Party and of far more importance is what is not included in the bill. What is not included in the bill is a clear statement that the protection of society must be paramount, the most important thing, of prime consideration with respect to temporary absence decisions. What is not in this bill is a statement that says the most important thing when considering temporary absences must be the protection of the Canadian people, of society, of our wives, of our husbands, of our children, of our grandchildren, of our cousins, of the Canadian law-abiding people.

Why is this not in the bill? Because this Liberal government has a philosophy which is held over from the Trudeau days. It is a philosophy that was brought to this House and this Parliament by the members for Notre-Dame-de-Grâce, Kingston and the Islands, Glengarry—Prescott—Russell, and the Prime Minister himself. All the holdovers from the Trudeau government. I am sorry, the member for Glengarry—Prescott—Russell was probably a little bit young then but that philosophy is still here.

The Liberal philosophy is that as a Liberal government it must place the rights of prisoners on the same plane as the rights of law-abiding citizens and victims. That is the philosophy of this government. The government may ask: “Well why do we lock them up if that is the case?” The fact that they lock them up is that the law says they have to, but this government is doing everything it can do to change that law and let them out. That is the problem and we have it right here in Bill C-53.

The Corrections and Conditional Release Act which governs the behaviour of the parole board has a clear statement that the protection of society is to be the most important factor in determining whether or not a prisoner should be given parole. I suppose it is only a matter of time before the Liberals will try to amend that act to remove that statement.

Bill C-53 considers the protection of society to be of the same importance as the prisoner’s rehabilitation and reintegration into the community. Personally I find it quite appalling that this government would have the audacity to put the protection of society, of people who have never committed a crime, our children, our brothers, our sisters, our parents, the protection of law-abiding Canadians on the same plane and the same importance as the prisoner’s rehabilitation and reintegration into the communities. That is the most appalling philosophy I have ever heard and this government has done it.

Once again the Liberals are elevating and promoting the rights of criminals. It is as simple as that. Let me just repeat that. Once again this Liberal government is attempting to elevate and promote the rights of criminals.

• (1555)

The Liberals may want to pat themselves on the back for that but I am sure the Canadian people will not give them a hand on that one. The bill says to Canadians that their safety as law-abiding Canadians, as families is not the primary responsibility of the correctional system.

This Liberal government has the nerve, the audacity to put forward a bill that says to Canadians their safety is not the prime responsibility of the corrections system. Congratulations. Their safety is of no more importance than a criminal’s rehabilitation. Congratulations. This is absolutely ludicrous. How can this government, how can these Liberals even consider the thought?

How can they consider saying to Canadians: “I am sorry, the correctional system in this country really does not think that the safety of our families and our communities is important. Therefore, we are going to elevate the rights and the privileges and promote that criminals get out into society quicker. Do not worry, if they commit another crime, we will just pick them up, put them back in and then go through the same process again”.

The Liberals opposite are saying that I am crazy. Let us listen to what the Library of Parliament has to say. These are not my words. The Library of Parliament says that this bill gives less importance to the protection of society than does the Corrections and Conditional Release Act. This appears in the legislative summary prepared for all members by the Library of Parliament. It does not represent my personal opinion on the bill. This is an impartial opinion of the contents and effects of this bill.

The legislative summary also states: “The principles set out relating to temporary absences are similar to those set out in the CCRA with the significant exception”—this is the Library of Parliament—“that in the act the protection of society is to be the paramount consideration in the determination of any case”. I go back to what I said before. It is not so much what is in this bill; it is what has been left out, that is, the consideration of society when it comes to releasing criminals into the community.

Members will note that the author of the Library of Parliament legislative summary uses the term “significant exception”. They picked it up right away. They agree with Reformers when we say that this bill does nothing to protect society. It will in effect place the protection of society on the same plane as the rehabilitation and reintegration of criminals into our society. That is appalling. Canadians will not and cannot accept that for a moment.

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That is just a symptom. That is a result of this Liberal philosophy that was born in the Trudeau era and brought forward to this Parliament by members of Parliament who were present then. We see it so much in evidence today.

The author from the Library of Parliament uses the term "significant exception" with good reason. It is very significant that the Liberals do not consider the protection of society to be their primary concern. That is significant and we have seen it.

Time after time they have presented government bills in the House that purport to toughen up the justice system, that purport to get tough on criminals, that purport to get tough on people who commit horrendous crimes in this country. In actuality they are just a smokescreen to fool the Canadian people into thinking this Liberal government actually cares about whether people who do crimes in this country pay a price for them or not.

• (1600)

Of equal concern to the Liberals, judging by some of the bills they have brought forth, is the criminal's rehabilitation and reintegration into society. I believe that this is wrong that they place these two things on the same plane. The protection of society must be reflected in every single part of the criminal justice system. The protection of society must be paramount.

No other part of the criminal justice system deserves to be even anywhere equal to the protection of our society. No rights of criminals, nothing to do with the parole system, nothing to do with lenient sentencing, nothing to do with temporary releases; none of that should even begin to come on the same scale as the protection of our society, of our children, of our sisters, our brothers, our parents in this country. Nothing should ever even begin to climb the scale to get to the level that protection of society is.

I read these bills and I think are they nuts over there? Where is their logic? I need to give the Liberals a simple lesson in the purpose of our justice system. I am even going to dumb it down for them so they can understand. They should listen closely. We put bad people in prison to punish them for their bad acts and protect society from their bad behaviour. Is that too complicated for this government to understand? We put bad people in prisons and we punish them.

There is no way that anyone in their right mind could even consider supporting Bill C-53. It is a bill with so much audacity, with so much trickery in it, with so much electioneering in it that it does not even deserve a place in this House. I certainly oppose it and so do my colleagues.

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, we are talking about rhetoric. I heard nothing but rhetoric from the last speaker.

If he wants to consult *Hansard* of last week he will note that even his colleague from Fraser Valley is almost about to support the bill. I question whether the hon. member has even taken the time to read the bill.

We are not talking about a bill which addresses criminal justice issues. We are talking about a bill which allows provinces and territories to address the severe problems they have with the administering of inmates within their jurisdictions. That is people of less than two years and a day. We are not talking about hard core criminals.

In the federal system there is a procedure in place for us to administer the penitentiary system called the National Parole Board. Some provinces have that mechanism in their jurisdiction. The majority of them do not have that privilege in their legislation. The temporary absence system is then used in place of parole to administer those prisoners who are in for an average of less than six months.

When I hear the member say this applies to hard core criminals, we are going to let them out and we are going to endanger the public security, I have a hard time. I doubt if he even read the bill.

This bill is an initiative which has been discussed by federal, provincial and territorial leaders, all ministers responsible for justice in their territories since May 1996. They have asked our government to give them the same leverage and the same latitude to deal with the administration of their justice system. It has nothing to do with what the hon. member was talking about.

• (1605)

The provincial-territorial actions program will allow the provinces to control offenders in their jurisdictions. It will allow provincial prisoners leave for a specified period of time, with or without an escort, for medical, humanitarian or rehabilitative purposes. It is designed to help offenders reintegrate into the community. They are going to serve their two years less a day sooner or later.

I ask the hon. member, if all the federal and provincial ministers are in agreement with the bill, if the Bloc Quebecois is in agreement with the bill, if members on this side of the House are in agreement with the bill, what is his concern?

This bill will allow the provinces and territories the flexibility to tailor their temporary absence programs according to their needs in their provinces and in their communities. That is all we are dealing with. We are not dealing with all the issues the hon. member raised.

Mr. Harris: Mr. Speaker, I would like to tell the hon. member opposite about a little phrase that one of the health groups is using

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now: just say no. The reason they say just say no is that doing that activity will have a harmful effect on them.

I am saying to the government just because someone asks it to soften up a bit and give a little more latitude in working out a more lenient way to deal with prisoners in the provincial system, that does not mean it has to say "of course, go ahead and do it".

The government needs some backbone. It should tell them: "I am sorry, the Canadian people do not want us to soften up the justice system. They want us to toughen up the justice system. No, we are not going to pass the bill. We are not going to give you the additional freedom to treat prisoners in a more lenient manner. I am sorry no, the people do not want it". Why do you not have the guts to say that?

The Acting Speaker (Mr. Kilger): Before we continue the questions or comments I would like to make two points. I remind all members to make their interventions through the Chair and also to be very judicious in the choice of their words to support their arguments.

[Translation]

Mr. René Canuel (Matapédia—Matane, BQ): Mr. Speaker, my colleague from the Reform Party is citing such individual cases that we might perhaps accept, but then they flood us with stories of this person or that in their questions, they seem to want to go for guilty and the death penalty. I find that despicable.

I think that a bill whose goal is to protect society is very worthwhile. However, I would like to add something. I have worked in secondary schools almost all my life, and when a young person was a delinquent when he came to us, we had to wonder. When a young girl had already been involved in serious misdemeanours before coming to us, we had to wonder. Was it the fault of this 13, 14 or 17 year old, or was it something in their background?

As for myself, I would like to see this bill include something about helping to protect seven, eight, nine and ten year olds in primary school. We must give young people a great deal of help, and if we put out the money needed to protect them, they would not turn up in prison at 18, 20 or 30 years of age, and we would not be having the sort of discussions we are having today about how to keep them in prison, essentially rehabilitate them. It is no easy thing to spend 20 or 25 years in prison. We have to think about that too.

• (1610)

Society must, of course, be protected, and when someone has committed a crime, he must be punished. I would like to put the following question to my colleague. Instead of spending hours talking about how to punish people, should we not be looking harder at prevention?

[English]

Mr. Harris: Mr. Speaker, I actually could not agree with the hon. member more. Let us talk about prevention. Let us have the nerve to talk about the consequences of committing a crime in this country. That is prevention. Let us tell the people out there at the grade school level, at the university level, people in their 20s and 30s, people of all ages in this country, if they commit a crime in this country we are not going to let them get away with it. There is going to be a consequence.

That is called deterrence. However, the Liberal government and the separatist group here do not seem to understand the word deterrent. When I was a kid my mother told me: "If you do that, it is wrong and you will pay a price. There will be a consequence to that". That was a deterrent.

I do not think that kids have changed that much that in their early learning years to not understand that if they do something wrong there will be a consequence. What has changed is the attitude of governments like this and parties like this which say: "We are sorry, there is no such thing as a bad person, only a person who has been a victim of society and these people should be treated fairly because it is not really their fault".

I talked about the Trudeau era which started that philosophy and it is still present today in this Liberal government and with the separatists here there is no such thing as a bad person. They are not to blame. Society made them that way. That is bunk.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I congratulate my colleague from Prince George—Bulkley Valley for doing such a fine job in elucidating this very important issue that affects Canadians from coast to coast. I think he raised a very important point which the government tends to forget. Canadians today are more afraid in their homes than they have ever been in the last 20 years. Sometimes the facts do not support it, but in many cases the facts do support that. I will get to that later in my speech.

It is a pleasure to speak to Bill C-53, an act to amend the Prisons and Reformatories Act. The purpose of the bill is to change the temporary absence program, creating additional types of temporary absences, and to lengthen the time temporary absences are available.

Let us stand back and look at what this actually means. If a crime is committed and a conviction obtained at public expense, and sometimes it can be a threat to the men and women in our police forces, the felon is released on a temporary absence program. The felon does not pay a penalty for actually committing the crime. That is a very important thing to realize. It means that if a felon commits a crime and is convicted, the felon is then released back into society.

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Let me give an example. A friend of mine checks on people out on temporary absence programs. He went to Vancouver to check up at the home of a convicted cocaine seller who lives in an opulent home in Vancouver. This person is smiling away, going full and continues to sell cocaine through his back door. He is living in a home worth millions of dollars and is laughing at the police officers who come to his door. That is an example of a temporary absence program. That is not what the taxpayer wants to hear. That is not justice. That is not the way the criminal justice system should work, but in this instance that is the way it is working. The government wants to make this even more lenient.

• (1615)

Let us look at the overall crime situation in Canada with statistics from the National Crime Prevention Council. In 1994, contrary to what the government says, the crime rate was 8 per cent higher than a decade ago, and this is probably under-reported.

A substantial number of crimes are never reported to the police for a number of reasons. The statistics are truly appalling. It is notable that 90 per cent of sexual assaults and 68 per cent of non-sexual assaults are not reported. These are violent crimes that are not reported to the police. The victims go unheard. They do not get restitution. The criminals continue to go on their merry way with no penalty.

About 80 per cent of crimes are committed by only 20 per cent of the population. For future reference, it is exceedingly important for us to identify who those 20 per cent are. I know the government will not disagree with that.

We got some laughs from the other side when I mentioned that Canadians were more scared today than they were before. According to the statistics of the National Crime Prevention Council, not mine, not the Reform Party's, one in four Canadians feel unsafe walking in their neighbourhoods at night. Only 10 per cent of males reported feeling unsafe, but 42 per cent, nearly half the female population, felt unsafe walking in their neighbourhoods.

That is not the society that Canadians want. That is not the society of which we should be proud, and it is something that we, the legislators of this country, must change. It must be an embarrassment to every person in this House to face up to that statistic.

It means that half the wives of the men in this House are afraid to walk in their own neighbourhoods. It means that half of the female children of the people in this House are afraid to walk in their neighbourhoods. That is totally unacceptable and must change.

I saw the Minister of Justice on a CBC television program saying that violent crime is not as bad as we think. Let us look at an independent statistic on that matter. According to police statistics, the rate of violent crime in Canada has increased fourfold in the

past three decades. That is 400 per cent in the last three decades. Bear in mind that those statistics are under-reported, as I said earlier. The vast majority of violent crimes never come to the attention of the police.

Youth crime is worse. Criminal Code offences by youth have increased by 16 per cent since 1986 and violent crime among youth has escalated dramatically. We have heard this time and time again from my colleagues and the government has repeatedly ignored them. But it ignores youth crime at its peril.

The public has repeatedly said to the government and to us that it wants this fixed and fixed now. Canadians no longer want to be fearful of walking in their own backyards, something we as Canadians should never have to do.

Since 1962, when penalties started to be reduced for committing crimes, when governments got soft on crime, rates began to increase. What the government said to the public was that if you are victimized you will not see restitution; you are not going to see retribution.

• (1620)

What it said to the police is that no matter what hard work they put into it they will not be able to put criminals behind bars. What is happening now is many of them are standing back and asking why they should do it any more. It is a sad thing.

What it tells the public, who feel they are not being protected by the justice department, is that they now have to take matters into their own hands and vigilante justice may be their only recourse. That is not something we would like to see in Canada. If we start having vigilante justice we progress along that slippery slope toward anarchy.

The real reason for Bill C-53 is that jails are too crowded. The government wants to decrease the pressure on the jails, which we completely understand. However, in doing so, it wants to put more and more people on these temporary absence programs.

We are not opposed to temporary absence programs, but it must be done with forethought and within a certain framework. The most important overriding concern in this framework has to be the protection of the public and of innocent people above all else. That is the role of justice first and foremost. It has other roles certainly, but the government has forgotten that. The roots of this began in the early 1980s when the solicitor general of the day, a Liberal, said that from now on the justice department's primary role would be not the protection of society but serving the criminal. It is going to be the rehabilitation of the criminal, not the protection of society.

That is a significant departure. What we want to do here is get the justice department back to having as its primary focus the

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protection of innocent civilians. It is not to say that the rehabilitation of the criminal is not important. If we ignore that we ignore it at our peril. However, there are intelligent and effective ways of doing that. I will get back to that a little later because the experience in the United States has been very fruitful and cost effective.

The framework must be, as I said before, the protection of the public. This cannot apply to violent criminals and must certainly not apply to any criminal who is going to continue doing what got them into jail in the first place. It cannot apply either to non-violent criminals who demonstrate no remorse. A non-violent criminal in this situation is going to commit criminal acts again.

It is also in the public interest to understand the situation that is taking place right now in our criminal justice system. When a person is convicted of a crime, automatically one-third of the sentence gets knocked off and often times that person will only serve one-third of the total sentence. Therefore, two-thirds of a person's sentence is knocked off for good behaviour. A criminal is automatically deemed to have good behaviour and have one-third of his or her sentence knocked off by the system. That is very disingenuous to the victim who believes that if a person who is sentenced to 15 years that person will spend 15 years in jail.

Perhaps the most glaring example of this is section 745 of the Criminal Code which states that if a person commits first degree murder by killing a police officer he or she can get out in 15 years. There is a list longer than my arm of individuals who have committed first degree murder and have been let out shortly after their 15th year of prison. We want to see that revised because first degree murder means first degree murder and it means the person spends 25 years in prison. It does not send a clear message to those who commit this most heinous of crimes that they should be getting out after 15 years. If they do the crime they must pay the time.

I would also like to give some examples of the absurdity that is taking place in our criminal justice system.

• (1625)

I was at a correctional facility treating some patients not so long ago. The first patient I saw had a large laceration in his arm. I said to him while I was sewing him up: "How did you get this?" He said: "Doctor, I got this because I was making a knife". This man, while incarcerated in jail, was making a knife. He was not the only one making knives because making knives was part of their program in that medium security jail, one of our newest I might add.

This same jail, which cost \$175,000 per cell to build and which has a beautiful foyer with vaulted ceilings, has cameras. In the area

where the inmates are housed they have their cells and then they have a communal area where they eat, play cards and talk. The guards are in the middle of this without any protection. Furthermore, the charter of rights prevents a camera from being on that communal area because it is an infringement of their privacy, the same individuals who are making knives in jail.

I am sure the taxpayer would be very interested to know that they are paying \$60,000 to \$80,000 a year to house individuals in jails where they are making knives. That is not justice, for crying out loud.

In the jail previous to this one, the inmates decided to set the jail on fire. There were soiled clothes and water everywhere. The inmates were locked up. Who was cleaning this mess up, but the guards, not the inmates. That is the situation that we have.

The guards are afraid for their own safety and they are afraid of actually doing a number of duties that they have to do for fear of retribution from the inmates. That is the situation in many of the correctional facilities across the country. That speaks well of our criminal justice system, but it speaks of what this government and previous governments have done to completely turn our criminal justice system on its head. Justice must protect society at all costs. It is not doing that at all.

Last, I would like to let the government understand that there will be some superb suggestions coming from my colleague from Calgary Northeast and my colleague from Wild Rose on a number of areas on how to revamp our justice system and prevent crime.

We in the Reform Party have often been accused of being hang'em high. We are not hang'em high. We want effective solutions to address crime, the appropriate punishment, appropriate protection of the public and appropriate, effective methods of rehabilitating criminals.

We do not want the situation we have today, which has proven not to work but cost effective solutions that will work. I will give some examples. These are not examples that my colleagues will mention because they will announce this in the very near future. These are a few from my personal experience.

We have to separate the psychiatric patients from the non-psychiatric patients in our criminal justice system. One of the silent tragedies that is occurring is the closing of psychiatric hospitals.

There has been a mindset of taking these psych patients and putting them in the community. For some, that is acceptable. For many, unfortunately, it is not. They are not given a choice. The choice is not there for them.

All we need to do is walk along the streets, even in Ottawa, and see the number of burnt out schizophrenics walking the streets.

Many other psych patients are not medicated and walking the streets, often falling afoul of the law and often suffering.

It does a disservice not only to these people who are ill but it does a disservice to the public too, who have to suffer from the unfortunately criminal activity that these people engage in while they are perhaps psychotic. That has to be done. These people have to get the appropriate treatment, otherwise they will never get better.

• (1630)

To address the recidivism rate, we have to pull out that 20 per cent of the prison population which repeatedly continues to show an abhorrent respect for Canadian society. We must pull them out and deal with them in a much firmer and very different way than the 80 per cent who do not repeatedly run afoul of the law.

While in jail skills training should be obligatory for individuals so that when they come out they can gain employment and become integrated back into society. One of the problems with individuals once they get out of a correctional facility is there are not many support programs for them and there is not a lot for them to do. They have a great deal of difficulty integrating back into society because they do not have the skills necessary to deal with that. This must be dealt with.

Also, alcohol and other substance abuse problems have to be dealt with while incarcerated in jail. That should be obligatory. If an individual is not prepared to deal with it, they should be dealt with differently too. There is no point in putting them back on the street as a cocaine addict if it contributed to the reason why they ran afoul of the law.

Last, it is wise for us to look at the experience in the inner cities of the United States. Columbia University did an excellent job of taking children at the age of four and five in school, bringing the parents into the schools and teaching the children not only their ABCs but also about self-respect, respect for others, appropriate conflict resolution, drugs, alcohol and so on. They learned that. The parents also learned these skills if they had never learned themselves. The outcome was a much lower rate of teen pregnancy, violence and drop-outs.

I thank the House for its time and consideration. I sincerely hope the government pays attention to these suggestions and the suggestions of my hon. colleagues.

[*Translation*]

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, I always listen to the hon. member for Esquimalt—Jean de Fuca with respect, for normally he uses good judgment. This time, while being less zealous than his Reform colleagues, he is still speaking along the same lines.

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I understand what fear is. He speaks of people being afraid to go out in their own neighbourhoods. I do not have the statistics with me, but in Quebec, at least when I looked at the figure for my region, 80 per cent of murders were committed by people known to the victim. More often than not, three out of four times I think, the murderer was a former partner, and in more than half of these cases or something like that, he then took his own life.

I certainly take no pleasure in such statistics. We are seeing the increase of such cases, but at the same time the crime rate in Quebec and in all of Canada is decreasing. Yet the Reform Party is still raising the argument that people are afraid.

I am not all that old. I have not yet turned 50, but I can remember how frightened my grandmother was, how frightened my mother was, how frightened women have always been, both in cities and in the country. If we take fear as a criterion, there is unfortunately no polling company that can do a historical study for us, but I am sure that, if such a study were done, it would be seen that there have always been people who were afraid.

Yes, there are worrisome things going on, particularly where young people are concerned. I say that there are too many violent shows on television, and that could be one explanation.

• (1635)

As I know the member who just spoke to be level headed and usually of good judgement, I would like him to confirm to me, as he is a doctor, that there has been an increase in violent crime, leaving out the crimes committed by ex-spouses, people who know each other and criminals settling scores with other criminals. Is there really an increase where he lives in Vancouver, and is it that serious in this region? If so, he should warn us, because I may have to go to Vancouver next week.

[*English*]

Mr. Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I thank my honourable friend from the Bloc Québécois. Merci beaucoup pour votre question.

The statistics I am very happy to share with the hon. member do not come from the Reform Party. These statistics come from the National Crime Prevention Council of Canada and they demonstrate unequivocally that the rate of crime, violent crime in particular, has increased and this in fact is paralleled by an increase in fear among the Canadian populace. In terms of breaking that down to those who knew their assailant and those who did not, I do not have that breakdown.

I concur with the member that most people who are victims of violent crime do know their assailant but I do not know whether those numbers are increasing. However, the overall picture clearly demonstrates that there is an increase in violent crime particularly among youth and that people are afraid across this country including les gens de Québec about their personal safety. That must

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be dealt with and is something that all of us collectively in this House can put our minds to and address.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, the last two speakers from the Reform Party have spent an awful lot of time focusing on the general background of criminal law legislation, the fears of Canadians and those types of things. While those issues are important, although I am not saying I agree that there is all this fear they say is out there, surely they again have missed the point of dealing with the legislation at hand and I want to ask the hon. member to comment on this.

This particular statute addresses the institutional aspects of responding to criminal behaviour after people have been sentenced by the courts. It deals with institutions that deal with offenders who have sentences up to two years.

The federal legislation for the federal institutions that deal with all of the other longer term offenders, the Corrections and Conditional Release Act, was recently amended here in this House for the second time. First on the list it deals prominently with public safety.

This statute which we debate here is an attempt to parallel and incorporate much of what is in that CCRA statute by concept and it deals with the administration of temporary absences. It tightens up on the administrative ability to terminate, cancel and administer them. In other words, addressing public safety.

Does the hon. member not think he has failed in addressing this bill to and acknowledge that the government in this case is updating the Prisons and Reformatory Act to bring it in line with the CCRA, which has as its number one focus protection and safety of the public?

Mr. Martin (Esquimalt—Juan de Fuca): Mr. Speaker, I would like to point out to my hon. friend that nobody in the Reform Party ever fails, and he should understand that very clearly first of all.

I think we ought to cut to the chase. The real reason for this bill is to empty the jails because the jails are overflowing. This and previous governments have been completely unable to deal with increase in crime that we see in a number of sectors.

I think it is disingenuous for the government to admit anything else. The lengthening of temporary absence programs is merely sending a message to the criminal population that if they are going to commit the crime there is less chance they will have to do time.

• (1640)

It is high time we all put our minds to developing better solutions which prevent people from running afoul of the law and to ensuring that the 20 per cent of the people who will be repeat offenders will be dealt with in a very forceful manner. For the remainder, the 80

per cent, the temporary absence programs must be based on merit. The temporary absence must be earned, not automatically granted. We must have, first and foremost as our primary motive the protection of society.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I am pleased to speak to Bill C-53 which is before us today. I am not pleased to speak to it because it is a substantial piece of legislation or because when the bill passes it will make changes to improve the system. It will not. I am pleased to speak to the bill because it gives me a chance to very clearly point out the difference between the Liberals and their totally ineffective legislation on crime and justice and Reform and our substantial and comprehensive proposals which will make the system better. Our proposals are in line with what Canadians want.

The member for Scarborough—Rouge River in asking a question to the previous speaker pointed out that the legislation only deals with sentences which are less than two years in duration and, therefore we are not really dealing with serious offenders. I disagree.

If that member were to ask his female colleagues in the House, he would find that they are not only concerned with being raped and murdered, they are concerned when they take that walk into the parking lot at night that somebody might try to steal their purse or that somebody might give them a violent push. They are concerned that when they are at work their homes might be broken into.

These crimes are not considered to be serious. These crimes violate what I believe is a right of all Canadians, a right to feel safe and to be safe in our streets, in our parking lots and in our homes.

I completely disagree with the member. These are very serious offences which do very serious damage to people not only physically but also psychologically.

We should not make light of this issue just because we are dealing with sentences of under two years. That is a big mistake.

I am going to take a little time to go through Bill C-53. It is an act to amend the Prisons and Reformatory Act. It would add a statement of purpose for temporary absence programs and it would authorize the provinces to create additional types of temporary absence programs.

The key issue for Reform is that although the principles relating to temporary absence are similar to those set out in the Corrections and Conditional Release Act, there is one substantial and very serious exception. In the Corrections and Conditional Release Act the protection of society is to be of paramount consideration, whereas in this act that is not the case. In that way this legislation is actually a step backward. That principle is found nowhere in Bill C-53.

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Bill C-53 would consider prisoner rehabilitation and reintegration into society as equal to the consideration of the protection of society.

• (1645)

Again, this resulted from years and years of Liberal thinking, the same Liberal thinking that led to the changes in the justice system which took the focus away from the protection of Canadians so they can feel safe in their homes and in their streets. But I will talk more about that later.

Bill C-53 is an extension of the Corrections and Conditional Release Act and would expand the scope and number of temporary release programs in Canada. Past experience has demonstrated that temporary absence, especially for violent and serious repeat offenders could jeopardize public safety.

For example, Daniel Gingras was out on a temporary escorted absence when he escaped at the West Edmonton Mall and went on to kill again.

The concept of temporary absence illustrates that there is little truth or honesty in sentencing. Many Canadians feel that this approach is wrong, specifically that criminals owe a debt to society and this debt should be fulfilled in its entirety. They want certainty in sentencing. None of this out on early release with half the sentence or less carried out. Canadians are truly fed up with that and they want a change. This legislation does not offer substantial change.

Mr. Milliken: Tell us your views on caning.

Mr. Benoit: The member for Kingston and the Islands seems obsessed with the issue of caning. He asking me once again to talk about caning. I would much prefer to talk about this piece of legislation, as weak as it is, and to talk about Reform's substantial proposals which I will present later.

The programs of temporary absence are an extension of the status quo correctional philosophy. I believe it is important to talk about that philosophy a bit. First, it says that most criminals commit crimes because they are also victims. How many times have we heard that from the members across on the government side and from the separatists in the House? It is an excuse. I am sure that the people who are committing or thinking about committing a crime think that they will always have this excuse to fall back on. This excuse has found its way into our justice system that most criminals commit crimes because they are victims of crime.

Second, this philosophy states that crime is mostly a product of social conditions and that the most effective remedy is for the state to intervene through programs such as a step up in welfare payments, more money handed to these poor people so they do not become criminals. There is absolutely no evidence that this is the case in Canada in particular. This philosophy is flawed from the

start. So of course the legislation which flows from Liberal thinkers would be flawed.

I would like to talk a bit about temporary absences. It is another in a long list of language which is used by people who believe in the Liberal philosophy. It is the language which is preferred by welfare state criminologists, which includes conditional release, mandatory supervision, statutory release, community sentencing, alternative measures and other newer labels which are essentially built on the same theme, the same philosophy. They build on the notion that the purpose of imprisonment is rehabilitation.

As we have heard from speakers from the government and the separatist side, the focus is on rehabilitation of the criminals and the rights of the criminals. This is the philosophy that has driven the change of this government. Because of that we get this type of legislation which really is not going to help one bit when it is passed. Again, it will be passed because the Liberals will vote as they are told to vote.

I would like to talk a bit about something else which should find its way into the philosophy of people who are trying to redesign the justice system. That is the deterrent to crime. We need to focus more on deterring crime.

• (1650)

Reform is sympathetic to opponents of the status quo in corrections and parole who argue that substantial crime savings can be made through deterrence rather than programs of temporary release and that type of thing, the changes that are proposed in this bill for example. Reform is very open and I would say that we support that philosophy.

The answer is not to throw people in jail and throw away the key. In some cases a longer sentence and certainty in sentencing is what we need. But in other cases, we need to look at other options.

There are people sitting on the government side who are not even willing to consider other options. We have to look at every possible option that we can find to deter crime. This is not happening on the government side. But all the options are being talked about and considered, for example, boot camps for young offenders. These are the kinds of things we have to discuss.

Some hon. members: Oh, oh.

Mr. Benoit: As you can hear, Mr. Speaker, the members across the floor are kind of laughing at this idea of having a stronger deterrents.

I would like to use an illustration I have used before in the House. They obviously have not hear it so I will present it again. I will talk about deterrence to crime and how it works. I will use the example of I believe his name was Bratton. He was hired as head of security for the subway system in New York City.

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His philosophy was entirely different from the Liberal philosophy which I have talked a little about. He said that we have to focus on the so-called petty crimes. If we are really tough on petty crime like vandalism and that type of thing, then criminals will not go on to commit the more serious crimes.

He found that his philosophy was absolutely right. Through the application of that philosophy, by getting very tough on so-called petty crime like panhandling and graffiti being painted on walls, the crime rate for the more serious crimes dropped off dramatically.

Mr. Bratton was later hired by the city of New York as chief of police and as chief of police they found the same thing. If you get tough on the so-called petty crime, you are using a strong deterrent to crime. That is what he did and he is very successful as chief of police for New York City. That demonstrates how we can use deterrence to crime effectively. For that reason the subways in New York City are much safer than they were before he came in and started to do his job.

I will talk more about the changes that Reform proposed in this area to fix things up. Part of our job as an opposition party is to critique, both positive and negative criticism. That is part of our job, which we do. Sometimes it is negative criticism which has been earned in many cases. We also offer positive alternatives to what we hear from the government side which I will talk about.

An hon. member: Let's hear it.

Mr. Benoit: I am so encouraged that some of the members over there are expressing their impatience, their eagerness to hear Reform's alternative proposals. I am really pleased to hear that. It pleases me to no end.

What does Reform say? Here are the positive alternatives. First, offenders should serve the full sentence for committing violent crime. Violent offenders should serve full sentences. Reform believes that Canadians' faith in the justice system needs to be restored.

We believe that violent offenders as defined by section 752 of the Criminal Code should serve their full sentences with no eligibility for parole. Our proposal makes punishing crime and protecting law-abiding citizens the top priority in our justice system.

• (1655)

The precise resolutions that were passed by Reformers at our assemblies over the years dealing with this issue are these. This is what Reformers, normal Canadians, have said at the assemblies and these are the resolutions they have supported which give us the policy which we build on here. This is what is in the Reform blue book, our policy book, which by the way was presented to Canadians long before the Liberals ever came out with a red book.

There are some substantial differences between our blue book and the Liberal red book. The Reform blue book has our substantial policies in place. It says what we will do when we gain power and it is very clear and comprehensive, which differentiates us substantially from the red book.

The Reform Party supports the requirement that violent offenders serve their full sentence. Some violent offenders and all repeat offenders once released should be under parole supervision for the rest of their lives.

The second resolution dealing directly with this is that the Reform Party supports a judicial system which places the punishment of crime and the protection of law-abiding citizens and their property ahead of all other objectives.

If there is any one thing that differentiates Reformers from the Liberals, that is it. We clearly in our policies place as the top priority the protection of Canadian citizens. The Liberals' top priority, which we have heard again and again and too often over these last few days, is the rights of the criminals and rehabilitation of criminals.

I can understand that from the member for Kingston and the Islands. He is going to need the prison vote to get him elected next time. We know there are many prisons around Kingston. I can understand him but the others I cannot forgive. There is no excuse for it. I am sure he will get the prison vote very handily. Reformers sure will not because we believe we have to be serious with criminals.

The second thing which Reform is proposing and is related to this issue is Reform thinks that two convictions for violent crimes or sexual crimes against children is enough to prove that an offender poses a serious danger to society. Therefore we would deem that any person who commits on two separate occasions an offence causing serious personal injury, as defined under section 752 of the Criminal Code, a dangerous offender and subject to an indeterminate period of imprisonment.

Again, this came from Reformers, everyday Canadians, who care enough about this country to make changes which are going to make it a safer place to live. The Reform MPs who are working in this area have taken this policy from assembly and have built substantial policies which will make things better.

The third resolution is Reform believes that the National Parole Board must be accountable to Canadians. We believe this can be achieved by ending patronage appointments. I hear groans across the floor. I am sure some of the Liberals are counting on patronage appointments after the next election. We believe in ending patronage appointments, hiring its members on the basis of merit alone and ensuring that they answer directly to the Solicitor General of Canada. In order to fully restore confidence and reflect new accountability we will rename it the merit release board.

As the name would indicate, a person does not get early release unless they earn it. They have to earn it based on merit. That is important to note.

Reform has proposed many changes to the criminal justice system and some to the Young Offenders Act are substantial changes. It is a comprehensive package that will be tougher on young offenders. It will also look for ways, other than putting them in prison, to deter young offenders who so often offend again and again until they have formed a pattern of crime. We put forth proposals that will deal with this and hopefully end their life of crime early. That is needed.

• (1700)

The member for Fraser Valley West has put forth substantial and very important proposals which would give victims rights under the law. We put forth positive proposals.

I would like to close by repeating that Reformers have clearly distinguished themselves as being completely different from the Liberals. We have put forth changes that Canadians favour. Those changes when implemented—and we will get a chance pretty soon—will truly make Canada a safer place in which to live.

Mr. Peter Milliken (Kingston and the Islands, Lib.): Mr. Speaker, I was delighted to hear the hon. member indicate how I would need help in the next election in order to get elected in Kingston. I attribute that to my rationale for expressing myself yesterday in my speech on Bill C-45.

I have two questions for the hon. member arising out of his remarks. First of all he said at one point that he did not believe, and neither did any of his colleagues, in the policy of locking them up and throwing away the key, that that was not part of the Reform agenda.

The hon. member for Calgary Northeast is laughing at that because he knows that is his position. Indeed, it is the position of many members of his party. They have said repeatedly in this House in the course of the debate—and I am surprised that the hon. member who just spoke was not here listening—that they favoured locking them up and throwing away the key. In their view, when life means life, when someone gets sentenced to life imprisonment, they should go to jail for life. If that is not locking someone up and throwing away the key, I do not know what is. That was the proposal I heard from many of the members opposite.

Perhaps the hon. member for Swift Current—Maple Creek—Assiniboia could get up later and explain his view on this but I think it was lock them up and throw away the key. Then he said that their policy was not that, that they did not approve of that policy, that that was not any part of it. In the next moment he said on crimes of violence when someone got a sentence they stayed in prison for the full length of the sentence.

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If it is a life sentence and someone goes to jail for life—I assume he considers murder a crime of violence—is that not locking people up and throwing away the key? I just wanted to clarify this. Is murder a crime of violence for the purpose of his definition? When someone gets sentenced to life for a crime of violence, do they not then go to jail for life under Reform policy? If that is not the policy, I would like to hear about it. I would like him to clarify that and I am happy to give him that opportunity.

The second matter goes back to a subject that nobody opposite dares talk about any more since the hon. member for Calgary Southeast blew the whistle on the member for Calgary Northeast on caning. There are parts of Calgary in different directions which seem to get very confusing. I have trouble remembering which member came from which district but I think I got it right that time because I checked in the book.

The hon. member for Calgary Southeast blew the whistle on extremism in the Reform Party and she got the boot. One of the things she went on about on extremism was caning, which the hon. member for Calgary Northeast said he thought he should have a good look at. He wanted to go to Singapore to learn all about caning.

I am wondering if from the discussions in caucus concerning the problem of caning, which no member on the other side seems to want to talk about, the hon. member for Vegreville could clarify for us what the Reform Party position is in respect of caning. Is that part of the new package of prison and reformatory matters that are dealt with in this bill that Reform will be introducing as amendments later at the committee stage?

Mr. Benoit: Mr. Speaker, in regard to more prison time, what Reform has said is that we must target. For those offenders who pose a serious threat if they are released, in those cases they should not be released. That is what we say. In other words, our top priority is the protection of Canadians.

On the issue of corporal punishment, Reform has no policy on corporal punishment. Some Reform members have views on corporal punishment. My personal view, which is shared by many in my constituency, is that corporal punishment is something we should look at very seriously. We should debate it in this House and across the country and let Canadians tell us whether they want corporal punishment to be a part of our penal system, pure and simple.

• (1705)

Liberals clearly do not understand the idea of listening to Canadians on issues like that, but they will know after the next election.

Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.): Mr. Speaker, the Reform Party in dealing with this topic

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seems to continuously deal with particular offences. Of course Reformers want to punish young offenders more.

Let us talk about young offenders. Let us talk about an eight-year old or ten-year old who may be stealing a candy bar in a store. If he or she struggles with the owner and runs away I guess that is a violent offence.

However, the Reformers never mentioned the fraud experts who steal hundreds of thousands and millions of dollars. There is no suggestion that any of those people should be thrown in jail to serve their full term, no suggestion that they are dangerous and maybe should be held in custody for the full term. There is no suggestion that they are dangerous offenders even though what they have done is taken funds from people and caused people to lose their life savings. Some people when they lose their life savings commit suicide.

What is Reform's position on offences such as major frauds in this country?

Mr. Benoit: Mr. Speaker, on the issue of fraud and getting serious with that type of crime, I fully agree with the hon. member. Some people tend to think that a so-called white collar crime does not hurt people. Well it does and people are robbed of their life savings. People are hurt in a way that can totally turn their life around for the worst.

I believe the member is a lawyer and would know that this type of crime is serious and should be taken very seriously. That is also the Reform's position on this issue.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

JUSTICE AND LEGAL AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I believe you will find that there is unanimous consent for the following motion as there have been consultations among the House leaders. I move:

That, pursuant to its mandate in relation to the comprehensive review of the Young Offenders Act, phase II, and specifically to observe how the youth justice system operates in practice, the Standing Committee on Justice and Legal Affairs (six members: four from the Liberal Party including the chair, one from the Bloc Quebecois and one from the Reform Party), be authorized to travel to Manitoba, Saskatchewan and Yellowknife from Sunday, October 6 to Friday, October 11, 1996 in order to hold public hearings, visit sites (young offender facilities and programs), and meet with officials, and that the necessary staff do accompany the committee.

(Motion agreed to.)

GOVERNMENT ORDERS

[English]

PRISONS AND REFORMATORIES ACT

The House resumed consideration of the motion that Bill C-53, an act to amend the Prisons and Reformatories Act, be read the second time and referred to a committee.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, this afternoon we are debating Bill C-53, an act to amend the Prisons and Reformatories Act.

Canadians who are watching should not be misled that this amendment is in any way going to further the protection of the public. It simply gives more flexibility to the consideration given to prisoners. It would add a statement of purpose and principles to the temporary absence programs. The question arises in the minds of those who are watching: What is a temporary absence program?

Mr. Morrison: It is when you escape.

Mrs. Ablonczy: It is not when you escape. The purpose of a temporary absence program is to allow a prisoner to be absent from his incarceration for the following purposes: for medical purposes; for "humanitarian purposes"; for rehabilitative purposes; or to help offenders integrate into the community; or for any other purpose established by a province and relating to prisoners convicted under provincial law. For any of those purposes there can be what is called a temporary absence.

• (1710)

The bill before us would amend the Prisons and Reformatories Act to add a statement of purpose and principles which would apply to the temporary absence programs. It sounds good. There certainly should be purposes and principles for these kinds of programs and processes. Unfortunately, the effect of the bill is to expand the practical operation of these programs no matter what the purposes and principles are. In fact the purposes and principles are sorely lacking in one important respect.

Also this bill for the first time authorizes the provinces to create additional types of temporary absence programs. That was done at the request of the provinces as they administer much of the practical result of our justice system.

Also this bill will lengthen the maximum duration of temporary absences. In fact it will lengthen them by four times. Right now the maximum temporary absence can be for only 15 days. Under this bill it will be expanded to 60 days. Even after the 60 days under this bill the temporary absence can be renewed. That is something else

to consider when we talk about whether the bill is good for Canadians.

Also under this bill the grounds for suspending, cancelling or revoking temporary absences are set out for the first time.

There are some greater certainties or particulars in the bill. What we want to look at is what Canadians actually get in the bill.

There is another act which is quite similar to the Prisons and Reformatories Act. It is called the Corrections and Conditional Release Act. In the Corrections and Conditional Release Act these words are stated: "The protection of society is to be the paramount consideration in the determination of any case". In the amendment to the Prisons and Reformatories Act the principle that the protection of society is to be paramount is absent. I would like to ask the government why that is. Canadians are entitled to know why. By implication, by omission, the protection of society need not be the paramount consideration when permitting convicted offenders to be out of prison on temporary absences.

In 1971 the Liberal solicitor general of the time rose in the House and made the following statement: "We are going to put the rehabilitation of individuals ahead of the protection of society". In other words, in 1971 the Liberals decided that our justice system which for centuries had as its primary purpose the protection of law-abiding citizens and their property would now serve a different master. Its main purpose, focus and reason for being would be to rehabilitate people who had violated the rights of others and the protection of society would come second.

• (1715)

It was strange to me, although I was quite a bit younger at the time, and I do not want to say exactly how much younger, that there was not a big uproar about such a fundamental philosophical shift. One of the main reasons why we have an organized society and an organized government is to protect the lives and property of law-abiding citizens. However, the Liberals made that tremendous shift in the focus of the justice system.

We have been urging the government, indeed all of society, to consider whether that shift in the focus and priority of the justice system has in fact served us well over the last 20 some years. Of course my party and I submit that it has not. The protection of law-abiding citizens and their property and the protection of society, the safety of our families and communities should be first in the justice system. Rehabilitation measures, important and necessary as they are, should be second.

This is very important when we come to judging whether we should support these amendments to the Prisons and Reformatories Act in Bill C-53, which expands the operation of temporary release. This philosophical decision or choice is very important. If we are going to put the rehabilitation of prisoners first and

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foremost then these additional tools to use conditional release in the way we treat prisoners and the way we deal with them would make perfect sense. That is probably why the Liberals propose it and why they are supporting it.

However, if we are worried and concerned and have as our priority putting the protection of society and law-abiding citizens first, then we would have some extremely serious concerns about the provisions of this bill. The reason is that temporary release can and has jeopardized public safety, can jeopardize the safety of our communities, can jeopardize the right to security of innocent and law-abiding citizens.

Canadians are increasingly outraged at how little truth or honesty there is in the sentences handed down by the Canadian justice system. We had a huge debate on this on Bill C-45 where life in prison with no possibility of parole for 25 years really means possibly 25 years in prison with the possibility of parole after 15 years.

Under the provisions of Prisons and Reformatories Act an offender may be sentenced to incarceration but in fact there are a number of provisions whereby this incarceration can be changed to something quite different and the public is not always aware that this is the fact.

In addition to parole, which we talked about in Bill C-45, in addition to this temporary absence for medical, humanitarian, rehabilitative, reintegration or any other purpose, convicted offenders may have the benefit of conditional release, mandatory supervision, statutory release, community sentencing and alternative measures.

If we are going to put the protection of society and law-abiding citizens first and foremost, and if we decide that people who violate the rights, liberties and the freedoms of others, should be subject to criminal sanction and have a debt to society then the question arises: Why are criminal's rights and the rights of law abiding-citizens to security of the person so much at variance? Why is the balance being continually shifted by these kinds of social experiments?

• (1720)

Again, it comes back to what Canadians want as the underlying philosophy, the underlying purpose of our justice system. Do we want it to attempt to rehabilitate offenders, people who have shown a willingness to choose to violate the rights of others, above the protection of society? On the one hand we have rehabilitation. On the other hand we have the rights of victims and the protection of society.

There is a very simple resolution to the proper balancing of these two considerations because they are both important. I suggest that

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when the desire for rehabilitative measures and the need to protect the law-abiding citizen conflict, then the justice system should err on the side of safety for law-abiding citizens. That is why in the bill I think we should see a statement to the effect that the protection of society is to be the paramount consideration in the determination of any application for temporary absence. But it is not in there. I would suggest that the measures in this bill fail Canadians.

In the bill principles are set out which would guide decisions relating to temporary absence. These are the principles. First, the decision should be the least restrictive one on the prisoner, keeping in mind the protection of society—good—and prisoner's rehabilitation. Both are given equal paramountcy in this statement of principles. Again, the protection of society is not given paramountcy. The clear principle is that the decision on behalf of the convicted person, the person who owes a debt to society, should be the least restrictive on that person.

There is a lot of protection of prisoners having information relating to the decision, reasons for the decision, access to a review of the decision. Guess who gets to pay for all of the time, the people and the resources it takes to make sure that the rights of offenders are tenderly and carefully protected? Again, mention of the rights of law-abiding citizens seems to be a poor second.

Then there is the matter of giving information about these programs to prisoners, victims and the public. This is something which needs to be highlighted. We need to have a real debate on the philosophy underlying these measures and, indeed, our entire justice system.

The Reform Party supports a judicial system which places the punishment of crime and the protection of law-abiding citizens and their property ahead of all other objectives. Interestingly enough, previous considerations of this whole area by the House have been consistent with that Reform principle.

I would like to refer the House to the report of the Standing Committee on Justice which came down in October 1991. This was a report relating to a consideration by the House justice committee on the escapes of Daniel Gingras and Allan Legere. Members will know that both of these individuals murdered other Canadians when they were out of prison on temporary absences.

On June 29, 1987 Daniel Gingras, an inmate at Edmonton Institution, escaped while on escorted temporary absence to West Edmonton Mall. He was later convicted in 1988 and 1989 of two separate first degree murders committed while he was at large. Allan Legere, an inmate at Atlantic Institution, escaped on May 3, 1989 while on an escorted medical temporary absence. Later there were several charges of murder against him which he committed while he was at large.

• (1725)

According to the committee both of these incidents raised serious concerns in the surrounding communities. As a result, there were requests from many sources for the release of the reports concerning the circumstances surrounding these two escapes.

In early 1990 the Correctional Service of Canada reviewed these two reports and released them with numerous deletions under the Privacy Act. Many passages in the documents were deleted, thus making any complete understanding of the underlying findings and analysis almost impossible.

The report goes on to say that it took over a year for the committee to obtain access to the two unexpurgated reports. When the committee finally did, it said this in October 1991: "The first priority of any correctional system is protection of the community". That recommendation of the justice committee has stood since October 1991. I would submit that here we are in September 1996 completely ignoring a strong, explicit recommendation that came out of one of our own committees relating to two terrible consequences of crimes committed flowing out of temporary release.

I will read it again, because I know some members of the House are having little visits and perhaps did not hear this point. The committee said: "The first priority of any correctional system is protection of the community".

We have a bill here which vastly expands the consideration given to convicted criminals in the matter of temporary absences. There may be reasons for that. We could debate whether this is desirable or undesirable. Leaving aside all that, I would say, at the very least, we should make it very clear in this legislation that the protection of society is to be the paramount consideration in the determination of when temporary absences should be permitted. That is not in this legislation.

For that reason I urge this House to either amend the legislation to include it or to reject this bill by voting it down.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, the member has occasion to remind me of some work that I and other members of the House participated in on the justice committee in the previous Parliament, including the member for Moncton who is here this afternoon with us.

I want to bring to the attention of the hon. member that following that report and in the drafting of the Corrections and Conditional Release Act legislation which followed, the matter of public safety and safety of the community was inserted. If I am not mistaken in the first draft of the act perhaps it was left out. I am trying to remember and I think it may have been. This was five or so years ago.

Private Members' Business

I believe the work at the committee stage resulted in the insertion of that principle. If am not mistaken in this Parliament a CCRA amendment was going forward, or perhaps it was the sentencing act, and the issue of public safety was listed at about number five on the list of criteria. For cosmetic purposes we were successful in moving that up the list to number one or number two. In any event, the member has made a good point. If the issue of safety to the community, public safety, is missing from this bill and it is not already present in the statute it amends, then perhaps this House through the committee which will study the bill should consider inserting it as a principle. She may wish to respond.

Mrs. Ablonczy: Mr. Speaker, I thank my colleague from Scarborough—Rouge River. It is good to have people with us who have institutional memories which some of the rest of us are just acquiring. He is correct.

I mentioned in my intervention that the primacy of the protection of the public is in the Corrections and Conditional Release Act. My whole contention was that is good and is another argument for its inclusion in the bill before us.

I would welcome adding that amendment to the bill. It would make our party a great deal more comfortable with the bill. If he and other members of the justice committee would recommend and bring forward that amendment to the House and support it, I would certainly applaud that and I would applaud him for making that move.

I thank him for his intervention and look forward to perhaps having that carried through.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

The House resumed from September 19 consideration of the motion that Bill C-201, an act to amend the Criminal Code (operation while impaired), be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): It being 5.30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-201, an act to amend the Criminal Code (operation while impaired).

Call in the members.

• (1750)

Before the taking of the vote:

The Acting Speaker (Mr. Kilger): As it is the practice, the division will be taken row by row, starting with the mover and then

proceeding with those in favour of the motion sitting on the same side of the House as the mover. Then those in favour of the motion sitting on the other side of the House will be called. Those opposed to the motion will be called in the same order.

All those at my left in favour of the motion will please rise.

(The House divided on the motion, which was negated on the following division:)

(Division No. 128)

YEAS

Members

Abbott	Ablonczy
Alcock	Althouse
Anawak	Assad
Baker	Benoit
Bernier (Mégantic—Compton—Stanstead)	Bevilacqua
Bhaduria	Blaikie
Bonin	Brown (Oakville—Milton)
Brushett	Calder
Cannis	Chamberlain
Chatters	Crawford
Cummins	Dromisky
Duncan	Easter
Epp	Finlay
Frazer	Gaffney
Gilmour	Gouk
Graham	Grey (Beaver River)
Grose	Grubel
Guarnieri	Hanger
Harb	Harper (Calgary West/Ouest)
Harper (Churchill)	Harper (Simcoe Centre)
Harris	Hart
Hayes	Hermanson
Hill (Prince George—Peace River)	Hoepfner
Hopkins	Hubbard
Ianno	Iftody
Jackson	Jennings
Johnston	Karygiannis
Kerpan	Kraft Sloan
Landry	Langlois
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lincoln
Manning	Martin (Esquimalt—Juan de Fuca)
Mayfield	McClelland (Edmonton Southwest/Sud-Ouest)
McKinnon	McTeague
McWhinney	Meredith
Mills (Red Deer)	Minna
Mitchell	Morrison
Nault	O'Brien (London—Middlesex)
O'Reilly	Penson
Peric	Pickard (Essex—Kent)
Pillitteri	Ringma
Solberg	Solomon
Speaker	Speller
Steckle	Stinson
Strahl	Szabo
Terrana	Thompson
Ur	Verran
White (Fraser Valley West/Ouest)	Williams
Wood	Zed—96

NAYS

Members

Adams	Anderson
Assadourian	Asselin
Augustine	Bachand
Barnes	Bélair
Bélanger	Bélisle
Bellehumeur	Bellemare
Bergeron	Bernier (Beauce)

Routine Proceedings

Bertrand	Bethel
Blondin-Andrew	Bodnar
Boudria	Brien
Bryden	Campbell
Canuel	Catterall
Cauchon	Chan
Chrétien (Frontenac)	Clancy
Collins	Cowling
Crête	Culbert
Cullen	Dalphond-Guiral
Daviault	de Savoye
Debien	Deshaies
DeVillers	Dingwall
Dion	Discepola
Dubé	Duceppe
Duhamel	Dumas
Dupuy	Eggleton
Fewchuk	Fillion
Flis	Fry
Gagliano	Gagnon (Québec)
Gauthier	Gerrard
Godfrey	Godin
Goodale	Guay
Harvard	Hickey
Irwin	Jacob
Keyes	Kirkby
Knutson	Lastewka
Laurin	Lavigne (Beauharnois—Salaberry)
Lavigne (Verdun—Saint-Paul)	Lebel
Leblanc (Longueuil)	Lee
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
MacAulay	MacDonald
MacLellan (Cape/Cap-Breton—The Sydneys)	Malhi
Manley	Marchand
Marchi	Massé
McCormick	McLellan (Edmonton Northwest/Nord-Ouest)
Mercier	Milliken
Murphy	Murray
Nunez	Pagtakhan
Paradis	Paré
Parrish	Patry
Payne	Peterson
Pettigrew	Phinney
Plamondon	Proud
Reed	Richardson
Rideout	Ringuette-Maltais
Robichaud	Robillard
Rocheleau	Sauvageau
Scott (Fredericton—York—Sunbury)	Serré
Shepherd	Simmons
Stewart (Brant)	Thalheimer
Torsney	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Vanclief	Venne
Walker	Wells
Young—127	

PAIRED MEMBERS

Arseneault	Axworthy (Winnipeg South Centre/Sud-Centre)
Bernier (Gaspé)	Caccia
Caron	Cohen
Galloway	Jacob
Lalonde	Picard (Drummond)
Pomerleau	Sheridan
St-Laurent	St. Denis

• (1805)

The Acting Speaker (Mr. Kilger): I declare the motion defeated.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

FINANCE

The House resumed from September 23 consideration of the motion and amendment.

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the deferred recorded division on the amendment of Mr. Williams on Motion No. 7 under government business.

The question is on the amendment.

(The House divided on the amendment, which was negated on the following division:)

(Division No. 129)

YEAS

Members

Abbott	Ablonczy
Althouse	Asselin
Bachand	Bélisle
Bellehumeur	Benoit
Bergeron	Bernier (Mégantic—Compton—Stanstead)
Bhaduria	Blaikie
Brien	Canuel
Chatters	Chrétien (Frontenac)
Crête	Cummins
Dalphon-Guiral	Daviault
de Savoye	Debien
Deshaies	Dubé
Duceppe	Dumas
Duncan	Epp
Fillion	Frazier
Gagnon (Québec)	Gauthier
Gilmour	Godin
Gouk	Grey (Beaver River)
Guay	Guimond
Hanger	Harper (Calgary West/Ouest)
Harper (Simcoe Centre)	Harris
Hart	Hayes
Hermanson	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Kerpan	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Lefebvre
Leroux (Richmond—Wolfe)	Leroux (Shefford)
Loubier	Manning
Marchand	Martin (Esquimalt—Juan de Fuca)
Mayfield	McClelland (Edmonton Southwest/Sud-Ouest)
Mercier	Meredith
Mills (Red Deer)	Morrison
Nunez	Paré
Penson	Plamondon
Ringma	Rocheleau
Sauvageau	Silye
Solberg	Solomon
Speaker	Stinson
Strahl	Thompson
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Tremblay (Rosemont)	Venne
White (Fraser Valley West/Ouest)	Williams —90

Private Members' Business

NAYS

Members

Adams	Alcock
Anawak	Anderson
Assad	Assadourian
Augustine	Baker
Barnes	Bélair
Bélanger	Bellemare
Bernier (Beauce)	Bertrand
Bethel	Bevilacqua
Blondin-Andrew	Bodnar
Bonin	Boudria
Brown (Oakville—Milton)	Brushett
Bryden	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Collins
Cowling	Crawford
Culbert	Cullen
DeVillers	Dingwall
Dion	Discepolo
Dromisky	Duhamel
Dupuy	Easter
Eggleton	English
Fewchuk	Finlay
Flis	Fontana
Fry	Gaffney
Gagliano	Gerrard
Godfrey	Goodale
Graham	Grose
Guarnieri	Harb
Harper (Churchill)	Harvard
Hickey	Hopkins
Hubbard	Ianno
Iftody	Irwin
Jackson	Karygiannis
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
MacAulay	MacDonald
MacLellan (Cape/Cap-Breton—The Sydneys)	Malhi
Manley	Marchi
Massé	McCormick
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Milliken	Minna
Mitchell	Murphy
Murray	Nault
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Payne	Peric
Peters	Peterson
Pettigrew	Phinney
Pickard (Essex—Kent)	Pillitteri
Proud	Reed
Richardson	Rideout
Ringuette-Maltais	Robichaud
Robillard	Scott (Fredericton—York—Sunbury)
Serré	Shepherd
Simmons	Speller
Steckle	Stewart (Brant)
Szabo	Telegdi
Terrana	Thalheimer
Torsney	Ur
Valeri	Vancielief
Verran	Volpe
Walker	Wappel
Wells	Wood
Young	Zed—142

PAIRED MEMBERS

Arseneault	Axworthy (Winnipeg South Centre/Sud-Centre)
Bernier (Gaspé)	Caccia
Caron	Cohen
Galloway	Jacob
Lalonde	Picard (Drummond)
Pomerleau	Sheridan
St-Laurent	St. Denis

The Acting Speaker (Mr. Kilger): I declare the amendment defeated.

It being 6.13 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

The House resumed from May 30 consideration of the motion that Bill C-205, an act to amend the Criminal Code and the Copyright Act (profit from authorship respecting a crime), be read the second time and referred to a committee.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, it is indeed a privilege to speak to Bill C-205, an act to amend the Criminal Code and the Copyright Act, which seeks to prevent criminals from profiting from authorship respecting a crime.

I commend my hon. colleague from Scarborough West for producing this private member's bill. It is long overdue. Not only that, it is nice to see Liberal members with such conviction related to crime and criminal acts.

I remind this House of an interesting point. The idea of repealing section 745 came initially from a private member's bill. It was the victims bill of rights in this House that initially came from a private member's bill. The bill on penalties for drunk driving, which we just voted on, was a private member's bill. And here we are now with a bill to prevent criminals from profiting from crime, a private member's bill.

One has only to ask the obvious question. With such good work coming from private members, which provides the impetus to deal with these kinds of criminal issues, where is the Liberal government? Why is it that private members are pushing the Liberal government to do these things when the government itself should be doing the work? It speaks well for the members of this House as individuals but does not say a heck of a lot for the Liberal government.

• (1820)

Imagine some killer, as in my riding Wayne Perkin, stabbing a young lady to death 26 times now doing 18 years, selling his

Private Members' Business

gruesome story and in this country being able to profit from it in terms of perhaps making a tape while he is in prison or writing his book or his memoirs, if we can call it that. Just imagine this individual making a profit from that kind of activity or the likes of Paul Bernardo making a profit from the tapes he actually made.

The members over there are liable to say here is a Reformer talking about the bad guys. It happens that one of the Bernardo victims' mothers was at my home visiting my wife and I not too long ago. This is a very big concern of hers, knowing that there were videotapes of the actual crime. Her concern was whether or not all of these videos were actually in the right hands or destroyed or where they were. I could sense the feeling of this mother who really did not have the confidence in the system that profit would not be gained or even the exploitation of her young daughter would not be brought forward to the public. Just that kind of fear is really too much for any parent of a victim to go through. I am really happy that Bill C-205 has come forth. It gives up an opportunity to speak to such issues.

I have met some pretty sleazy lawyers in my day. There are lawyers who would actually work on behalf of criminals to copyright material, to sell material, to make sure on behalf of their client that their client is looked after and as well at the same time ensuring that they are going to get a fee for the exercise.

In the case I just talked about that again was a mother's concern. Are some of these tapes in the hands of a lawyer who is acting on behalf of Bernardo and down the road would they attempt to copyright? Would they attempt therefore to market them and make Bernardo rich when he gets out at the expense and exploitation of his victims?

For someone who does not follow a lot of the criminal activities, as my wife does not, I can only see her concern as we talked about it after our guest left thinking goodness, what would happen if that was in our family? How would we feel?

We all know tapes were made in prison by Mr. Olson. I hate using that name because it is not worthy of using it in this House. As some of the victims' parents have told me about that creature, sometimes we have to use the name because he seems to be what is indicative of the worst of the worse. We do know that individual has made 12 tapes. We do know that five of those tapes are in the hands of a lawyer. We do know that not all lawyers are the most scrupulous individuals. We do know that it is quite possible to have those tapes regarded as this guy's property, copyrighted and a profit to be made from them.

That is what Bill C-205 tries to address. I think it does it well.

• (1825)

We do not want proceeds from the sale of books, tapes, videos of a crime perpetrated by an individual. That is not to say there is an

attempt here to prevent a criminal from talking about it. I do not really think anyone can. It is this making every effort to try to make a profit that is so galling. I have to ask why are we here in September 1996 even following this as a private member's bill. It is something that should have been done years ago.

It is only because of some of the more unscrupulous characters who are in our prisons today and, again, some of the unscrupulous people involved in legal activities trying to make a profit from this that is bringing it to bear.

Will there be some leadership after a private member in this House has done the right thing? We saw tonight, 20 minutes ago, a vote on a very important aspect of our society, drunk driving. The government turned it down. The real problem here is a government that lacks the courage and convictions of many of its members, many of whom are on this side of the House.

An hon. member: I voted against it.

Mr. White (Fraser Valley West): Some guy said that he voted against it, but that really matters a lot. The majority of this House—

The Acting Speaker (Mr. Kilger): I am having some difficulty as to where this could lead. If I am in error, I will take the admonishment of the hon. member for Fraser Valley West. Let me remind the House that we cannot reflect on a vote previously taken in the House. While he might have been just beginning to develop that notion from my perspective, and if I am in error I apologize, I remind the member that he has approximately a minute to address the business of this hour.

Mr. White (Fraser Valley West): Mr. Speaker, I have been addressing Bill C-205. One may impugn any motives if I have said anything other than that. I have said that I support the bill. It is excellent. It prevents a lot of unnecessary, undue cost, time and embarrassment and otherwise total impropriety against victims in this day and age.

It is most appropriate that we pass it. I certainly hope that this government has the courage of one of its member's convictions.

The Acting Speaker (Mr. Kilger): Before calling the resumption of debate, I want to assure the member for Fraser Valley West that I was in no way passing any reflection judgment on his comments which were to the business of Bill C-205. It was in his comments regarding the vote previously taken in the House and only that, nothing else.

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, it gives me great pleasure this evening to speak in favour of the bill of the hon.

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member for Scarborough West, Bill C-205. It basically attempts to address the issue of criminals profiting from the sale of their stories.

I would like to provide a story to the House. This is something that happened to me and which I suppose could happen to any of us as members. Only two years ago when I was travelling back to my riding from this House on a Thursday, as I approached my constituency—it takes me about four hours to get there—I turned on the radio and listened to the local news. I was blasted by the story of a massive bank robbery in a small town called Port Perry, Ontario, very close to where I live.

Port Perry and the township around it has about 12,000 people, not used to violent crimes. People leave their doors unlocked, et cetera. They are used to trusting each other.

I arrived on that scene only about an hour after that occurred. I talked to some of the people who live in Port Perry. I was immediately impressed by how chagrined and how awful they felt for this affront to their system.

• (1830)

As a result of this robbery, five people were shot: two police officers, one bank employee and one woman bystander who was about 500 or 600 yards away. I was more chagrined later on when I discovered who the people were who were subsequently charged. One of the individuals, a man by the name of Micky McArthur, had served time on a previous charge of robbery and was an author. Not only was he an author and writer, but during his time in Millhaven and other institutions he was a correspondent for CBC. In other words, he was paid by the government indirectly through the Canadian Broadcasting Corporation to be a correspondent on prison affairs.

I was able to obtain a portion of Mr. McArthur's book. It has an interesting title. It is entitled *I'd Rather Be Wanted Than Had: The Memoirs of an Unrepentant Bank Robber*. This was written in 1990. I am talking about an incident which occurred in 1994. These are some of the chapters in Mr. McArthur's book: "Stand back, stand slack, put the money in the sack. What was mine was mine. What was yours is mine. Doing 90 in 30. Armed and dangerous. The 11th commandment: Thou shalt not get caught".

Mr. McArthur did get caught.

I want to draw a parallel of the effect that this has had on this community. One of the first things people asked Mr. McArthur, after he was charged and arraigned in court, was what his next book was going to be called. Mr. McArthur even had an answer. He said: "I am going to call it *fraying*".

Mr. McArthur's prior convictions include such things as various armed robberies. He robbed a bank in Hepworth, Ontario. He took

pot shots at a man who was trying to stop him. He wounded a Toronto police officer in 1977. I am told the only reason he did not kill him is that his gun jammed.

I could go on to describe all kinds of traumatic effects on the people who were in the bank and how it has changed their lives, but I will only describe the effect on Debra-Ann Taylor. I tried to get her some money under the provincial compensation program but was denied. She was off work. The bullet entered her arm and shattered it in numerous places and entered part of her chest. She was not able to collect unemployment insurance because she was self-employed. The Criminals Injuries Compensation Board is still waiting to decide whether she is eligible, depending on the outcome of the trial itself.

Remember, I said this happened in 1994. Ms. Taylor has not worked since that date. One hundred per cent of the lead is still in her chest. She has numbness in her back and is unable to work. She is going to Sunnybrook Hospital in October to have tests on this. A piece of lead the size of a loonie is now leaning against her heart.

The bottom line is that we are talking about somebody who thinks it is an enjoyable and reportable event to grandize our crimes. People participate in this. Stoddart Press was the publisher of McArthur's book. I am sure Mr. McArthur is now thinking about doing that next book. There is a great injustice going on here. There are people who are profiting from crime while the victims of that crime are laid up, cannot work and living in destitution.

• (1835)

It is time for Bill C-205, which was presented by the hon. member for Scarborough West, to be passed into law.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I spoke to this bill when it was first introduced so my remarks will not be long. I want to reiterate our strong support for this bill.

I know that profiteering happens. I am sure it is difficult to stop. I remember some of the things which I saw when I was younger, such as the Boston strangler, Jack the Ripper and a few of the movies and books that came out. A lot of profit was made.

The intent of the bill is to prevent criminals, the persons who perpetrate the crimes, from profiting from their activities. That is a good, strong statement. Any proceeds that are made by the criminals should be directed to the victims of those crimes.

We are in strong support of the bill—

The Acting Speaker (Mr. Kilger): I would ask for the hon. member's co-operation. If I am not mistaken, he indicated to the House that he has already spoken to this bill. If he has, then

Private Members' Business

obviously I will have to ask him to give up his position on the floor because no member can speak twice to the same bill.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I would like to address the bill which is put forward by the hon. member for Scarborough West and indicate my support for it. I want to congratulate him.

The basis on which the member puts his bill forward is on the principle that no criminal should profit from his or her crime. I cannot imagine there would be anyone in the House or in the country who would object to that.

In concept, what has happened in our modern world is that those who perpetrate the crimes and others in the film and book industries have seen an opportunity to capitalize on the events involved in a particular crime. What seems to have been allowed up to now is that the convict can go back and claim a creative work based on what happened when the crime was committed. What is essentially happening is that the victim becomes the fodder for an alleged creative work by the convict. That is totally wrong. It is morally wrong. I think that everyone in our society would agree with that, but some may not.

I happen to think it is morally wrong to use the victim as fodder for the capital realized by an alleged creative work. The creativity was created by the convict. It is a victimization that is not just morally wrong; in this case what the member wishes to do is to make it legally wrong and build on the moral principle.

There are some implications of the statute which would involve what I see as a crown forfeiture of any alleged creative work, a crown forfeiture as part of the penalty when the person is convicted of the crime. I do not have a problem with that.

Some have said that the basic copyright provision which continues for 50 years following the death of the creator, who in this case is the convict, is longer than necessary for this type of copyright. That may be too long, but remember that the facts which gave rise to the claimed copyright were bought and paid for time and time again by the victim and the family of the victim, depending on the facts of each case. If there is a need to adjust the copyright provision, perhaps that could be looked at by the committee.

• (1840)

There are perhaps other implications here in terms of the charter. Is it an infringement on the right and freedom of expression? I happen to think that it is not an infringement to prevent a person who has committed a criminal act from profiting from his or her act. I do not think that is an infringement on the general population at all.

I will wrap up very quickly because I know other members want to speak. I simply want to indicate that I support the bill and I am certainly willing to work with other colleagues in the House to see that it becomes law.

Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.): Mr. Speaker, I am pleased to speak to Bill C-205. I congratulate the hon. member for Scarborough West for this initiative. I am also proud to add my voice to those of many Canadians, including citizens of Guelph—Wellington who support this legislation.

Every once in a while we stand in the House and debate legislation which appears to be so obvious that we wonder why it has not been passed into law before this moment in time. Bill C-205 is one such occasion. The need for the legislation is obvious. The intent of the legislation is necessary and as parliamentarians we should pass it quickly.

There is no doubt in the minds and hearts of the people of Guelph—Wellington that criminals should never ever benefit from their crimes. We think of some of the more horrific crimes which have occurred in the past few years. The thought of people like Clifford Olson benefiting financially from the selling of a story is unacceptable to my constituents. I am glad to have been able to add my voice to the many constituents from Guelph, Rockwood and Puslinch who have sent in petitions and letters and telephoned to say that this legislation deserves our support.

The reasons for our support are obvious. By voting for this legislation we are reminding the families of victims in every part of Canada that we stand beside them in their grief. We are telling them that despite overwhelming loss they are not alone.

With this legislation the families of those killed by the Olsons and Bernardos and others need not worry that the death of their loved ones will result in profit for those convicted of the death of their children, their siblings, their grandchildren or their friends.

The premise of what we will vote on in a few minutes is simple. Crime does not pay. Crime should not pay, nor should anyone benefit from selling his or her story to book publishers, movie studios or other outlets. As a civilized society we simply cannot allow the telling of these stories to result in financial reward to those who committed them.

This legislation does not require an extensive debate. It does not need a long discussion period. It does not need lengthy arguments. All this legislation needs is our support. I am pleased and proud to vote in favour of Bill C-205. I stand with the families of those who have suffered. I stand with the people of Guelph—Wellington and of Canada in saying yes to this bill and no to those who want to benefit from their crimes.

The Acting Speaker (Mr. Kilger): I take note that the parliamentary secretary is seeking the floor but I must remind him that he has already spoken on this bill.

Mr. Jag Bhaduria (Markham—Whitchurch—Stouffville, Ind. Lib.): Mr. Speaker, it is with pleasure that I speak in support of Bill C-205 put forward by my hon. colleague from Scarborough West.

At the outset let me say that my constituents have called me on many occasions to put forward something like this and they would like to express their gratitude and thanks to my colleague from Scarborough West for taking the initiative.

Specifically, Bill C-205 would amend the Criminal Code and the Copyright Act to prohibit any criminal from profiting through the selling, authorizing or authoring of a story or details of a crime.

• (1845)

It is my position that no individual who has been convicted of an indictable offence should be able to profit or benefit from their crime. If a convicted criminal wants to write their story, then it is freedom of expression. Everyone has the right to tell their story but Bill C-205 would ensure that any moneys resulting from publication in any form would be seized by the crown.

I am speaking not only on behalf of my constituents but also on behalf of most Canadians. They support the principle that no criminal should profit from telling the story of their gruesome crimes in many instances, be it in book form, movies or any other process. Indeed the justice system provides that a person is innocent until proven guilty beyond a reasonable doubt.

The system provides every means of support to the accused and often it is the victim or the victim's family who go through a living hell. Court cases have been known to continue for months on end with almost every sordid detail sensationalized in the media. Child rapists, serial killers and murderers intrigue a great many people and thus movies and books resulting from these crimes are very profitable.

These lurid stories in newspapers and tabloids; in many cases it is the convicted criminal who profits financially from writing or selling the story. What about the victim or the victim's family? They have to live with the effects of any heinous crime that has been committed on them or their loved one. They suffer a huge net loss for their grief and sorrow will never end.

In closing I commend the hon. member for Scarborough West for his initiative in proposing legislation with the good of all innocent victims and their families in mind.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, I would like to add my words to what has already been said in the House tonight. I congratulate the member for Scarborough West on his initiation of this bill into the House. It is

Private Members' Business

certainly one that we all recognize and we need. I congratulate him for putting it forward.

I cannot imagine any constituency in Canada that would not be in full support of making sure that no one profited from their crimes. Once more I give my full support to the bill on behalf of my constituents and I congratulate the member.

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, I am pleased to speak on Bill C-205 introduced by the hon. member for Scarborough West. I congratulate the hon. member for his initiative in bringing forth Bill C-205.

Bill C-205 will prevent criminals from profiting from a story which details their crime. Clearly the ends or the profits from a crime do not justify its means. In essence by allowing criminals to benefit financially from their crimes, society rewards them for their actions. Canadians cannot allow such a hypocrisy to continue.

Private Member's Bill C-205 is an attempt to ensure that no criminal may profit from writing about or selling the story of their crime, a profit earned from the citizens of the country within which they created the harm in the first place.

Criminals are displaced from society because society believes they are a threat to the ordinary law-abiding citizen. By profiting from the details of their crime, we allow criminals to contact ordinary citizens, the very people the law sent criminals behind the bars to protect. By allowing this to continue we are simply running in circles: punishing criminals for their offences and then rewarding them for the same actions.

I see no reason why criminals should not tell their story; after all this is a free and democratic society. However no criminal should ever profit from their crime. Proceeds from created work or collaborated work based on an offence should be put back into every community that has been stressed as a result of the crime. In order to ensure the community benefits, the profits will be seized under the Criminal Code provisions dealing with proceeds of crime.

• (1850)

In addition, the Copyright Act and the Criminal Code will be amended to ensure that the copyright of such a work belongs and remains the property of the crown.

Bill C-205 serves to further protect Canadian citizens. It is a bill that reiterates the importance of drawing boundaries, which will ensure that the ends of a situation do indeed justify the means. This is a good and sensible bill which I hope the whole House will support. I congratulate the hon. member for bringing it forward.

Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I would like to speak today in favour of Bill C-205, an act to amend the Criminal Code and the Copyright Act. This bill presented by my colleague from Scarborough West will modify the Criminal Code and the Copyright Act to prohibit a criminal from

Private Members' Business

profiting by selling, authorizing or authoring the story or details of their crimes.

It is of great importance that this bill be passed. Felons should not be rewarded for the criminal actions they were convicted of. They should be punished.

I am certain members will agree that if Paul Bernardo is able to profit from his crimes, then there is something fundamentally wrong with our society. What will be next? If we do not pass this bill, in essence we are encouraging criminals to commit crimes.

The real victims of the crimes should not be forgotten. The surviving victims, the families of those who are killed should not be further victimized by the commercialization of the crime. All too often the families and friends of victims are continuously reminded by news reports about their loved ones' fates. Must they be subjected to seeing and hearing the brutal stories of the crimes all over again in books and potentially in movie form, knowing that the perpetrators of the crimes will make large amounts of money from their actions? These things must not be allowed to come to pass.

This bill in some small way will give comfort to the families and friends of victims of vicious crimes. It will send a strong message to the criminal element in society that crime does not pay.

This bill, which I believe is long overdue, is but a small step in our struggle to regain control of our criminal justice system and to ensure those convicted of crimes are punished and not rewarded for their crimes.

As I stated earlier I will be voting in favour of this bill and I urge all my colleagues in the House to do so as well.

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, I too would like to congratulate the member for Scarborough West for bringing this bill forward. The last thing I want to see is Mr. Bernardo selling his movie or his books.

The victims have had to replay their sad stories, their horrible nights during the court proceedings. It is more important that once the court proceedings are over and justice has been served, we think of the victims. Think of how they have to heal. Think of how they have to get on with their lives. In no way do we want any books, movies or videos to continually bring back what they have had to endure. More time must be spent on victims and their rights.

Never again would I like to see a situation where we have to fight the CBC or any other network for carrying court proceedings. As you know, Mr. Speaker, this went on in the House for many days just a few years ago.

I understand the Minister of Justice, the federal and provincial governments are working on legislation but it is going too slow. If this bill does anything, it moves that discussion and those agreements along faster, so we can deal with this, so we can get on with it.

I support the member for Scarborough West in sending Bill C-205 to the justice committee where we can deal with it in a proper manner and then bring it back to the House. Again I commend the member for Scarborough West.

• (1855)

Mr. Andrew Telegdi (Waterloo, Lib.): Mr. Speaker, Canadians were genuinely disturbed in the latest of the show trials that we had involving misery and very real pain, involving the Bernardo-Holmoka case. Every Canadian was disturbed by the amount of tabloid journalism which went on regarding that case. There has been too much commercialization of crime in Canadian society as a whole. The very thought that we could have the perpetrators of those crimes profit themselves is something that every Canadian opposes and which this bill is set to address.

I strongly support the bill and commend my colleague for his work on it. We have to make sure that when we deal with the issue of how we treat crime, how we report crime and how we commercialize crime we have to be very careful that we do not exploit the hurt of the victims and that we always make sure that there will never be an opportunity for a perpetrator of these horrendous acts to be in a position to profit from it.

I give my support but also hope that we can through the justice committee bring this legislation forward so this issue which should have been addressed a long time ago will be addressed.

The Acting Speaker (Mr. Kilger): Seeing no other speakers wishing the floor, under right of reply I have been given notice by the member for Scarborough West, under whose name the motion is being presently debated, Bill C-205, that he has asked the Chair to speak for no more than two minutes because I will have to then put the question.

Members should understand that no one else will be able to speak after the hon. member for Scarborough West.

Mr. Tom Wappel (Scarborough West, Lib.): Mr. Speaker, I greatly appreciate the opportunity, albeit it is already less than two minutes.

The reason I get up in reply is I am somewhat troubled. I have listened to all of these speeches in favour of my bill and yet I find that the three ministers involved do not support this bill. I do not really understand why this is the case. I want to respond directly and briefly to their arguments.

Private Members' Business

They indicate that "there is a charter risk associated with the proposed changes". I would remind the House that there is a charter risk associated with any legislation. That is why we have a charter. So the last thing we need to be is namby-pamby. Let us get on with the job.

The proposition is that they might be considered an undue restriction. They might not be considered an undue restriction. In the meantime, who are we benefiting, criminals who want to write stories and make money or the victims of those criminals?

I have been told this bill supposedly creates a problem in international law because there is some risk of contravening the international obligations under the Berne convention. There is no such risk and there has not been one speaker who has provided chapter and verse the exact article of the Berne convention that would be contravened by this bill. Why? It would not be contravened by this bill.

I am told that the Minister of Justice is presently working with his provincial colleagues to create a uniform bill. Great, but even if every single province passes identical legislation it does not stop a heinous criminal from selling his story to someone in England or someone in California or someone in Switzerland and putting the money into a Swiss bank account. This bill does that.

I am told that the amendments stretch the criminal law powers of the government. What about banning cigarette advertising? If that does not stretch the powers of the government, I do not know what does. Yet because we think it is in the best interests of Canadians we will do it.

It is in the best interest of Canadians to stop criminals from profiting from their crimes, so let us do it.

The Acting Speaker (Mr. Kilger): It being 6.58 p.m., the time provided for debate has expired. The question is on the motion. All those in favour of the motion will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

(Motion agreed to, bill read the second time and referred to a committee.)

The Acting Speaker (Mr. Kilger): It being 7 p.m., the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24.

(The House adjourned at 7.00 p.m.)

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