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OFFICIAL REPORT
(HANSARD)

Tuesday, September 17, 1996

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, September 17, 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.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to nine petitions.

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PETITIONS

NATIONAL PEDOPHILE REGISTRY

Mrs. Jan Brown (Calgary Southeast, Ind.): Mr. Speaker, I rise to present this petition on behalf of constituents and concerned parents across the country who support the effort to create a national pedophile registry.

The petitioners I represent are concerned with making our streets and homes safer for our children. They are opposed to the current status quo in the screening of pedophiles within our communities.

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

NATIONAL PARKS

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, in response to concerns about the fee structure in our national parks, I am pleased to present the following two petitions: ''We, the undersigned citizens of Canada, believe our national parks belong to all Canadians with a first priority to ensure that costs for Canadians and their families to use and enjoy the parks remain affordable''. The petitioners wish to draw this to the attention to the House.

The petitioners ask that the standard fee for going into a park should be $2 for a passenger vehicle or $25 annually.

CRIMINAL CODE

Mr. John Nunziata (York South—Weston, Lib.): Mr. Speaker, I have several petitions I wish to present to the House.

The first petition deals with section 745 of the Criminal Code. As members know, that provision in the code allows those convicted of first and second degree murder with parole ineligibility in excess of 15 years to apply to have their parole ineligibility reduced.

The petitioners call on the Government of Canada to repeal section 745 of the code so that the parole ineligibility provisions are not reduced.

YOUNG OFFENDERS ACT

Mr. John Nunziata (York South—Weston, Lib.): Mr. Speaker, the second petition deals with the Young Offenders Act.

The petitioners request that Parliament amend the Young Offenders Act to provide that young offenders charged with murder be automatically tried in adult court, and that if convicted they be sentenced as adults, and that their identity not be hidden from the public.

As the House knows, Canadians are demanding changes to the Young Offenders Act.

IMPAIRED DRIVING

Mr. John Nunziata (York South—Weston, Lib.): Mr. Speaker, the final petition calls on the Government of Canada to proceed immediately with amendments to the Criminal Code to ensure that the sentence given to anyone convicted of impaired driving causing death carries a minimum sentence of seven years and a maximum of fourteen years as outlined in private member's bill C-201 sponsored by the hon. member for Prince George—Bulkley Valley.

INCOME TAX

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions. The first petition has to do with the taxation of the family and comes from my riding of Mississauga South.

The petitioners draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society.

● (1010)

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.

FETAL ALCOHOL SYNDROME

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition 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.

GASOLINE TAXES

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I am pleased to present two petitions.

The first petition notes that 52 per cent of the price of gasoline is composed of taxes, that the federal excise tax has increased by 566 per cent in the last 10 years, and that the federal government actually reinvests less than 5 per cent of its fuel tax revenues.

Therefore, the petitioners request that Parliament not increase the federal excise tax on gasoline and strongly consider reallocating its current revenues to rehabilitate Canada's crumbling national highways.

PARLIAMENT OF CANADA

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, the second petition is from constituents in British Columbia.

The petitioners draw the attention of the House of Commons to the fact that whereas elected members of the Parliament of Canada are duty bound to represent the interests of Canadians for the good of Canada, and whereas members of Parliament swear allegiance to the Queen and to Canada, and whereas members of Parliament have a moral and legal obligation to fulfil their duties in the best interests of all of Canada, therefore the petitioners humbly pray that the leader of the official opposition of the 35th Parliament of Canada and the caucus members of the official opposition party, having breached their allegiance and moral obligations as members of Parliament of Canada, be permanently ejected from the Parliament of Canada.

HUMAN RIGHTS

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, pursuant to Standing Order 36, I would like to present a couple of petitions.

The first petition is signed by several people in the constituency of Beaver River from Thorhild and some from Edmonton. Who knows, Mr. Speaker, they may even be your constituents.

The petitioners ask Parliament to be aware of the fact that societal approval, including the extension of societal privileges, would be given to same sex relationships if any amendments to the Canadian Human Rights Act were to include the undefined phrase sexual orientation. They find that frustrating and discriminatory.

They call on Parliament not to amend the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships.

WARTIME MERCHANT MARINE

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, pursuant to Standing Order 36, I would like to present a petition from several people in Alberta as well as B.C. and several places across the country. It talks about the wartime merchant marine navy.

It states that it was the fourth arm of the armed services; that veterans of the wartime merchant navy are under the civilian war related benefits act; that one in ten Canadian merchant seamen lost their lives, the highest proportional rate of all services; that merchant navy prisoners of war spent 50 months on average in imprisonment but only 30 months are recognized; and that these people were excluded from the War Veterans Allowance Act from pensionable benefits, from veterans' post-World War II free university education, housing and land grant benefits, small business financial aid and veterans' health care benefits.

They call on Parliament to consider the advisability of extending benefits or compensation to veterans of the wartime merchant navy equal to that enjoyed by veterans of Canada's World War II armed services. I am sure they would all say that fair is fair and let us get on with it.

PROFITS FROM CRIME

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I would like to table two petitions from constituents in Langley, Aldergrove and Abbotsford, British Columbia in my riding.

The first petition asks that Parliament enact Bill C-205, which was introduced by the hon. member for Scarborough West, at the earliest opportunity which would provide in Canadian law that no criminal profits from committing a crime.

CRIMINAL CODE

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the second petition asks that Parliament amend the Criminal Code to allow for post-sentence supervision and/or detention of those who have been convicted of sex offences involving children or serious personal injury offences. This should apply to those offenders who refuse treatment and/or are assessed at high risk to reoffend.

Second, to establish a procedure of public notification of a sex offender being released and to allow such notification to be made available for reviewing at RCMP stations and other government agencies.

• (1015)

Third, it would establish a registry including fingerprints of all convicted sex offenders.

Fourth, it would amend the Criminal Records Act to prohibit pardons for those convicted of sex offences involving children.

Fifth, it would amend the Criminal Code to prohibit for life all those convicted of sex offences against children from holding positions of trust and responsibility regarding children.

IMPAIRED DRIVING

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, I have two petitions to present. The petitioners are mostly from the national capital region.

They pray and request that Parliament proceed immediately with amendments to the Criminal Code that will ensure that the sentence given to anyone convicted of causing death by driving while impaired carries a minimum sentence of seven years and a maximum of 14 years as outlined in private member's Bill C-201, sponsored by the member for Prince George—Bulkley Valley.

Mr. Speaker, in the second petition, which contains 125 names, the petitioners pray and request that Parliament proceed immediately with amendments to the Criminal Code that will ensure that the sentence given to anyone convicted of driving while impaired or causing injury or death while impaired does reflect both the severity of the crime and zero tolerance by Canada toward this crime.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, it is my pleasure to rise today to present petitions of some 1,200 names.

The petitioners pray and request that Parliament proceed immediately with amendments to the Criminal Code that will ensure that the sentence given to anyone convicted of causing death by driving while impaired carries a minimum sentence of seven years and a maximum sentence of 14 years as outlined in private member's Bill C-201, sponsored by the member for Prince George—Bulkley Valley.

I am presenting these on behalf of constituents of my riding and I am very pleased to do so.

Mr. Zed: Mr. Speaker, I rise on a point of order. I was wondering if I might seek the unanimous consent of the House to revert to the introduction of government bills. The Minister of Justice has the high risk offenders bill that needs to be introduced.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

CRIMINAL CODE

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.) moved for leave to introduce Bill C-55, an act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, Prisons and Reformatories Act and the Department of the Solicitor General Act.

(Motions deemed adopted, bill read the first time and printed.)

* * *

QUESTION ON THE ORDER PAPER

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, question No. 57 will be answered today.

[*Text*]

Question No. 57—**Mr. Milliken:**

What was the total cost of the Sound and Light Show on Parliament Hill in 1995, broken down by: (*a*) development costs, (*b*) production costs, (*c*) any other costs; how many performances took place over the summer season, and how many persons attended the performances?

Mr. Guy H. Arseneault (Parliamentary Secretary to Deputy Prime Minister and Minister of Canadian Heritage, Lib.): In so far as the National Capital Commission is concerned:

1995 Sound and Light Show on Parliament Hill

NCC Costs

Costs	
Development Costs	$165,009
Production Costs	
Cash expenditures	129,098
In kind expenditures	67,405
Total production costs	$196,503
Total Costs	$361,512

Revenues	
Payment of partial costs of new visual component (fromPublic Works and Government Services Canada)	$100,000
Media sponsorship (in kind)	67,405
Total Revenues	$167,405
Net NCC Cost	$194,107
Attendance	
Number of Performances	145
Total Attendance	142,240

Notes:

1. Personnel costs are not included.

2. Development costs are the costs of the new visual component required due to the restoration work being done on the Centre Block.

3. Development costs were incurred over two fiscal years. Costs included above are costs incurred in 1995-96 fiscal year. Development costs of $148,057 were incurred in 1994-95.

4. Media sponsors supported this program providing promotional services in kind.

[*English*]

Mr. Zed: I ask, Mr. Speaker, that all remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

Mr. Nunziata: Mr. Speaker, I rise on a point of order. A lot that happens in the House is esoteric to the House in that people who watch, the thousands of Canadians who watch the proceedings of the House right across the country, do not know what is going on at times with respect to the proceedings of the House.

It makes it even more difficult for members who do not belong to any caucus to follow the proceedings. For example, the parliamentary secretary a few moments ago talked about some question number that, as a member of the House, I can review the document that will tell me. However, for the thousands of Canadians out there who are constant viewers of the parliamentary channel, they are at a loss to understand what is going on.

As a suggestion to the parliamentary secretary, he might want to in future explain or at least indicate what the question is that is being deferred or answered.

The Deputy Speaker: I fully agree with the member. We tend to use the jargon of this place. It would help if every one of us tried to avoid using standing orders by reference and so on. Maybe we can be a little clearer in what we say in this place.

GOVERNMENT ORDERS

• (1020)

[*English*]

CRIMINAL CODE

The House resumed from September 16 consideration of Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, as reported (without amendment) from the committee, and on the motions in Group No. 1.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I would like to say it is a privilege to talk on Bill C-45 with regard to the amendment to section 745 of the Criminal Code.

I would like to say that, but it is really not a privilege. The fact is we should not be here talking about this amendment to section 745, the faint hope clause as it has become known. It really should have been repealed. To be standing here today talking about amendments from the Liberal government is really quite an insult.

If we were to talk to many of the people of the lower mainland of British Columbia and particularly in my riding, they would agree with what I say. Why did the government not repeal this section of the act?

Since it does not have the courage of the convictions of many people in this country, I will try to put in a wake-up call to the government and explain why it is necessary to repeal this part of the Criminal Code.

I may be the only MP in the House who has attended a parole board hearing for individuals who were put before a parole board hearing as a result of a federal review under section 745. That in itself may not be significant. However, what is significant are the circumstances by which I attended the parole board hearing for the two individuals who were released under section 745.

They killed a young RCMP officer in Cloverdale, British Columbia in the 1970s. They were sentenced to hang, until the Liberal government decided that hanging was a bad thing and decided that life, 25 years, would be a good thing with the possibility of getting out before 25 years. Lo and behold, at year 17 these individuals who killed that young police officer are now out on the streets.

One might say they had spent enough time in prison, perhaps they are sorry for what they did. They deliberately enticed a young 19-year old officer chase their car. They stopped their car, he got out of his car and they blew him away with a gun.

Before the parole hearing took place and after the judicial review, I was called by the sister of this young policeman who now

lives in Montreal today and his brother who lives in Vancouver. They told me: ''We thought this was all behind us. We thought we were done with this and here we are once again sitting here listening and rehashing the horrible events that led to our young brother's death''.

The constable's brother was sitting with me at the parole board hearing. He really made no input to the hearing, made no victim's impact statement and could not say how he really felt. His sister could not get to Abbotsford to the parole board hearing. She stayed in Montreal with bated breath waiting and hoping they would get their just sentence, life.

It turned out there was another policeman in the room who was a friend of the constable back in the 1970s. He just shook his head at what he heard. I think everybody in the room agreed that people had forgotten after all those years. It was such a big deal when this policeman was killed in the 1970s but now people had forgotten what it was all about.

Such are the problems with section 745, the faint hope clause. Those two individuals, cop killers as they were considered, who in earlier years would have been hanged or would have received life are now out. One is going to college.

• (1025)

I do not know what it will take to get this government to understand that first degree murderers are first degree murderers and that giving them an opportunity to get out as in the faint hope clause is only sentencing the victims to a lifelong series of events which never goes away.

For instance, you only have to talk to Sharon and Gary Rosenfeldt. I know people do not like to hear about Clifford Olson and nobody likes to talk about him and people like him. When you talk to Sharon Rosenfeldt she says: ''What else can I do? The government is going ahead with all of these things. This guy has so many rights and privileges in a prison. We have to talk about it''. Yet this government is talk, talk, talk but it does not listen.

There are many victims groups in this country which I have the privilege of knowing. They call this a revictimization. I do not think the Liberals understand that. What is the point of taking the victims, their families, their children and their brothers and sisters all through this time and time again?

If this government could only understand, for instance, the problems it has brought to bear on so many people with section 745 with regard to Olson. He flew at taxpayer expense from Alberta to British Columbia for a hearing. There are countless hundreds and thousands of people on the lower mainland who are appalled by this and yet the government sits blank and allows it to happen. That in itself is criminal in my opinion.

It is going to take the removal of the Liberals out of the House of Commons to make changes because they are not listening. There are probably 20,000 to 30,000 people who are ready to surround the building where Olson will have his federal hearing to give a statement. The member can laugh all right, but they will be there and they will give a statement and the member still will not do anything and will not understand, but they will speak out anyway.

Giving this glimmer of hope to these people is really the wrong thing. All the government is doing is giving them much more opportunity than the victims. We have talked about victim rights in the House. This government does not even know what victim rights are and it could not even speak to it if we asked anybody to stand up here in the House.

One says tsk, tsk. That is the insult you get from this Liberal government. Tsk, tsk. You have a Liberal laughing over here. I just do not understand. Breaks are given to some people.

Look at what Olson has done and the fact that he has in excess of 30 litigation cases against the crown. He is flown from hearing to hearing. He made tapes in his prison cell unknown to Correctional Service Canada. Steve Sullivan, executive director of the victims resource centre, wrote to the minister on March 1996 concerning those video tapes and the right to make them. Seven months have passed now and Correctional Service Canada did its own internal investigation and has been complete for a couple of months. It cannot get answers. Victims ask why this is being done.

When is this government really going to get the message? When is this government going to understand in the House of Commons that there are a lot of people out there hoping the right thing will be done?

In my riding there is a Liberal want to be, a guy pops up his head once in a while in our local newspapers who we beat in the last election. In the local newspaper he said: ''It doesn't really matter anyway. A guy like Olson is not going to get a parole. He is going to get a federal hearing. He is going to use taxpayers' dollars for legal aid but he is not going to get out on parole, so don't worry about it''.

• (1030)

Why are we spending all the money if in fact he is not getting out? Why would we not repeal the section if in fact they are not getting out anyway? What kind of sham is this, this cloak and dagger stuff the government pulls over on the people of Canada to show yes, it is going to do something about this faint hope clause; the government will deal toughly with it and the government cloaks it.

Why must we talk time after time in this House about sections within the Criminal Code? Why must we bring these events here to debate minor amendments when this government with the huge majority it has can do what is right and repeal it? That is an

interesting question for those who laugh and say tsk, tsk, for those who promise one thing and do another, for those who consider in this House on the Liberal side that criminal rights are more important than victims rights. Yes, members can shake their heads but that is what it amounts to.

I get one minute to tell the House what I think but we cannot say that on television. The difficulty anyone has coming to the House of Commons with a majority Liberal government is they do not do much of anything at all. There will be changes. I can assure the House if the government does not repeal section 745 and Olson shows up in Vancouver, we will be there. We will be there not with 10,000, not with 15,000 but with 20,000-plus people standing and telling Liberals just what they think of this Liberal government.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, thank you for recognizing me and allowing me to join in this very important debate. It is very important because in this debate we are exposing the true feelings of the government toward the issues of law, order, justice and security. The problem is that the government talks tough but acts in a weak, appeasing manner.

If the opinion of the people of Canada can be espoused on anything, surely we can gauge their feelings on law and order. The public is sick and tired of those who are convicted of a crime and sentenced to prison for a particular period of time reappearing prematurely on our streets and endangering the safety of Canadians.

Bill C-45 is just another example of the government caving in to special interest groups and not coming up with tough measures in amendments to the Criminal Code. Bill C-45 is 16 pages long. All it needed to be was one paragraph long. What did it need to say? Convicted murderers do not qualify for early parole. That is it.

Bill C-45 provides a complex formula which, if a convicted murderer follows, he or she may be back on the street well before the sentence has expired. Is it so difficult for the government to understand that the people of Canada do not want to make it harder for murderers to get back on the street prematurely? They do not want them back there at all.

Under this bill newly sentenced multiple murderers have no right to apply for early parole but those who were sentenced as serial murderers prior to the coming into force of the bill still can apply for early parole. Does the Minister of Justice believe mass murderers already in jail have some sort of protected acquired right to seek early parole? Is the minister afraid of a charter challenge that might result from removing this right from those already in prison? I say to the minister, have the courage to legislate. In this case let the serial killers bring their charter challenges regarding a law which would keep them locked up.

● (1035)

I recently received a letter from the Minister of Justice. In it he states: ''Section 745 was enacted to offer a degree of hope for the rehabilitation of convicted murderers''. Where was the degree of hope for the victims? Where was the degree of hope for the friends and relatives of the victims?

The minister went on to say that many groups oppose the legislation because they consider 15 years to be too light a sentence. That was in 1976, yet this minister decided Canadians were all wrong.

The minister told us repeatedly during the debates on Bill C-68, the gun control legislation, that he needed to have it passed because it would make our streets safer. Most of us know we need crime control, not gun control. However, a number of members of the House—none in the Reform Party—found this argument attractive and the legislation passed. Now that the streets are supposedly safer, according to the Liberals because of Bill C-68, the justice minister is quite willing to render them unsafe by continuing to allow murderers to apply for early parole.

My friends opposite say the new method is more difficult; the hoops that have to be jumped through are more complicated; the tests are more difficult. Yes they are. An application must first be made to a superior court judge. Now we are going to involve the precious time of our senior judges in this matter.

What are the costs to the taxpayers for such a process? What are the costs to the other parts of the judicial system when we have a senior judge involved in these types of hearings? These costs are on top of the costs of the original court cases which the taxpayers paid to convict these murderers.

Then, if the applicant for early parole is not happy with what he or she is told by a superior court judge, an appeal can be launched to the court of appeal. Again, at what cost to the taxpayers and to the judicial system? Lots of jobs for the legal profession though.

Pity the position in which the superior court judge is placed as a result of this bill. It is up to the judge to decide if the matter should go to a jury hearing on the basis of a reasonable prospect of success. What will be the basis upon which this is determined? Good behaviour? Repentance? Perhaps an argument that it really was not such a bad murder after all.

In his letter to me the justice minister went on to say: ''The parole board has the discretion to grant or to deny parole. The paramount consideration for the board in every case is the protec-

tion of society''. I can hear the gasps of shock from Canadians over that statement. How many murders have been committed while a convicted criminal is out on parole or early release? The horror stories are endless.

The minister continued: ''Where the parole board grants parole, the offender remains subject to the life sentence imposed for the offence and hence, subject to supervision and to the specified conditions of release, literally for the offender's entire life. He or she can be reincarcerated at any time for a breach of the conditions of release''. Is this paragraph supposed to convince anyone? I wonder what solace Melanie Carpenter's family and all the others killed and tortured by those out on parole can take from that statement. Oh, but the offenders can be reincarcerated at any time.

The Reform Party's position is clear on this matter, just as it is clear on all other matters dealing with justice and security in Canadian society. We see no reason to supply convicted murderers with a glimmer of hope. They gave no glimmer of hope to their victims. A life sentence for premeditated first degree murder is not about rehabilitation, it is about providing a fair and just penalty for the taking of a life, usually in a vicious manner.

The Reform Party and Canadians seek the full repeal of section 745 of the Criminal Code.

I believe there is a crisis of confidence in our justice system today. A *Reader's Digest*/Roper poll shows that 81 per cent of respondents rate the criminal justice system as being fair to poor in dealing with violent offenders. Canadians consider violent crime a very serious problem and have little confidence in how the justice system deals with it.

My riding of Mission—Coquitlam is, I feel, a very special riding. We are a mixture of academia, professionals, loggers, farmers, fishermen and small business. We receive more than our share of rewards for caring about the environment, providing young offenders programs, caring for seniors, and providing pages on a regular basis for the House of Commons. When I talk with my constituents they assure me that everyone must be responsible for their actions.

I asked a question of my constituents about capital punishment: Do you agree with the use of capital punishment after all appeals have been exhausted in the case of serial killers and mass murderers? At the time of the householder we had 42,000 households. I received answers from 2,680, which is 6.4 per cent, a very high return. Eighty-seven per cent said yes to capital punishment under those terms.

I believe the Canadian people want a referendum on capital punishment since they do not have a government who will listen to their wishes and legislate wisely.

● (1040)

Why is the government rushing this bill through the House? Second reading was given on June 18, 1996 and the bill was reported back to the House from committee on June 19, 1996. We are now rushing through report stage on the first day back and third reading is biting at our heels. What is the government afraid of?

One of the things that infuriates Canadians most is the fact that some of the worst crimes are committed by convicted criminals freed by the system, yet these Liberals are unconcerned.

According to the *Digest* poll, the only criminal justice institution Canadians think highly of is the police; 68 per cent rated their performance good or excellent. The public believes the police do a good job catching criminals but have little faith in what happens after the arrest. Why? Because in 1971 Solicitor General Goyer summed up the Liberal government's agenda when he told Parliament: ''We have decided to stress the rehabilitation of individuals rather than the protection of society''. Fundamental to the approach was the notion that it is society, not the criminal, that is responsible for crime.

Ontario lawyer Patrick Brode said: ''Suddenly the whole system existed to serve the criminal. It was based on a seriously flawed view that there really are no criminals, that people drift into crime because of circumstances, and that everyone can be reformed''.

We are talking here of cold blooded, premeditated murders. How about the victims? They are dead a long time. What about the victims' families and friends? They also have a lifetime sentence with no parole. We must repeal section 745 of the Criminal Code. It is hard to believe that members of this government actually believe that the criminal is more important than the victim.

I want to finish with a letter from a constituent. It states:

> Please take our concern to the House of Commons this fall. Our concern is as follows: It is time that the prisoners stopped tormenting the families and friends of their murdered victims. It is time that the laws changed so that the serial and multiple killers will no longer be eligible for early parole. These murderers planned to kill their victims. These same murderers have no remorse and are never going to change their habits or their penchants.
>
> Theoretically, everyone deserves another chance, which is why we have parole in the first place. Serial or multiple killers have stepped beyond the line. They do not belong back in society. It is time to give the victims the right to put their lives in order the best they can after such heinous crimes have been committed. As it stands now, the victims have no rights; only the criminals have rights. It is time to give the victims the rights. The murderer has no right to travel and further torment the families and friends of the deceased. Why not reduce the strife and money? The money saved from the expenses of the parole hearing, i.e., legal aid, travel and so on could be put to better use. Stop persecuting the victims and the wasting of the taxpayers dollars. First degree murderers have no right to any parole nor parole hearings. Section 745 of the Criminal Code needs to be amended now. Olsons, Bernardos and the like have committed crimes and should serve their sentences so that we the victims can stop being casualties.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, like some of the members who have spoken before, I will start by saying it is no pleasure to be standing here speaking on Bill C-45. Instead we should be debating Bill C-226. Bill C-226 calls for the complete abolition of section 745 of the Criminal Code instead of this tinkering which will only restrict multiple murderers from having access to early parole.

It is no pleasure for me or any Reform MP to stand here debating a bill as weak as this piece of legislation is. This bill reflects the weakness in the justice minister's approach to dealing with crime and the weakness that has shown up in other legislation that he has presented to the House. It is totally out of line with what Canadians want. It is no pleasure to be speaking to this bill when we should be speaking on Bill C-226.

I will summarize what is in Bill C-45, the legislation we are debating today. First, this bill removes the eligibility again only for multiple murderers to apply for judicial review and early parole. Somehow it is saying that multiple murderers should be denied parole but that we should consider early parole for people who have only killed one person. We are talking about first degree murder. Somehow in the minds of the Liberals it is not that serious anymore to kill just one person in a premeditated fashion. That is what they are indicating with this bill. That is my first point.

• (1045)

Second, the bill states that the applicants have to persuade a judge that they have a reasonable prospect for success before they are permitted to take their case to a jury.

The bill also deals with the point that a section 745 jury would have to reach a unanimous decision for an applicant's parole ineligibility to be reduced. Currently only a two-thirds majority is required. That is a slight toughening in that area.

Again, the government somehow indicates the idea that a person who has only planned and committed one premeditated murder is just not a serious enough offence to be denied early parole. This is a thought that is totally out of touch with what Canadians want.

The main point Reform makes and which I want to make is that nothing short of abolishing section 745 of the Criminal Code is good enough. Why are we wasting our time today and yesterday debating this very weak bill which will not abolish section 745?

What do Canadians have to do to get their point across on this issue? They have held mass rallies, signed petitions, gone to the justice minister and to Liberal members of Parliament in droves. I bet I could not find one Liberal member of Parliament who has not had constituents come to him or her saying that they wanted section 745 of the Criminal Code abolished completely. I bet there is not one, Mr. Speaker, you included. They have heard, but why have they not listened?

It is not good enough to tinker with section 745. It must be abolished. I make that as clear as possible because that is what Canadians are asking for.

At a recent June assembly, 98 per cent of Reform delegates said they wanted section 745 of the Criminal Code abolished. I believe that percentage fairly closely, although certainly not completely, reflects the opinion of Canadians as a whole. The percentage may not be as high. In some constituencies it is certainly very high.

MPs who took the time to survey their constituents found extremely high levels of support for abolishing section 745. What we saw at the Reform assembly very closely reflects what Canadians feel about the issue. It not just Reformers who want to get rid of section 745, but also victims of violence, the Canadian Police Association and the majority of Canadians.

During debate on Bill C-68, the gun control bill, the justice minister focused again and again on the fact that the Canadian chiefs of police and the Canadian Police Association supported the bill. The Canadian Police Association supports abolishment of section 745, not just tinkering. Its members have told that to the justice minister very clearly. They left no doubt. Why did the justice minister hang his hat on the opinion of the Canadian Police Association concerning Bill C-68 and then completely ignore its members on this bill? The answer is that it does not suit his agenda, the agenda of the Prime Minister or the agenda of the Liberal Party.

• (1050)

Bill C-45 still provides a glimmer of hope for first degree murderers. That seems to be an important issue to the justice minister, to the Liberal Party and to many of these Liberal MPs. It is funny how that is so important to these people. It is less important that the victim was offered no glimmer of hope before this murderer planned and committed that first degree murder. There was no concern about that expressed by the murderer.

The government should focus a bit more on the fact that the victim was not be offered a glimmer of hope by this first degree murderer. That is important.

Bill C-45 retains the right of first degree murderers to appeal their parole ineligibility while denying only multiple murderers this right. The taking of one life, as I said before, seems less serious than the taking of two. If the justice minister wants to make the distinction between single and multiple murderers he should have proposed consecutive sentencing rather than concurrent sentencing. That is the way to differentiate between the people who kill one and people who kill two. This would have put at least some value on the second victim of a first degree murderer.

Because that did not happen and because of what is not in the bill, it is important to once again point out the difference between the approach of the government and Reform MPs on this issue. I want to make this absolutely clear. Reformers want the abolition of section 745, nothing less. They want first degree murderers to serve at least the maximum 25 year sentence that is possible under our laws with no chance of parole. What Reformers are speaking for is what Canadians want.

When Liberals speak on the bill for whom are they speaking? It is clear Liberals speaking on this bill are speaking for the justice minister, the Prime Minister and the Liberal Party. Many of them are not speaking for what they believe. They certainly are not speaking for what they heard from the constituents that have come to them.

Reformers are speaking for the majority of Canadians on this issue. There is no doubt of that. Reformers are speaking for millions of Canadians on this issue.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure to address Bill C-45, which is a bill we oppose.

We oppose it on a number of counts. Primarily we oppose it because it sends a clear message to the Canadian public and to criminals. It says to the Canadian public that their lives are not worth more than 15 years in prison. It sends a clear message to the criminals that if they kill somebody in cold blood, in a premeditated fashion, they may be asked to serve 25 years but then after 15 years the sentence will be revisited and likely repealed.

• (1055)

It is not unusual for this to happen. Across my desk came a huge list of individuals who had committed first degree murder and who had been released after spending 15 years plus a small amount of time in jail.

Who are these people? These are people who have committed first degree murder for killing police officers. Many have killed police officers but all have killed individuals in cold blood. It is very difficult to actually get a conviction of first degree murder because premeditation has to be proved. This is not a person who comes along and kills during a crime of passion. These crimes have been planned and done in the most indiscriminate fashion imaginable.

This bill is opposed not only by the Reform Party but by the police associations that the Liberal Party profess to support. It is opposed by the vast majority of Canadians. They want to know that their lives is worth more than somebody spending 15 years in jail. If somebody is going to be convicted of first degree murder he or she is going to pay the penalty.

The Reform Party has been accused of being without sympathy but that is simply not true. Reformers believe that sympathy and consideration must be for victims and for criminals. However, a line has to be drawn somewhere and where a person has committed first degree murder that person has to pay the full price. Society demands it, Canadians demand it, police associations demand it and the people in this party demand it.

The fact that Bill C-45 does not actually address section 745 in a meaningful way goes back to the early 1980s when the attorney general of that time said: ''We are going to change our focus in the justice department. Instead of focusing on the protection of society we are going to focus on rehabilitation of the criminal''. The primary role of the justice department, contrary to what the public believes, is not the protection of innocent civilians, it is the rehabilitation of criminals.

The facts show that this government and previous governments have failed to do both. They have failed to protect society and they have failed to rehabilitate criminals. For example, everybody in this House realizes, particularly in youth crime, violent crime has increased dramatically with no decrease in sight. Those are the facts and there is no use denying it.

When we look at other aspects of crime it is true that adult violent crime has decreased somewhat, but crime in general in many areas is on the rise. Governments have not put into place any effective measures of preventing that and there are ways of doing that.

I spoke with the Minister of Justice before we left in June and I said that we can look at the United States and see some very important work that it is doing in urban centres to prevent criminal activity. In order to address future criminal activity and conduct disorders which go into youth crime and then often develops into adult crime, it has to be prevented. The way to prevent it is to address the children when they are very young, at four and five years of age.

Unfortunately what we are seeing here are individuals, particularly in youth correctional facilities, who do not have the pillars of a normal psyche. Those pillars are developed very early on in the first five to seven years of life and that is where we can have the greatest effect.

In the United States children are being brought into the schools and not only are they teaching them their ABCs, they are also teaching them self-respect, self-confidence, respect for others, appropriate conflict resolution, about drugs, alcohol and sex; a lot of the problems that teenagers are fighting and grappling with today.

They also brought in the parents. They are usually single parents, and interestingly enough these parents do not have the appropriate capabilities to be parents. What they have found is a twofold benefit. First is the obvious benefit to the children. Also, they

found that these parents started to develop the pose of a normal psyche which did not develop early on. They started to learn about self-respect, self-confidence, self-reliance, personal responsibility, drugs, alcohol, conflict resolution. The result was fewer conduct disorders, less teen crime, a lower dropout rate. It was extremely beneficial and it did not cost the system more money.

● (1100)

I ask the justice minister to take a leadership role in bringing together all the ministers of education from across this country to have a meeting in Ottawa to address this problem that would not cost more money but would have a dramatic impact on decreasing the number of youth crimes and therefore adult crime in the future. It is a win-win situation.

The government has also failed to protect civilians, and Bill C-45 addresses that. Bill C-45 does not protect citizens. It only says to criminals that if you kill somebody, you are not going to pay the price, and that is unacceptable.

To show how absurd this can get, I spent some time in jails both as a physician and as a guard. I will give two examples. There was a child in the juvenile correctional facility I was working at who had murdered somebody in cold blood with a bow and arrow to rob him. Someone else saw him commit this act. He and another murdered that person too.

This person is a psychopath. At taxpayer expense his lawyer brought in a psychologist from the lower mainland to teach this person remorse. And so this child was trying to practise remorse. What a tragedy. They tried this to ensure that the child, who showed psychopathic tendencies, would get a lesser sentence than what should have been coming to him. It would not only give him a lesser sentence but give people less of an opportunity within the system to address his problems. That does a disservice not only to the public but to the individual being convicted.

In another case, I had to go up to the jail once to commit somebody because their term was up. The person was a violent offender with a rap sheet as long as your arm. This person was going to be released the next day and the only way to get him back in the system was to commit him on psychiatric grounds.

This person had chosen to show on umpteen occasions a wilful ignorance of respect for human beings and it had been demonstrated that this individual was a grave threat to innocent civilians. Yet, the system would have allowed this person to be released. The people in the system said those were the laws.

We are here to change those laws and we are here to ensure that people who are going to be a danger to society are prevented from doing so not only for society's sake, which is most important, but for the individual who would commit these offences.

We may not be able to address all the problems in the justice system, but we have seen over the last three years that the government is willing to only tinker around the edges of the criminal justice system instead of addressing the fundamental problems that exist within it. It does so at its peril but also sadly at the peril of the public that demands respect and deserves protection from individuals who would prey on it.

Mr. Nunziata: Mr. Speaker, I rise on a point of order. Yesterday and today I have been listening to the debate. I note that several Liberal members spoke yesterday, several of whom were critical of the bill. Today only critics of the bill appear to be speaking to the bill, and for some reason government members are not defending the bill before the House.

If this debate is to be meaningful at all-

The Deputy Speaker: As all hon. members know, there is no obligation for anyone to defend a bill.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I find the comment of my hon. colleague from York South—Weston interesting.

● (1105)

The government side has decided not to include itself in this debate today. It is interesting because the changes that were made to section 745 were actually brought in by a member of the present Liberal government. They were brought in at a time when there was discussion regarding how to handle capital punishment or how to handle getting rid of the death penalty.

Canadians were led to believe during that discussion that the saw-off for getting rid of the death sentence was going to be incarceration for a minimum of 25 years.

Although it is a life sentence, the eligibility for parole is 25 years. I would imagine at that time—not having been around for that debate—there was a great concern that 25 years was still not adequate for taking a person's life.

I know that debate continues at least in my riding as to whether the deliberate taking of a life should be first degree murder, that there should not be the element for capital punishment.

Canadian laws have changed. There was a time when it was capital murder. One was convicted either of manslaughter where a death happened not deliberately but through an event that the person was involved in or of deliberately murdering somebody. It was then capital murder.

The legislatures since that time decided there could be a difference. They determined there would be first degree murder and second degree murder.

That is what our courts have been able to use to determine the severity of the punishment that an individual should receive if they are responsible for the death of another individual.

Sometimes they determined there was no intention and the death occurred through an accident or unintentionally. Manslaughter was the conviction. Manslaughter being a conviction does not have a minimum sentence. It can be no incarceration or it can be incarceration to whatever degree.

Second degree murder was determined when the individual did not deserve a 25 year minimum sentence. With a minimum sentence of 10 years, second degree murder became an option. It was still murder with intent. If there was no intent, then it would be manslaughter.

Legislatures have already provided the faint hope or the ability for the courts to say ''this individual, although there was intent, does not deserve to sit in jail for 25 years''.

The courts have used that over the years. In my province two weeks ago a minimum 25 year sentence did not seem to be justified. Instead of convicting the person on first degree, they convicted them on second degree.

I would suggest that in itself is enough, that it is really a contempt of the court process and of the judge and jury who made the original decision after looking at the facts of giving a first degree murder conviction minimum sentence of 25 years and then later saying ''we did not mean 25 years, 15 is good enough''.

If the judge and the jury at the time when that individual was sentenced felt that 25 years was too much, was not an appropriate sentence, they would have convicted that individual of second degree murder.

I suggest that Canadians feel the same way, that they are losing respect for our courts because they precisely see what is going on today. The courts determine that an individual deserves the minimum incarceration period of 25 years. Then the courts down the road change that decision.

Canadians are losing faith. The Canadians who were there at the time of the event when the 25 year minimum sentence was handed out probably could live with that. With the passage of time after 15 years and they see this individual applying to be released early, they lose faith in the system that told them the replacement for capital punishment was to be a minimum incarceration of 25 years. I suggest the Canadian public feels betrayed. The Canadian public is expecting this Liberal government with its massive majority to do something about it.

● (1110)

I was part of the justice committee when it dealt with Bill C-41. We were looking at the sentencing legislation and all the changes that should be made to it. There was an opportunity at that time for the Liberal government to look at consecutive sentences and at abolishing section 745. My Reform Party colleagues who sat with me on that committee presented those amendments.

It was not just the Liberal members of the committee, the Bloc members of the committee also denied that opportunity. The amendments to the legislation were denied at committee stage and therefore did not get into the House for debate.

It surprises me, if my hon. Liberal and Bloc colleagues are in contact with the people in their constituencies, that they do not realize the mood of Canadians has changed. There is a feeling that our justice system does not work and that justice is not being meted out. I feel very strongly that the changes proposed by Bill C-45 do not come anywhere near addressing the serious concerns of Canadians.

I find it preposterous that the justice minister can tell Canadians that a vicious, violent murder of one person is not as serious as somebody who kills two people.

In my dealings with the justice community I was told of an instance, I believe it was south of the border but the same mentality is present in Canada, where an individual was skinned alive before they put a bullet go his head. The purpose for that was to send a message. No one can tell me that the horrendous killing of that individual is any less horrific than somebody who kills two people because there happens to be two people in the house when they go berserk.

I suggest those kinds of considerations are taken up when the original charges are before the court. When they are before the court the judge and jury of the day look at all the evidence when they mete our the sentence. It is those kinds of determinations which determine whether a person gets a first degree conviction or a second degree conviction. Anything more than that is not necessary. There is no purpose for having section 745 in the Criminal Code. There is absolutely no purpose to give someone the opportunity for early release when the court initially determined that the sentence was just based on the facts of the day.

Canadians are concerned with the concept of justice. It is not that they want revenge. It is not that they want to be unfair or do something unjustified. They want respect for the courts and they want to see the decisions made by the courts upheld.

Section 745 of the Criminal Code can put aside perhaps months of testimony and evidence which has been presented to the court. It can put aside the hours the jury spent deliberating whether the person deserved first degree with a minimum sentence of 25 years or second degree with a minimum of 10 years. That section of the Criminal Code puts aside all that time and effort, consideration and evidence. That should not be.

I join with my Reform colleagues and some members opposite, particularly the individual who saw that the will of the Liberal

Party was not there and who chose to sit as an independent. I believe that individual realized the Liberal Party does not have a long term goal. It does not seem to have the will to follow through in representing and respecting the wishes of the Canadian public which elected it.

● (1115)

It is interesting that this hon. colleague introduced a private member's bill. He is upset and concerned, as many of us are, that a committee of this House chose to disregard his private member's bill and refused to bring it back to the House for debate after it had passed through the House at second reading.

I would suggest it is time for the Liberal government to start showing the Canadian people that it has the guts and the will to do what is right for the Canadian public and not just worry about something that has been placed in legislation which has shown not to be appropriate and should not be there. Instead of debating whether or not amendments should be made, we should be debating the private member's bill introduced by the member for York South—Weston which deals with abolishing the section. I would support 100 per cent dealing with that private member's bill which seeks to abolish section 745.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, I am happy for the opportunity to participate in the debate today at report stage of Bill C-45.

My constituents expect me to speak on this very important matter. It is a matter which concerns them greatly; the fact that we have a bill that would tinker with section 745 of the Criminal Code, known to some as the faint hope clause.

Before I begin, I would like to note that it is very strange that there are no speakers from the government side debating this very important issue. I think it shows a contempt for this House and for the Canadian people that they would place a bill before Parliament and then would not use the opportunity to explain why they want the changes they do. The Canadian public should look very carefully at those reasons. They do not want to debate this bill and I think there are reasons why they do not.

The faint hope clause, section 745, which the government wants to amend, concerns me greatly. As has been mentioned several times in this House, it would apply to those who commit multiple murders but not those who commit a single murder. This has been explained very carefully by my colleague so I will not go into it. It is not retroactive. It does not apply to killers such as Clifford Olson, the very person we would want to control and not have come up for early parole. He is responsible for one of the most serious crimes that has ever been committed in this country and it would not apply to him.

The section needs to be thrown out completely. I agree with my colleague from York South—Weston who introduced a private member's bill to that extent, that it should be withdrawn.

In the very way we approach this there is a common theme that runs through this whole issue of criminal justice reform. It comes from the Liberal Party. George Orwell would recognize it very clearly. It is doublespeak. What does a life sentence mean in Canada? It was a Liberal government that threw out the death penalty in 1976 and gave us the current life sentence. Life sentence means murderers cannot apply for parole before 25 years. It does not mean life, it means the possibility of parole after 25 years.

Furthermore, the doublespeak continues. Section 745 is the faint hope clause which states that in certain circumstances murderers can apply for parole in 15 years. What does life mean? It does not mean life at all. Let us be clear about it. I think we are going back to George Orwell's old scenario in *1984* which the Liberals seem to have adopted.

The other thing has been running right through the theme of the Liberal Party and the Liberal government for the last 30 years which is that they are soft on crime. It is a well known fact that they are soft on criminals. After all, it was a Liberal government which scrapped the death penalty. We know that the Canadian public from the polls I have seen, and Liberals often like to quote polls, for the last 15 years have consistently suggested that the Canadian public would like to return to capital punishment for those who commit first degree murder. However, that bill was not introduced by this government. What we have instead is that in 1976 it scrapped that and gave us the current system.

● (1120)

It was at about that time as well that it was decided that the Juvenile Delinquents Act should be scrapped and we were given the Young Offenders Act. They have tinkered with that a little bit, but it just seems to be another example of how soft they are in the whole area of criminal justice. Soft on crime, soft on criminals.

Early parole, parole abuses, abuses by the parole board by not putting competent people in place are other examples.

I would like to relate a little story about my chance to go through the Edmonton maximum security prison about a year and a half ago. It was an eye opener. Anybody who has not toured one of these types of prisons certainly should.

The warden at the prison told me that about 80 per cent of the inmates had a substance abuse problem. Of course, I asked what they were doing to try to rehabilitate these people. These inmates

do have the right to earn their way out of prison after a period of time. We have medium and minimum security prisons. If they do try to upgrade their skills they have a chance to be rehabilitated.

The warden told me that they had psychiatrists, psychologists and various others working with these people to try and help them overcome their drug abuse problem. However, at the same time drugs are getting into our maximum security prisons. Drug use is a common practice among prisoners in our maximum security prisons and at the same time we are trying to rehabilitate them. What does that tell us? What is Corrections Canada's answer to this? It is not to stop the family visitations which are identified by the wardens as being the main source of drugs getting into the prisons, although I doubt that would be the only source. I think in some cases some staff are probably involved. That would seem to me to be a pipeline for drugs getting into the prisons.

What does Corrections Canada and the Department of Justice answer to this? Of course, not to stop the family visitations or get tough on screening of guards. No. It is to give prisoners new needles, give them bleach kits so that they do not contact AIDS in prison. What does that say about our criminal justice system? What does it say about the Liberal government? It says a lot. It says that the Liberals are soft on crime and continue to be.

Where are we currently? The Canadian public is very concerned and rightly so. Canadians are buying security systems at an alarming rate. They are trying to guard themselves against break and enter. They are trying to arm themselves. Canadians have rallied on Parliament Hill asking for reform of the criminal justice system.

My home in Alberta is in a very quiet farming community with a very stable population and basically no crime problems in terms of break and enter but this past year we caught up with the rest of the Canadian public. We now have joined the big leagues. We had a series of break and enters in broad daylight throughout our little farming community. Now people are saying: ''Well, I guess we have to get a guard dog or a security system''. That is the concern people have. They feel that they are under attack as never before. I know that MPs opposite must be getting the same kind of mail I am getting, especially members who represent rural ridings where people are asking what has happened to their communities.

I operate a grain farm. We used to be able to leave the keys in our equipment in the fields. I had a truck stolen off my farm two years ago. That is what is happening in our society. I have received mail stating that people want this situation cleaned up. They want the government to get tough on criminal justice. They want to scrap the current Young Offenders Act and start over. Even the term young offenders has become very offensive now. It has been identified as an act that simply cannot be reformed, that it should be scrapped and we should start over. Polls have indicated that Canadians want a return to the death penalty.

What Canadians get from the government and from the current justice minister is tinkering. Tinkering with section 745 and gun control which will not be the answer to solving our crime problem in Canada.

In fact, gun control and registration for long guns was modelled on our current handgun registration which has been in place since 1935. Our handgun registration has not worked. There are as many or more crimes being committed with handguns than ever before, yet we have a registration system which is supposed to control that. Now we have a long gun registration that is supposed to give us peace, it is supposed to return us to the times when we had low crime rates. It simply is not going to happen. The government is going after the wrong people. There is also tinkering with the Young Offenders Act.

• (1125)

This might play in downtown Toronto but I doubt it very much. It certainly does not play in my riding. People want this government to get tough on the crime problem in Canada. We know there is a crime problem.

I see some members shaking their heads opposite, some of the same members that probably have prisons in their riding, like the parliamentary secretary who is yakking over there. He has a prison in his Prince Albert—Churchill riding. Perhaps he should go through that prison and see what kind of problems there are at the Edmonton maximum security prison.

Canadians want us to get tough on this whole section of criminal justice. They want us to provide some assurances that their families can go out on the streets at eleven o'clock at night and feel safe. That simply is not the situation now. They want us to toughen up the criminal justice system so that they are not subject to break and enters in their homes which provide criminals an income for substance abuse. Canadians are not going to get it from this government obviously, but at some point they are going to get the kind of reform that is necessary to clean up Canada's crime problem.

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, I rise to enter the debate on Bill C-45. I wish to ask three questions this morning. First, what is the value of a life? Second, what message does Bill C-45 send to the Canadian people? Finally, what are the Canadian people saying?

Not too long ago a young little girl was playing on the street. She disappeared. Her name was Mindy Tran. She was found dead. I got a phone call about six months ago from a man whom I did not know. It was from the employer of Mr. Tran, Mindy's father. He said Mr. Tran was afraid to come and talk to me because he was a new immigrant to Canada and did not know exactly how to approach an elected government member. I told him to bring him in. He said: ''He wants me to come within. Is that okay?'' I said: ''That is more than okay, please come''. Mr. Tran sat across the

table from me. He said: ''What can we do to make sure that my other little girl is not killed like this one was?''

It is an extremely difficult situation when the father of a young girl comes to a member and asks what the government is doing to protect him, his family and his little girl. It is serious when one looks at this kind of a question and one has to ask the question: What is the value of a life? What is the value of this little girl's life, Mindy Tran?

Mindy Tran in her death mobilized the community like I have never seen a community mobilized. There was not a police officer who was not personally stirred in trying to find the person who had perpetrated this crime. All kinds of neighbours, relatives, friends and the whole community got together to search first of all for the body because it was lost. Somehow they could not find it. It took days and nights. Twenty-four hours a day there was a search going on throughout that community. Finally they did find the body of Mindy Tran. The community is still in sorrow over that particular incident.

I ask the question again: What is the value of that life? According to this bill the life is worth 15 years of imprisonment for the perpetrator.

One can look at the value of a life in economic terms, which is what insurance companies do. It is what judges do in determining the liability when someone has been killed in an automobile accident. The economic value of a key man in a business is determined when key man insurance is purchased to replace the money that person would provide for that company in order to replace them.

● (1130)

There is an economic value to a person when they take out loan insurance, mortgage insurance and things of that sort. Insurance companies provide for personal insurance so that the individual who is the main breadwinner or the two breadwinners can supply food, clothing and shelter to the persons remaining after the death has occurred.

There is more than an economic value to a life. There is also the value of emotion, the feelings that we have, the love that we have for one another; parents, one for each other and parents for their children, as demonstrated by Mr. Tran and his young daughter who was killed. How does one replace that?

Yesterday we heard the story of Laurie Boyd and the trauma that created in the lives of the parents who had to recall that incident when they heard that Bill C-45 said that section 745 was not going to be deleted from the Criminal Code because the bill had not been allowed to be presented to this House.

Mr. Tran is thinking today about the possibility of parole for the person who murdered his family member. He says: ''Mr. Schmidt, will you allow that to happen?'' I said: ''Mr. Tran, it is not for me to decide. I wish I were in that position. I am not''.

We have a government in this land that was elected. Its members have decided and they are the ones who are responsible. ''But Mr. Schmidt, can you not do anything?'' I said to Mr. Tran: ''I will do what I can''.

He broke down and cried. He said: ''Is that all my daughter's life is worth, you will try?'' This is the question I ask every member of this House. Is that all Mindy Tran's life is worth, and the other person who has been murdered?

Parole creates that second trauma again for the indirect victims, not the ones who have been killed but the ones who remain who have the emotional tie. It is for them that the trauma is repeated.

There is another cost to a life, the life to the nation. It destroys the talents and takes away the skills and the abilities that person would have brought to our society, the untold talents and abilities found in these people, especially in the children who have been killed. The question we need to ask ourselves is what is suitable punishment for that kind of behaviour.

It draws me to the second question which is what message does Bill C-45 send to our people. What message does it send to other criminals? It says there is the hope of relief after 15 years. Really, the consequences of first degree murder are really not so great. Society paid with a life and now the criminal who did that says that society will pay to keep them and eventually release them back into society.

What is the message that it sends to our young people? It sends to them the message that life really is cheap. It is worth 15 years. It does not really matter very much what the victim's rights are. It does not really matter very much that all the victim's rights, the person who was killed, were taken away.

Society protects the rights of the person who perpetrated the crime. That is protecting, but it does not seem to matter that the rights of the person who was killed are destroyed.

Therefore the young people can say to themselves: ''I can commit almost anything and get away with relative impunity''. Where does that kind of thinking end? What does it do to all the other crimes that are not as severe as killing another person? It ultimately creates disrespect for law and order. The end result of that is chaos.

If this government or any government has any role to play, it is to push back the walls of evil and to prevent evil from taking over in our society.

Finally, what example does it set for our children? If that is how we as government officials behave and treat the worst possible crime that one person can perpetrate against another with 15 years of incarceration, what message is that to our children?

● (1135)

I want to ask why does the government not let the people speak. I cannot believe the kinds of responses I got from a recent householder where I asked: ''What is bugging you about the government? What are your concerns about the government, the present government?'' The response that came through hundreds and hundreds of times was: ''When will you do something with the justice system? We do not feel safe in our streets. We do not feel safe in our homes. We feel that the time has come for us to do something serious about crime in our society''.

They came up with some suggestions. They asked why we do not conduct a referendum on capital punishment in this country. ''Let us tell the government clearly and unequivocally what it is we want''.

Yesterday morning Parliament stopped Bill C-234 from entering the floor of this House. The member for York South—Weston understood very very clearly what his people were telling him. He listened to them. He presented to this House a private member's bill.

I support that bill. There are many of our constituents who are speaking the same kind of language. I am sure that his constituency is not an isolated example. And so I would urge the government to bring that bill back. Pass it. That would eliminate section 745 of the Criminal Code.

We need to recognize that with Bill C-45 we have an indication that the government is really not serious, that it is a wimpy, snivelling flirtation with what is just and fair. It sends a message that is symbolic of justice but which lacks the essence of all that is noble, upright and fair. It should not be passed.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, it is a pleasure to rise today to speak to this bill. Much of what needed to be said has already been said by my caucus members.

I am very disappointed that the government side is not entering into this debate. This bill is a very high profile bill. It is supposed to be one of the jewels in the justice minister's crown, or he would like it to be one. Why the Liberals are not entering into this debate is a sad commentary on this process.

I will start by talking about the process itself, about what we are dealing with today, about the amendment to section 745. We should not be debating this bill today. What we should be debating in this House today is the bill brought forward by the member for York South—Weston. It was a private member's initiative brought forward in good faith to the House of Commons, adopted on second reading, in other words in principle by this entire House, sent to committee and ordered to report back to the House.

One of my jobs as party whip is to encourage my members to be on committees, to structure our caucus so that all the committee work is covered and so on. It is a very disheartening exercise when the members of our caucus find their hard work on private members' bills, their hard work on committee on amendments, their initiatives in committee to bring and raise the profile of important issues to the House of Commons are merely deep sixed in committee.

My heart goes out to the member for York South—Weston on this issue. His bill is just one of the very high profile examples. We have some in our own caucus. Our member for Mission—Coquitlam has had the same thing happen. It is very demoralizing and it is a travesty of the democratic process when something is passed in this House by members of all parties only to be sent to committee where the government used a roundabout way to send it off into never-never land. That is a real travesty and should never have happened.

On this issue, these questions bear repeating. What is the purpose of the justice system? What are we trying to accomplish with the justice system and the Criminal Code? What messages are we sending to the Canadian people? What are we as legislators hearing from the Canadian people? How are we reacting to what we hear?

● (1140)

People are getting hold of me in my office and one of the things they are asking me is what is the cost of the proposals of the Minister of Justice. How much does it cost to let people like Olson and others reintroduce their legal cases in an effort to get early parole? We do not know. cost. There is a royal recommendation in the bill, but we do not know the cost. I do not think the minister knows the cost. However, it is a significant cost.

It sends the message to the victims of crime that yes, these murderers are going to get legal help and all the help available through the system. The victims do not get any help. If they want they can make a presentation at the hearing, but they do not get any help. There is an actual financial cost involved, let alone the cost to the victims.

Many people are coming to me and saying they thought that what Parliament passed in the seventies when it did away with capital punishment meant that somebody who was sentenced to 25 years imprisonment without parole would serve at least 25 years. Parliament was sending a message to the Canadian people and to the world that Canada placed a high value on human life and would not trade a life off for anything less than 25 years. Many people would argue that it should be a life for a life, that there should be a death penalty. Many people said: ''I will accept 25 years without

parole if you can guarantee me that is where that man or woman is going to stay''.

The statistics are very sad. The statistics are that about 78 per cent of the people who apply for early parole are successful. Canadians are none too pleased with that. They are none too pleased that this bill will continue to allow all the backlog of deviants and multiple murderers to continue to apply. It is not retroactive. These people will continue to apply for early parole. They will continue to drag the victims through the mire of reliving the horror. The bill will not eliminate that. It will make it a bit tougher, but it will continue.

What are Canadians demanding? I will give the House two examples. In the next little while I will be presenting in the House a petition initiated by some people in my riding. It has to do with a criminal who is currently in the prison system. This man is a sexual deviant who has been convicted of pedophilia. He has ruined many a life. These constituents came forward with a whole series of requests. They want a national registry for sexual pedophiles. They want no chance of parole for people who have been convicted of violent sexual crimes. They want many things.

What is most telling about this is that they are not struggling to get a few names on a petition. It is not them and the family trying to get together to gather 40 or 50 names on a petition. So far there are 15,000 names on the petition and more names continue to be mailed into my office on a daily basis.

I wonder if the government is listening to this. This is just one example in one riding of the depth of feeling on the issue of criminal justice reform. They are saying that serious crimes deserve to be treated very seriously in order to send a message both ways, to the criminal element and to the victims of crime. The message will tell the victims that yes, they are important and that yes, their situation takes priority and that the government will ensure they receive adequate redress.

One of the reasons my colleague from Fraser Valley West has brought forward his victim's bill of rights is that the victims need to have the protection which they do not have today.

That is the big picture. That is the picture of 15,000 names. That is just one example.

● (1145)

We have heard many examples and I would like to give a personal example. I had a father and daughter come to my office in my riding with concerns about the criminal justice system. The daughter had been abducted and stabbed repeatedly by her estranged husband. There was a restraining order against the husband, he was known to the police, he had threatened violence and had stalked this woman for some months.

I bring this up as an example because the father sat in my office and said: ''What am I supposed to do when the criminal justice system does not treat this case seriously? This man attacked my daughter, stabbed her repeatedly and was charged with aggravated assault and did a couple of years in jail. What am I supposed to do?''

The man would come and tap on the lady's window with a butcher knife to wake her up. The father said: ''Mr. Strahl, mark my words. I will tell you what I am going to do when this animal gets out of prison. When that guy gets out and taps on my daughter's window with a butcher knife I am going to blow his head off because the criminal justice system will not deal with it''. The justice system peddles away these serious charges and says to get a restraining order. It is not good enough to say get a restraining order. This woman lives her life in terror and this guy is out on the streets again.

Here is the irony. I said: ''If you do that to protect your daughter, you will do 25 years in jail because that is premeditated. The gun was out and you shot the guy''. He said: ''Chuck, I do not care. What am I supposed to do if the criminal justice system will not protect my family? I will have to do it myself. I do not want to do it myself. I wish you would do something different''.

That shows the frustration in the country over these kinds of cases where serious crime is not treated seriously. There is no more serious crime than murder. The message is not can we rehabilitate criminals. The message is not is some guy sorry he did it. I am sure many murderers are sorry that they committed the crimes afterward. The message we need to send that is not being sent by this bill is that murder is a serious offence. It is 25 years in jail at least.

The Reform Party said there should be a national referendum on capital punishment. We will leave that for another day. Today, be assured that a crime like murder is going to get you in jail and you are not getting out for 25 years. This bill does not do that. This bill should have done that. We should have been dealing with the elimination of section 745, not tinkering.

I am disappointed. I wish the government and the minister could sit in my office and listen to the people that tell me the truth about what is going on. They want changes and they want them now.

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, it is a pleasure to the have the opportunity to speak in Parliament about such an important issue but in a sense it is a very sad day because we have to witness again the Liberal government not dealing with the issue. The Liberals have spent three years with a platform of doing nothing and that is not good enough in dealing with the problems of Canada.

Today we have the opportunity to show that we are going to be tough on those who take the life of someone else. We have people charged with first degree murder, given a 25 year sentence and the Liberal government wants to rehabilitate, to be soft, to be kind and to allow them to go free after 15 years. That is unacceptable and

disgusting in the least. It should not exist that way in our country. When someone takes a life and the courts have proved that has happened, that person should serve at least 25 years in prison. Never mind waiting until they take two lives to serve 25 years.

● (1150)

Many of my constituents say that is still too lenient and that we should have brought back capital punishment. They believe those who take a life should lose their life. It may happen one of these days but it will not be under a Liberal government. It will never call for a referendum on capital punishment because it knows that Canadians, with at least an 80 per cent majority, would come out in droves to vote on this issue. Eighty per cent of Canadians would support capital punishment for any murderer.

The government does not want to do anything. It is too lenient. It does not want to accept its responsibilities.

We should look at some of the statistics. Statistics from 1994-95 and 1995-96 have proven that one out of ten parolees, and now murderers who will be allowed out on parole after 15 years, reoffend in a very serious way. This means that 10 per cent of parolees go out and again commit very serious crimes.

I would like to look at this Liberal record of parole since they came back into power. I am sure this was the same under the old Tory Party which was equally as bad. However, because the Tories and the Liberals always had this friendly relationship in the House where one covered for the other, the general public did not know how bad our justice system was. They really did not know how bad the defence system was, which is unbelievable. Finally, as a Reform Party, we are getting that up on the table for the public to look at.

Let us look at the Liberal record from Statistics Canada. About one in ten federal prisoners released on parole last year was charged with a new crime. The numbers were about the same for 1994-95. In 1995, 984 parolees were charged, including 165 violent offences such as 15 murders, 22 sexual assaults and 71 armed robberies by those people who were in the justice system. The Liberal government lets them out to corrupt and offend in our communities.

It was just as bad in 1994-95. There were 1,097 parolees charged. That is 10 per cent of them, including 256 violent offenders who again committed murder, sexual assault and armed robbery.

Today we are going to be lenient again. The only way we can stop these murderers and send a message is to to really be tough. Twenty-five years is not tough enough in my opinion and in the opinion of many Canadians, but if that is the way it is today then we should stick to the 25 years. However, the legislation that is before us does not do that. It sort of states that maybe they will try to do that in a back-handed way but one has to kill two people first in order to receive an automatic 25 years. That is about as ridiculous as it comes.

I would like to talk about a personal experience in my constituency when I was a member of the legislature and a representative of an area south of Calgary. This deals with Darlene Boyd's daughter. It deals with another young lady from the community of High River, a lady who was at a social function in Calgary. While driving home to High River she ran out of gas. One of my constituents, who happens to be the murderer and is in jail at the present time with a 25 year sentence, now comes up for the opportunity of parole in February 1997. Luckily for the government, he murdered two people so he is not going to get the opportunity to have a parole just by having this legislation put in. However, if he had only murdered one person he would have had the right to parole. He would have had kindness, the opportunity for rehabilitation, education and put back into the community as an upstanding citizen through Liberal programs. That is the way it would have been.

However, this lady who was driving home ran out of gas. A car driven by this individual from my community and his buddy from Calgary stopped to help her. What did they do? They grabbed her and threw her into their van. They drove off into fields about five or six miles away where she was raped, brutally beaten and killed. After they beat her with a tire wrench they threw her out of the van and then burned her body so that there would not be any evidence.

● (1155)

Two or three months later at the Red Rooster in High River, Darlene Boyd's daughter, a lovely young lady with a future who had something to contribute to the community became the target of these two same individuals. They decided they needed another victim. They entered by the back door of the Red Rooster, took her at knife point into the van, drove about 12 miles east of High River into the Blackie area, stopped the van, raped and beat her with a tire iron. She tried to get out the van but she was killed in the field. They threw gasoline on her and burned this young lady. This Jim Peters could possibly have come up for parole, but he had killed two people, luckily for the government.

There are sad situations which continue to take place. I would like to add a little more to that story. Once or twice a year I visit all the communities in my constituency, spending half a day or a day. I happened to be the community of Blackie which is only a few miles out of High River.

When I arrived in town I stopped to speak to some friends who owned a store there. I was told: ''I would like to come to your meeting today, Ray, but I am scared to leave my wife in the store because there is a killer out there somewhere''. We visited for a while and then I went over to the hotel which was right next door to have dinner. It is a small hotel restaurant about 18 feet by 18 feet. I visited with everyone in the restaurant and we talked. And guess who was sitting at one of the tables having dinner? The killer, the

murderer, Jim Peters. But we did not know that. My friend had a right to be afraid.

We held a very short meeting in the town hall and everybody said: ''I have to go home and protect my family''. The tension and concern in that community was unbelievable.

As legislators the Liberal government has done nothing since 1993. Once again it is not dealing with the problem. It has a head in the sand approach. That is unacceptable to Canadians. I do not know when it is going to change. Maybe we have to have an election and get rid of the Liberals like we got rid of the Tory party. The only lesson the Tory party learned was that if you do not smarten up and do your job the people are going to turf you out.

Well, the worm can turn for the charade that is taking place across the floor, this facade of a Liberal government. I would think that in the late part of 1996 or early 1997 the worm will turn and Canadians will begin to judge the incompetence of the government. When it does and the government changes, maybe there will be common sense policies in the country.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, the very first words I said in the House after the last election when most of us were rookies here in the House, were to the member for Notre-Dame-de-Grâce, who has been in the House longer than virtually anybody here today. I spoke at that time about the culture of the government at that time which led to the laissez-faire attitude we have had for the last 30 years or so with criminals.

Some members will recall that October 7, 1972 was a pivotal day for jurisprudence because on that date the then solicitor general stood in the House and said that from that day forward the primary raison d'etre of the criminal justice system would be the rehabilitation of prisoners.

• (1200)

He said this and this became the raison d'être because the recidivism rate was so high. He thought that if the road we have been going down all these years has not worked, then perhaps we should try something different, so let us make our raison d'être, rather than the protection of society, rather than a punishment of wrongdoing, rehabilitation. There is nothing wrong with that ideal. It is a noble ideal.

In any event, I had some words to say about that. I attributed some words to the hon. member for Notre-Dame-de-Grâce who was sitting opposite. I noticed the look in his eyes. I knew I had misjudged the situation.

At the first opportunity I apologized to the member opposite because I was wrong. I have over the last couple of years engendered a good deal of respect for the member for Notre-Dame-de-Grâce, the member who introduced the so-called faint hope clause to the House. I know he did so because his heart is in the right place. The problem is that in my respectful opinion sometimes we need to use a soft heart and a hard head. Sometimes it is absolutely essential that people in our society know that there is a line beyond which it is not appropriate to cross.

I mention this because it is important to know to put the introduction of this law into the context of the time. Laws need to be adjusted to suit the temper of the time. In the context of the time we as a nation and most of the western world were experiencing a flower of magnanimity to one another, one to another. In the context of the time we got rid of capital punishment.

How can a civilized society be more civilized by perpetrating a barbaric act of murder, killing someone else, in order to justify its existence? I am now a proponent of capital punishment and I would not be if life meant life. The quid pro quo for our country to get rid of capital punishment was a 25 year sentence for first degree murder. It was a life sentence, minimum 25 years. That was the quid pro quo. That was what the government of the day used to sell the notion of getting rid of capital punishment.

That brings us to 25 years or so after the fact. As the member for Notre-Dame-de-Grâce said yesterday, it is merely a faint hope clause. Very few people take advantage of it. Fifty people have taken advantage of it, 50 of 175 or so people eligible to take advantage of it. That is one-third. Two-thirds of the people who have applied for it have been successful

The point is not how many are successful and how many apply. The point is that when someone takes the life of another person and it is deemed to be a first degree offence, premeditated murder, the sanction that our country has prescribed and the sanction that the social contract we as citizens of our country have prescribed is a life sentence, not 15 years. Whether a person in that first 15 years of incarceration has seen the error of their ways is not the question.

The point is that we made a bargain. We were not going to take a murderer's live, even a first degree murderer's life, as a society. What we were going to do is to put them away so they cannot harm anybody ever again in the future.

• (1205)

That was a social contract. We are abrogating that social contract when we slide in the so-called faint hope clause. That brings us to the duplicity of this argument today, which is this.

By taking the bill of the member for York South—Weston, which would abolish section 745 from the table and insert a lame duck replacement, it has put the Reform Party and others on the Liberal benches who would have voted in favour of that bill in the position

that they cannot find themselves in. It is wrong to vote for this half measure while at the same time it allows Liberals on the other side to vote in favour of the measure that they would not have been able to vote in favour of because they do not want to change it.

Altogether, the removal of the member from York South—Weston's private member's bill, which would abolish section 745, which should say life means life, and inserting this other bill which really does not accomplish anything is window dressing. It is fluff. It begs the question why is it okay to kill one person while it is not okay to kill two persons. It does not make any sense, none whatsoever.

My angst of this bill is two-fold. First, we have abrogated our responsibility, the deal we made when we said life means life in place of capital punishment. At the same time, we have taken a private member's bill which dealt squarely and honestly with the issue off the table and inserted in its place a half measure which is nothing less than duplicitous and not worthy of this House.

Mr. Jim Abbott (Kootenay East, Ref.): Madam Speaker, this debate is a very interesting one because Canadians must be wondering why in the world this government, with the demand that there is on the part of rational, reasonable, thoughtful Canadians, would be coming forth with this half measure.

They must be wondering what is on the mind of the justice minister, indeed what is on the mind of the Liberal members of this House.

What we are talking about here are people who are incarcerated as a result of first degree murder. This is not something that happens. This is not just an event that took place. First degree murder is the premeditated, cold blooded taking of a life. When we give them a 25 year sentence, we give the victim's families and friends an opportunity perhaps to put small bits and pieces of their lives back together over that 25 year period.

The Liberals consistently refuse to acknowledge that in the equation when a life has been taken, indeed there are family, friends and communities that grieve over that life that is taken.

All of us in this House as individuals have been hit with some form of personal tragedy, whether it is the passing of our parents, the tragic accident involving our children or something of that nature. There is a tremendous amount of pressure that comes into our lives individually at that time.

It is beyond comprehension that this justice minister, this Prime Minister and indeed the Liberal members would not realize there has to be a time of healing for the people, for the victims' families, for the victims' friends, for the victims' community.

I ask myself why would the justice minister, why would the Liberals respond in this way? Why would they come forward with these half measures?

Clearly it must be as a response to the bleeding hearts. It must be as a response to those who say we should let these people get on with their lives. It would be nice if the victims could get on with their lives.

• (1210)

I reflect the remarks of my colleague who preceded me in asking why are there no Liberal speakers. Why are there no Liberal speakers defending this weak-kneed, half measure by the justice minister? I suggest the reason is that they want to be able to stand up and say: ''We supported the hon. member for York South—Weston. We supported his measure to repeal section 745''.

Let it be very clear that any such claim is nothing more than a lie. The Liberal members of the House, in supporting this half measure, are in no way reflecting the views, the wishes, the desires, the attitudes and the direction in which the people of Canada want to go on this particular issue.

If we ultimately take away a 25 year sentence for a premeditated, cold blooded murder, what is the ultimate standard in our society for people who take the lives of others?

Section 745 still exists. The justice minister is simply trying to sugar coat it. Nothing less than the full elimination of this section will be acceptable to the people of Canada. Ninety-eight per cent of the delegates to the Reform convention voted for the full elimination of section 745. Victims of Violence, the Canadian Police Association and the majority of Canadians support the elimination of section 745.

If we as members of Parliament are not reflecting the views, the wishes, the desires, the determinations and the direction in which the people of Canada want to go, what are we doing here? We are not just here to fill seats. We are not just here to follow the Liberal bleeding heart agenda. We are supposed to be here to respect and respond to the wishes and the desires of the people of Canada. This bill in no way does that.

Bill C-45 still provides a glimmer of hope for murderers to get early release before serving a full sentence without the eligibility of parole for 25 years. As I mentioned, what we are really talking about here is the issue of the families and the friends of the victims of people who determined they were going to take another person's life in a fully premeditated manner. That is the ultimate in what we can do to another human being.

I wonder how many of the victims were provided with a glimmer of hope, the glimmer of hope that the bleeding heart Liberals want to give to the murderers.

It has been mentioned many times but I must say it again. Why is it that we can take away the possibility of appeal if a person has murdered two or more people in a premeditated manner whereas we will not for only one murder? Is this a bargain sale on lives? Where is the thought process of the minister and the Liberals in the

House? I do not understand why the justice minister, for example, has not simply gone to a system of seeing to it that murderers are given consecutive life sentences. That would simplify the whole matter. By going to consecutive life sentences Clifford Olson would have received 11 times 25 years and he would not be in a position to go after the victims' families again after only 15 years of trying to put their lives back together.

● (1215)

It has already been stated that the 1976 Liberal government was responsible for the elimination of capital punishment and the creation of section 745. And so we have gone back to the future. We have gone back 20 years to a time when the Liberals really believed this was going to work. I believe we have to go to the victims' families. We have to ask the victims' families if this has worked.

Our party, under the capable direction of the member for Fraser Valley West on this issue, has had this House agree to a motion that there should be a victims bill of rights. In all reality I do not believe we are ever going to see that. As long as this government continues to hold down its members and say ''yes you will vote this way'', and as long as this government is driven by its particular agenda, I do not believe we are ever going to see a victims bill of rights.

What about the future? What hope is there? On this issue, I read the following into the record on May 9, 1994: ''Last weekend on Saturday I, along with about 350 other people in my constituency, attended the funeral of eight-year old Stephanie Graves who was attacked and shot in the Kimberley area''. I read the following poem about her. It was read at her funeral by her class:

I like your eyes
I like your nose
I like your mouth, your ears, your hands, your toes.
I like your face
It's really you
I like the things you say and do.
There's not a single soul
who sees the skies
The way you see them, through your eyes
And aren't you glad?
You should be glad
There's no one, no one exactly like you.

It is for the victims like Stephanie Graves and their families that we stand on this issue and say the weak-kneed Liberal approach is inadequate and will not cut it.

Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.): Madam Speaker, it has been very interesting listening to the comments of the Reform Party which talks about our being bleeding heart Liberals and being soft on crime. Yet when we introduced legislation on the Young Offenders Act to increase sentences for young offenders in the commission of offences such as murder, to allow young offenders who were 16 and 17 years old to be more readily tried in adult court, it was the Reform Party that voted against this legislation.

We are the ones who have been tightening up the criminal justice system. We have been getting tougher in areas in the criminal justice system. It is the Reform Party that speaks loudly on improving the criminal justice system and then weakens and votes against such legislation. That is the Reform Party. Reformers say one thing and they do another thing.

They did the same thing with the sentencing legislation. When we introduced sentencing legislation to make it tougher on criminals who voted against it? The Reformers, who else? They say one thing, they do something else. That is the Reform Party.

The Reform Party is now saying to get rid of section 745 so that a person cannot make an application for parole before 25 years. It must be remembered that it is an application to be made after 25 years. It does not mean the person is eligible for parole at that time. It is the same thing with 15 years. If a person were eligible after 15 years, it means eligible after 15. It does not mean the person will be paroled after 15.

I am surprised the Reform Party takes that approach. This is an approach which I think is reasonable. It is reasonable that there is discretion in the justice system to deal with people on a different basis when they have different backgrounds. I am extremely disappointed that the Reform Party does not see that in particular cases.

● (1220)

I will give an example of a case which is before the courts on a different matter, the Latimer case. It is surprising that the Reform Party would not suggest that maybe judges should have the discretion to impose a lower period of time before eligibility for parole. Then maybe the Reform Party should be suggesting that in cases like Bernardo there should be a provision that judges have the discretion that people like him should not be eligible for parole for 75 or 150 years, but the Reform Party is not suggesting this. This should be step two. This is what should be looked at.

I hear the issue of consecutive sentences being raised by the hon. member who just spoke. A life sentence is a life sentence. A life consecutive to life does not make sense. It is either life or it is not life. The question is on parole eligibility and that is where the judges should have the discretion at the time of sentencing to increase parole eligibility. However it is a matter that has to be looked at at some other time when discussing all the terms of eligibility on such offences.

It is a matter that can be looked at but unfortunately the Reform Party does not look that far ahead. Instead members of the Reform Party concentrate and say that first degree murder is premeditated murder. Yes it is in some circumstances but unfortunately they have

not read the Criminal Code because it can be first degree murder without premeditation.

Members of the Reform Party should read the Criminal Code because they are misrepresenting to the public when they say that first degree is only premeditated and they are wrong on that point. That is a misrepresentation Reform members have undertaken in this House day in and day out on this particular point. That is the problem with members of the Reform Party. All they have to do is open up the Criminal Code, read the definition of first degree murder, it is there, but they will not do that. The members of the Reform Party will not do that. It is beyond them. Perhaps we should supply them with a copy of the Criminal Code.

The Reform Party prefers to bluster along in this House on first degree murder without reading the code because some knowledge on this particular point may be dangerous to them. That is the problem we have.

In dealing with parole eligibility there have been different figures raised. One member from the Reform Party has said there is a 10 per cent rate of recidivism for parolees. Why not look at the opposite? I am not necessarily accepting these figures because I prefer to check them out. When Reformers give numbers, I do not take them as the gospel truth; I prefer to have them checked.

If we accept the Reform figures, that means there is a 90 per cent success rate of parolees. Why do we not look at that? A 90 per cent success rate is very good in many disciplines but no, that is not good enough. Reformers prefer not to look at that particular aspect. They do not want to look at that aspect at all.

Again I suggest the members of the Reform Party are misrepresenting the aspect of the 15 year eligibility. If a person is eligible for application after 15 years and gets it reduced to, let us say 17 or 19 years, it does not mean the person is going to be paroled at that time. The parole board still has to deal with the matter.

As the Reform member should very well know, since coming to power in 1993 the Liberals have tightened up on the appointees to parole boards. They are the most qualified people that can be appointed. The parole board is very good with these members. Reformers have to have some faith in the members on the parole board. They are good members who take their jobs seriously and who will deal with these matters seriously.

When an application is made after 15 years under section 745, the application is not to a judge. The application is not to a member of the legal profession. Thank God the application is not to a member of the Reform Party. The application is to the community where the offence was committed. It is members from that community who determine whether that person's parole eligibility period will be reduced. It is members of the community.

• (1225)

Here we have the Reform Party which claims it represents the community saying that they do not want members of the community to determine whether parole eligibility is reduced. They want to take this power away from members of the community. I am very surprised. A party that claims to be a grassroots party is saying: ''Don't allow the grassroots of the community to make this decision''. It is a very interesting position by the Reform Party. Again, they speak one thing and they do something else.

Ms. Margaret Bridgman (Surrey North, Ref.): Madam Speaker, I am very pleased to participate in this debate because I represent the constituents of Surrey North and we have been plagued with a number of violent crimes involving mass murderers. Clifford Olson was one that haunted our neighbourhood as well. It is very fortunate that I have this opportunity to express my point of view.

The previous speaker made reference to the fact of our inability to read the Criminal Code, but he on the other hand pointed out that in this particular bill the application is not made to a judge but to the community. If he would like to read section 745(1) he will find that it is indeed made to a chief justice.

Another point that the previous speaker made was in relation to the Bernardo case and allowing the judges to have some flexibility in the sentencing from the point of view of whether or not to grant parole. My understanding in reading this bill would be that regardless of what a judge would say at that particular time, he could say no parole, but 15 or 25 years later, whatever the magic number is, another procedure would occur in which that person could make application for eligibility which means the previous judge's decision could be overruled. I do not know if that is the answer or not.

There are two points I would like to make in relation to this bill. One is the content itself. That would relate to the fact that it is designed to set up some sort of a screening process in which it would not allow everyone the opportunity to make application for parole and that would be heard. It might reduce some of the time the courts have to spend on this as well. With the mechanism for the screening process that is set up, I tend to think there may be undue influence on the jury or the subsequent aspects of the process.

Basically what seems to be happening is a prisoner will make application to a chief justice who will look at that individual's situation. I believe that clause 1(2) contains the kinds of things the judge will look at. It would include the number of years of imprisonment without eligibility for parole, his conduct while serving the sentence, the character of the applicant and the nature of the offence.

It would be logical to assume that as we have had a heavy emphasis on rehabilitation in the prison system for the last 20 years, a criteria that might be written into the act as well is his participation in rehabilitation programs and his progress in those same programs. I am deviating a little bit.

My point here is that the judge is looking at that criteria in relation to the application to decide whether or not the application can proceed to a designated judge in a province and a jury and the case be made for parole. I suggest that only those cases the judge in his wisdom thinks may get parole would actually go into the process of being assessed for parole. All others would not.

• (1230)

One of the arguments used for not having victim impact statements in court was that it could influence the jury. I argue that this is the same principle. A learned person in law has moved certain cases forward. I would tend to think that a layman type jury could be influenced that indeed these people would be eligible for parole. On the other hand they may not but there is a possibility that would happen. Therefore, I believe there may be undue influence by using this method of screening.

Another point which should be made concerns the discussion we had on section 745 a year ago. At that time there were some token changes. The debate at that time described the fact that we felt these were half-way measures or token changes. Here we are again looking at the same thing and taking it one step further.

I tend to question why we have to go back to a similar sort of issue. Two reasons occur in my mind. One is that the government was not prepared to deal with the situation in its entirety a year ago, to address the problem and put it to bed. The other may be that we are witnessing some sort of phase-in by the government of some kind of activity that is not necessarily popular to the masses.

I suggest that when we, as citizens, elect a government we expect it to lead and that leadership should be directed at preserving the society to which the majority of the citizens have agreed. I do not really think the government is aware that the majority of citizens do not agree with this step in the process. We cannot have this kind of step. It has to be an either-or. Either we have this application that we go directly to a jury or we do not have it at all.

Our position is that we do not have it at all. Let us stick with that first judge and jury that assessed those people and made the decision that they were going to go to jail for 15 years. It also provides a sense of leadership to the citizens that they cannot play around with the system and take chances. They must think about their actions before they do them because they will be responsible. If a person kills someone it will be 25 years in jail, no ifs, ands or buts. That might deter a few people. We have those who it will not but I am certain our percentages would drop down.

Right now it is almost like a game of roulette. One takes a chance, gets a good lawyer and might get off.

We are defeating a number of principles when we bring in this screening process. There is no half-way measure but that seems to be the trend that we have experienced in the last three years. We do not seem to get to the solution. We only get half-way there. In some cases we do not even get half way there. We then bring it up again.

I would like to suggest that it is possibly coming up again because after it came up a year ago the government realized that the move it made then was certainly not one that the Canadian public was happy about. I do not know whether we are trying to correct that now or whether we are witnessing an attempt to phase in something over a period of time that the Canadian people do not want. However, if we spread the time out far enough they will not even notice. It will come in very insidiously and suddenly it is there.

I have a lot of problems with this. The screening mechanism used from a control point of view or as some sort of an evaluation, time saving or whatever the rationale is for it, will not achieve what it is designed to achieve. Basically what will happen is that a judge somewhere, who is looking in depth into this application for a presence in front of a judge and jury, will be duplication. What the judge goes over, the jury will also go over. I strongly suggest that instead of screening it will intimidate or influence the jury based on the fact that the judge has some knowledge in the area we are dealing with.

• (1235)

Comment has been made about faint hope for prisoners sentenced to 25 years that something can happen in 15. By allowing parole it is faint hope for victims and their families that justice will be carried out.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Madam Speaker, I wish I could say I was pleased to participate in this debate on Bill C-45. However, I cannot say that. Rather we should be debating the private members' bill of the member for York South—Weston, which called for the repeal of section 745 of the Criminal Code.

Bill C-45 is yet another half-hearted Liberal justice reform. A moment ago the member for Saskatoon—Dundurn, one of the few members of the governing party to debate the issue, said that Reform was being unrealistic, was being too severe in dealing with crime. I would debate that matter with him. I wish more of his colleagues were here to justify their reasons for this bill. I would point out that when the private members' bill of the member for York South—Weston was at second reading in the House, 74 members from the Liberal Party voted for that bill, which would

indicate there are many people on the other side of the House who do not support Bill C-45.

Another example of the half-hearted measures that the government is taking is its so-called revamp of the Young Offenders Act. We attempted to put real teeth and real meaning into those amendments and the government refused.

I refer to an incident in Toronto not long ago where four youngsters took a 13-year old girl into an apartment and raped her. The leader was an 11-year old boy who simply laughed at the police, at the justice system and at the Young Offenders Act when he was called to account for the crime.

Two older boys were given sentences of two or three years. But all that was done to the young fellow who led this enterprise was for the judge to call him a blatant liar. I am sure the young fellow laughed all the way home at that one.

Another case occurred in my riding in the town of Sidney on Vancouver Island. A young teenager was pulled off his bicycle, knocked to the ground and kicked to death against the curb by two juvenile offenders. In its wisdom the court raised their crime to adult court. After they were found guilty the sentence was two years. Is this really indicative of justice? A youngster was dead at the age of 17 and his murderers get two years? I question the validity of this type of justice.

My colleague from Surrey—White Rock—South Langley mentioned that at the time the death sentence was abolished and the 25-year parole eligibility was debated, undoubtedly there were strong feelings on both sides that 25 years was not enough to pay for deliberately taking a life, for first degree murder.

● (1240)

I will confess right now that I am not for the death penalty. I feel there is too much chance of a mistake being made and an innocent life being taken. However, I would advocate that a life sentence means life. The remainder of that individual's life should be served in prison. If he or she should subsequently be proved to be innocent, then he or she is still there to be released. If that proof does not come forward, then the individual should spend the remainder of his or her natural life in prison.

Right now of course we have the provision of statutory release, which sees criminals sentenced to 10 years who are eligible for parole in far less time. If we add good behaviour to that, the individual will quite often spend less than half of his or her sentence in jail.

I would agree that there are non-violent crimes for which a prison sentence is not only expensive for society but inappropriate because these are not dangerous people who will hurt other people. However, when we get into the dangerous offender category we have to be very certain that they and anyone who would contemplate carrying out a violent crime are aware that the consequences, if they are convicted, will be severe.

The problem is that the murdered person has a true life sentence. There is no recourse, no compensation, no nothing. That person is gone for life. That life has been given up. The person who took that life should also bear that punishment. The murderer should be incarcerated for the rest of his or her natural life in payment for the crime.

What about the families of the victims? This is particularly appropriate for this section which allows a first degree murderer to apply for parole after only 15 years. Those families have gone through hell at the loss of their loved ones. They have suffered the trauma of having to identify the body, of having to hear the gory details of how their loved one died. Then, as they gradually accept the inevitability of what has happened and make accommodations for their loss, a short 15 years downstream they have to go through the whole thing again.

What we need to do in punishing murderers, first degree murderers in particular, is to go to consecutive sentencing, not concurrent sentencing. Why on earth should an individual like Clifford Olson, who was convicted of killing 11 youngsters, get one life sentence when he should have received 11 life sentences for his crimes? How can we condone that?

I would say the same about Paul Bernardo. He was an individual who manipulated, tortured and cruelly murdered two young ladies and perhaps more. He got one life sentence. He will be eligible for parole in 15 years because of this legislation, if it passes, which in all likelihood it will due to the government's massive majority.

The hon. member for Saskatoon—Dundurn took issue with my colleague's statement about the recidivism rate: 10 per cent and 90 per cent. Ten per cent reoffend and 90 per cent do not. My concern is not so much for the murderer, but rather the potential victims. Is a 10 per cent risk acceptable? These people have proven that they will go to the extreme of deliberately taking another person's life. Should their incarceration not take precedence over the danger they present to an unknown victim on their release?

In the summer of 1987 convicted murderer Daniel Gingras, while on a temporary day pass from an Edmonton institution, killed two people before being apprehended.

● (1245)

Again in 1988, Joseph Fredericks, a convicted sadistic paedophile, while on parole abducted, raped and fatally stabbed a young 11-year old boy in southern Ontario.

Bill C-45 should not be passed and section 745 should be abolished.

Mr. Mike Scott (Skeena, Ref.): Madam Speaker, when I was thinking about what I might say today in the House with my intervention, I thought I could talk about the specifics of the bill before us. There is lots to talk about there.

I thought I might even delve into some of the failures of this government over the last 15 or 20 years with respect to the criminal justice system. I thought I would start by asking this House some questions on behalf of constituents in Skeena.

During the last election when I was running for office, I encountered a lady living in Smithers whose daughter had been tracked across British Columbia by her former boyfriend and brutally stabbed to death.

This lady's other daughters have lost a sister, a very valuable member of their family. That cannot be undone. What happened to the fellow who did this? I will tell members what happened to him. He ended up spending a couple of years in jail prior to his going to court. He was found guilty and he was sentenced to 10 years.

We know that with the way the parole system works, he might be eligible for parole right now. This murder took place in 1991 or 1992 if my memory serves me right. What do I tell this lady?

She said when I was running for office: ''I want you to go to Ottawa on my behalf. Get elected. I want you to do something about our criminal justice system. It has failed me and my family miserably. You have no idea of the agony that I have gone through. You have no idea of the agony that my family has gone through. It is an agony that continues. It does not go away. I want you to go to Ottawa and on my behalf and on behalf of my family and all the other Canadians who are ending up in this position do whatever you can to change it''.

I will have to go back to this lady at some point. She will ask me: ''What have you done?'' I will have to tell her that in spite of the efforts made by me and my colleagues in the Reform Party, some of whom have worked very hard to make changes, the reality is that nothing has been done.

What do I say to the family of a commercial fisherman who was brutally beaten to death with sticks and stones? He was kicked to death by a group of young thugs in Prince Rupert last year. It made the national news. How could this happen in Canada? How is it that a group of 12, 14 and 15-year old boys could do this to somebody who represented no threat to them whatsoever and who was basically only minding his own business when this took place?

What do we say to the family of that man? What do we say to the good citizens of Prince Rupert who are looking internally in shock as to how this could happen? What are the circumstances that allow this kind of inhumane activity to take place within our society? What are we going to do about it?

Frankly, I have to go back to the people in my constituency and to the good people of Prince Rupert to tell them that the Government of Canada has not yet seen the light. It is not yet prepared to really make any serious changes.

What do I tell the young lady from Terrace who was assaulted, beaten and raped last year in Terrace in her own home in the middle of the night? Her assailant was brought before the courts. He was sentenced to two years in jail. Now barely more than a year later he is eligible and at this time is very likely out on parole and no doubt is fully free to go back into the community of Terrace and live within the community where he actually perpetrated the offence. This led to a huge demonstration in the community this summer which I attended where people spoke out and not only expressed their disgust at this turn of events but also demanded change.

• (1250)

Those people at that rally stood there and committed their time and the time of their families to show solidarity with the community to make those demands for change. Now I have to go back to them and tell them what the government has done. The government pretends to care. It pretends to be contemplating serious change to the criminal justice system. But the reality is it tinkered with the Young Offenders Act. It made some minor changes. It tinkered with the parole and criminal justice system. It made some minor changes such as the bill we are dealing with today. And in a most cynical manoeuvre it inflicted a gun control bill known as Bill C-68 on the Canadian populace, the likes of which we have never seen, in an effort to persuade Canadians that it was serious about actually doing something about our criminal justice system.

The reality is the government is a do nothing government when it comes to the criminal justice system. It has no real intention of changing the way the system operates. It has no real intention of demanding accountability. It has no real intention of putting the rights of victims ahead of criminals. In short, it has no real intention of doing anything constructive in this area.

Members can bet that I am going to go back to my constituents and tell them what took place here on the floor of the House of Commons. I am going to tell them that the legislation which was introduced by this Parliament during the time I have been their elected representative was nothing short of tinkering and that the bleeding heart Liberals still do not get it. They do not understand that they are off side with a majority of Canadians who want change now and who are serious about it.

I heard some of the interventions which were made here yesterday by members opposite that the government is still more concerned about rehabilitation. It is still more concerned about the rights of the criminals, the rights of the perpetrators, than about the rights of victims. I am going to tell my constituents that the record of this government on criminal justice and on the rights of victims and their families is nothing short of abysmal. It is a disgrace. It is a national disgrace and the people opposite should hang their heads in shame. They can bet that I will be carrying this message forth in the next election.

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, I am pleased to participate for a few moments on Bill C-45, presented by the Minister of Justice. It is an act to amend the Criminal Code dealing with judicial review of parole ineligibility at report stage.

I have listened carefully to the debate. Not being a lawyer, I want to understand a little bit more about the essence of the bill and about the issues. I certainly do understand the emotion which has been expressed over the last many months. We have had private members' initiatives with regard to section 745. We have had presentations and submissions from the Minister of Justice.

● (1255)

It shows this is an issue which responds to the needs of Canadians to have this matter addressed in a way which will best serve the judicial system.

As I listen to the debate it follows a very typical pattern that many of the bills which come before this place have followed where the extreme positions are taken and continue to be repeated in a sense to paint a picture which is not very reflective of the reality of the bill and of the issues.

It would be very interesting, if all members were to rise and speak on this bill, to see how many people would take a particular position and say: ''I am going to spend my entire speech talking about Clifford Olson and what a terrible person he is and what he has done and why this bill is the wrong way to go. Section 745 should be eliminated totally because of Clifford Olson''. It simply states the extremes where we have a situation of a mass murderer who is the subject matter of the discussion.

In that case I do not think there is anyone in this House and probably in Canada who would defend Clifford Olson's need to be released early from jail. I think all Canadians would say that Clifford Olson should never come out of jail. That is the bottom line.

We are talking about section 745 of the Criminal Code which deals with a very touchy subject in a sense that it actually stems from the capital punishment debate of many years ago. I will keep this simple and not in a judicial or justice fashion.

Section 745 came in as a compromise and as a by-product of that capital punishment debate. When the Parliament of the day decided it could not at that point support capital punishment in Canada, 745 came out of that where it basically states that after serving 15 years of a 25 year sentence an application can be made by the criminal who has been accused and who is in jail for early parole. It is not to apply to get out early. It is a two stage process. I have not heard very much about the actual mechanics of that in debate.

So that some members will understand, I will explain this in the way it was explained to me by the briefing we got from officials. Someone in jail would actually make an application for a judicial review and that review would be done by a jury of Canadian citizens. Actual people would form the jury and review the application of someone to proceed along this route. Only after a jury of peers would have decided whether this was eligible or this was a case that it could be argued that there was true remorse and there was no useful purpose being served by having that person fulfil the last period of their sentence would it then go to the parole board.

The interesting thing that has not been mentioned when someone talks about getting rid of 745 is that there is a process of judicial review done by a jury of peers, ordinary citizens.

The other aspect in this bill, which I think is an important change being proposed by Bill C-45, is that another step has been added which will eliminate any nuisance factor or improve the productivity of the system whereby in the first instance a judge of the courts will determine whether a particular proposed application has any merit. This means that if someone who is serving time decides after 15 years to make application it is first going to be determined whether the application is worthy of moving forward through the process. It has to be dealt with by a judge. It has to be an honourable person of the court who determines, on the history of the case and from the recommendations by the jury at the original trial, whether this application is worthy of going forward.

● (1300)

This is where people like Clifford Olson would be stopped, totally. He may ask for it, but there is no possibility in our society that people like Clifford Olson will ever get any breaks to get out of jail early or at all for that matter.

The second process is to go to a review by a jury of peers. Again, ordinary Canadians would be given all of the facts, all of the circumstances, and it would be up to Canadians, our neighbours, our friends from right across Canada. They would decide whether a case would merit consideration of shortening a sentence or having early parole.

If that were successful, it would then have to go through the ordinary process of a review by the parole board. There is a very comprehensive and extensive approach to it. The question comes down to is there a case of someone who has been convicted of first degree murder and who was sentenced to 25 years in prison that

should be considered for a reduction in sentence? It is a very tough question.

Many members will say first degree murder is first degree murder. The murderer has taken a life and they should serve the total of 25 years and that is all.

I asked justice officials to tell me about some of the cases where application was made and granted. I found that we were not talking about Clifford Olsons, we were not talking about Hell's Angels members who killed people and were getting out on early parole.

Many of the cases were domestic problems where an abused spouse in reaction or emotion killed their spouse. There were cases where disputes within families led to one family member killing another family member. It is tragic and awful in our society. But as we all know, there are circumstances that create pressures and stresses on people which make them make very bad mistakes. They have to live with those mistakes for the rest of their lives. They are very remorseful. It serves Canada and society as a whole no benefit to have them incarcerated for that additional period.

A better result may be achieved if those people are shown clearly, based on a review by judges, by juries of their peers and by the parole board, not to be a threat to society as a whole. The incident had complicated or mitigating circumstances associated with it but on the technicalities of the merit of the case it did in fact constitute first degree murder.

I raise the issues to make sure all hon. members know the argument is not a Clifford Olson argument. There is no question that all hon. members of this place want to ensure those situations do not tie up the courts and do not particularly raise the kinds of problems that have been raised here.

It is a constructive change that has been raised in Bill C-45. I support it and I know this House will look favourably on the bill because it is the right thing to do.

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Madam Speaker, I had a few notes on what I wanted to say about this government amendment, and perhaps I will get to some of those things. Listening to the hon. member for Mississauga South gave me some new points that I thought were more worthy of discussion.

One point goes to the heart of the problem. The government does not listen to people. Something the member said really drew my attention to that. When he referred to capital punishment he said ''the government of the day decided''. The government of the day is not supposed to decide. I do not know about the government over there. I do not know about the Liberal Party. I was not elected to rule over anybody. I was not elected to think for other people. I was elected to listen, to react to what I hear and to carry that message here to Ottawa.

• (1305)

The government of the day decided. That was said in all innocence and I do not wish it to be a reflection specifically on the hon. member who said that, but I think the concept of that is absolutely disgusting. It has brought us to the mess we are in in many things and most particularly the criminal justice system, the concept of somebody having a faint hope clause after 15 years. The member said there may be no useful purpose in having that criminal fulfil the final portion of the sentence.

The criminals in this case were sentenced to life but they are not necessarily held for life. That concept is there but maybe there is no useful purpose in taking someone who is 20-years old and keeping them in there for 60 years until they are 80 or 85 or whatever. It specifically says 25 years and then after that a decision is made. That is where the so-called faint hope is. If you behave, if you show remorse, if you show you have understood the wrong you have done and you are going to try to live a better life, they have already said when you are going to be considered from the actual sentence which is not 25 years, it is life.

Now we are saying that maybe you will get out after 15 or 20 years. If we go along with that maybe we should look at 10 years. The jails are crowded, he did not kill anybody important, so we will let you out. Or, we are going to keep this guy for 15 or 20 years because he killed 10 people, but you only killed 2 or 3 so you are not so bad so we have to let you out early in order to keep things proportionate. Does that not sound ridiculous? I am trying to sound ridiculous because that is exactly the whole concept of this idea.

In some cases like the Clifford Olsons and the Bernardos of this world, 25 years is a very light sentence. The very thought that they should even be remotely considered for parole after 15 years is absolutely nauseating.

I agree with the hon. member for Mississauga South that the Clifford Olsons of this world are not going to get out after 15 years but they are going to get a podium to spout all kinds of garbage that only comes out of sick mind like his in the first place. That is going to retorture the families that have already had the ultimate torture visited upon them. Why give him a chance to revictimize the victims he has created? I do not see that it serves any useful purpose whatsoever.

The hon. member also spoke about the honourable judiciary who was going to prevent this from happening. I had a case in British Columbia where the parents of a girl who was murdered lived in my constituency. The murder did not take place there but her parents lived there. Although this was a provincial matter, they were getting absolutely no help or comfort from the provincial government whatsoever and so they came to me. Their daughter was stabbed 43 times by her husband. It was a vicious, violent death. He dumped her in the back of a pickup truck, drove to the

family home where their daughter was inside and waited until the lights went out because she was up watching TV.

He parked the car with her mother's dead body in the back in the family garage. He went in and packed his cloths, took off into town, closed out the bank accounts, collected some debts from other people, sold his car and took off to Mexico until, in his own words, he could get his story straight.

He was discovered and faced extradition. He returned and consulted with his lawyer and turned himself in. He said: ''Yes, I stabbed her but it was not my fault''. I do not recall the legal term for it but he had a momentary blankout. He went on the stand and said: ''I am a wonderful guy and I just thought my wife was great until I snapped because she was nagging at me. I have always treated her right''.

The prosecution tried to bring in his former wife, whom he had beaten on many occasions. It was not allowed. The judge in this case, this wonderful judiciary who was going to take care of undeserving people like Clifford Olson, decided that because it happened more than six months before it was irrelevant.

• (1310)

Then the prosecution said: ''Okay, we will bring in something more relevant. We will bring in independent witnesses who saw the accused on at least two occasions beating the victim in public so severely that she had to be rescued by bystanders''. The honourable member of the judiciary decided that was not appropriate either because it was only hearsay and the victim was not there to be cross-examined.

That is the judiciary which the hon. member says will prevent the Clifford Olsons of this country from getting an opportunity to ask for a chance to get away.

There is a term. It was not designed specifically to be used against the government. The term is bleeding heart Liberals. It is a generality. It does not refer specifically, or at least necessarily, to the Liberal Party, but it sure fits. It fits incredibly in this case. Bleeding heart Liberals.

That is not so bad. There is nothing wrong with having a bleeding heart, provided they bleed for the right people. When we have the victims of Clifford Olson, all those young children, the parents, the families, the relatives, and we come in with some clause which will give an opportunity to the murderer of all those children, the person who brought all that misery to the families of those victims, when we start bleeding for them, we have a major problem. Right now we have a major problem. It is called the Liberal Party.

For years I was a building contractor. If something goes wrong with a foundation, if it is a small area, sometimes it can be fixed. However, when the whole foundation is rotten the whole thing has to be taken out. It cannot be patched and repaired. We cannot patch and repair something which is so absolutely disgusting as section 745. It has to be removed in its entirety.

I recently bought a car. I paid $25,000 for it. However, I did not go in when the car was ready and say: ''I am only going to give you $15,000 because I want to have some faint hope that I will save money''.

If there is a sentence out there, if it is what the people of the country decide on, 25 years is the minimum. It is not the maximum. They may stay in much longer. We have already gone to the judiciary, which the hon. member for Mississauga South said is so honourable and will protect us. If he accepts that, why do we not listen to the judiciary which said that 25 years is the minimum? Why does the government want to interfere and say: ''It might be the minimum, but we are going to consider making it considerably less''. That makes absolutely no sense.

Section 745 needs to be eliminated. Something that is totally rotten cannot be fixed. We have to get rid of it. That applies to every other segment of our society and it applies here as well.

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Madam Speaker, I am pleased to rise today to speak to Bill C-45, an act to amend the Criminal Code in the judicial review of parole ineligibility and another act.

I will start with a question. Where is the government coming from? What in the world is it doing? Having been here for just about three years I ask the question are we better off in any capacity now than we were three years ago? I wonder, in terms of the criminal justice system, what in the world the government is doing with this amendment.

Bill C-45 purportedly toughens the justice system. I would say today that it is simply a half hearted public relations effort, as is most of what the government has done in its supposed reforms, in an effort to show the Canadian public that it is doing something.

I will look briefly at the history of the justice system's response to this particular issue, a first degree murderer.

• (1315)

We see a record that actually started in the era of another Liberal, Prime Minister Trudeau. At that time, the rights of the criminals and the process of the rehabilitation of criminals overtook, within the justice system, any idea of the importance or the pre-eminence of the idea of the protection of law-abiding citizens.

Since the time of Trudeau, both traditional parties, Liberals and Conservatives, have spent those 20 intervening years becoming softer and softer on crime and criminals. The sad fact is that one cannot get softer on criminals without making life more difficult

for society in general, as well as for the victims of the crimes that they commit.

First, capital punishment was replaced with life imprisonment. Later, parole was provided so that life, even life of a 25-year sentence, no longer meant that 25 years. A faint hope clause was introduced, as was described earlier by many of my colleagues, which gave an automatic right to apply for early parole at 15 years. Records show that the possibility of it is very good.

In the meantime, the system is tied up with criminals, such as we have heard about today like Clifford Olson, who have a right to a process which makes no sense to the essence of justice or to the majority of Canadians.

Today, with this amendment we come to another step in this process with a government that is full of bleeding heart Liberals who think that withholding parole from only multiple murderers constitutes being tough on crime. How ridiculous. The Liberal government today pretends that action is being taken in the criminal justice system. There is nothing here that is substantive, nothing helpful. What it is doing is at total cross purposes to the good of our society.

I would like to remind the House of the recent amendments to the Young Offenders Act and the amendments made by this government purportedly to make that system work better. That too was a smokescreen for a mindset that did not take crime seriously. It was these amendments that put society at a greater risk today.

In my constituency—I have spoken of this before—a little over two years ago, there was a murder. It has been mentioned by my colleague. It was a cold-blooded murder, a kicking to death of a young man on one of our streets five blocks from my home. They were two young offenders.

Our community reacted to that with an outpouring of heartfelt petition to government to make some change. Over 3,000 people came together at a rally. Never has an event like that happened in my constituency before. Over 3,000 people participated.

This summer, the then 15-year old and now 17-year old, with the changes made by this government to the Young Offenders Act was raised to adult court. His case was reviewed and he was sentenced according to the adult court provisions for young offenders, again specifically in response to the amendments made by this government.

The cold-blooded murderer of Graham Niven on the streets of our town would have received 10 years under the previous Young Offenders Act. Given that he was raised to adult court, he received five years for cold-blooded murder. Because he had already served two years in the intervening time, he will be on the streets of Port Moody—Coquitlam in three years. From what I understand that young man has shown no repentance, no sense of guilt or remorse. Yet in three years' time that young man who committed cold-blooded murder will be in our community, on our streets, thanks to grand amendments made by the government under the pretence of making the judicial system better. The system does not care or demand accountability. The system does not care about public safety on the streets of our cities.

• (1320)

I know that my constituents do not think that Bill C-45 is tough on crime. I know that my colleagues' constituents do not think that Bill C-45 is tough on crime. Canadians do not think that this bill is tough on crime. Once again the Liberals are out of touch with the Canadian people. They have no interest in the views of Canadians. They seem to want to represent the views of the justice department which is disconnected, the views of a justice minister who has repeatedly shown us that he is disconnected and the views of a Prime Minister who is disconnected from the beliefs and wishes of the Canadian people.

Mr. Discepola: Only Reformers are connected.

Mrs. Hayes: My colleague says that only Reformers are connected. We care about representing our constituents. Why do the Liberals not care what their constituents are thinking?

The private members' bill put forward by the member for York South—Weston has been ignored, has been swept under the carpet. It demanded repeal of section 745 and that is where we should be going, not tinkering, not doing what we did with the YOA, but making real change.

Seventy-four members supported that bill. Where are they today? Where are the government members who should be saying that we do need change. We need repeal of section 745. For goodness sake, why does the justice department reign without consideration of where Canadians are coming from. These members march in lock step with government priorities, whether it be automatic parole, or treatment of illegal immigrants or the small minority of immigrants who break the law. These are all things which are a total disgrace to Canadians. The government is not treating the criminal justice system with its due priority nor is it reflecting the views of Canadians.

The member for Skeena asked some excellent questions. What do we say to a woman whose husband was murdered and we know she has to live with the pain for the rest of her life while the criminal has a chance to go free in 15 years? What do we say to children whose mother was raped and killed by a repeat offender who was released early by a justice system that does not take the crime seriously? What do we say to the families of Clifford Olson's victims when he applies for early release? What do I say to the

moms and teens who will live on the same street as that young offender who will be released in three years?

Liberal members who have spoken have no appreciation of the anger that is out there or the overwhelming public support for a capital punishment referendum. Reform listens and we speak to and support that. How can these MPs say they are representatives? They have managed to miss the message. Who are they listening to? They are not hearing the people I am hearing.

I say today that we should repeal, not tinker with section 745. Along with my colleagues I will vote against Bill C-45.

Miss Deborah Grey (Beaver River, Ref.): Madam Speaker, I think we really need to look at some of the details of this bill. As my colleague said, maybe we are just tinkering with it.

One frustrating thing that the Canadian public feels is that there needs to be some large changes made, not just tinkering with any piece of legislation, whether it is financial, economic or criminal justice.

I want to respond to a Liberal member who just called across asking: ''Why did you not support the gun control bill''? If I though that the gun bill would eliminate or reduce crime and violent offences in great measure, I would be willing to support the gun bill. I think Canadians across the country probably would.

• (1325)

What they see is a situation where the government is perhaps out of touch. The same member also is calling out right now. I do not know whether I could call this an assault, but I certainly do hear a lot of noise coming from that direction. The member says: ''Don't you think we listen to the people?'' Of course I do. I would not be arrogant enough to say that nobody in this House but Reformers listens to the people because that simply is not true.

I know there are members in this House, and you probably yourself, Madam Speaker, spent the summer at home and listened to what people had to say. The concerns are the same across the country. Let us face it, nobody on either side of the House wants Clifford Olson to be free and wandering around in the Canadian public any more.

What has happened is that the executive branch of the government says that it knows best. I know there are Liberal backbenchers here who are equally frustrated as we are. They have been home, and we have been home, for the summer and listened to what has gone on. People are hearing in their own constituencies that they want people to be accountable. They want government to be accountable. It is their cash that we are spending here. They want to make sure that murderers are accountable for their crimes as well. They feel a sense of frustration that Bill C-45 which is not completely repealing section 745 of the Criminal Code is going to do that job.

The private member's bill brought in by our colleague from York South—Weston was going to do exactly that. It was repealing section 745 so that we would not have this automatic kickback in place so that after 15 years a murderer could automatically apply for early parole.

We talk about justice and say that justice must be done. We could all debate in this House about how important it is for justice to be done and to be served. Let us remember that justice means justice. In a lot of our academic discussions we have probably forgotten what the word justice actually means.

Those people who think that they know the meaning of it, the academics, the lawyers, the judges, the media and so on, perhaps have lost the true meaning of what justice is. Ordinary Canadians have not and whether they live in Reform ridings or Liberals ridings is immaterial. Ordinary Canadians regardless of whom they are represented by in the House of Commons realize that the meaning of justice has been lost or certainly watered down.

I could give a definition of justice to mean acting in accordance with what is morally right or fair. We are afraid to walk the line to even talk about morals. Somewhere there is ultimate justice coming and those people who have taken a life, first degree murderers, who are applying for early parole now must realize that their victims are dead forever. When we hear on the news or see on television that someone has been brutally murdered by one of these violent offenders we feel that pain. We try to understand the grief that family is going through.

Yet a couple of years later, for instance in the Mahaffy and French cases, although I feel that pain, it is certainly not the way the family feels it. That is with them forever. The person who committed murders may feel somewhat repentant. I do not know how they feel in their hearts. I know that they are alive and they are doing whatever they can do. Clifford Olson is working on his appeal right now. He is not feeling the grief that the families are feeling. Many people who have had loved ones murdered are feeling that pain. Dead is dead forever.

When we think that justice means acting in accordance with what is morally right or fair, there are wrongs, there are rights, there are absolutes that it is wrong to take another life. We could just discuss it away in these hallowed halls all the time and say we think that this person needs special treatment or we think that this person deserves to get out of jail. There are people who genuinely do get rehabilitated but the frustrating part is that we just use all of them in a blanket statement.

The words bleeding heart were used here earlier by various people. We need to be sensitive, to make sure that people who are forever going through the pain of losing loved ones are not going

to be hoodwinked or going to be held to ransom by a body of legislators who think that they know best for everybody and that is by giving the criminals more attention than the victims.

● (1330)

Something we have to get to in our society, when we are talking about morals or what is absolutely right or wrong, is that when the rights of a victim and the rights of a criminal conflict we must always come down on the side of the victim. Yes, criminals need attention, rehabilitation, love and caring, but the victim was someone who was totally innocent and paid the price. As I mentioned earlier, those who have lost somebody have lost them forever.

I would just like to mention Clifford Olson for a couple of minutes because his name has come up over and over again. He has been the flashpoint of this section 745. Clifford Olson wreaked havoc on many people's lives and those lives are suffering just as much now, 15 or 16 years later, as they were when the act was committed.

I think Clifford Olson was arrested in August 1981. I was on a camping trip on the coast. I was camping in a tent on the sand at Long Beach on the west coast of Vancouver Island. I got up the next day and packed up my tent to drive across Vancouver Island to go over to Vancouver. I heard on the news that Clifford Olson had just been arrested around Ecluelet on the west coast of Vancouver Island which was about two miles from where I was camped. A young woman, sleeping in a tent on the beach, I thought I was perfectly safe. I had no thought in the world that anything wrong or dangerous would happen to me.

Ironically, I found out he had just been arrested a couple of miles up the road. He had picked up a couple of girls and had not done anything to them yet. Fortunately they did not have to pay the price with their lives. However, he was out and about and free. Who knows, many other people could have been his victims.

He was arrested then and is now applying, 15 years later, for early parole. The sad and ironic twist about this thing, which was brought in by a Liberal government in 1978 by the member for Notre-Dame-de-Grâce, I understand is that the time goes from the time of arrest which is 15 years ago. As one of my colleagues said, the moment one is arrested the time is added and therefore the 15 years are up.

I would like to ask how anyone of us would feel if we were one of the victims' families and heard that Clifford Olson was going to get his day in court. Can anyone imagine having to open that wound again and watch him get that opportunity in court? I cannot think of anything worse, more damaging, more dangerous, more frightening and more harmful than to give this guy another day in court so that he can go and bring up all this stuff again. I do not think the families of those victims need to see that again. I do not think he needs his day in court.

I do not know if you were one of the ones, Madam Speaker, whom he wrote a letter to recently in this Parliament, but the fact is Clifford Olson sent mail to many of the people in this Chamber and there was a condom stuck in that letter. I would like people to reflect on that for just a minute by asking if this is what we are allowing to happen. Do we want to give this guy his day in court? I think not. I do not think that anyone of us needs to be subjected to getting a condom from this character, I really do not.

However, we see a government which says: ''Yes, we are going to bring this in because we need to be compassionate''.

Let me finish by saying yes, we do need to be compassionate. By repealing section 745 all together does not mean that we are not being compassionate. What it means is that we will still allow a trigger to be in place because some murderers and violent offenders are curable. They are not all incorrigible. Some of them will be rehabilitated. Some will care and will have a genuine conversion experience in prison. They will want to make their lives better and pay back to society some of the terrible things they did by doing good work. Some of them will be allowed to be released. By eliminating section 745 all together does not mean we are just going to lock these guys up and throw away the key. However, there is such a thing as a pardon. I think that trigger could still be in place.

I wish the Minister of Justice and his colleagues would say: ''We want to make sure that even though we do repeal section 745 there is still room for a pardon so that somebody can be released on that but it would be the exception rather than the rule''. I think that is a far healthier way of going about it than the way the government is moving with not repealing section 745 and going ahead with Bill C-45 right now. I think it is wrong and I do not think it will solve the problems that we face in the country.

● (1335)

Mr. Paul Forseth (New Westminster—Burnaby, Ref.): Madam Speaker, Bill C-45 is before Parliament this September for specific reasons. There is a national consensus. The national consensus is that the operation of section 745 is flawed. The public does not like it. As with so many issues, the government tries to respond but it will not abandon its old ways and become a responsive agent for change.

This bill demonstrates that it is a rather poor manager of the country's business. It is not a matter of left or right on the political spectrum. It is between Liberal system defenders and the out of date attitudes of the Liberals, and Reformers who side with average Canadians in their impatience for change to reform our laws, to represent the situation that has become evident to the public as it

has observed the results and the operations of section 745 of the Criminal Code in its community.

The Liberals continue to stick to the old. Reformers are the system changers. It is a matter of ideals and social philosophy. It reveals the bankruptcy of Liberalism and the dissonance between the old view of the Prime Minister and the tremendous desire for reform that is in the land.

Today we have an example of the distasteful Liberal attitude of the divine right to govern from the Reformers who wish to represent mainstream Canadian values and the desire to give this country a fresh start.

The statistics of reoffending are not relevant to the central argument. However, the amount of crime we have in society is central. It is a matter of doing what is right, of doing what mainstream Canada wants. It is a matter of how average Canadians view themselves, of how citizens in my riding interpret what it means to be Canadian and of what should happen in society when murder occurs.

It is my view that section 745 of the Criminal Code has no appropriate place in Canadian criminal law. It is not appropriate as an instructive and social aspect of defining the limits of social order. It is a classic case of old style government prescribing and telling Canadians what is good for them, while it closes its ears to the national outcry against the section 745 rule.

There was a deal in this nation, the fair exchange was the abolition of capital punishment. Measures were introduced for those who have received life in jail. The faint hope of parole at the 25 year point was the fair exchange when capital punishment was eliminated.

Then that fair exchange was broken by the Liberals and slippery rules were introduced that the parole eligibility date could be reduced to even 15 years.

The bill before Parliament today tinkers again with these rules. The problem is this whole game should never have been entertained in the first place. This section should be repealed, not adjusted.

If the Liberals had their ideology deeply rooted in the Canadian soil and if they could comprehend the victims in this country, they would have abolished section 745. They would not have come back with this weak-kneed pointless piece of legislation known as Bill C-45 that we are debating today.

I also take issue with the fact that Bill C-45 appears to create categories of good and bad murderers. Those who kill one person will be entitled to a section 745 review. These are the good murderers according to the justice minister's legislation. However, serial killers will not be entitled to a section 745 review. These are the minister's bad murderers in the bill. It is truly unbelievable that the minister has actually quantified human life in this piece of legislation.

I ask the Prime Minister is one life any less valuable than two, three, five, ten? According to this bill an offender should be given a glimmer of hope if they kill only one person, but any more than that and they will not get a section 745 review.

The Liberals have set the quota at one life. It is disgraceful and reprehensible that the justice minister would draft his very own categories of murderers, some deserving leniency and others not.

● (1340)

What is parole anyway? Parole means that an offender can spend jail time in the community under some kind of supervision. Unfortunately, often that supervision is rather loose. I have deep concerns about the public expectation of what parole supervision means and actually what is delivered.

A life sentence with the opportunity of parole at 25 years was the fair exchange, but section 745 breaks that reasonable social convention.

My community is upset because section 745 should not exist, and yet the government is tinkering with it. The government can create an image, an appearance that it is doing something, because the public is upset.

This bill does not reflect mainstream Canadian values. The protection of society and the consideration of victims must be paramount before considering any legitimate concern for the offender. Therefore, on behalf of my community I cannot support the bill.

The Acting Speaker (Mrs. Ringuette-Maltais): Resuming debate?

An hon. member: Question.

[*Translation*]

The Acting Speaker (Mrs. Ringuette-Maltais): Is the House ready for the question?

Some hon. members: Question.

[*English*]

The Acting Speaker (Mrs. Ringuette-Maltais): Was the hon. member in the House when I said resuming debate?

Mr. Hermanson: Yes.

The Acting Speaker (Mrs. Ringuette-Maltais): In your place?

Mr. Hermanson: I was in the House when someone called for the question. I was standing and you did not—

The Acting Speaker (Mrs. Ringuette-Maltais): I am sorry, but the question is what I am reading right now. We will go on with the question.

[*Translation*]

Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mrs. Ringuette-Maltais): The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mrs. Ringuette-Maltais): All those in favour will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mrs. Ringuette-Maltais): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mrs. Ringuette-Maltais): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mrs. Ringuette-Maltais): The division stands deferred. The recorded vote will also apply to Motions Nos. 3 and 5.

The House will now proceed to the taking of the deferred division at the report stage of the bill. Call in the members.

And the bells having rung:

The Acting Speaker (Mrs. Ringuette-Maltais): The division stands deferred until 10 p.m.

* * *

• (1345)

[*English*]

PRISONS AND REFORMATORIES ACT

Hon. Douglas Peters (for the Solicitor General of Canada, Lib.) moved that Bill C-53, an act to amend the Prisons and Reformatories Act, be read the second time and referred to a committee.

The Acting Speaker (Mrs. Ringuette-Maltais): Debate. The hon. Parliamentary Secretary to the Solicitor General of Canada.

An hon. member: He is not here.

Some hon. members: Throw him out.

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. Parliamentary Secretary to the Minister of Justice.

An hon. member: Point of order.

Mr. Hermanson: You cannot have it both ways.

The Acting Speaker (Mrs. Ringuette-Maltais): I think the hon. member should retract insulting the Chair like that right now. Please retract your comment in my regard. We will deal with the point of order once we deal with the comments regarding the Chair that I just heard. Would the hon. member please retract his comment with regard to the Chair. The hon. member for Kindersley—Lloydminster, please retract your comments to the Chair.

Mr. Hermanson: I am not sure which comments the Chair is referring to.

The Acting Speaker (Mrs. Ringuette-Maltais): With regard to my not being able to have it both ways. Could you please retract those comments right now.

Mr. Hermanson: I wonder if the Chair understood what I meant when I said ''couldn't have it both ways''.

The Acting Speaker (Mrs. Ringuette-Maltais): Hon. member, would you please retract your comments now.

An hon. member: Shame.

The Acting Speaker (Mrs. Ringuette-Maltais): Do you not want to retract your comments?

Mr. Hermanson: I do not understand what the Chair is asking me to retract. I did not do anything that was unparliamentary.

The Acting Speaker (Mrs. Ringuette-Maltais): I will deal with this issue and your comments after I discuss this with the Speaker of the House. I am not pleased at all.

Mr. Breitkreuz (Yorkton—Melville): Madam Speaker, I rise on a point of order that regards the happenings in the House in the last few moments.

I am very concerned with what I have seen happen. The Speaker asked for someone to rise and address the issue at hand. That person was not present in the Chamber. A few moments previous to that, because the member was not present—

The Acting Speaker (Mrs. Ringuette-Maltais): The first person to talk on this bill is a member of the government. It is supposed to be the parliamentary secretary to the minister.

An hon. member: He is not here.

An hon. member: Point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): We will move on.

An hon. member: Point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): Is the hon. member speaking on this motion for the government?

An hon. member: Point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. member.

An hon. member: Point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): We have dealt with your point of order. We are moving on with comments on this item. The hon. member.

• (1350)

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Madam Speaker, I am pleased to rise today to say a few words in support—

Mr. Speaker (Lethbridge): Madam Speaker, I rise on a point of order. I would like to bring to your attention that Beauchesne says when a member rises on a point of order, that member must be recognized by the Speaker of the House. The Speaker of the House at that time must hear the point of order before making a judgment whether or not the member can be heard.

I would appreciate, Madam Speaker, that you reconsider your position with regard to the hon. member for Yorkton—Melville at the present time.

The Acting Speaker (Mrs. Ringuette-Maltais): Is there another point of order?

Mr. Breitkreuz (Yorkton—Melville): Madam Speaker, I would like to complete the point of order I raised previously with regard to the procedure in the House of Commons. I had a question for you. Why, when one member was here waiting to speak, was that privilege denied by the Chair, and then another member rose and the Speaker recognized or wanted to recognize another? That member was not in the Chamber and we were not accorded the same privileges that member received. What was the procedure with regard to that? I would appreciate the Speaker's comments.

The Acting Speaker (Mrs. Ringuette-Maltais): Hon. members, these are not points of order. Resuming debate.

Ms. Cohen: Madam Speaker, as the government has stated, Bill C-53 is an excellent example of both the government's continuing commitment to responsible criminal justice reform and a positive federal, provincial and territorial collaboration.

Our correctional system divides its responsibilities between two levels of government and among 13 separate provincial and territorial jurisdictions. While each level of government and each jurisdiction has its own unique challenges, there are many issues common to all of them which face all of them. Now more than ever it is important that we work in collaboration to share our expertise and experience in addressing these common problems.

It is no secret that all jurisdictions have been experiencing prison population growth in recent years. This population growth threatens to outstrip available resources. At the same time those very government resources have been declining. These pressures, if we do not seek effective solutions, will undermine any jurisdiction's ability to effectively treat, manage and return offenders to the community as law-abiding citizens. That, after all, is our shared goal.

From 1989-90 to 1994-95 the federal penitentiary population grew by 22 per cent. During this same time period, provincial prison populations grew on average by about 12 per cent. While this growth was occurring, the reported crime rate was actually declining. Why have we seen this increase in prison populations? In fact there are a number of reasons.

There are indications that at the provincial level more custodial sentences are being given by the courts and for longer periods of time. There has also been a significant growth in the number of charges for sexual and other forms of assault. At the federal level there have been fewer conditional releases granted and more revocations of those releases that are granted.

• (1355)

The net result is that Canada's incarceration rate is simply very high by world standards. In fact, among western countries it is one of the highest. The combined federal, provincial and territorial incarceration rate is 130 youth and adult offenders for 100,000 population. This places us far above European countries such as the Netherlands at 51 per 100,000, or Germany at 81 per 100,000.

Even among western democracies there are considerable differences in culture, values and social institutions which make it difficult to assume that direct adoption of the practices of other nations would be viable. Nevertheless when our incarceration rate is so dramatically higher than many of our European partners, it is incumbent on us to ask some tough questions as to why this might be so. Some believe for example that the criminal justice system today is too often used to deal with social problems that could be handled more effectively by other social services or programs or by greater collaboration among health and social program areas and the criminal justice system.

In particular we need to be sure that the criminal justice system is making the most effective use of community health and social resources in preparing offenders for returning to our communities as law-abiding citizens. All jurisdictions have traditionally considered community corrections to be a viable alternative to incarceration for low risk offenders.

Today community based programs are increasingly important as cost effective correctional alternatives that can be used to offset escalating institutional populations and costs. When an offender should be imprisoned because of the risk they pose to the public, that is where they should and will remain. This is not a question of dollars and cents; it becomes a question rather of public safety. Where that public safety can be achieved through controlled reintegration into the community, then that is the best way to ensure that scarce taxpayers' dollars are spent on incarcerating only those offenders who truly must be incarcerated or who truly need to be incarcerated.

Some community based measures which have been integral parts of correctional practice for years are being given more emphasis today. These include things such as bail verification and supervision programs, electronic monitoring, house arrest, fine option programs, victim-offender reconciliation programs, enhanced probation, and community based treatment programs. All of these programs have at their heart the diversion of low risk offenders out of the criminal justice system or to a lower degree of control within the system when it is safe and consistent with criminal justice objectives to do so.

Early intervention to divert offenders before a criminal behaviour pattern has been established is regarded by many as a sound method to avoid future criminal involvement and the associated costs to society.

Many such programs have been developed and tested on both an experimental and an ongoing basis. Recent consultations have revealed that there is a renewed interest in many jurisdictions and that there are many such programs being implemented or considered.

The reforms in Bill C-53 provide an excellent opportunity to build on this renewed interest. These improvements to the provincial temporary absence legislation will provide a sound and flexible framework for provinces and territories to provide community based management of offenders in appropriate cases. Offenders who are able to work can continue to do so while others can pursue treatment, educational, vocational or other programs in the community, all while subject to correctional control.

As I said at the outset, all jurisdictions are facing common problems with regard to escalating workload pressures in the criminal justice field. Solutions are being sought in diverse ways but with many common themes. Sharing knowledge about these efforts, working together to expand our knowledge about the problems and potential solutions, and engaging in collaborative efforts can maximize the results of each of our individual efforts and benefit all jurisdictions.

The Speaker: Of course when the debate continues after question period, the hon. member will have the floor.

It being almost 2 p.m., we will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*English*]

NORTH ATLANTIC TREATY ORGANIZATION

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, as the decision to enlarge NATO approaches, the countries of central and eastern Europe that favour integration are especially interested in its outcome. Indeed these countries desire to join the European Atlantic alliance, hoping that this will provide guarantees for their security and stable political and economic evolution.

• (1400)

[*Translation*]

It is of the utmost importance for Canada, within NATO, to favour the growth of democracy in Eastern and Central European countries and their integration in the European institutions.

[*English*]

Furthermore, the establishment of open and prosperous market economies in the region will generate important trade and investment opportunities for Canada and will contribute to a more beneficial world economy and economic gains for all.

The entire region of Central and Eastern Europe needs to be included in a new European security arrangement based on NATO membership. This approach will require sophisticated diplomatic initiatives and a well conceived strategy. Canada can make a significant contribution to this process.

* * *

[*Translation*]

YOUNG PEOPLE IN MONTREAL NORTH

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, today I would like to draw the attention of the House to the talent and achievements of two young people in my riding of Bourassa. They owe their success to their tenacity and their boundless courage.

I am proud to salute Patrick Brunet who ranked third in Radio-Canada's Course Destination Monde. This extraordinary adventure illustrates the ability of our young people to be open to the world.

I also want to extend warm congratulations to Annie Pelletier, from Montreal North, who won the bronze medal for diving in the three meter category at the Olympic Games in Atlanta.

The achievements of these young people will go down in history. This is clear proof that by giving young people a chance to develop their many talents we encourage excellence and competitiveness and thus guarantee the future of our society.

* * *

[*English*]

LIBERAL PARTY

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, listening to the Prime Minister and listening to my constituents in Lethbridge I could swear we were living in two different countries. The Prime Minister says it is the best of times. He says: ''Relax. Everything this fine''. He thinks things are okay just the way they are.

That is not what I heard this summer. These are not the worst times, but there is a deep uneasiness with the people I talk to. There is sort of a gut feeling that things are not as good as they should be.

What these people sense that the Prime Minister does not is that Canada can do better: better than the mess that the government has made of the armed forces; better than the laws that say only multiple murderers get a full sentence; better than the national unity plans consisting of flag giveaways; better than a debt that will reach $600 billion in a few weeks; better than a 9 per cent unemployment rate every single month for the last six years.

To those who know in their hearts that Canada can be more than this I say the following. Just because the Liberals have settled for second best does not mean they have to as well.

* * *

PROSTATE CANCER

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, may I remind the House that this week is prostate cancer awareness week.

As colleagues may be aware, prostate cancer now has the highest rate of occurrence for newly diagnosed forms of cancer in Canadian men, after non-melanoma skin cancer. It is also the second most common cause of cancer deaths.

During this decade the incidence of the disease has risen at an unusually high rate. The lives and health of many Canadian men and their loved ones will be affected by this cancer and by interventions of screening and treatment.

Greater awareness about prostate cancer and more research into ways to prevent and treat this disease are needed.

I commend the Canadian Cancer Society and the Canadian Prostate Cancer Network for their continuing work in helping to combat this disease.

* * *

COMMUNITY CREDIT PROJECT

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, I rise today to applaud a new initiative which will put an additional $2 million into the hands of small business people in rural Ontario. The Community Credit Project is a result of a partnership between the Bank of Nova Scotia and the Ontario Association of Community Development Corporations and represents an example of Industry Canada's efforts to increase small business access to capital.

Scotiabank has agreed to make $2 million in wholesale loan funds available at below market rates to eight community development corporations that will administer the loans under their existing network. This will provide viable businesses with access to much needed higher risk start-up and expansion capital, directly addressing one of the greatest obstacles to small business growth and development in Ontario.

• (1405)

This is an effective partnership between a private funding source and an existing public delivery network that positively impacts job creation in rural Ontario. I congratulate the sponsors.

* * *

PEACEKEEPING

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, September 17 marks the United Nations International Day of Peace. It is a day for us to be proud of the contributions that Canada has made to the United Nations such as those of former Prime Minister Lester B. Pearson who won the Nobel peace prize for creating the concept of peacekeeping during the Suez crisis.

Since that time, Canadians have been involved in numerous UN missions including Korea, Cyprus, Rwanda and of course our ongoing mission in the former Yugoslavia.

Last year Canada was credited with initiating a UN rapid reaction force that would act in times of crisis.

[*Translation*]

Canada has good reason to be proud of its past performance, and must continue to work in conjunction with the United Nations on behalf of peace in Cyprus, Lebanon, Iraq and anywhere else in the world where human rights and international law are not being respected.

* * *

DAIRY PRODUCTS

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, since August, the government's decision to terminate the industrial milk subsidy has resulted in a higher price for milk solids, and that increase will be reflected in the price of dairy products. Consumers will, in fact, have to pay an average of 4 per cent more for their dairy products, and this hits the less well off particularly hard.

This is only the first step, for the end of the industrial milk subsidy, as announced in the last Martin budget, will continue to have repercussions for the next five years.

It is unfortunate that low fat products will be the ones most affected, since these contain more milk solids. This will eventually have an impact on the general health of the population and, strangely enough, at the very moment the federal government is also pulling out of funding health services, by cutting back its transfer payments.

S. O. 31

[*English*]

EMPLOYMENT

Mr. Herb Grubel (Capilano—Howe Sound, Ref.): Mr. Speaker, this government promised jobs, jobs, jobs. It has not delivered.

The unemployment rate remains above 9 per cent after three years of economic recovery. I blame this dismal record on the government's failure to deal with labour market problems.

Our employment insurance system subsidizes permanently seasonal industries. Premiums, known to kill jobs, are too high. Our high marginal income tax rates drive abroad the most skilled and entrepreneurial Canadians. Our high capital gains and corporate taxes push investment abroad.

Small business, the Canadian job creation machine, is held back by red tape and excessive taxation. Large business is discouraged from hiring labour by too much regulation and legislated wages.

High unemployment can be cured. The evidence from around the world is clear. Shame on this government for not acting.

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GOODS AND SERVICES TAX

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, at a time of increasing concern about literacy, it is unfortunate that another Liberal promise was broken a week or two ago when the Minister of Finance made it clear that the Liberals were not going to retract the GST on books.

At the time, the Minister of Finance defended his decision by challenging his critics to say where the $140 million would come from. One of the places the Prime Minister could look for the $140 million is in the $2 billion that was moved overseas tax free as a result of the family trust loophole.

In that respect I am very glad to welcome the legal action being taken by Cho!ces, a social action group in Winnipeg, which is going to take the federal government to court if it does not have that tax decision, that advanced ruling reviewed so the money that should be going into the public treasury goes there to pay for things like taking the GST off books.

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[*Translation*]

THE DEATH OF ROSE OUELLETTE

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, Rose Ouellette, known affectionately to everyone as ''La Poune'', has died at the age of 93.

Her death marks the end of a glorious era, the days of burlesque comedy and vaudeville.

For all the generations who have grown up in Quebec since the time she began her career in 1916, the mere mention of ''La Poune'' was enough to set them off in gales of laughter.

This woman was a symbol of humility and simplicity, and all those who have had the pleasure of working with her agree that, for her, there was nothing in the world more important than making people laugh.

Rose Ouellette, ''La Poune'', is no longer with us, but she will live on in the memory of each of us, reminding us that humour and cheerfulness are the secrets of a long life.

* * *

• (1410)

[*English*]

QUEBEC REFERENDUM

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, following the Quebec referendum on sovereignty in October 1995, 48 students attending Bishop's University in Lennoxville, Quebec were charged with electoral fraud.

Included in the list of individual charges on May 27, 1996, are six students from Nepean. Their fine if paid without contesting is $516.

Students choosing not to pay the fine are assumed to be pleading not guilty and will have to appear in court. The charges appear to arise from the definition of domicile.

These students took the appropriate steps to question the enumerators to ensure they were voting lawfully and the enumerators assured them they were. These students did what everyone else in the rest of the country wished they could do, fight to keep Canada united and exercise their patriotism at a critical time.

A trust fund has been established to assist in recovering the legal costs of fighting the charges in court. Anyone wishing to contribute to the trust fund may call my office for further information.

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TEMAGAMI

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, at a time when there is great concern about protecting biodiversity, vanishing old growth forests and sustainable development, the Ontario government has given the go ahead to log and mine the Temagami wilderness region.

Over the past six years a planning council composed of Temagami aboriginal people and residents developed a comprehensive

land use plan allowing for both the conservation of wilderness and development in Temagami.

The Harris government chose to ignore their recommendations, leaving us with social unrest, discontent and chaos in the planning process. The Ontario government decision should be reversed.

Temagami is a unique environmental jewel, not a warehouse for liquidation.

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[*Translation*]

DEATH OF LUCILLE TEASDALE

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, today I would like to pay tribute to Dr. Lucille Teasdale, who died of AIDS related complications on August 1. It was during my training as a nurse that I had the opportunity to work with this extraordinary woman.

In a profession that was then an almost exclusively male preserve, Lucille Teasdale, one of the first female surgeons in Canada, earned the respect and admiration of her colleagues.

In the early 1960s, she founded a hospital in Uganda with her husband, Dr. Pietro Corti. Despite threats, fear and the war, she continued for 34 years to provide care with devotion and skill. In 1985, as the result of cutting herself during surgery, she became seropositive. Nonetheless, she continued her work until the end.

She gave her life to relieve the suffering and misery of her African compatriots. Her unbeatable tenacity, her exceptional discipline and her courage made Lucille Teasdale a great Quebecer and we thank her.

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[*English*]

CANADIAN WHEAT BOARD

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, when Reformers asked the minister of agriculture what he would do to improve the operations and accountability of the Canadian Wheat Board, the minister always dodged the question by saying wait for the report of his hand picked western grain marketing panel. Now this same minister ignores its recommendations. Why?

In the ag minister's recent open letter to farmers he said that it is the quality of the support that he is considering more than the quantity. Read his lips. His opinions will take priority over the opinions of the majority of farmers. If the marketing panel's unanimous report is not a quality report, what else could possibly be good enough? Why did he even commission the panel of experts?

The minister tries to excuse his inaction by saying this is a dispute between groups of farmers. Wrong. He is the one who has created and fuelled the division.

Who should control the Canadian Wheat Board, prairie farmers or the minister and his bureaucrats? The minister's own weakness, indecisiveness and lack of action for the past three years is going to destroy a valuable marketing tool for western farmers.

What about the broken election promise for a plebiscite?

* * *

[*Translation*]

MR. RICHARD LE HIR

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, I am seriously beginning to believe there is some truth to the old saying about not being able to see the forest for the trees. Or at least so we might think when we hear what Richard Le Hir, former PQ minister responsible for restructuring and propaganda, has been saying.

Mr. Le Hir stated that, after the last referendum defeat, Lucien Bouchard's PQ government can no longer legitimately promote its sovereignty plan. He said, and I quote: ''The winners have the right to live without the threat of a gun being constantly held to their head''.

• (1415)

This time, Richard Le Hir did not need a new series of studies and reports to understand where Quebec's real interest lies. All that was needed was for his PQ colleagues to cut down the tree to which he had chained himself.

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THE ACTION DÉMOCRATIQUE DU QUÉBEC

Mr. Raymond Lavigne (Verdun—Saint-Paul, Lib.): Mr. Speaker, the leader of the Action Démocratique du Québec has just distanced himself radically from his ex-partner, Lucien Bouchard.

Mario Dumont has just asked Quebec's PQ premier for a respite of at least ten years on the constitutional question and sovereignty. He said that Quebecers need time out in order to gather their strength behind a common objective, that of employment.

Mr. Dumont, who now defines himself as a Quebec nationalist, has just discovered what we have been telling the members of the official opposition all along. The issue of Quebec's separation is divisive for Quebecers and is harmful to job creation.

When will the members of the Bloc Quebecois finally get this through their heads?

[*English*]

CJVR MELFORT

Mrs. Georgette Sheridan (Saskatoon—Humboldt, Lib.): Mr. Speaker, I rise today to pay tribute to CJVR Melfort, the 1996 Canadian country music station of the year in the secondary market class.

Chosen from over 100 other applications, CJVR excelled in all categories, particularly for its community involvement in helping with the 1996 Royal Bank Cup for its promotion of Canadian country music by hosting ''Saskatchewan Country Sunday''.

General Manager Gary Fitz attributes CJVR's success to its 24 member staff, a hard working, cohesive team of dedicated professionals with deep ties to the station and commitment to their community.

CJVR is getting used to the winner's circle, having been named the Saskatchewan Country Music Station's radio station of the year in 1995.

Today I offer my congratulations to Gary, Brent and all the rest of the superstar staff at CJVR.

ORAL QUESTION PERIOD

[*Translation*]

JOB CREATION

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the infrastructures program is the only job creation measure introduced by this government.

The program has had an immediate and positive impact, although the jobs were only temporary. With respect to setting up a new program, the Government of Quebec has already made it clear that it would like to have responsibility for the projects and have the option of using money already budgeted or targeted for these job creation programs.

My question is directed to the Prime Minister. Could he tell us whether he and his government agree with the concerns expressed by the Government of Quebec with respect to setting up a new infrastructures program?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at the conference we had with the provincial governments in June, I discussed with the premiers the possibility of continuing the infrastructures program next year.

Since then, the federal Minister of Finance has met his provincial colleagues or will be meeting them to discuss what should be done to ensure we get results. We do not want this to be a substitute for normal expenditures by municipalities.

Furthermore, the minister directly responsible for the infrastructures program, the President of the Treasury Board, has met the municipal affairs ministers. I think progress is being made. In fact, I made the offer myself in June, and at the time, a number of premiers took a negative position. It seems they may have changed their minds during the summer.

The ministers are working on this, and we hope to be able to find common ground.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, right now, the problem is that, according to our information, the Minister of Finance and the President of the Treasury Board are more reluctant than their cabinet colleagues to introduce another infrastructures program. It so happens that the same two ministers are supposed to discuss the program's implementation.

I would like to ask the Prime Minister, since his ministers do not all agree on the relevance of this kind of measure for stimulating job creation, whether he intends to make a decision very shortly so we will know exactly where the government stands?

• (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when I spoke to the provincial governments, the Minister of Finance was with me. And when I spoke to the Federation of Canadian Municipalities in Calgary, the President of the Treasury Board was in Calgary as well.

However, we must ensure that the program is administered in such a way that it creates jobs and is not simply a substitute for normal expenditures by provincial or municipal governments.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, does the Prime Minister realize that Canadians need jobs now and that it is therefore important for the government to act quickly when introducing a measure like this instead of waiting until it is a little closer to election time and then being tempted to use it for propaganda purposes. We need this kind of program now, and we would like to see action now. Will he keep that in mind?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am pleased to inform him that we have a program that is still operating now and that municipalities are using that program to create jobs.

The question is whether ''now'' should continue after April 1.

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RESEARCH AND DEVELOPMENT

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

To cover up the unfair treatment being accorded Quebec in the area of funding for research and development, the Prime Minister is leaving out the figures for the national capital.

Of the forty-four laboratories or federal research centres in the National Capital Region, forty-three are located in Ontario. Will the Prime Minister finally admit that most of the economic impact is going to Ontario's benefit rather than that of Quebec?

[*English*]

Hon. Jon Gerrard (Secretary of State (Science, Research and Development)(Western Economic Diversification), Lib.): Mr. Speaker, there are historic reasons why the science and technology federal laboratories initially grew up in Ottawa.

However, over the last 10 years a major effort has been made to correct this. Some of the recent federal laboratories, 10 or so of them, have been placed in Quebec. There are major initiatives to put the Canadian Space Agency in Saint-Hubert.

As a result of these efforts, the federal spending on science and technology, when we include all the federal expenditures, is now very close in Quebec to the population of Quebec, which is about 25 per cent.

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, once again, the government is incapable of reading Statistics Canada's statistics. Despite all that has been added on for Quebec, we are still in the hole. We had 15 per cent, and with all the extramural additions, we are at 18.6 per cent, far from the 25 per cent of the population we represent.

What, then, is the Prime Minister waiting for before treating Quebec fairly and giving it the share of R&D spending to which its demographics entitle it?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, Quebec is now receiving 22.3 per cent of all R&D funding, and this year is getting $11.3 billion more than it has paid out in taxes to the federal government.

* * *

[*English*]

DEPARTMENT OF NATIONAL DEFENCE

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, yesterday the Prime Minister said that the defence minister and General Boyle had his full support.

He said this despite the revelations of the Somalia inquiry, despite General Boyle's document fixing and buck passing, and despite the defence minister condoning these activities.

Why does the Prime Minister continue to support the things that are wrong in the Canadian military: cover-up, lack of leadership, lack of accountability at the top, by refusing to fire the defence minister and General Boyle immediately?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I said very clearly yesterday that we are in a very important and difficult situation and changing the way things were done at national defence before. We have major operating cuts. We have a huge reduction of armed forces personnel. These things are very difficult to deal with.

• (1425)

I said yesterday that what the military needs at this time is stability in leadership. One of the problems that created this situation is that under the previous administration there were six ministers of national defence in nine years. I do not believe a problem can be solved by playing the game of changing people every time the House of Commons asks for it. Real leadership is when there are good ministers doing a good job under difficult circumstances. The Minister of National Defence has my confidence.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the Prime Minister's idea of national defence seems to be defending the minister and his political appointee. He should be defending the men and women of the Canadian Armed Forces who are embarrassed by flaws in the top leadership and who are losing their respect for the Minister of National Defence. Instead, the Prime Minister chooses time and time again to defend his long-time political friend and his hand-picked chief of defence staff.

Why has the Prime Minister decided to defend his political friends instead of the reputation and morale of the Canadian Armed Forces?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, a very long time before the leader of the third party came to Parliament the Minister of National Defence was a member of Parliament serving in the cabinet. It is because of his experience that I asked him to take on this very difficult task. He did not ask to go there; I asked him to take it over. I said: ''You will be there for a long time because I will not change my ministers every time the leader of the opposition or the leader of the third party gets up in the House''.

As far as Mr. Boyle is concerned, he is not my political friend. I met him the day that I offered him the position of chief of staff, after recommendations from inside and from the Minister of National Defence.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the Prime Minister simply illustrates my point. I give him a chance to defend the reputation and morale of the Canadian Armed Forces and he immediately defends the reputation and morale of his political friends.

The Prime Minister was wrong in his choice of Minister of National Defence and wrong in his support of General Boyle. In

defending them he is really defending Liberal political interests and loyalties and failing to defend the national interests.

Are the political interests and loyalties of Liberals really worth more to the Prime Minister than the reputation and morale of the Canadian Armed Forces?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is the first time in a long time that there has been an inquiry into national defence. When we have an inquiry in relation to a big organization such as this, of course it is going to be difficult. A commission is working on the situation and it will report.

In the meantime, we have been reducing the number of bases, personnel and so on. It has been done in a very competent way, with no strikes and no disturbances.

Of course some people do not agree. As the Minister of National Defence said yesterday, not everybody is happy. We used to have 120 generals and we cut them by one-third. There was a surplus of generals and some had to go. We have to cut more. Those who are not happy can go. Some will have to go anyway. Those who are unhappy should be very happy not to be there.

* * *

[*Translation*]

WORDING OF THE REFERENDUM QUESTION

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, in response to a question from me yesterday, the Minister of Justice stated: ''If and when there is another referendum, we will make sure that the question is clear, that the implications are clearly set out and that all Canadians have a say on the future of this country''.

My question is for the Minister of Justice. In wishing to have the courts decide the wording of the referendum question, is the minister aware that he is placing the Government of Quebec under trusteeship, thus denying the people of Quebec the right to self-government?

• (1430)

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, yesterday I repeated the commitment we made in the throne speech, namely that, during the entire process of a referendum, it is very important that the question be clear and that an effort be made to ensure everyone is informed of the consequences. As I said yesterday, all Canadians must also have a role to play.

All this is a question of Canada's future as a country. As I stated yesterday, we will our commitment is honoured.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, on February 28, 1996, the Deputy Prime Minister stated that the federal government did not intend to hold a country-wide referendum on the question of Quebec sovereignty.

Can the Minister of Justice tell us today whether the government has changed its mind and plans to hold a country-wide referendum on the future of Quebec?

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, these questions arose in the context of a decision of the Quebec Superior Court deciding that matters involving the project of sovereignty very much fall within the jurisdiction of the court and that the Constitution relates directly to these questions.

It was in that context that I said in the past and I repeated in the House yesterday that as the national government we are going to ensure that such matters are considered in the context of the law of the land. We are going to ensure that the political and the legal aspects of these matters are respected and that things are done in accordance with the values that we hold dear as Canadians.

* * *

DEPARTMENT OF NATIONAL DEFENCE

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, the most devastating cut to the Department of National Defence is when this government cut leadership, accountability and responsibility from the vocabulary at the Department of National Defence headquarters.

The Liberals campaigned on a promise of more open government. Yet Canadians are shocked to learn of the policy of containment at the Department of National Defence and for the first time in Canadian history we find that this federal government has applied to the courts to suppress a document that was released by the information commission.

Why does the Prime Minister support the policy of containment designed to thwart the information commissioner and designed to thwart information getting to the Canadian public?

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, it seems that the hon. member was so caught up with his own rhetoric yesterday that he failed to listen to the question that was posed by the member from the Bloc Quebecois who asked this very question, so I would like to repeat the answer.

We are going to court not to disagree in any way with the application of the Access to Information Act, but to safeguard the rights of a public employee. We believe that is paramount.

I do not believe I should say any more except that the courts are to adjudicate matters where there is a dispute.

The hon. member attacks this government as not being open. What could be more open than a public inquiry under the Inquiries Act, under the glare of television lights where people give evidence? That is openness. That is what this government believes in.

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, the minister's comments are totally off track. We are not talking about the rights of an employee, we are talking about the rights of the Canadian public to know information that is being published by the information commissioner.

For openness and accountability the Department of National Defence has the worst record in government. While this minister has been in office, documents have been lost, they have been altered, they have been destroyed, they have been withheld and the white-out budget at the Department of National Defence has gone through the roof.

Does the Prime Minister agree with the defence minister that openness means covering up and that truth, duty and valour mean don't get caught?

● (1435)

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, once again the hon. member—as did his leader—reflected on statements and evidence that has been given at the inquiry. That is rather unfortunate.

A process is in place and that process has to be fair to individuals. It has to be fair to all the evidence that comes out before the commission. It has to be fair to the commissioners and it has to be fair to the Canadian public.

The hon. member has demonstrated that he does not have the degree of fairness in his political arsenal, his rhetorical arsenal. When it comes to the rights of individuals, again he is not being fair to a public employee whose rights have to be safeguarded. This government will safeguard that employee's rights by seeking adjudication by the courts.

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[*Translation*]

REFERENDUMS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Minister of Justice is playing the ''rule of law'' card, but what this really means is the rule of the majority of ''Canadians'', wanting to impose their will on the people of Quebec.

Does the minister realize that he is in the process of recreating the Meech Lake scenario, which allowed Newfoundland and Manitoba to decide Quebec's future?

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member is quite wrong in suggesting that the rule of law somehow results in the oppression of anyone.

It is crucially important to the population of Quebec as well as to the rest of Canada that everything we do in this country is consistent with legal principles.

The rule of law and democracy go hand in hand, and the rule of law is not an obstacle to change. It permits change to take place in an orderly way. If that is seen in its proper context as part of democracy then one sees that the premise of the hon. member's question is quite wrong.

It is troubling when an attorney general of a province, who is supposed to be the chief law enforcement officer of the province, leaves a courtroom and says that he will have nothing more to do with the case and that the result of the case is irrelevant to him or his plans. That is troubling. It is inconsistent with the values of the people of Quebec, the values of the people of this country.

Legal principles and respect for the rule of law goes hand in hand with democracy, and that is at the heart of the matter referred to by the hon. member.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is a fine democracy when a province the size of Prince Edward Island, smaller than some Quebec ridings, can decide Quebec's future. This kind of imposed democracy and majority have been only too familiar for a long time now.

Behind the great aplomb and fine words of the Minister of Justice lies another reality, that of double standards. How can the minister tell us that all Canadians should be consulted when one province wants to leave the federation, such as Quebec for example, when they were never consulted when one province wanted to join the federation, such as Newfoundland? Can you explain that to me?

The Speaker: I must ask you not to forget, dear colleagues, that you must always go through the Chair.

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, all Canadians must be consulted in the decision about the future because it is their country that is in issue.

Some hon. members: Hear, hear.

● (1440)

Mr. Rock: The hon. member cannot and should not suggest that there is not a deep respect for the decision that the population of

Quebec must make. We shall do everything in our power to persuade them to vote for Canada if there is a future referendum. We recall for everyone that they have twice voted for Canada in the past.

If democracy and the will of the people is what really motivates us, then we have to worry about a scenario in which there is a consultative referendum, then the next day a small group in the leadership of the government decide unilaterally to declare that the country is separate and that Canada has come to an end. That is not consistent with the rule of law.

There must be the law and democracy hand in hand and that is the way that Canadians wish to have us approach this issue.

* * *

SOMALIA INQUIRY

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, yesterday the defence minister spoke of due process in the Somalia inquiry. Yet on August 28 before General Boyle had delivered his testimony and before Colonel Haswell had even started to testify, the minister publicly exonerated General Boyle and commended him as CDS. Those comments amounted to a blatant interference with the inquiry.

How can the Prime Minister condone this improper violation of due process by the very minister who commissioned the inquiry?

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, one of the hallmarks of Canadian society is our fairness. It is our fairness to allow everybody to be heard, to have everyone's rights respected.

What that means in the case of the Somalia inquiry is to receive all the documentation, hear from all the witnesses and then to have the impartial commissioners make a judgment. When they report, which is due in March of next year, the government will respond to that report. In the meantime, it would be fundamentally wrong and a denial of due process to comment on any of the proceedings.

I would ask the hon. member to follow his own admonition.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, this minister and his department have hampered the inquiry proceedings. He has intervened inappropriately, he is court marshalling a corporal who wanted to testify and he has taken the information commissioner to court to prevent him from doing his job.

How can the Prime Minister fail to see that his defence minister has condoned or even supported a culture of containment and cover up at national defence headquarters?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this government is one of complete openness. It is the first time that we have had a complete inquiry. They have spent eight months debating all the elements not on Somalia but of the operation of the department. Now they have moved on the mandate to look into what happened in Somalia and they will report in due course. Let them do their jobs. I want everybody to let the chief of staff do his job and the minister of defence do his job.

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[*Translation*]

NATIONAL DEFENCE

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

Yesterday, in this House, the Prime Minister expressed his complete confidence in General Boyle and in his Minister of Defence. However, during his testimony before the Somalia inquiry, General Boyle admitted having violated the spirit of the Access to Information Act, and what is more, his own military police even concluded that he had lied to them.

Is there not an ethical problem when a Prime Minister so blithely states his confidence in an individual who has admitted violating the spirit of a statute and who has made false declarations to the military police?

[*English*]

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, once again we have to be fair. We have to be fair to everyone that appears before that inquiry and avoid jumping to conclusions.

Making premature judgments, jumping to conclusions is a denial of a basic right that Canadians have and that is to be heard in an impartial setting. We have established the inquiry to provide that setting. I am sure that everyone in the country appreciates the process, if not the hon. member across the way.

[*Translation*]

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

General Boyle himself admitted to the Commission that there was a lack of communication with his subordinates, that he did not know about the army's cover up operation, thus confessing to serious oversights.

How could the Prime Minister state yesterday, and I quote:

> General Boyle [—] is doing his job as he must. And he must continue to do so.

● (1445)

Does this mean that the Prime Minister approves of General Boyle's inept, and that is the least that could be said, performance of his duties?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, General Boyle stated what happens to everyone, which is that there arise in large administrations situations where the boss does not know all the details. He came right out and said so to the Commission. The Commission will draw the appropriate conclusions in the context of an inquiry that has already gone on for nine months.

We would all sometimes like to see certain documents that are not shown to us, but in so far as we accept responsibility for a department and our duties, and do not shirk them, we must now wait and see what the Commission will have to say about this matter, and about everything to do with the Somalia inquiry.

* * *

[*English*]

MEXICO

Ms. Bonnie Brown (Oakville—Milton, Lib.): Mr. Speaker, there has been considerable confusion about the Minister of Foreign Affairs' recent advisory about travel to Mexico. Is he advising Canadians not to travel to Mexico at all? Could the minister explain the situation and clarify it for the House?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank the member for the question because I think there has been a good deal of misunderstanding and misapprehension.

The Department of Foreign Affairs regularly issues travel advisories. There is nothing exceptional for the country of Mexico. We do them every month or so. All we have done is as we have done for the past several reports, which is to note that in certain Mexican states there has been some civil unrest. We are simply cautioning travellers or tourists not to go into those areas or to stay within the tourist areas and to carry identification. In no way does it constitute a warning. In no way does it say not to go to Mexico.

I would tell any members of Parliament who have received requests from their constituents that we would be glad to supply full information on the travel advisory. Although the Reform Party clearly cannot read or does not care, I think most members of Parliament care about their constituents who must travel to Mexico.

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SOMALIA INQUIRY

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, in the replies of both the Prime Minister and the Minister of National Defence today on the question of the mess at that department, we have received the ultimate in hypocritical answers by saying let the Somalia inquiry decide.

It was the defence minister himself who tried to get a friend of the government appointed as a commissioner of the inquiry. It is top military officials and officials of the department who have been implicated in fixing documents to be supplied to the commission. It is the government itself that has given legal help to some participants in the process but not others.

My question is for the Prime Minister. If the Prime Minister believes in letting the commission do its work, why does he not fire the Minister of National Defence and General Boyle for failing to do so?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the commission has been sitting now for seven or eight months. It has asked questions day after day on national TV. Lawyers are asking questions. They are grilling public servants as if they were almost criminals. Everything is out in the open. We could not have a more open government. The three commissioners have been named. I know only one personally. One of them is a judge who I guess was appointed by a government other than ours. I do not know him at all and have never met him. No one can say that it is not an inquiry which is independent, open and has all the resources. In fact it is getting very expensive to look into the problem.

We wanted to look into the Somalia incident as this House was committed to do. It has now taken seven months and it will probably take many more months. Even the Watergate affair in the United States was settled in six or seven weeks.

• (1450)

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the Prime Minister did not address any of the points that I raised. If this is an open inquiry and we are supposed to let the inquiry do its work, why did he not comment on the defence minister's attempting to influence who were the commissioners? Why did he not comment upon the attempt to alter documents before the commission? Why did he not respond to anything about the uneven legal help that is given to some participants and not to others?

The Prime Minister is getting pretty close to participating in the cover-up by the military.

The Speaker: My colleagues, in our questions and our answers we are getting very close to using unparliamentary language and attributing motive.

I would ask the hon. member to be very judicious in his choice of words. I did not hear a question being posed yet I saw the Prime Minister moving to make some kind of response. I did not hear the question. If there is a question, I want the hon.—

Mr. Harvard: There is no question.

An hon. member: The truth hurts over there, right?

The Speaker: Order. Order. I would ask the hon. member to put his question forthwith.

Mr. Manning: Mr. Speaker, to ensure that there is no ultimate cover-up in the Somalia inquiry, will the Prime Minister guarantee to this House that the results of the inquiry will be made fully public before the next federal election?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I think that the leader of the third party needs more than a new haircut.

Of course when the report is finished, the report will be tabled. I think the way the leader of the third party is acting in the House today, he will be competing very closely for the same level of votes in the next election as another reform leader in the United States, Mr. Perot, of 5 per cent.

* * *

[*Translation*]

THE TELEVISION PRODUCTION FUND

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, be patient. It is not Wednesday yet.

When she announced the television production fund, which will get 75 per cent of its budget from Heritage Canada, the minister told us that from now on, her department would sit on the fund's board of directors, which is unprecedented for a department with a cultural role to play.

• (1455)

My question is directed to the Minister of Canadian Heritage. How does the minister think she will improve cultural production by doing away with a long tradition of independence vis-à-vis government in the distribution of funds to creative artists?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, I believe that the decision to announce this programming fund was well received, not only by the Government of Quebec but also by the Minister of Culture, who said it was a step in the right direction for culture in Quebec.

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, if it is a step in the right direction, here is my supplementary for the minister. Speaking of direction, the new board of directors will, for all practical purposes, be a board of cable companies.

Does the minister realize that as a result, Téléfilm Canada will be run by the cable companies and the decision-making power will be transferred from Montreal to Toronto?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, no, on the contrary. With a new investment of $100 million we were able to produce economic benefits for independent producers, the majority of whom are located in Montreal, to the tune of $650 million. This represents 10,000 jobs in a cultural industry that is just as important in Montreal as it is in Toronto, Vancouver and across the whole country.

* * *

[*English*]

AGRICULTURE

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the minister of agriculture's cherished western grain marketing panel, his very own brain child, published a report that favoured much to the minister's chagrin many reforms that Reformers have suggested all along to modernize the grain marketing system. This was good news for the prairie economy. The bad news is that the minister is sending signals that he will ignore much of the multimillion dollar report.

Does the minister intend to shirk his leadership responsibilities as is his habit by ignoring the recommendations of his own hand picked panel?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, over the past many months I have listened very carefully to the farmers and others who have views to express on grain marketing.

I would like to refer to an article that appeared in a newspaper in southwestern Saskatchewan earlier this month wherein the author is reporting on a poll that the author has taken. The author writes this: ''The most significant results were that 60 per cent of those polled were opposed to wide open dual marketing. Sixty-four per cent opposed the free market of grain by farmers into the United States''. On another point the author says: ''It is clear that most permit book holders in this constituency wish to retain single desk marketing for wheat''. The author is the member of Parliament for Swift Current—Maple Creek—Assiniboia.

Some hon. members: Oh, oh.

An hon. member: Unbelievable.

Mr. Goodale: The hon. gentleman might want to turn around and consult his desk mate. In the meantime, I will listen carefully to all the advice I receive.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the member's poll also indicated that the producers supported dual marketing for barley but the minister failed to mention that aspect.

In this House, the minister indicated he put great faith in his hand picked panel, his very own creation. Now he is dropping the panel's report like a ton of bricks.

The minister has led farmers down the garden path by telling them to wait for the panel's results. Now he is signalling that he will choose to ignore the unanimous recommendations of his very own panel. How can the minister justify his costly confusing and indecisive behaviour?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, if the hon. gentleman is not impressed with the opinions of the member for Swift Current—Maple Creek—Assiniboia, let me refer to another presentation.

In this case the author advises that the first responsibility of the minister of agriculture and the federal government is to democratize the operations of the Canadian Wheat Board. Then the author goes on to suggest that all other questions about marketing ought to be referred to that new board of directors. The author of that document is the member of Parliament for Kindersley—Lloydminster in the presentation he made to the western grain marketing panel.

* * *

● (1500)

BOSNIAN ELECTIONS

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Last weekend Bosnians participated in an important election in their country which was watched with great interest by Canadians who are anxious to see a successful implementation of the peace process in that country.

Could the minister please advise the House as to the government's position on the results of those elections and also tell us of the contribution that Canadians have made to that important democratic event?

Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, Canada is very pleased that we were able to participate in the monitoring of the elections last week. We are very pleased that the voting took place in a positive, non-violent fashion, free from systemic obstruction.

We are hopeful that the Dayton accord can now be confirmed that the international community has to continue to be engaged there to assure this.

As I said, Canada was there, Canada will be there and we are very pleased with the results of the elections.

* * *

GOODS AND SERVICES TAX

Mr. Svend J. Robinson (Burnaby—Kingsway, NDP): Mr. Speaker, my question is for the Prime Minister.

In 1992 and 1994 the Liberal Party and caucus promised to remove the GST from books and other reading material, recognizing the harsh impact of the tax on literacy, on students and on Canadian bookstores and publishing.

In view of the fact that the Liberal government is now actually raising taxes on reading in three Atlantic provinces through harmonization instead of removing the tax on reading across Canada as it promised, I ask the Prime Minister when will this Liberal promise to remove the GST on reading finally be honoured by this government?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, as the member knows full well, the GST has stayed exactly the same. We have not raised the tax on anything.

As far as the tax on books is concerned, we have indicated that we are open to examine all possibilities. However, in the course of that examination there are a number of questions which must be answered. First, is that the best use of $140 million which is what would be the cost on the one hand? Also, is this the best way to encourage literacy?

Those are the things which we are in the process of taking a look at. We are not going to take a frivolous decision simply to please the hon. member.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of His Excellency G. L. Peiris, Minister of Justice and Constitutional Affairs and Deputy Minister of Finance for the Democratic Socialist Republic of Sri Lanka.

Some hon. members: Hear, hear.

The Speaker: I know I am supposed to have these things all slotted and under control, but yesterday in the hustle and bustle of everything we had with us the 20th class of our pages.

These are our new pages for 1996 and I would like you to welcome them with me because they are going to be with us as part of our family for the next year.

Some hon. members: Hear, hear.

* * *

● (1505)

[*Translation*]

PRIVILEGE

THE MEMBER FOR GLENGARRY—PRESCOTT—RUSSELL

The Speaker: Colleagues, I have received a notice concerning a question of privilege from the hon. member for Laurier—Sainte-Marie. It will be followed by a point of order from another hon. member.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, yesterday the hon. member for Glengarry—Prescott—Russell read out a commercial during Statements by Members. I would point out, incidentally, the contradiction between this hon. member's frequent advocacy of rule of law and his organizing an event in support of those who break the laws of a province. One might say that some people uphold democracy and the rule of law

when it suits them to do so. In French, sometimes the term ''fair play'' is translated by the word ''hypocrisy''.

Be that as it may—

The Speaker: Order. The word ''hypocrisy'' is like the other one used today on which I ought to have intervened. I would appreciate your not using the word ''hypocrisy'', please.

Mr. Duceppe: Mr. Speaker, I did not apply it to my colleague. I noted that sometimes it is translated slightly differently.

I would submit that the hon. member's giving out in this House the phone number for and the cost of tickets to the rock concert in support of those who broke Quebec law, plan C, is unacceptable, as otherwise we are running the risk of turning the House of Commons into a giant flea market, or something of the sort, where some people can read out commercials.

The Speaker: I thank the hon. member. In my opinion, instead of starting up a little debate here, all that is necessary is to put this to the hon. member.

[*English*]

I give you all kinds of room in your statements in the House and I intend to keep doing that. But where we are sort of advertising for commercial gain, I know all hon. members will keep in mind that these statements are not for commercial gain and I would hope that all hon. members in future would abstain from making remarks where one group or another might be making a few dollars from an announcement made in the House of Commons.

If you would do that, the point is well taken and I would like to leave it there. I do not think we need a response. It is not a point of privilege. I am ruling on that. I hope we do not have any more of that type of commercial in the future.

* * *

POINT OF ORDER

MEMBER FOR LAURIER—SAINTE-MARIE

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, today the member for Laurier—Sainte-Marie alleged that because Prince Edward Island happens to be smaller than some of the ridings in Quebec it should not be entitled to the same rights and privileges as other provinces in this country. That clearly demonstrates an ignorance of what constitutes Canada—

The Speaker: We are getting into points of debate here, opinions on one side or the other. Of course, I always admonish you to be very judicious in your choice of words. I rule that although this is a point of contention it is not a point of order.

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, the member across has invoked something as privilege about making a comment about me. I suppose that defending myself against the accusation would equally constitute a point of privilege.

• (1510)

The Speaker: If there had been a point of privilege, which I ruled there was not, then of course I would have gone to the hon. member.

I listened to what the hon. member for Laurier—Sainte-Marie had to say. I have ruled there is no point of privilege. I would like to let the matter rest right there, if I might.

GOVERNMENT ORDERS

[*Translation*]

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.

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, the purpose of this bill is to amend the Prisons and Reformatories Act.

First of all, you may recall that this bill evolved in connection with a task force formed in 1993. The bill is the result of recommendations made by a federal-provincial, and of course also territorial, task force appointed by Correctional Services to recommend amendments to the legislation regulating temporary absences for offenders in provincial or territorial custody.

Amendments were made by the ministers of Justice last May in 1996. These amendments were proposed in response to requests from the provinces and territories. Their purpose is to remedy deficiencies in the legislation and to give the provinces and territories increased flexibility in administering their temporary absence programs.

Provincial and territorial authorities had for some time expressed the need for updating the Prisons and Reformatories Act.

This bill was read the first time on June 18, 1996. Since then, the Bloc Quebecois has thoroughly examined all the ramifications of this bill. The Bloc will now propose improvements in committee, since we assume the bill will pass second reading as is more or less customary, because on the whole, the bill seems quite acceptable. However, the Bloc would have—in any case I will make that suggestion to the Bloc and of course we have talked about it a little—three points which I think should be given closer consider-

ation and perhaps amended if possible, but in any case considered more closely. There are some important elements that in my opinion were more or less overlooked.

The principle of protecting society, which predominates in the Federal Parole Act, is absent from the general principles of this bill. It is included as one element among many others in section 7.1 of the bill.

In my opinion, it is ethically incorrect to claim all of a sudden that protecting society has now become of secondary importance in the formal legislative process. I think we should ask ourselves what should come first, if not protecting society, in this kind of legislation.

• (1515)

Everything that we do here, all the legislation that we vote on, has as its purpose to improve the lot of society or to better protect it, which in the end comes down to improving the lot of society. When, as here, the term ''protection of society'' is relegated to a subclause in the bill, I think this is a bit dangerous.

As you know, all good pieces of writing are the product of thought, but when there is an error in thought, we must question the material it gives rise to. It therefore seems important at this time to be sure, when using the term ''protection of society'', to include it in the basic general principles of Bill C-53. This is something that, in my opinion, the proposers should not have much trouble approving.

I will now move on to a second aspect, which I will call Liberal subtlety. I would propose changing ''lieutenant governor'' to ''lieutenant governor in council'', and therefore more specifically the provincial cabinet. This choice of term represents the reality and leaves provincial governments with complete discretion in this area. The present wording of the bill is confusing.

Using the term lieutenant governor means that one person appointed by the Prime Minister of Canada, if memory serves, will be making the decision about, or at least will have a large say in, what happens to paroled inmates. At a time when there is talk of decentralization, when the Liberals are talking about decentralization, mark my words, the Bloc Quebecois will give the Liberals a golden opportunity to put their money where their mouth is and give the cabinet of each province, rather than the lieutenant governor as provided in the bill, the right to determine certain questions.

This is, therefore, an excellent opportunity to stop merely talking about delegation and redistribution to the provinces, and to actually do it, by just adding the words ''in council'' after ''lieutenant governor''. It ought not to be difficult, either. We in the Bloc Quebecois do not consider it a difficult thing to delegate to the provinces, naturally, but we shall see. Let us just let things take their course.

The third element is a little more complicated and takes a bit more explaining. In clause 7.4(1), the duration of a temporary absence is lengthened from 15 to 60 days. I must admit that I have a little trouble living with that, and the Bloc will have to work on this in order to propose proper modifications for, as it stands, with my own personal experience in this area, and judging from what my contacts have had to say, I can see that this does nothing to improve the quality—we are back to where we were just a while ago—of protection for society.

The principle is that an individual is given parole, and has to report every two weeks so things may be assured of working out properly and developments monitored. The individual must change, must learn to live in society as well.

So, a follow-up is done every two weeks; that is the case now. The new act calls for this to be done every 60 days, a period four times longer, when already the individual can get round things now. I will provide you with some interesting statistics. I have figures for a number of years, but I will limit myself to those for April 1, 1995 to March 31, 1996, because of the time.

It will be seen that 73 per cent of paroles are successful. In other words, 73 of every 100 people released are successful. That is all very nice, but what about the other 27 percent?

• (1520)

However, we must not forget that the remaining 27 per cent must be divided in two. There are people who breach parole for technical reasons. For instance, someone who was prohibited from being in a bar, in a drinking establishment, is seen there and returned to custody because he breached his parole. He did not commit a crime, let us be clear on that. It is not a crime to be in a drinking establishment although it may be prohibited as one of the terms of parole. It is merely a breach of parole, so it is a technical misdemeanour. There is no danger to society.

Seventeen per cent of offenders fail in this respect. We have the remaining 10 per cent whose parole was withdrawn because they had committed a crime. Imagine. This is where I make the connection between 15 and 60 days. These people were seen every 15 days, and the authorities were unable to find out when they were about to commit a crime. Ten per cent, and we are talking about 2,500 people, that is a lot.

So I do not think the results will be better if we take this fifteen-day period and multiply it by four. I find it very hard to believe that society will be better off, that the individual himself will be better off and that consequently, citizens will be better protected.

Unless we find a miracle solution, and a number of solutions have been tried within prison walls, I can guarantee you that, the problem will not be solved by leaving people who need supervision to their own devices. Of course they should not be oversupervised, since they need some time for themselves in order to become part

of society again, to become part of the normal processes in a society. But they must be supervised just the same.

At the present time, it is estimated that every two weeks requires a certain amount of staff, but there are results. Multiplying this period by four will only save on the number of people working for the solicitor general. There will be fewer parole officers to follow up each case. I feel the loser in this case is society. And also the individual who needs a leg up to get back into society and needs some supervision in the process. He is not being helped either. He is not being helped at all, but is being left even more to his own devices, and society as a whole is paying the price.

One favourable improvement is noted, however, a rather obvious one. I am referring to clause 7.6, which I will take the time to read, as it is very short:

> 7.6 (1) A designated authority who suspends, cancels or revokes a prisoner's temporary absence, or a person designated by that authority, may have a warrant or notice of suspension, cancellation or revocation issued for his or her apprehension and recommittal.

In order to review briefly what used to happen, let us take the case of an individual, one of whose conditions of parole was not to enter a drinking establishment but who was seen in such an establishment. When the individual reported to his officer, every 15 days, if he was assessed by the officer, he would have had to go before the parole board to determine whether or not he had breached the conditions of his parole; the group in question decided that there had, in fact, been a breach. At that time, if the individual was not present, for example, he was deemed to have been in breach, but all that came out of it was a document, a report from the board. This report stated that the individual in question was in breach, and was no longer eligible to be on parole, but he was no longer there.

● (1525)

They tried to give this to the police, who told them that it was just a report from the board and not a warrant, and that they could not execute it. It is worthless to law enforcement officers, it is of no use to them.

With this new change, the document from the board in question has the force of a warrant, the force of law. It can be given to a police authority and the officers will be able to move quickly to arrest the individual who has breached his conditions of parole.

Briefly, in my opinion and in the opinion of some members of the Bloc, this is the essential point. We have looked into this, and will have to do so again, in order to put the final touches on a presentation to the committee that will be looking at Bill C-53 in second reading. The Bloc will, as a minimum, be looking at the three elements I have just spoken to you about, in order to verify whether it would be possible to improve the bill a bit.

As you will have concluded, the Bloc Quebecois gives its support, in principle, to Bill C-53, but this does not mean we are dropping the three elements I have referred to, particularly the last, which strikes me as the place where it will get hung up, if anywhere. This is where the two parties may not see eye to eye, because the jump from 15 to 65 days is a bit too much.

As for the first element, all that is required is to insert the term ''protection of society'' in the general principles of the bill, instead of later on, where it gets lost in the shuffle. I imagine it ought to be rather easy for the proposers to support such a proposal. The other change is to add ''in council'' after ''lieutenant governor'', which would enable the provinces to decide fully, rather than the lieutenant governor.

These are the key points the Bloc considers to be real improvements to Bill C-53. If we are passing it, let us take advantage of the opportunity. The books are already open, so let us take advantage of the opportunity to add the right words in the right places. The Bloc supports Bill C-53 in second reading, and gives its agreement in principle.

[*English*]

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I am pleased to rise today to address Bill C-53. I cannot say that I and my party are in agreement with the bill. We are not. However, it does give me an opportunity again to address some of the major concerns which the people of the country have been expressing to me over the summer months and before. It is not just in my riding that people are very upset with criminal justice matters. This concern is found in every riding across the country.

Members opposite know full well that the criminal justice system is hurting and needs a lot of reformation.

Bill C-53 is an act to amend the Prisons and Reformatories Act. It would add a statement and a purpose to temporary absence programs and authorize the provinces to create additional types of temporary absence programs.

The purpose and principles set out in the bill are almost identical to those set out in the Corrections and Conditional Release Act. There is, however, one significant exception. The principle that the protection of society is to be the paramount determination of any case is not repeated in this bill. If this is to be the paramount consideration when dealing with conditional release under the Corrections and Conditional Release Act, it is not clear why this would also not be the paramount consideration regarding temporary absence at a provincial level.

The Reform Party opposes the bill because it places the rehabilitation and integration of criminals ahead of any consideration for the protection of society.

• (1530)

Canada is long overdue for significant readjustments to our liberal justice process. Protection of society must once again become our paramount consideration when dealing with and deciding to reintroduce offenders into our communities.

Even at the present stage, prior to anything this bill may offer, there are serious considerations and violations for those offenders who have walked into our society, who have reoffended and who have done terrible damage to those communities in which they were placed often without the knowledge of the people in those communities.

Let me state what has become painfully obvious for a great majority of Canadians. The criminal justice system, including corrections, parole, court administration and the Young Offenders Act, has failed to meet the expectations of the majority of our citizens.

People today question the entire process and they have lost confidence in the government's ability to ensure personal safety and to protect private property.

I have had the opportunity to go door to door throughout my constituency. The number two item of concern to most of my constituents has been criminal justice and their safety.

It did not matter if it had been them personally who had been victimized but certainly a neighbour or a friend close by they were referring to. That was their concern.

They feel the justice system is not dealing with those concerns adequately. As a result, most Canadians no longer believe the promise of welfare state criminology, that crime will fall proportionate to increased social spending and wealth redistribution by government.

That seems to be what is driving our criminal justice system. Critics of the current system argue that one of the more immediate threats facing Canadian society is a criminal justice system that is no longer effective at deterring crime because it has lost its will to punish and correct criminal behaviour.

They point out that three decades of correctional experiments in which many violent, serious and repeat criminals have been forced against their will to participate in rehabilitation programs have proven costly and largely ineffective.

That is what is happening inside. Suffice it to say there exists a great deal of concern with respect to the early release of violent and repeat offenders.

Canadians are dismayed because the principles of truth or honesty in sentencing no longer seem to apply in our justice system. How often have we heard the judge say eight years and yet the parole board turns around and says released in one-third, two years or three years?

That is not truth in sentencing. The Canadian people would like to see a sentence given and that time served. The chasm between appearance and reality in sentencing criminals due to plea bargaining and parole has fueled demands for significant changes to the system, specifically truth in sentencing and violent strike legislation.

I had an opportunity to travel into the state of Ohio during the summer. In the area where I was, there was a prison that housed 5,000 state prisoners. What was significant was that on questioning the deputy warden in that institution, they were preparing themselves for truth in sentencing legislation that had just been enacted in their legislature. Truth in sentencing. They were preparing to take those prisoners and hold them in jail.

• (1535)

They found it to be cheaper holding them in jail than to release them and have them reoffend time and time again, where the costs were filtered down to the municipalities with investigations, courts and everything else, and that is the concern in Canada.

Critics also point out the problems within our correctional system such as the unfettered flow of illegal drugs within the system. I was at a press conference this morning where that topic came forward. Bleach kits and condoms were the order of the day and are the order of the day in our federal penitentiaries. If that is the way Correctional Service Canada responds to a problem within its walls, then we have a major problem on our hands when offenders walk out the door.

They will still have their drug problems and will commit crime as a result. The health risks to both the prison population and the staff that look after them will increase tremendously as it is right now and has been pointed out by the last series of stats that reflects a 46 per cent known increase in HIV-AIDS within the prison walls.

The source of the drug problem in our prisons is a result of the visitors program. In other words, they take advantage of the restriction under the charter with regard to search and seizure. A guard cannot single out an individual and say we are searching you. They have to take them at face value and have just cause to do so.

Critics also point out to the lack of meaningful work programs within the present system. Skill based training programs are being phased out and replaced by cognitive skills training, moral reasoning and anger management courses. Mandatory work activities are not required.

To enlarge on cognitive skills training certificates and anger management course certificates, many prisoners I have talked to who have been released and were serious about job hunting and the like would present these certificates to their perspective employers

and time and time again the reply was: ''Well, what can you do?'' Correctional Service Canada's system does not prepare an offender for his release to go into the job market. I think that is a shame.

The Liberal government has time and time again talked about its compassion and yet a prisoner in a federal institution does not receive basic training because of these pie in the sky courses being offered in their place.

Mandatory work activities are not required. Another problematic issue is the taxpayer funded amenities for prisoners. Inmates are granted luxuries which many law abiding citizens are not, including but not limited to access to golf courses, GST rebates, cable TV, legal aid, lavish work facilities, free counselling, full medical and dental with no line ups, free university education and the ability to refuse to work.

A general feeling exists that because we have made prison conditions too easy it has undercut the deterrent effect of imprisonment. There is whole group of people involved in the area of prisoners' rights. There are advocates, lawyers, prisoners' rights groups inside and out and they scream at anyone who opposes the present or the status quo.

Anyone who does is condemned and the finger is pointed; the archaic thinking that goes on with those who oppose the present system. It is inhumane to think of anything otherwise.

● (1540)

The general public does not buy these noisy nabobs. It is even critical of the system and the advocates who keep liberalizing it. As far as I am concerned these criticisms are justified. Canadian recidivism rates are between 50 and 85 per cent depending on who we talk to. Contrary to the claim that crime is decreasing, the incident of criminal activity today is at a level three times greater than it was 30 years ago.

Prison facilities are at or near capacity and sometimes the accusation or the comment is that they are overflowing. New correction facilities must be planned or in the absence of such preparation more offenders will be released on the streets or released on temporary absence.

Temporary absence is the substance of Bill C-53, the legislation currently before the House. With respect to this legislation Reformers are guided by our party policy as found in the blue book, the justice section, sections A, which reads:

> 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.

I would like to talk a bit about what we are committed to do. The number one priority of our criminal justice system ought to be the protection of law-abiding Canadians and their property. I know we can read in some documents that are presented by the members across away that this is the paramount consideration or this is the mandate of whatever bill they may pass. In this one they do not mention it at all.

What has been happening in our system? It is becoming more and more liberal and the concerns of people in the constituencies across this country reflect it. This year in my city alone of Calgary somewhere in the neighbourhood of five pedophiles were operating all within a two or three week period and several of them had been on release. One had been released even after he refused treatment in the penitentiary. Within three months after being driven from High River, a small town south of Calgary, he went into Calgary and it just so happened to be in my riding that he attacked another young girl.

These considerations must be taken into account when offenders such as pedophiles are released into the community. This bill does nothing to address these concerns. This bill operates in the opposite fashion. It will release earlier and for longer periods of time people who are incarcerated.

Reformers are wholly committed to placing the rights of victims ahead of the so-called rights and considerations of criminals. Our party reflects adequately the statement and the presentation of the victims' bill of rights by the member for Fraser Valley West, a Reformer, which was presented in this House and adopted by the governing party, the Liberal government. That consideration is there, but let us act on it.

Since Bill C-53 would consider prisoner rehabilitation and reintegration as equal to the consideration for the protection of society, Reformers oppose the bill, as it places the rights of criminals ahead of those of the victims.

Bill C-53, an extension of the Corrections and Conditional Release Act, would expand the scope and the number of temporary release programs in Canada. Do we need more?

● (1545)

A study by the National Institute of Justice in the United States reflected that the cost of incarceration was one-half that of release, and that the recidivism rate, the following investigations and court action resulted in double the costs. That is what is happening.

From the appearance of this bill, the government intends to pass other laws to release more people. It has never adequately studied the issue of the cost of crime in our country. Before we get more laws on the books some research should be done to find out exactly what the problem is and what costs are involved. However, that does not seem to be the way or intent of this Liberal government.

Past experience has demonstrated that the temporary absence program, especially for violent, serious and repeat offenders, can jeopardize public safety. All one has to do is look at the Daniel

Gingras case. I am not saying that Daniel Gingras will be released again or that kind of scenario will be repeated, but it could very well happen. It happened then because he was given a birthday pass, which was up to Corrections Canada. He escaped when he was in the West Edmonton Mall and subsequently raped and killed two people, unsuspecting victims.

The concept of temporary absence illustrates that there is little truth or honesty in sentencing. Many Canadians feel this approach is wrong, specifically that criminals owe a debt to society and this debt should be paid through the full uninterrupted service of sentence. Is that too much to ask? Are the Canadian people asking too much when they say: ''If a man is sentenced to 15 years, he should do 15 years?'' I do not think so. It is high time the government started to listen to statements from right across the country about the concern over early release.

Programs of temporary absence are an extension of status quo correctional philosophy which argues, first, that most criminals commit crimes because they themselves are victims and, second, that crime is mostly a product or a result of social conditions and that the most effective remedy is for the state to intervene through programs such as stepped up welfare payments and other social experiments.

Nowhere is punishment mentioned in this scenario. It is becoming evident by the treatment of prisoners in jails that punishment is not part of the scenario.

Temporary absence is another in a long list of language which is preferred and used 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. They build on the notion that the purpose of imprisonment is rehabilitation and that the best measure of an inmate's rehabilitative progress is his conduct in prison. The conduct of an individual in prison will certainly be different than it is out in the street. He will be restricted to some degree.

The murderer who shot the policeman has been a good boy for eight years. He has not done anything seriously wrong. Maybe he smoked a few joints in prison because there is a good flow of drugs in there, but he has really done nothing wrong. That thinking and that philosophy are not acceptable to the majority of people in the country.

• (1550)

The problem is that very little consideration is given to the crime and its impact on the victims which made it necessary for society to imprison the offender in the first place.

Reform is sympathetic to opponents of the status quo correction and parole system who argue that substantial crime savings can be made through deterrence rather than through programs of temporary release and legislation such as Bill C-53. I do not see deterrence in Bill C-53. Nor do I see accountability mentioned in Bill C-53.

The key instruments of deterrence are the certainty and severity of punishment. Deterrence prevents crimes from occurring when the potential offenders, considering the risks and severity of punishment, decide to commit fewer crimes.

When I joined the police department over 25 years ago we were instructed as new recruits that having a man in uniform in a marked police car travelling about a community, going to the parks and playgrounds, had a deterrent effect. The law was clear. If a pedophile was out there among children he would be arrested. That was a deterrent effect. The pedophile would be taken off the street, charged and held in prison until he went to court and, once convicted, that was where he stayed. That was a deterrent. The certainty of punishment and the enforcement agency's clear concern for community standards and safety were deterrents.

That does not exist today. The pedophiles that happened to be in my city over the summer had no fear. Finally, through the efforts of the community, one was removed because he was getting aggressive when walking among children in a wading pool.

Logically the number of people willing to commit crimes decreases as the danger of punishment increases.

I reflect on another situation which occurred when I was investigating major crimes in Calgary. It was a situation where a store owner, a pharmacist, who had been robbed five times finally told the offender in court one day: ''Do not ever come back into my store. I will get you. I will be ready for you''.

It just so happened that the criminal was brazen enough to take him up on the dare. He went into the store to rob him for the sixth time. What the criminal did not realize was that the pharmacist had a shotgun behind the counter. When the offender walked through the door he was chased out of the store, shot and killed.

That was a deterrent. The store owner was charged and went to court. A jury found him not guilty. There was not a drug store robbery in Calgary for two years. That is a deterrent.

Business owners and homeowners are tired of having to put up with a non-committal criminal justice system which has no deterrent in it and no punishment.

• (1555)

As an alternative to the status quo correctional philosophy to which Bill C-53 is simply an extension, we propose a dramatic and immediate overhaul of corrections, parole and sentencing. Specifically we propose truth in sentencing for violent and repeat serious

criminals. Those offenders would serve a minimum of 90 per cent of their court prescribed sentence.

Truth in sentencing would apply to any individual who is convicted of an indictable offence or of any other crime deemed violent or serious under the provisions set out in the Criminal Code.

Truth in sentencing is needed instead of temporary absence programs because convicted violent criminals and serious offenders are serving a fraction of their time in prison compared to the sentence received at trial. Truth in sentencing will increase the length of time convicted, serious offenders are incarcerated.

In Canada, an offender who has served one-third or seven years, whichever is less of his or her sentence of incarceration becomes eligible for full parole. I think that is going to change. Inmates who have not been released on parole after having served two-thirds of their sentence are released by law to serve the final third of their sentence in the community.

If required to serve at least 90 per cent of their sentence, violent criminals and serious offenders would serve longer sentences, resulting in the prevention of crime which would otherwise be committed by criminals out on early release. In short, Bill C-53 wants to expand early release through the expansion of temporary absence.

National Parole Board data confirms that even the most violent and serious offenders serve on average only about one-half of their prison sentence. One of its studies showed that individuals convicted of attempted murder, for example, served an average of 48 months where the court ordered sentence was 94 months. In the case of manslaughter the actual time served by the offender averaged 44 months, where the original court sentence was 84 months. In the case of rape or aggravated assault, the average offender was released after serving 49 months of a 79 month sentence. That is not truth in sentencing.

Instead of expanding temporary absence programs and putting the rights of criminals ahead of the consideration for victims and law-abiding Canadians, the government should consider longer sentences for violent offenders because longer sentences will result in the reduction in the crime rate by preventing these offenders from recidivating. Requiring them to serve 90 per cent of their sentences will almost double the time they spend in prison and of course prevent crimes these offenders would likely commit in the community. The recidivism rate, as I pointed out, is somewhere in the neighbourhood of 70 per cent, most wardens tell us.

Two violent strikes and you are out. Reformers are proposing two violent strikes laws to which violent criminals and sex offenders would be subject. We say that for every criminal who is convicted of a violent crime for a second time, he or she should be sentenced to imprisonment for life without eligibility for early release or parole.

We believe that two violent strikes laws signify a tough, realistic approach to crime and would get multiple offenders off the street and into prison where they belong.

Critics of two strike proposals raise the cost of incarceration as an issue. Indeed, many of these same critics use cost as an argument to further the case for temporary absence programs. These people say that it is less costly for society to release criminals on a temporary basis than it is to supervise them on extended temporary leave in the community. To this objection I say two things.

First, it stands to reason that contrary to the claims by those who advance welfare state criminology, two strikes legislation will actually save societal cost by eliminating trial after trial of the same repeat offenders.

• (1600)

As a police officer I saw the revolving door. I think of my time, for instance, in the robbery unit of the Calgary city police department and how offenders would come through. They would be picked up, convicted, into prison they would go and within two to three years we were picking up and putting into prison the same offenders. That is the revolving door and that is reality. Often they were on parole. Seventy per cent to seventy-five per cent were drug abusers. Even though they had spent their time in prison they were still plagued with a drug habit because they could not shake it inside the prison system due to the flow and availability of drugs. That is our system and people want it changed.

This issue goes beyond statistics and projections of costs. The need to control violent crime is about who we are and what we hope to become as a society. Canadians deserve to feel safe in their homes at night and secure in the morning when they send their children off to school. Canadians will not live in the state of fear, our daily lives held hostage by a lawless few.

Notwithstanding everything that has been said, we are aware that there have been problems with the American application of three strikes legislation. Critics of two strikes legislation often cite the discrepancy in the severity of crimes covered by the law. An often repeated story involves a California man who was sentenced to life without parole for stealing a slice of pizza.

Let there be no mistake about that issue to which I speak today. Reform planned an alternative to legislation like Bill C-53. I point out that many of the proposals that I speak of here today will be brought before our caucus for final ratification at one point. The Reform plan clearly defines what is a violent offence. Hence, there

will be little or no chance for a pizza thief to face a mandatory life sentence upon conviction, which is what happened in California.

We also propose hard time prison sentences. We have a proposal to return prison time to hard time. We believe that the time spent in prison should not be a place any criminal would ever want to return to. A prisoner should not want to go back. Amenities currently afforded to inmates such as colour and cable TV, taxpayer funded university education, lavish workout facilities, special meals and holiday pay should be eliminated. That is quite a list.

An hon. member: Canada pension?

Mr. Hanger: Yes, Canada pension is probably thrown in there too. That is quite a list for people who have offended in this country and tossed into prison. Those rights should be removed and removed now.

Corrections Canada spends more than it ever has on costly and largely ineffective rehabilitation programs for prisoners. The drug rehabilitation program is one. Five million dollars was spent in 1994 on drug rehabilitation. To what avail? Drugs still flow into the prison. Prisoners still leave with the drug habits they entered with because of the availability of drugs inside. Those are facts.

Why is the Liberal government not addressing those concerns?

It is also true for sex offenders. In the 1993-94 budget of corrections Canada there was a total of $98 million for inmate programs described as education and personal development, occupational development programs and employment, spiritual, social, cultural and special needs programs.

We affirm as Reformers the government's responsibility to guarantee a minimal level of care to all convicted inmates: basic food and shelter, basic medical treatment, clothing and a rehabilitative framework based on the inmate's initiative. We also recognize that the rehabilitation of inmates shall be based upon incentives and merit. You earn your way.

• (1605)

A guaranteed system of initiatives shall determine the level of discipline. We propose that the framework for this system shall be set up in a way that clearly presents the relationship between the severity of the crime for which they are imprisoned and their demonstrated willingness to seek rehabilitation.

In other words, it is a self-rehabilitative program. Under our model, temporary absences would be a rare occurrence, especially for the violent offender. Maximum security institutions would house violent and serious offenders who are considered dangerous or who are serving true life sentences.

The program would be guided by the following principles: labour intensive work details without pay or skills training, no conjugal visits, only a core duty of care, restricted access on a very limited basis to entertainment and communications.

That was the maximum prison. We suggest that medium security prisons should house non-violent offenders and only those who have a proven willingness to participate in rehabilitative programs out of the maximum security institutions.

These positions would not be permanent. Any misbehaviour or loss of inmate initiative would result in the inmate's being returned to the maximum security.

Right now the process is the exact opposite. The pressure is on the maximum-medium to keep pushing down the inmates lower and lower, to re-evaluate their risk assessment. That is what is happening inside right now. Change the risk assessment to get them out of those maximum institutions into the medium, change the risk assessment to get them out of the medium into the minimum. That is what is happening.

The program should consist of the following. Inmates will work in print shops, carpentry, machine shops and garment production. Some of those things exist right now. Machine shops are being phased out in many institutions. What is replacing them? Educational programs. Prisoners will be given the opportunity to upgrade their formal education based on compliance with the prison rules.

Authority must be turned back too to the staff that run these prisons. We suggest that minimal compensation commence at this level. We would also allow a pay and trust up to $5,000 for the inmate to ensure that he has adequate resources upon release from prison.

What does it stand at right now? It is $80 after an inmate has served a substantial length of time. He has $80 in his pocket when he walks out the door. Is that adequate? What will he do if he cannot get a job right away? He will go back to crime.

That direction must be taken away. That thought must be taken away from them and they should be given something productive inside. They are obliged to work in the system. At this point prisoners would earn increased access to entertainment and communications after they have earned it.

With respect to minimum security facilities, we would propose they be run on the following principles. Minimum security prisons shall house non-violent offenders and those who have earned the privilege at this level, again the non-violent.

Work crews and apprenticeship programs will be trade oriented. They will be required to participate in some fashion in a work program. There will be a day pass system to encourage employment in private industry.

Sixty per cent of inmate pay would be applied to the inmate's room and board. Twenty per cent would be directed to the victim of the crime for which the individual is serving time and the remaining 20 per cent would be placed in trust for the inmate's

family or for the inmate upon release. There would be increased privileges, in particular conjugal visits, and they would be only on the minimum security level.

● (1610)

In addition, Reform believes the following reforms must be considered: non-voting privileges, no children in prisons. I have seen it said time and time again: ''I went to see daddy in prison''. How far do we carry that or the conjugal visit home? Is that a place to bring children? No pornography, personal TVs or stereos. All of these are on the commissioner's directives. Yet there is no enforcement in this area.

Reform believes these are the concerns Bill C-53 should focus on and not a program of temporary absence whereby prisoners' rights are given higher consideration than the protection of society. One has to ask why this bill is coming into being? It would appear it is as a result of a financial concern. In other words, it is too costly to keep them inside.

Reform believes a graduated system of accountability must be revisited in order to place the principle of individual accountability back into the prison system. Inmates no more than any other Canadian should not be able to take their position for granted.

The Reform Party's vision for the future of Canadian corrections is that responsible and co-operative behaviour will lead to privileges and perhaps transfer of deserving inmates to a less restrictive facility. Misbehaviour and infraction will mean the loss of privileges and even the return to a higher level of incarceration.

Canadians want to see some substantial reform in this whole area of incarceration. It is too bad these principles are not reflected in Bill C-53.

[*Translation*]

The Acting Speaker (Mr. Kilger): We will now proceed to the next stage of Bill C-53, in which speeches are limited to 20 minutes and subject to a 10-minute question and comment period.

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, I am pleased to speak to Bill C-53 at second reading.

This bill proposes amendments to the current Prisons and Reformatories Act that would strengthen and modernize the statutory framework that governs temporary absence programs for offenders in provincial and territorial custody.

I think the hon. member for Calgary Northeast did not understand this. I hope Reform members will follow the example of their Bloc colleagues and support this bill.

The bill would benefit the provinces and territories by providing them with a more flexible legislative framework to meet the diverse circumstances of their individual jurisdictions. It is a balanced response to growing concerns by provinces and territories that the existing temporary absence legal framework for offenders in provincial and territorial custody is too limited and outdated.

It should be noted that many of the same issues such as the expansion of the types of temporary absences and their duration were addressed for penitentiary inmates in 1992 when the new Corrections and Conditional Release Act was enacted.

[*English*]

Now we have once again the member of Parliament from Calgary Northeast saying we should remodernize the whole correctional system. It was done in 1992. The provinces and the territories have recognized that similar changes are required for provincial and territorial inmates. That is what Bill C-53 addresses. It does not address the panoply of concerns the member raised. I think he is confusing the issue.

These amendments were developed in full consultation with provincial and territorial governments. They were approved by the federal-provincial-territorial ministers responsible for justice in May of this year. I might add that they are an excellent illustration of federal, provincial and territorial co-operation.

● (1615)

[*Translation*]

As hon. members will know, the Prisons and Reformatories Act is a federal statute which governs how sentences under the Criminal Code and other statutes will be administered.

This stems from the federal responsibility for criminal law. However, it is our provincial and territorial partners who must implement this legislation. It is therefore incumbent upon us to ensure that there is adequate flexibility for them to meet their own unique circumstances as they see fit, without undue limitation.

Consequently, a joint federal-provincial-territorial task force was convened to develop the amendments we see before us today.

As I said, the bill would make amendments to key areas governed by the Prisons and Reformatories Act.

First, there is the addition of a statement of purpose and principle for temporary absence programs. This is something new for provincial temporary absences. It is modelled on the statement of purpose and principle which was created in 1992 in the Corrections and Conditional Release Act, which applies to parole and penitentiary temporary absences.

From our federal experience, this statement of purpose and principles has been extremely useful in terms of adding both real and perceived consistency and integrity to conditional release programs. In this day of increased scrutiny and accountability of

release decision-makers, such statements provide valuable guidance to both the system and the public.

Second, the amendments would increase the maximum duration of temporary absences from 15 days to 60 days. This change is intended to reflect modern realities and give correctional authorities the necessary flexibility to manage their inmate populations. There is an express provision in the bill allowing for the renewal of temporary absences. But there is also an important safeguard, and it is this: where a temporary absence is being renewed, there must be a reassessment of the case prior to so doing.

Third, the bill would set out explicit authority for individual jurisdictions to create additional types of temporary absences beyond those for the basic medical, humanitarian and rehabilitative reasons, so long as they are consistent with the overall purpose and principle of temporary absence programs as stated in the bill. This will give individual jurisdictions the flexibility required to fully administer their particular programs according to their unique circumstances.

Fourth, the reforms would give individual jurisdictions authority to restrict concurrent eligibility for some types of temporary absences and parole. This authority is intended to prevent ''conditional release shopping'', that is to say, to reduce opportunities for offenders to play parole off against temporary absence programs and vice-versa.

Lastly, the bill would add other important safeguards that would enhance public safety. The amendments would set out explicit grounds for cancelling, terminating, or revoking a temporary absence and authority to apprehend and return the offender to custody. The bill would also allow for the electronic transmission of a warrant of apprehension anywhere in Canada.

Another key feature of the reforms is that a peace officer who believes on reasonable grounds that a warrant of apprehension has been issued against an offender on a temporary absence would be able to arrest that offender without a warrant and hold him or her for up to 48 hours until the warrant is forwarded and executed. These measures will ensure that there is no question about the authority to return offenders to custody when required.

● (1620)

[*English*]

It is important to emphasize that the legislative enhancement of the temporary absence program which this bill would introduce should not be viewed as minimizing the importance of parole. The provinces and the territories rely on both parole and temporary absences as important tools for assisting in the reintegration of offenders. The changes that we are proposing would allow each jurisdiction to decide where the balance should be between these two forms of conditional release. It gives them the flexibility which they have been demanding.

It is also important to point out that parole can sometimes be a time consuming process which is appropriate for qualified offenders serving sentences for six months or more. Temporary absences, on the other hand, are appropriate for the management of shorter sentences, that is to say, less than six months.

Temporary absences are particularly appropriate in those jurisdictions without their own parole boards. Many provinces do not have access to parole boards. In those situations it is vital that jurisdictions establish a strong and credible temporary absence program. That is exactly what the bill does. It will enable the provinces and territories to do that.

Some critics may say that the reforms will make the system more lenient, as members of the Reform Party have alluded, at a time when public sentiment is pushing for greater restrictions. I would like to respond by saying that the reforms provide stricter parameters and tighter controls for the temporary absence program.

[*Translation*]

At the risk of repeating myself, the amendments set out clear criteria for ending a release and returning the offender to custody. They also impose the reassessment of the case as a precondition to any renewal of a temporary absence.

I cannot emphasize enough that these changes are being introduced with the protection of the public in mind.

The reforms are an effort to modernize the legislation as was done for federal inmates in 1992, and bring it into line with current practices in most provinces.

The amendments will provide a more coherent system, in that certain important elements—such as the statement of purpose and principles of temporary absence programs—will for the first time be specified in statute.

In closing, I would like to reiterate my earlier comments on the need to effectively address the gaps and rigidities in the existing legislation. The proposed reforms are an effective response to the concerns of all jurisdictions. This initiative is a thoughtful reflection of federal-provincial-territorial co-operation on a matter of mutual interest.

It is a sound and balanced set of reforms which will allow flexibility to individual jurisdictions to tailor temporary absence programs to their needs while still maintaining national consensus around key elements, particularly public safety.

All members of Parliament have an interest in ensuring that the concerns of Canadians are addressed in the most efficient and effective manner. This is so for matters concerning public safety. And this is what this bill does.

I would like to take this opportunity to thank Bloc members for supporting this bill and I would also like to take the time, if I may, to respond to the hon. member for Calgary Northeast, who, in his speech, asked the following question:

[*English*]

''Why is this bill being brought forward at this time?'' He led the public to believe that it was for budgetary reasons. If the member has been following the work of the provincial-territorial task force he would know that this group was established by the heads of corrections and is recommending changes to legislation governing temporary absences under provincial jurisdiction, which has been traditionally those convicted criminals serving a sentence of less than two years. The changes were approved by the federal, provincial and territorial ministers responsible for justice last May. Similar changes were been made in the Corrections and Conditional Release Act in November 1992.

It is at the request of the first ministers who are responsible for justice in their provinces that we are today introducing the required changes. They will help to add safeguards to the system to improve public safety.

● (1625)

For example, the new legislation would establish clear criteria to be used by provincial authorities for cancelling, terminating or revoking temporary absences and returning the offender to custody. The provincial prisons hold offenders, as I have said, for less than two years.

The member for Calgary Northwest was helter skelter, all over the map in his presentation. It shows that Reformers are not focused then it comes to criminal justice issues. I would ask them to reconsider and support Bill C-53 today.

[*Translation*]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, it is a pleasure to take my turn to speak to Bill C-53 before the House today. Since the position of the official opposition was clearly established by my colleague and friend, the hon. member for Manicouagan, I will merely elaborate on some of the elements he touched on just now, and I also intend to add to this some figures which the hon. member for Windsor—St. Claire was so kind as to pass on to me earlier, after quoting them in her own speech.

Clause 7 of the bill refers to the conditions for conducting temporary absence programs, as they are commonly referred to.

We should not forget that, when a court of law imposes a prison sentence, the primary purpose of the prison sentence is to protect society, while the second is to mete out punishment. We must not forget that. The rehabilitation aspect comes third, when we are certain that society is protected and that an individual is punished for an offence of which he has been found guilty or to which he has confessed. Subsequently comes the time for clemency and rehabilitation. The first two elements should not be overlooked: the protection of society and the punitive aspect. I think that clause 7 should put more emphasis on one of the principles of sentencing, according to which society has both the right and even the duty to protect itself.

That being said, I think that legislating rules for the guidance of authorities in charge of temporary absences is an improvement. At least there will be guidelines far more specific than what exists at the present time with respect to temporary absences.

Second, the bill specifies the grounds for revocation of the temporary absence. Here again, this is certainly an improvement which we will have an opportunity to examine in committee, but clause 7 of the bill enumerates the conditions under which the temporary absence may be revoked.

Of course, when we give people the power to grant temporary absences or revoke them, we cannot expect them to be faultless in their judgment of who should or should not be given a temporary absence. A temporary absence should be granted, of course, everyone or almost everyone will agree, when these people, for their own rehabilitation, when they are no longer a risk to society, when they can make a contribution to society to rectify mistakes that happened during their lives, can benefit from it.

It is to be hoped the boards that will have to decide whether or not to grant parole or a temporary absence will use their judgement. Let us not kid ourselves. Ours is not an ideal world and there will always be errors. Errors that are often infrequent and not the general rule should not blind us to the primary purpose of this bill, which deals specifically with rehabilitation and also relieving pressure on the prison system.

● (1630)

My colleague, the hon. member for Windsor—St. Clair, spoke earlier about a rate of incarceration in Canada of 130 persons for 100,000 population, while the rate in western countries, excluding the United States, can vary, for example, from 51 per 100,000 in the Netherlands to 81 per 100,000 in Germany, much higher rates.

It seems that, despite a decrease in crime in Canada, there is a rather strong trend for the courts to hand down firm prison sentences that are much more exemplary and to do so more often, particularly in cases of domestic violence.

We know that there is social pressure, and a good thing too, for zero tolerance of domestic violence. Therefore, our judges, who are sensitive to public opinion, are generally much more severe. And this reflects an evolution in society that I commend. Here, as with alcohol and drug use, it is zero tolerance that we should be aiming for.

In committee, of course we will try to pin down the scope of clause 7.2, which states that it is the lieutenant governor of the province who designates who is competent to authorize temporary absences in each of the provinces.

My colleague, the hon. member for Vaudreuil, has just mentioned that we have a new lieutenant governor in Quebec. Although appointed by the federal government, and theoretically by the Governor General, the lieutenant governor is in fact named on the recommendation of the Prime Minister. And although the lieutenant governor acts, also theoretically, on the recommendation of the provincial cabinet, he is not legally obliged to do so.

An old case from 1938, in a referral to the Supreme Court, on ''—power of disallowance and reservation'', clearly established that constitutional conventions which may deprive the Crown of the exercise of some rights do not hold when these rights, reserved for the Crown, are effectively exercised despite those constitutional conventions.

We just had such a debate in Quebec on whether, in a example A or B, the representative of the Crown could not prevent the people or the National Assembly, which represents the people, from exercising its democratic right. I hope that it will not happen.

If we added the words ''in council'' after lieutenant governor in clause 7.2 and therefore used the expression ''lieutenant governor in council'', we would simply mean that a Cabinet decision signed by the lieutenant governor would be necessary in order to designate the persons responsible for authorizing temporary absences. This would be compatible with the provincial jurisdiction.

This is what the member for Vaudreuil was referring to when he talked about the overlap which existed in criminal law in Canada—an overlap which is not so clear cut as one would think. In sections 91, 29 and 92(14) of the Canadian Constitution, the British North America Act of 1867, renamed the Constitution Act, 1867, as if it had never been called anything else, the BNA Act of 1867 gives the federal Parliament the power to determine sentencing and to establish a criminal code, and of course related laws, and gives the provincial authority the responsibility of administering justice.

But what administration of justice? Civil matters clearly are the responsibility of the province. This has not been disputed to date although according to some, an area of civil law falls under federal jurisdiction at this stage of the evolution of the law. However, things have not yet gone very far at this level.

As to areas of criminal law, is the provincial administration constitutionalized pursuant to subsection 92(14) or is it delegated to the provincial attorneys-general under the Criminal Code, and something that the federal Parliament may revoke at any time?

I was simply trying to point out to the fact that, after 126 or 127 years, after so much change, interpretation and discussion, we are still in a grey area, in a no man's land. We are still wondering about the distribution of jurisdictions among the different levels of government.

• (1635)

Bill C-53 is a step forward or perhaps sideways, but certainly not backwards in improving the balance that, as long as we belong to this system, we must constantly be trying to reach in the sharing of powers between federal and provincial jurisdictions. The enacting of Bill C-53 will mean better coordination.

With the flexibility afforded by this bill, we should be able to keep in custody those who really deserve to remain in prison, who are a danger to society and themselves and who have not earned a temporary absence or permission to go out. They must be earned, they are not automatic.

There is one last thing, with which my colleague from Manicouagan dealt very eloquently, I will probably be less eloquent. My colleague is quite familiar with the system, not for having served time, but for having worked in the penal system. When he talked about the change in the reporting period from 15 to 60 days, he touched upon a critical point we will have to look into. My mind is not made up at this time, but I have reservations.

If a parolee, who now has to report every two weeks, finds himself in a situation where he only has to report every 60 days instead of 15, an added 45 days, a reporting period four time as long, is there not a danger of losing control over this individual, or at least the correctional officials' ability to follow up? I believe this is a real danger.

If it is found that the individual is in breach of the terms of his parole, will it not be too late after 60 days to bring him back on track? Should his parole not be simply revoked? I think that a follow-up period of two weeks, even though it seems at first to be a rather cumbersome administrative measure, might be preferable to extending the reporting period to 60 days without any prior study. I presume that the committee will look into this issue with an open mind.

I have one last question. I am not stating my position on the breach of parole, on the non respect of the parole terms, I am just

wondering. Right now, under Bill C-53, a law enforcement officer cannot arrest an individual who is clearly in breach of his parole.

Therefore, if a policeman sees me in a bar in the middle of the night, while I am out on parole under the condition that I stay in my house from 8 p.m. to 8 a.m., the only thing he can do is write a report saying that I violated the conditions set for my parole but he cannot arrest me.

Would it not be appropriate to change the policemen's powers in some instances? A private member's bill has been submitted to that effect. I do not know where it stands on the Order Paper, but we should also think about acting quickly in that case because the sooner we act, the less deviations from the rules there will be. This is one aspect of the 60-day rule I do not like; it will be very difficult to follow the individuals during those two months when they are at large. We are all aware of the problems created by budget cuts at all levels.

If we reduce personnel, we also reduce the supervision. The person in need of help will receive less and less and he or she will probably want to test the limits of those conditions set for the temporary absence or the day pass.

I submit that these points should be considered in committee. We will insist that they be. Since the parliamentary secretary was courteous enough to stay in the House to hear the official opposition's statements, I am sure he took note of our comments and he will transmit those comments so that everyone will know what issues are of concern to us.

At the second reading, we will of course support Bill C-53.

● (1640)

[*English*]

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, it is a pleasure to speak to Bill C-53.

Contrary to some of the comments made by my Liberal colleague, the parliamentary secretary, I may surprise him and say I just may vote in favour of this. I remain to be convinced but I do want some assurances and it is only reasonable to ask in the House which is passing legislation that basically affects provincial jurisdiction. People like me are looking for some assurances that we are not being too liberal on allowing these people out for longer extended periods.

That gives my community a great concern. The communities of Abbotsford, Langley and Aldergrove, which have really seen very little crime over the years, have just witnessed five people murdered last week at once, a young girl killed months ago and on and on it goes. The people in my area are not used to this but it is coming at them in waves.

To stand here in the House of Commons and say yes, I might be for expanding temporary absences at the provincial, I have to be absolutely certain in my own mind that I am doing this in the sole interest and protection of the people in my area. During my discussion today I will be talking about the assurances I am looking for.

I recognize that the federal-provincial task force looking at these issues has come to the federal government asking why not put up a national standard on this kind of issue of temporary absences. I agree with national standards. I am looking for a national standard of victims' rights. The government said we are going to work on that this fall. I am looking forward to doing that.

Just as much as victims' rights need a national standard, perhaps so do temporary absences with all provinces in the nation.

If we are looking for national standards we are talking about increasing temporary absences from 15 to 60 days. I really have some questions to ask about that. I have some cases in my community of people who have been out on temporary absence who have done worse than what we could imagine. I really do want to know why the extension from 15 to 60 days. That is 45 additional days. I know it does reduce the bureaucracy and that sort of thing. I have to be convinced that an additional 45 days is in fact a safeguard for potential victims out there.

We are looking at a designated authority with the power to suspend, cancel or revoke a temporary absence. I do not disagree with that. I want to go through the EMP, the electric monitoring program the provincial government has, which I originally did not like. Since I have looked at it four times at length now I am beginning to like it more and more.

We are also looking at a designated authority to provide for the apprehension and recommitment of an individual. I do not have a problem with that either.

What is the difference between provincial and federal inmates, provincial and federal penitentiaries? If a person gets a sentence in excess of two years, two years plus a day, they go to a federal penitentiary. If they get less than two years, are they not that bad a convict? Are they the kind of guy who is going up to the big house some day and is just working at it or are they really a guy who has been at this for some time?

● (1645)

It happens in my area. I have met several inmates who are at one of the community corrections centres. The fence is four feet high. They are out in the daytime. They are not monitored. They have to be in at night. These are federal convicts on their way out to the street again. One guy I talked to said: ''I am not really that bad a fellow. I was in for sexual assault''. I said: ''Is that all, just two years plus a day is what you got for this?'' ''Well no, it was three years''. ''Have you had any prior convictions?'' ''Oh yes, I have had 35''.

Just because someone is in a provincial prison does not mean he is going to win the Mr. Congeniality of the year award. The fact is that people in provincial prisons in many cases are not very nice people.

It is not the first time. It is not just selling drugs. We have to be careful when we expand temporary absences from 15 to 60 days that we are dealing with the right people. There are good and there are really bad, if someone can call any criminal good. There is a scale in there.

The provincial system itself has some benefits that the federal system could use. Extended probation for instance. The federal system could use that rather than the statutory release and warrant expiry and they are out regardless of what crime they committed. There has to be a period where there is an extended probation.

I often tell this story. I will not prolong it. A fellow in my area coerced a woman in Aldergrove, British Columbia to go and get a lawn mower in the garden shed. He beat her over the head with a hammer, he raped her and left her for dead. He injected her with cocaine. He got six years and was out in two. Statutory release was coming up anyway. They said: ''Gee whiz, he is getting out anyway''. Before statutory release came, this guy stabbed Angela Richards 26 times and killed her in my riding.

Let us not make mistakes here even if we are starting to accommodate provincial governments. We have a duty and a priority to look after the safety and security of the victims and law-abiding Canadian citizens.

The provinces employ an electronic monitoring program. It is used in the temporary absences within the provincial system. I kind of like the program actually. It has application for some federal inmates. The person is monitored by a central computer somewhere. There is a monitoring machine on the end of their telephone which constantly keeps in touch with the inmate or the person living in the House by an ankle bracelet. When they walk out of range of the monitoring machine, the communication is broken. It reports to the central computer. The person is picked up and is sent back into the cell. When someone is using that process with a temporary absence program, it may be very worthwhile.

Another little story. I was out the other night on patrol with Corrections Canada folks. We were monitoring some individuals who are on the electronic monitoring system. One of the fellows had been caught selling cocaine for the first time. There was something wrong because the message from the telephone to his ankle bracelet was not getting through. We went to his house to find out what was going on. Had he disappeared or was he still in his house?

● (1650)

The value of his house I might say would be about $3.5 million to $4 million. It was the first time he got caught selling cocaine. He was put in a provincial prison. His house was worth about $4 million. It had a big pool which was half the size of this place and great tropical flowers. It was a nice place. It had a four-car garage which was big enough for trucks to load up with cocaine and heroin.

We found out what the problem was. The house was too big. He was walking around in a house which was so big it was breaking the signal. They had to put a more powerful receiver on him. This guy was on the same sort of a temporary absence which we are talking about.

There was a whole bunch of cars in the yard. Nice looking cars, too. They were new. There were lots of young fellows around. Who were they and what were they doing? They could not be selling drugs. It was the first time this guy had been caught, so that could not be the issue.

Before I left he said: ''This electronic thing works great. The provincial government had a good idea. If you ever want to have one of these and you get stuck in your house, this is the kind of house you should be stuck in''.

The trouble with the concept is that the house was likely built on the broken dreams of many parents. That house was built on the sale of drugs, in my opinion. There are young girls who are prostitutes in Vancouver who probably are the recipients of that drug trade.

I wonder if we are sending the right message with temporary absences. Are we doing the right thing? We want to think about that when we extend temporary absences from 15 to 60 days without too much checking.

What we really should be doing in addition to the temporary absence is taking his house. He should not be back in that house. I would seize the house and his assets and turn the house into a place for young people who are on drugs. It could be a transition house. We have to do more than just say there is rehabilitation and put him out on temporary absence from 15 to 60 days so he can be acclimatized to society. This guy is already acclimatized to society. The problem is he is selling drugs to society. That is what we have to look at.

What do we know about rehabilitation? A member come over to me a while ago and mentioned the golf courses in the prisons. They are learning to be good golfers. That is rehabilitative, I suppose. The member said that the golf course is rehab. I suppose we could think of a golf course in a prison as rehab. I do not play golf. It is too expensive. And I never did need golf as rehab in the first place.

I asked the prison warden to justify the golf course. This guy, who is the manager of corrections programs for the Pacific region, said: ''For one thing, the golf course at Ferndale was built by the inmates and that taught them about the landscaping business. It was a useful education''. Give me a break. That is not a useful

education. It is not really teaching them anything. It is building a golf course to keep them from being far too idle, which they are in prison.

When we are talking about temporary absences, as we are in Bill C-53, and rehabilitation as a result of letting people out longer, we have to define what rehabilitation is. If the Liberal concept of rehabilitation is golf courses, then the Liberals are on the wrong track.

• (1655)

What do prisoners think of rehabilitation? I found on a prison bulletin board the following notice about cognitive skills courses and rehabilitation of the prisoner. This I believe was on the bulletin board at Kent maximum security prison where the bad of the bad go. Let us find out what the prisoners who used their computers to put this up had to say about it.

What is the boosting cognitive skills program, they asked? ''This 10 session program is another in a series of useless programs which were formulated by a group of heavily medicated and bored criminology students, who after having sponged up all the funding available to them from the ministry of education, decided they would try a shot at feeding at CSC's billion dollar trough for a while''. This is the opening comment from the inmates in Kent.

When we talk about rehabilitation and temporary absences from provincial or federal institutions, we have to understand that if this is meant for rehabilitation, what is rehabilitation? It is important for the Liberal government to address that issue.

Let us just go on. It cannot be all bad for these guys. They say: ''These sessions are for those who have already completed the cognitive life skills programs but who for various reasons are registered as low on the cogni-meter''. That is good, I suppose. ''If you like coffee and a different place to sleep in the morning, this program is for you'', the inmates say. ''For more information send a request to the programs department care of Bozo the Clown''.

That is what inmates in this country think of rehabilitation. Not all of them do, but some do. The guards and staff in the prisons are telling me that is what the inmates think. We have to understand and keep in mind the need to mesh the right rehabilitation of an individual with temporary absences.

I want assurances that when people leave on temporary absences that we are protected. The bill does go some way in doing that and I will acknowledge that. That is why I may just vote for this yet, unless I can find a real problem.

Why the need to extend from 15 to 60 days? What are we actually doing? Are we trying to integrate for a longer period? Is it working? I wish it were working. If it were working Carol Goldy in my riding would not have been stabbed six times by her husband who is already out and is on a restraining order.

There was a fellow, a foster parent who sexually assaulted his children and he was out on a temporary absence as well. There is another lady in my riding who fled her house, ran away from her estranged husband who was out on temporary absence. He tried to burn the house down. Another lady's five-year old son was killed by her husband for revenge. He was out. On and on it goes. A sexual offender pleaded guilty to 13 counts of sexual assault. The police found a calendar detailing over 1,000 sexual contacts with children.

We cannot at any time during any temporary absence in this country whether it is for 15 or 60 days afford to have any further damage done to law-abiding Canadian citizens or victims who have already been victimized at one time or another. Keep that in mind. Convince me that the best interest of the law-abiding Canadian citizen is held in this legislation and I just may vote for it.

• (1700)

The Acting Speaker (Mr. Kilger): Before pursuing questions or comments, it is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Davenport, the environment; the hon. member for Bourassa, immigration; the hon. member for Kamouraska—Rivière-du-Loup, Montreal airports.

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, I will attempt to answer the concerns of the member for Fraser Valley West about the extension from 15 to 60 days since he directed his comments at me two or three times.

I think the member is aware that a temporary absence is usually used by provincial authorities to manage the inmate population. It is usually used for medical reasons such as when an inmate has to seek medical treatment outside the institution. It is also used for humanitarian related purposes. In going from 15 to 60 days we have consulted the people who are front line.

Quite often as politicians we are criticized because we legislate and do not take into consideration those aspects of the legislation that affect the front line people. They have asked us to increase it from 15 to 60 days for several reasons. First, when somebody is sentenced to a longer period of time there is a mechanism in place called the National Parole Board which most provinces have. They usually use that as the mechanism with which to administer the release of the inmate population. However, when we have a smaller period of time, a six month sentence for example, that process is too cumbersome. As a result they have asked for modifications in the law.

The 60 days would be required, for example, for an inmate to seek treatment outside or follow programs that might have a finite period of time exceeding the 15 days which seems to be very restrictive.

I want to reassure the hon. member for Fraser Valley West that there is an added safeguard in the legislation. There is a new provision that will require a reassessment of the offender's case prior to any renewal of any temporary absence. I hope that is the reassurance the member is seeking. Hopefully we can convince him later on to vote in favour of the bill.

Mr. White (Fraser Valley West): Mr. Speaker, I will reserve my decision on this until I listen to the rest of the debate.

However, again what I heard was that they are out for medical purposes but they are also out for rehabilitative purposes. I reiterate that rehabilitation in the minds of this government may mean something a lot different than rehabilitation in my mind. When a member comes across this room today and tells me that the golf course in a prison is rehabilitative I do not think we are on the same level. Hello, is anyone home over there? There is a problem with that kind of thought.

I will reserve my judgment and critique it more when I hear more.

[*Translation*]

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, before I was elected, I worked in a prison for five years, and I say this with humour, because it is rather strange. Five years during which we would take an inmate to court every day and hear all the incredible stories about what may have happened: from shoplifting to feed one's family to the foulest crimes, through extortions, drug dealing, major cases where tons of drugs had been shipped to the North Shore. This was no small operation; we do not do things by halves, where I come from. So, I heard these stories for five years.

When I was elected, on October 25, I said to my wife, among other things, that there would be a change, that I would not hear about major murders any more. It could not happen. We were going to the House of Commons; we were not going there to tell stories, but to work, to improve the fate of a society we believe in.

● (1705)

Well, I was wrong again. Every time a Reform member stands up to talk about a criminal case, he always tells a story about some foul crime that happened in his area. I have great respect for the Reform members, but other things happen as well. They always talk about the 10 percent failure rate, but there is a 90 percent success rate in social rehabilitation services. This means that 90 per cent of the people who go through a social rehabilitation process turn out well.

Of course, I sympathize with victims of crime. Everyone sympathizes with them. It would not make sense to do otherwise. But if one believes in a functional system, at one point, one stops talking about a minority of cases and says: ''Let us do something to correct that''.

From that moment on, one must have a positive attitude, and work at amending bills for the better. One cannot be content with voicing opposition, and make one's point by telling a story that happened in one's riding, by talking about the length of the knife or the pools of blood. Even Alfred Hitchcock did not go that far. We must draw the line somewhere.

I would like to ask the member for Fraser Valley West to tell me, in no more than two or three sentences, what the Reform Party recipe for the ideal system of reintegration is. What is their recipe?

[*English*]

Mr. White (Fraser Valley West): Mr. Speaker, there is one thing that my hon. colleague had better understand clearly. In my community we have serious concerns about people being out on the street. If he does not like the fact that I come in here and talk about the five murders in my community last week that is just too darn bad because that is what I am going to talk about.

I spent some time explaining about what one would consider today as a relatively minor offence, the sale of drugs. I do not consider it all that minor but I did refer to that. It is just a little careless to stand up in this House and say every time a Reformer gets up he talks about murderers only. But if I do he had better keep in mind that I am damn well going to do it and there is nothing he is going to say about that.

As far as the rehabilitation of individuals, what is required in this country, unlike that of the Liberal system, are prisons for drug and alcohol rehabilitation. There are none. There are none solely dedicated in this country. There are no prisons in this country for sex offenders solely dedicated to analyse and understand the problem. None.

If you want some more time about the rehabilitation of prisoners you had better start looking at better programs because even the auditor general said they are no good.

[*Translation*]

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, I am pleased to speak to Bill C-53, an act to amend the Prisons and Reformatories Act. This bill sets out the principles of the temporary absence program. It should be noted that these principles are similar to those set out in the Corrections and Conditional Release Act.

The bill also authorizes the provinces to develop additional types of temporary absences. Bill C-53 sets out the grounds for suspending, cancelling or revoking temporary absence.

• (1710)

Finally, the bill confers the power to apprehend and return those in breach into custody. This sounds like a worthwhile initiative because of what it provides for and of the leeway it affords the provinces.

I must admit however that I am one of those who place more reliance on the social rehabilitation of offenders than on their imprisonment, except in very specific cases, such as for dangerous offenders, spousal abuse and a few other cases.

I am concerned about the current overcrowding in our prisons. The imprisonment rate in Canada is second only to that of the U.S. Need I remind the House that, south of our border, the imprisonment rate is growing without causing a drop in the crime rate.

The Association des services de réhabilitation sociale du Québec is right to be concerned, seeing just how extensive the problem is. Alternatives to imprisonment can be found in our society. It would be to everyone's advantage to stop and think about alternate courses of action in this area.

Nonetheless, I support this bill, which promotes the rehabilitation and social rehabilitation of offenders, while at the same time stating principles aimed at maintaining a fairer, safer and more peaceful society. As other colleagues have pointed out, these two principles are not always easy to administer when one is trying, on the one hand, to protect society and, on the other hand, to promote the rehabilitation of inmates.

I also support Bill C-53 because, while establishing a national regulatory framework for conditional release, it also gives the provinces a degree of flexibility. Indeed, this bill on prisons and reformatories allows the provinces to develop their own policy regarding temporary absence for reasons other than medical or humanitarian reasons, or to facilitate the prisoner's rehabilitation.

I believe that extending the period of temporary absence from 15 to 60 days complies with what the provinces want. This change will, among other things, help alleviate the problem of overcrowded prisons in our country.

From a financial point of view, it will help reduce government expenditures relating to the inmate population. In spite of the reservations expressed by some colleagues this afternoon, I feel that extending the period of temporary absence from 15 to 60 days is a positive change.

However, it is a fact that this change generates some concerns, particularly among prison authorities in Canada. For example, they fear that inmates who take advantage of the temporary absence program might present a danger to society. Therefore, it is important for the committee that will review this bill to hear these people, those who work in close co-operation with them, as well as the victims.

Another issue which deserves particular attention is the place of residence of those who are conditionally released. Obviously, if these people are released for medical reasons, it can be assumed that they will go to a hospital.

• (1715)

But where will the inmate released for compassionate reasons or rehabilitation go? It is important to point out that inmates serving a sentence of more than two years come under the federal system. Under this legislation, the inmates released on parole are housed in reformatories.

It has to be pointed out also that Bill C-53 does not talk much about the principle of protection of society. It should be more explicitly developed.

It would also be interesting to wonder whether it would be appropriate to include in this bill a specific clause about the right of victims. What these people, who often have been through dramatic situations, have to say about changing or cancelling parole should be taken into consideration by the authorities.

I take this opportunity to point out the excellent work the Maisons de transition de Montréal Inc. have been doing for 30 years, and especially their director general, François Bédard. The Saint-Laurent half-way house, located in my riding of Bourassa in Montreal North, is part of this organization. It provides support services, including room and board, for offenders and helps them reintegrate society. It can accommodate some thirty people. I wish it could have more money, more funding to be able to accommodate a larger number, because the results I have seen are very positive.

Under the terms of federal-provincial service agreements, paroled inmates are referred to halfway houses and more particularly to the Maison Saint-Laurent. I have visited this institution and met residents, volunteer workers, and highly qualified professionals. I can attest to the efforts they make to help inmates, and I congratulate them.

Let me remind members that in 1994-95, the federal and provincial governments spent $1.9 billion on prisons, that is $44,000 a year for each inmate in federal institutions and $39,000 for each inmate in provincial prisons. Why does it cost $5,000 more to house and feed an inmate in a federal institution? Could it be that the federal government is not as good a manager of prisons as the provinces?

I do not agree with my colleague that the federal government manages detention centres better. I would also like to take this opportunity to mention the existence of detention centres for immigrants. As you know, I am the critic for citizenship and

immigration. I had the chance to visit detention centres for immigrants in Montreal, Mississauga, and Vancouver.

In some cases, these centres are really prisons, with security guards from private agencies. But there are no clear rules in these centres. Arrests are made without warrant. Nobody knows when an immigrant is eligible for release or temporary leave. In some instances, men, women and children live all together in the same institution.

• (1720)

There is no judicial control over these arrests, usually made by immigration officers, and no control by the IRB, which is also a parajudicial court. Sometimes, the living conditions in these institutions are unacceptable. I was able to witness how awful the conditions are in Montreal, on Saint-Jacques Street, as well as in Mississauga, near the airport, and in Vancouver, also near the airport. Some of the inmates did not know why they had been arrested, how long they would be detained and when they would be entitled to be released or deported.

I even met a young Kurdish woman, in Mississauga, who had been arrested at Toronto airport, because she was believed to be dangerous. When I visited her, she started crying and then she told me: ''I do not even know why I am being detained here. I never took part in any subversive activities, even though I am a Kurdish woman from—'' —I think she was from Turkey.

I then asked why she was being detained. I was told: ''She is here because no one is showing any concern about her'', etc. But these are not valid reasons. No one knew when she would appear before an arbitrator who could order her release.

In these detention centres, the human rights enshrined in the Canadian charter and any provincial charter are not respected. Why are minors arrested? They have to live together, men, women and children alike. Unfortunately, we do not read about these people in the papers. I already asked the Minister of Immigration to hold a public inquiry into these detention centres for immigrants. Unfortunately, since the residents of these centres are all foreigners, they are not aware of Canadian laws. Often they do not have access to a lawyer or to an appropriate defence. And we get no complaints from them because they end up leaving the country.

I think we need to shed some light on this particular area. In a democratic society such as ours, we should not see people living in such unacceptable conditions.

Like my colleagues from Manicouagan and Bellechasse, I would like to conclude by telling you that I am in favour of this bill, which will reduce the costs associated with the incarceration of offenders and which will give the provinces more power and more flexibility to implement their own temporary absence programs.

Therefore, I will vote in favour of the principle of this bill at second reading.

[*English*]

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, I was rather taken aback by the comment of the speaker's colleague to the Reform member who just spoke when he said that every time a Reform member gets up, he or she talks about a murder.

I would like to ask the member from the Bloc Quebecois whether he believes that talking about the ordeal, the concerns and the crimes that have been committed against innocent law-abiding Canadians is something that we ought not to bring into this debate, or whether he feels that it is a legitimate point to consider when we talk about the kinds of programs, early release and liberties allowed to convicted criminals.

[*Translation*]

Mr. Nunez: Mr. Speaker, I think it is quite right for the hon. member of the Reform Party to mention murder cases but not quite right for the Reform Party to mention nothing but murder cases.

• (1725)

For example, in the case of immigrants, something I am familiar with, they very often exaggerate things. The immigrant crime rate is lower than the rate for people who were born in this country, but they only speak of these extreme cases.

As the hon. member for Manicouagan pointed out earlier, social rehabilitation has produced good results in most cases. Not all inmates are dangerous criminals or dangerous people. The problem with the members of the Reform Party is that they see only the extremes. That is how those on the right think, not only in Canada but in other countries as well.

They leave no room for rehabilitation. They do not want inmates to have any rights whatsoever. They are citizens and, as such, they are covered by the charter and have rights that must also be defended. Some members only stick to the extremes and do not show any moderation in their remarks.

[*English*]

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I will not talk about an extreme case but about one that was in my local newspaper on Saturday night. I would like to hear the member's comments on it.

An auction mart was broken into and vandalized. A lot of damage was done inside. The RCMP arrived and arrested the individual. The individual was a 20-year old who was just having some fun. The police comments were that he would probably get a suspended sentence because after all it was a pretty minor offence.

The dollar value was not that much. The owner of the auction mart, on the other hand, felt that rather than going through the cost of the court system and potentially putting the individual in jail for

two days or fining him $100 that maybe a much better way to handle this sort of situation would be public service.

The public service he suggested was this. He has a lot of cattle liners coming into his auction mart. A cattle liner after a 1,000-mile trip with 100 cattle inside is not necessarily a pleasant thing to clean out.

His suggestion was that a much better punishment might be three months of helping out at the auction mart cleaning out the cattle liners and that probably he would think twice about vandalizing an auction mart again.

I wonder what the member might think about that sort of fair punishment for the crime, and does he think the individual would learn from that experience?

[*Translation*]

Mr. Nunez: Mr. Speaker, as I said earlier, there are cases that are very serious, and it is not up to us to judge their seriousness. There is a judicial system, there are judges, and it is up to them to impose the appropriate sentence in such cases.

But I feel it is dangerous to generalize about such situations. I believe there are very few extreme cases. I am happy because, according to recent statistics, the crime rate has gone down in Canada during the last few years, fortunately.

I believe that this is very positive and that the people should know about it. I also believe that in such situations, reporters have a big responsibility. When they write about horrible stories, I think they are doing society a disservice. At times, they are not cautious enough, do not show enough moderation.

I would like to point out to my colleagues of the Reform Party some extraordinary cases of rehabilitation that occurred at the Maison de transition de Saint-Laurent in my riding of Bourassa.

I met the offenders. I do not know their criminal record, but they seemed to be willing to change, to rehabilitate themselves, to be full of energy in order to start a new life. That encouraged me to pursue my efforts and to continue to help these people, the prisoners at the Maison de transition Saint-Laurent, in Montréal-Nord.

[*English*]

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, I wonder if you could advise me how much speaking time I have before Private Members' Business.

The Acting Speaker (Mr. Kilger): Given the time on our clocks you would have approximately one minute. Being there is a speaker wanting to continue the debate on this piece legislation, if the House gives its consent I am quite prepared to see the clock as being 5.30 p.m.

Some hon. members: Agreed.

The Acting Speaker (Mr. Kilger): It being 5.30 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*]

NIPISSING AND JAMES BAY RAILWAY COMPANY ACT

Mr. Bob Wood (Nipissing, Lib.) moved that Bill S-7, an act to dissolve the Nipissing and James Bay Railway Company, be read the second time and referred to a committee.

He said: Mr. Speaker, I think you will find there is unanimous consent for the following motion. I move:

> That, notwithstanding any standing order and the usual practices of the House, Bill S-7, an act to dissolve the Nipissing and James Bay Railway Company, be now called for second reading and that the House do proceed to dispose of the bill at all stages including committee of the whole.

Motion agreed to.

Mr. Wood: Mr. Speaker, I rise today on Bill S-7, an act to dissolve the Nipissing and James Bay Railway Company. This bill originated in the Senate and passed all stages of debate in one day.

Therefore I will be seeking unanimous consent of the House to pass Bill S-7. However, I would like to take a brief moment to explain the bill for those who are unfamiliar with it.

Nipissing and James Bay Railway Company was incorporated in 1884 under chapter 80 of the Statutes of Canada. It acquired land to build a railway. However, despite numerous extensions no railway was ever constructed. The last extension expired in 1908 but the company was never formally dissolved. The company failed to file any returns to the federal government, despite numerous requests, and relinquished all responsibility for the property.

No minutes of meetings remain regarding the business of the company and no stockholders could be located. Eventually the province built another railway which follows an almost identical route.

Bill S-7 was initiated by Senator Kelleher at the request of the Corporation of the City of North Bay in my riding of Nipissing. City council unanimously passed a resolution asking that the Nipissing and James Bay Railway Company be dissolved. The reason for requesting this is that this company holds title to approximately 4,000 square feet of land within the city limits. By

dissolving the company the land reverts to the crown whereupon the city can attempt to acquire it for its own uses.

I should note there was no public opposition to this action by residents of the city of North Bay. It remains that this House must dissolve the 112 year old act which created the Nipissing and James Bay Railway Company so that this small piece of land can be returned to the crown.

[*Translation*]

Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ): Mr. Speaker, the primary purpose of Bill S-7, as my colleague has just reminded us, is to dissolve the Nipissing Railway Company. The request to dissolve the company came from the City of North Bay, within whose limits it owns land, which is therefore unoccupied and not used, since the railway was never built, as it should have been before 1908, the last extension.

• (1735)

One might wonder whether there are still, in Canada, other such pieces of land which are, or have been, unusable for long stretches of time because the government did not think to free them up.

In my riding, in Blainville, in any event, I know of one case. Camp Bouchard, which covers 20 per cent of the municipality, belonged, until a few years ago, to National Defence. The camp had been equipped during the war with the complete infrastructure of a small city, in order to manufacture munitions. All these facilities, which would have made a wonderful industrial park for the city, were scandalously neglected, to such an extent that in the end they had to be dynamited, before the land could be sold back to Blainville, of which I was the mayor. This is another example of federal incompetence like the one before us today.

We owe a vote of thanks to the senator and the member for Nipissing, without whose initiative the government would undoubtedly have taken even longer to realize that there was no reason to continue to hold land for a railway, when 88 years after the deadline for building it had passed, there was no railway in sight.

The Bloc Quebecois is therefore in favour of Bill S-17.

[*English*]

(Motion agreed to, bill read the second time, considered in committee, reported, concurred in, read the third time and passed.)

The Acting Speaker (Mr. Kilger): The time provided for the consideration of Private Members' Business has now expired.

Adjournment Debate

ADJOURNMENT PROCEEDINGS

• (1740)

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, on June 19, I asked the Minister of Natural Resources to inform the House whether her department was on target to deliver our red book commitment to reduce carbon dioxide emissions which cause climate change. Our red book promise is clear, a 20 per cent reduction of carbon dioxide emissions below 1988 levels by the year 2005.

As shown in Environment Canada's recent study, the Mackenzie Basin impact study, climate change is already having an impact in Canada. This six year study shows that the Mackenzie Basin in northwestern Canada has warmed an average of 1.7 degrees Celsius over the last 100 years. Scientists found historically low water levels for Great Slave Lake, localized melting of permafrost and increased erosion and landslides resulting from an historically high number of forest fires in the region. They also concluded that the area covered by Arctic sea ice decreased by 5 per cent between 1978 and 1995.

So far the response to climate change by the Department of Natural Resources has been the national action program on climate change and its voluntary challenge and registry program for industry.

The same department estimates that carbon dioxide emissions in Canada will be 13 per cent above 1990 levels by the year 2000.

It is clear that the voluntary challenge will not stabilize greenhouse gas emissions, let alone reduce them by 20 per cent beyond 1988 levels as indicated in the red book. Thus we have a long way to go if we are to honour our international commitment and our red book promise.

There are alternatives. The rational energy plan developed by the Sierra Club of Canada with Informetrica provides a model for reducing carbon dioxide emissions while increasing employment for Canadians. Informetrica concludes that if the plan were fully implemented employment would increase, adding more than 550,000 person years of employment between this year and the year 2000. In addition, the Department of Natural Resources concluded that the plan would result in Canada's secondary energy demand falling by roughly 13 per cent by the year 2010, reducing carbon dioxide emissions by 22 per cent.

At present we seem to be working at cross purposes. We have in place subsidies which continue our dependence on non-renewable

energy sources which, in turn, increase carbon dioxide emissions. In contrast, subsidies to the renewable energy sector, although slightly increased in the last budget, are insignificant next to those enjoyed in the non-renewable fossil fuel energy sector. It seems that little planning is going into the transition from non-renewable carbon dioxide producing energy sources to the renewable sources. That transition will have to occur because of climate change and eventual resource exhaustion.

In her response to my question on June 19, the minister emphasized the government is committed to stabilizing carbon dioxide emissions at 1990 levels by the year 2000 but made no clear commitment to the further reductions called for in the red book. Internationally we talk about the stabilization of carbon dioxide emissions and further reductions beyond the year 2000, but domestically we seem to be failing to meet even the first of these objectives.

• (1745)

Can the Parliamentary Secretary to the Minister of Natural Resources inform the House whether her department is on target in delivering on our red book promise to reduce carbon dioxide emissions by 20 per cent below 1988 levels by the year 2005?

Mrs. Marlene Cowling (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, in response to the hon. member's question of whether we are on track with respect to the climate change commitments outlined in the red book, let me assure the hon. member that we are making progress. I also acknowledge that stabilizing greenhouse gas emissions at 1990 levels by the year 2000 and achieving further reductions post-2000 will not be easy.

Climate change is a complex issue for which there are no simple solutions. Very few countries will be able to stabilize their emissions by the year 2000. The problem lies in the very nature of modern economics and consumer lifestyles. We must change many of the ways we live and do business. Turning on the lights, heating homes and driving to work all produce greenhouse gas emissions. It is a matter of making fundamental changes to the way we live. It will take time and no one government or sector of the economy alone can solve the problem.

That is why the red book commitment on climate change states that the federal government will work with provincial and urban governments and major stakeholders with the aim of reducing carbon dioxide emissions. We are doing just that through the federal-provincial initiative known as Canada's national action program on climate change. This program takes a sustainable development approach, that is, balancing environmental and economic imperatives.

The national action program encourages a mix of approaches: voluntary, regulatory and economic instruments. A key voluntary measure is the voluntary challenge and registry, VCR, program designed to engage the private and public sectors to undertake mitigative climate change plans on a voluntary basis. These plans are also registered for public scrutiny. This approach allows companies to undertake initiatives which make the most sense from their operational viewpoint.

Over 580 companies and organizations have registered with the VCR. They represent about 70 per cent of greenhouse gas emissions originating from industrial and business activities. We have made climate change an important item on the agenda of corporate Canada. CEOs know there is a problem and are initiating mitigative plans and actions.

Natural Resources Canada has a number of its own programs to address greenhouse gas emissions. It has implemented energy efficiency regulations on electrical appliances and motors; set up the autosmart and fleetsmart programs to teach fuel efficient driving habits; and implemented a range of programs to encourage energy efficiency in buildings. The last budget also announced changes to the tax rules to encourage renewable energy investments. Consultations are now in progress to examine improving the tax treatment of energy efficiency investments.

The federal government's actions can make a difference. For example, by the year 2000 our new regulations on commercial lighting will reduce emissions annually by an amount equivalent to the carbon dioxide produced yearly by one million cars.

The federal government is also showing leadership by getting its own house in order. It plans to reduce greenhouse gas emissions from its operations by 20 per cent by the year 2005 through the Greening of Government Initiative affecting government buildings and motor vehicle fleets.

However, the federal government cannot do it alone. All Canadians contribute to the problem of greenhouse gas emissions. All Canadians must contribute to the solution. Stabilizing and eventually reducing emissions will depend on the collective effort made by all governments, industry and business sectors and the general public.

• (1750)

When and how we stabilize emissions are very much the subject of the joint meeting of the federal and provincial energy and environment ministers scheduled for early December. At that time ministers will review progress to date under the national action program on climate change and recommend the next action steps.

[*Translation*]

IMMIGRATION

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, on May 8, I put a question to the Minister of Citizenship and Immigration concerning Victor Regalado, a Salvadoran national who was granted refugee status in 1982, status that was later taken away

from him by the government because he supposedly constituted a threat to the national security of Canada.

The processing of his case is a typical example of the negligence and lack of compassion shown by the successive immigration ministers and officials who dealt with it since 1982. How can we explain that an individual can live in this country for 14 years, study, work, start a family and raise children without having any kind of status? If that is not negligence and lack of compassion, I do not know what is.

Finally, thanks to numerous interventions on my part, especially in this House, and to those of many organizations and public figures, Victor Regalado, who had been deported, was allowed to come back to Canada to submit an application for permanent residence after the Government of Quebec issued him a selection certificate. I ask the minister to act as quickly as possible on this case. Mr. Regalado has suffered enough as it is.

I also hope that CSIS will apologize to Mr. Regalado and explain in what way he poses a threat to Canada. Holding secret files on individuals as peace-loving and law-abiding as Mr. Regalado is not the proper way to do things in a democratic country.

I would like to salute the courage, determination and perseverance shown by Mr. Regalado during the 14 years he spent in Canada. I take this opportunity to congratulate him for the great battles he fought for social justice, freedom and democracy in his country of origin, El Salvador. I wish him well in all his future endeavours and I hope he will at last be able to live a normal life with his family.

I also want to mention the invaluable work done on this case by the Quebec Civil Liberties Union.

Furthermore, I would like to take advantage of this opportunity to condemn the unacceptable actions and behaviour of immigration officers posted at the Canadian embassy in Chile. Because as of June 5 this year, visas have again been made compulsory for Chilean visitors, Chilean nationals who want to come to Canada to visit their relatives, for business purposes or as tourists are faced with a lot of red tape. They have to fill out forms, be interviewed and present documentation, and then have to come back sometimes from quite far away, to provide additional documentation, pay costs and so forth.

On top of that, these immigration officers are incredibly strict about the way they grant visas. As a member of Chilean origin, I was asked to intervene several times, either with the minister or directly with the ambassador, to try and convince them to show more judgment and fairness, especially in the case of visitors who had obtained visas before to visit members of their family living in Canada. I can therefore say that the Chilean community in Quebec and Canada feels very uncomfortable about the situation.

This unbending attitude on the part of those who grant these visas fails to reflect the excellent relations that exist between both countries and the increasing amount of trade and co-operation between Canada and Chile.

I should point out that the President of Chile will visit Canada from October 1 to October 4. His activities will include signing a trade agreement aimed at facilitating investment and the exchange of goods and services between our two countries, but the problem of movement of individuals remains.

• (1755)

Finally, I may point out that Chile does not require visas for Canadians who visit this South American country. I would ask the minister to review the situation and take the necessary steps to facilitate the movement of persons between our two countries.

[*English*]

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, on behalf of the Minister of Citizenship and Immigration I consider it a privilege to respond to the question from the hon. member for Bourassa.

I find it somewhat puzzling that the hon. member has asked this question be addressed as part of the adjournment debate. The Minister of Citizenship and Immigration was very forthright in her initial response to his inquiries. Her position and the position of her department is clear.

The actions taken are in accordance with the law and regulations laid out in the Canadian Immigration Act. It is just that simple. There is nothing draconian or mean-spirited about the government's actions in this case. It is simply carrying out its duties by the rules. We have a good immigration system. It has served this country well over the years and it continues to do so.

We have a duty to defend the integrity of this system. This means respecting the laws and regulations that govern it. I do not see why in this specific case we would ignore the acts and regulations relating to immigration. It is not up to the government to pick and choose which laws it enforces and which it disregards.

I know that the hon. member for Bourassa would like me to get into more details of this case but I cannot do that. The Privacy Act simply does not permit me to do it.

As the hon. member is aware from his own meetings with Mr. Regalado and from reading the newspapers, I can say that Mr. Regalado complied with the legal requirement to leave Canada and has now re-entered Canada on the basis of a minister's permit to allow him time to apply for permanent residence. Like anyone else

who applies for permanent residence in Canada, Mr. Regalado will have to meet all immigration requirements if he wants to be landed.

The government has acted with compassion, understanding and fairness in this instance. It has fully respected both the spirit and the letter of the Canada-Quebec accord.

[*Translation*]

AÉROPORTS DE MONTRÉAL

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, on May 29 1996, I asked the Minister of Transport a question regarding Aéroports de Montréal's responsibility to, and I quote: ''co-operate with the minister in responding to any questions, complaints or comments from the public regarding the airport''.

Following that question, the Minister of Environment wrote in a letter that he was open to impact studies on the issue of transferring international flights from Mirabel to Dorval.

The minister only has to use his power under the act, namely to ask ADM to co-operate with the minister in responding to any questions, complaints or comments from the public regarding the airport. Thus the minister has full responsibility. The minister cannot bury his head in the sand. He must obtain from ADM clarifications on the economic and environmental impacts of the present situation.

All stakeholders in the Montreal airport area as well as those of Quebec as a whole want this situation to be clarified because this is a major economic decision.

This is the thrust of representations made by the hon. members for Blainville—Deux-Montagnes, Laurentides and Argenteuil—Papineau. Recently, there has been evidence that the inaction of the Department of Transport has contributed to the legal mess we are now in.

Representations made by the Coalition pour le maintien des services à Mirabel were received favourably by the courts. Increasingly in the future, unless the minister takes the political solution, that is to allow hearings on the Aéroports de Montréal decision, we will be bogged down right where we are, because the courts will take a long time to reach a decision. This will have harmful effects on the future of the Montreal airports, both Dorval and Mirabel.

After all these months have passed, will the minister finally get around to implementing the recommendation made by the Minister of the Environment: an impact study, an overall assessment of the situation and public hearings to enable the public to find out what the best solution for international flights will be?

Will the somewhat clandestine decision made by Aéroports de Montréal be maintained, or will we be able to find out exactly what the impacts of that decision will be?

[*English*]

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, on behalf of the Minister of Transport, I consider it a privilege to respond to the question of the hon. member for Kamouraska—Rivière-du-Loup regarding the Aéroports de Montréal.

Procedures have been put in place by Transport Canada to ensure that ADM respects the terms and conditions of all the agreements which it has entered into with the department.

With respect to what the hon. member views as a lack of co-operation on behalf of the ADM concerning its project for changing the role of Dorval and Mirabel international airports, to the best of our knowledge ADM has made available to the general public all of the studies on which it based its decision to reorganize operations at Mirabel and Dorval airports.

Aéroports de Montréal has also held many information sessions with the different municipalities surrounding these airports, the ones named by the hon. member. The general public was invited to attend these sessions and voice their concerns.

Transport Canada has responded to each and every complaint or question received and where required has provided the name, address and telephone number of a suitable ADM contact who could provide information. Any information which has been requested to date has already been made public and generally available by ADM.

At this point in time, to the best of our knowledge and based on the information that ADM has made available, there does not appear to be any violation of the terms and conditions of our agreements with them.

If the hon. member has evidence of any non-compliance on the part of ADM we would be happy to receive it and examine in immediately.

With respect to the environmental impact of ADM's decision, the Minister of Transport does not hold under the Canadian Environmental Assessment Act the authority to undertake or require an environmental assessment of Aéroports de Montréal's plans for Dorval and Mirabel.

The Canadian Environmental Assessment Act does not apply to all projects regarding airports operated by local airport authorities. It applies when there is a project, as defined by the Canadian Environmental Assessment Act, involving a federal authority and a trigger under section 5.0 of the act. Triggers would include things like federal funding, federal licence or a permit or a decision under a lease.

The transfer of international flights from Mirabel to Dorval does not involve any of these.

[*Translation*]

The Acting Speaker (Mr. Kilger): Before we adjourn for the day I would remind the House that, during the adjournment debate, both the members of the opposition and the parliamentary secretaries replying on behalf of the government must comply with the rules, which are that hon. members asking the question may speak for a maximum of four minutes, and parliamentary secretaries replying on behalf of the government are limited to a maximum of two minutes.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24.

(The House adjourned at 6.03 p.m.)

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