

*Private Members' Business*

As we can see, sentences are becoming more and more severe. In 1961, we were talking about seven years; in 1967, ten years; and in 1974, we could go to twenty years.

On February 24, 1976, the Solicitor General introduced Bill C-84 which abolished the death penalty altogether. At the time that was a hot topic. We were wondering whether the death penalty should be kept on the books or abolished.

It is still a very contentious issue today, so imagine what it was back in 1976.

Bill C-84 offered a new variation, namely different categories of murders: first degree murder and second degree murder. People convicted of first degree murder had to serve 25 years before being eligible for parole, whereas people convicted of second degree murder had to serve between 10 and 20 years, depending on the sentencing judge's decision, before being eligible for parole.

• (1910)

Therefore, in 1961, seven years, in 1977, ten years, in 1974, maybe 20 years, and in 1976, maybe 25 years. Bill C-226 is aimed at removing any hope of parole for convicts serving a life sentence. Everybody agrees that society must be protected, but to what extent? As parliamentarians, do we have the right to pass laws regarding the probable behaviour of individuals 15 years from now?

As it now stands, the law gives individuals the opportunity to be tried and sentenced to penalties proportionate to the seriousness of the crime which brought them to court. Bill C-226 claims that none of us believes that individuals who are sentenced today will be rehabilitated 15 years from now. It closes the door to hope. It shoots down rehabilitation. Do we have the right to do that?

As parliamentarians, we have rights, but we also have the fundamental duty to do our best so that, when we leave, society is a bit better off than when we arrived. It is to meet this humble objective that we must strive. Statistics show that only 6 per cent of inmates on parole re-offend within six months of their release. That is to say that the present judicial process and parole system are not working too badly.

The controversy surrounding the review process is fuelled by two often contradictory objectives. On one hand, there is the way we feel about crime and, on the other, the desire to rehabilitate offenders, which are often mutually exclusive. The initial reasons for a judicial review are always the same. At the time, in the years 1961, 1967, 1974, and 1976, reactionary views were predominant. There were debates on the death penalty and life imprisonment. Those were the buzz words, back then.

The right wing is back, and we hear the same debate all over, especially with the emergence of victims' rights groups, the word victim being used in its widest sense. The emphasis is now placed on the problems those victims experience. We should realize that arguments for repealing section 745 of the Criminal Code are based on retaliation.

Retaliation does not justify shattering one of the few hopes lifers have left. When you are in prison, the light at the end of the tunnel is essential. I do not mean to put up an all out defence for prisoners, but we must recognize that those people are not animals. They are human beings, and we have no moral right to utterly deprive them of hope.

Let us not forget that judicial review after 15 years does not mean lifers will automatically be released from prison. It is just another step a prisoner has to take before parole is granted. People who sit on parole boards are there to determine whether individuals can be safely released in our society. If not, parole boards have every right to keep them behind bars till the end of their sentence.

I am puzzled by Bill C-226. First of all because I honestly do not think victims will be better protected. Nor do I believe that sentencing will be improved by this bill. Moreover, we have to wonder if Bill C-226 really serves any purpose since there are already, within the parole system, people whose job it is to be sure that the individuals they choose to release will make a positive contribution to society. Obviously, it is important to protect society, but as members of this society we have a role to play. When we see an ambulance going down the street, we do not fire at it. We give it the right of way without even asking who is inside.

• (1915)

For a person who has received a life sentence, the parole system is the light at the end of the tunnel. I do not think that the victims' relatives will suffer after 20 years. They certainly have suffered and everybody deplores that fact. However, we do not have to always give in to the people who shout the loudest.

A politician must be able to stand up and defend his views. My view is that Bill C-226 serves no useful purpose.

**Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General, Lib.):** Mr. Speaker, I am happy that the debate on these bills under review this evening gives me the opportunity to dispel certain myths concerning the Criminal Code provision which Bill C-226 would repeal and that is the section providing for a judicial review of the parole ineligibility period.

This provision was adopted in 1976. The legislation adopted at that time stated that people convicted of first degree murder or high treason were to wait for at least 25 years before being allowed to apply for parole and for those convicted of second degree murder, the jury would set a 10- to 25-year parole ineligibility period.