

Private Members' Business

I was listening to what the hon. member for Peterborough was saying and as I heard it, he was simply reciting the facts of this case that are public knowledge. He was not in any way discussing the merits of the case in so far as it was a criminal case. He was listing the events that had happened publicly in respect of this case.

• (1710)

I do not think that this constitutes anything but, possibly, a technical breach of the rule. I submit that in the circumstances we ought to let the hon. member continue with his recitation of the facts.

If he begins to discuss the merits of the case, I agree it may be that there is a valid point of order to be raised. But I think in listing the public events which have transpired, the hon. member is not transgressing the spirit of the rule and I hope we can hear him out on that basis.

Mr. Riis: Mr. Speaker, I really hesitate to raise this but we all appreciate the fact that the Speaker is the servant of the House and the Speaker, at all times is, if you like, in a position to offer a fair and unbiased judgment.

I guess the question as to whether the Parliamentary Secretary to the Minister of Justice ought to be in the chair on an issue of this nature raises some questions. As I say, I do not want to cause any difficulty because I know there are alternatives to the Chair. But I do have to say that it seems to be somewhat of a problem perhaps in terms of, at least, perception, when the parliamentary secretary is in the Speaker's chair on an issue as important as the one we are discussing today.

The Acting Speaker (Mr. Nicholson): I have heard the hon. member. I would have hoped that my position, as the parliamentary secretary, would have enhanced and given greater weight to a particular ruling on this.

I have heard what the hon. member said, and to deal with the points one at a time, this intervention, this point of order, will not be taken from the hon. member's time.

I think the hon. member for Burnaby—Kingsway accurately set out the rules by which we govern ourselves in this place. However, but I have to agree as well with the hon. member for Kingston and the Islands that what I heard, up to this point, was a recitation of the public facts as they relate to that particular case. At the same

time, I would caution the hon. member that the convention referred to in the point of order is a voluntary restraint on the members of the House and I hope the member will keep that in mind in his remaining comments.

The hon. member for Peterborough.

Mr. Domm: Mr. Speaker, perhaps without taking more time on the point of order and going back to the contents of my remarks, I would like to continue with the court record of Charles Ng.

Ng's lawyer, Donald MacLeod, had 60 days to file a motion, asking the Supreme Court of Canada to hear the case. The motion was filed with the Supreme Court in 1989. On August 31, 1989, the Supreme Court ruled that it would not hear Ng's appeal. The then justice minister, now the Minister of Transport signed an extradition warrant on October 26, 1989 without seeking assurances that the death penalty would not be imposed. Ng's lawyer has indicated that he will be filing an appeal of the minister's decision to the Federal Court of Canada, Trials Division, and Mr. MacLeod has indicated that the earliest court date for the Federal Court would be June of 1990, taking two weeks to hear all witnesses, with a decision not expected before the fall of 1990.

On June 8, 1990 the Minister of Justice announced that she was referring the Ng case directly to the Supreme Court for a determination. A copy of the request is attached to my notes, for the benefit of *Hansard*. On October 1, 1990 the case had still not been inscribed at the Supreme Court in order that the court can set the date for trial.

What I would like to do is read to you one of the major concerns I have on this matter of the extradition of convicts, or suspected convicts. I quote from *The Ottawa Citizen* of June 13, 1990:

Charles Ng, who is wanted for mass murder in California and is fighting extradition proceedings, is scheduled to complete a 4 1/2-year Canadian prison term this week.

But his lawyer said Tuesday Ng is sure to remain behind bars—despite the formal expiry of his sentence—while the Supreme Court of Canada ponders his fate.

I will move onto another situation that brings home the urgency to get rid of what we have in Canada, a two-track system of justice. Those escaping justice in their own country can come to Canada and get more opportunities, more kicks at the cat in the court system