

Private Members' Business

As of May this year there have been 60 judicial review applications made under section 745. A staggering 42 of them have been successful. That means 72 per cent of the convicted first degree murderers, first degree premeditated murderers who applied for early parole consideration, were successful under the current provisions of section 745 of the Criminal Code.

To anyone who is thinking that I am just a vindictive individual, I ask them to consider this: crown attorneys, our public defenders, tell me they are not prepared to handle the sheer volume of judicial review cases that are about to come crashing down upon them. Most crown attorneys have little or no experience with this type of judicial review, which makes me a little concerned with the proper administration of justice in the country.

Canadians are fed up. They feel their rights are being superseded by the rights of the criminal. They feel that the scales of justice are no longer balanced but tipped in favour of the criminal and that there is not enough justice for the victim in society in general. For the benefit of those who may have forgotten why we need to seriously punish for heinous crimes, allow me to awaken their collective consciousness.

Daniel Gingras was convicted of murder in 1978. Nine years later he was released from a maximum security prison on a day pass for his birthday. He escaped his police escort and later celebrated his birthday by brutally killing two women.

Clifford Olson was convicted of murder in 1981. He still managed to murder 11 children while out on parole, one of whom was a young boy who was repeatedly raped for several hours before he was killed. He has the right under section 745 of the Criminal Code to be eligible for parole in less than a year.

Joseph Fredericks was convicted of raping and sodomizing a little boy in 1984. While on parole this man raped and murdered an 11-year old boy.

Patrick Mailloux was convicted of a long list of violent crimes. While on parole he walked into a corner store, pulled out a gun and murdered a 17-year old girl in cold blood.

Charles Simard killed two teenagers in Quebec. He had his parole eligibility period reduced by a judicial review from 20 to 15 years. Also there were Gilles Lavigne, Larry Sheldon and Serge Roberge.

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Perhaps the most stirring case is that of Saul Betesh, Josef Woods and Ronald Kribs. In 1977 those three men lured a 12-year old boy into their apartment and raped him for 12 hours before strangling the little boy to death. Betesh and Kribs were convicted of first degree murder and Woods was sentenced to 18 years without parole, which means that he may be released as

early as next year. All three prisoners are expected to seek judicial review courtesy of section 745.

Mr. Speaker, think about what that 12-hour torture was like for that little boy. Now think about what it would be like if he were your child.

In my own riding of Hamilton West there was the case of John Rallo who brutally ended the lives of his wife, his five-year old daughter and his six-year old son, whose body has yet to be found. Indeed the list goes on and on.

What exactly are the people of Canada saying to us about this issue? I have received a great deal of feedback from my constituents over the years that illustrates the public sentiment out there. I will give one before I conclude: "Only a politician and/or a lawyer could come up with a penalty which turns out to be not life imprisonment for 25 years but 15 years, and our politicians wonder why people do not trust their words".

How much longer must Canadians live with the double compromise presented by section 745 of the Criminal Code? Let us say what we mean: truth in sentencing. Life without parole for 25 years should mean exactly that and section 745 of the Criminal Code must be eliminated.

[Translation]

Mr. Bernard St-Laurent (Manicouagan, B.Q.): Mr. Speaker, Bill C-226 could have been called "sink the shipwrecked" or "shoot the ambulance". In actual fact, it comes to the same thing. In the society we live in, the light at the end of the tunnel is part of daily life, irrespective of the environment we are in.

For example, we are currently going through an intense recession. The Minister of Finance knows it, he does not see the light at the end of the tunnel either. We have difficulties imagining that one day this country will come out of it, financially. Yet, we do not shoot the Minister of Finance. The system is not perfect, only human, and no human is perfect.

To understand the consequences of Bill C-226, we have to put it back in its context. In 1961, murders fell into two categories: capital and non-capital. Before that, death was the only sentence available for convicted murderers, even though the governor could grant a stay of execution and intervene in favour of the sentenced.

Those convicted of non-capital murder were sentenced to life in prison, but were eligible for parole after seven years. We are talking about 1961.

After 1967, people sentenced to life in prison needed permission of the governor in council to be released. They had to serve at least ten years before becoming eligible for parole.

In 1974, changes to the Criminal Code allowed judges to raise to 20 years maximum the period during which no parole could be granted.