

*Private Members' Business*

We will see if the twice removed from reality mentality still controls the agenda in the Liberal caucus. If it does, then the only real hope for the people of Canada who want change to legislation like section 745 of the Criminal Code is to wait until the next federal election. They can then remove the Liberals from power as decisively as they removed the Tories from office in the election one year ago.

**Mr. Stan Keyes (Hamilton West, Lib.):** Mr. Speaker, I owe it to my constituents and the Canadian Police Association, the Canadian Association of Chiefs of Police, CAVEAT, the families and friends of victims of violent crimes and tens of thousands of Canadians who signed petitions, to rise in the House today to speak to Bill C-226, an act to amend the Criminal Code.

During the last Parliament and through two years of work my own private member's Bill C-330 attempted to introduce similar changes to the Criminal Code that among other things would eliminate section 745. Consequently I applaud and second the member for York South—Weston's bill to reintroduce this initiative to the House of Commons for consideration. I thank him for that honour.

**Some hon. members:** Hear, hear.

**Mr. Keyes:** The Reform Party should wait to hear my whole story before applauding.

In our society first degree murder has always been considered to be one of the most heinous crimes punishable by law. Despite our unswerving disgust with the premeditated destruction of another life, our approach to punishing first degree murderers has changed somewhat over the years.

With regard to convicted first degree murderers, the most significant change to take place in our criminal justice system occurred in 1976 when the members of this House passed Bill C-84. In addition to creating two new categories of murder, first and second degree, this bill also brought about two significant changes to our criminal justice system. It abolished the death penalty for Criminal Code offences such as first degree murder. It went even further by creating a legal loophole, section 745, that allows convicted first degree murderers to apply for early parole consideration after serving only 15 years of a so-called life sentence without parole for 25 years.

The actions taken in this House by my predecessors 18 years ago constitute what I call a double compromise. This double compromise is unwarranted and unjust. It serves only to confuse, frustrate and even traumatise the many families and friends of murder victims throughout this country.

When the death penalty was abolished 18 years ago, it was done in recognition of several key factors: one, the fact that capital punishment was not and is not an effective deterrent for heinous crimes such as first degree murder; two, the death/

penalty obviously eliminates the entire notion of rehabilitation of the convicted criminal; three, at the time this legislation was introduced, Canada's social conscience was more conducive to sentencing a convicted first degree murderer to life imprisonment rather than authorizing state sanctioned murder; and four, the legal and administrative costs associated with successfully carrying out a death sentence are often, I say to the Reform Party, far greater than the costs of incarceration.

Clearly the abolition of capital punishment represented the first compromise between two extremes. Those at one extreme were like our friends in the Reform Party who believe that all first degree murderers should be lined up and shot immediately. Those at the other extreme believed that we should simply rehabilitate first degree murderers for a few years instead of subjecting them to the harshness of long term imprisonment.

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As though that compromise were not enough, section 745 of the Criminal Code allowed for what I call a double compromise. Not only would first degree convicted murderers escape the death penalty, they would also have a chance to escape their so-called life sentence by applying for early parole consideration after serving only 15 years of a minimum 25-year sentence.

I personally do not agree with the death penalty but let us be reasonable here. By compromising ourselves twice in this area we went too far. Whose interest does this second compromise really serve anyway? Does section 745 serve the interests of the victims who were brutally murdered in cold blood? Of course not. Does section 745 serve the interests of a society that is led to believe that it will be safe from first degree murderers for at least 25 years without parole? Of course not. Does section 745 serve the interests of a criminal justice system that aspires to be balanced, fair and effective when dealing with first degree murderers? Certainly not.

People across the country are asking us to say what we mean and mean what we say when a person is convicted of first degree murder. If an individual is convicted of first degree murder and sentenced to life in prison without parole for 25 years then that is what should happen. If people think that life in prison without parole for 25 years is inappropriate for the same reason then we should debate what the actual sentence should be, reach an agreement and codify it in our laws. We should stick to it until we have reason to change those laws.

Under the current provisions of section 745, the sentence of life imprisonment is nothing but legal doubletalk. According to the statistics of the National Parole Board there are over 2,000 offenders serving life sentences in the Canadian correctional system. Furthermore over the next 15 years—and this is for the Bloc's edification—655 inmates in federal prisons will be eligible for this judicial review courtesy of section 745.