

*Private Members' Business*

We support the police and their call for tougher sentencing on firearm related crimes.

This bill then is an attempt to respond to those urgent calls for action, and there were many more that I have not quoted. In fact, the one item on which all groups agreed, whether for or against the legitimate use of firearms, was a call for stricter and tougher laws and sentencing of criminals who use firearms.

The Special Committee on Firearms recommended the following and I quote: "With respect to section 85 of the Criminal Code, the minimum mandatory sentences therein be increased to three years". Unfortunately, this recommendation was not accepted and that is why I have brought it forward as a Private Members' Bill and in so doing, change the recommended three year mandatory minimum to five years. I do so because I believe three years to be too short for such a serious offence.

Further, I heard that the former Right Hon. John Diefenbaker tried but failed to change the Criminal Code back in 1971 to do exactly what my bill does, that is to provide for a five year minimum. I agreed with him at that time and I decided that if I ever got the opportunity, I would argue for a five year minimum for the criminal use of a firearm.

Here I am today with that opportunity. I truly hope that members of this House will seriously listen to my arguments for this bill.

Further, we all know how our system of sentencing and parole works. Under the Parole and Penitentiary Acts a 12 year sentence can become an eight year sentence by crediting the convicted criminal with 15 days for every 30 days served, thereby reducing the 12 years by one third to eight years. Then that eight years can become four years because the convicted criminal is eligible for parole at the one third point of the 12 year sentence, i.e., the fourth year. In fact, the four years can become two years for day parole purposes because the convicted criminal is eligible and can apply after one sixth of his sentence, i.e., two years, for educational or job related reasons.

Therefore, an armed bank robber who threatened people with death by his gun and received a 12 year sentence can be on day parole after two years and back on the streets after a mere four years of that 12 year sentence.

Under the present law we would have to put a criminal away for 15 years to ensure that he spends at least five years behind bars.

That is what annoys people and that encourages cynicism toward our legal system and courts. A 15 year sentence sounds severe but it becomes five years in practice. As one witness before our committee in expressing outrage complained, and I quote:

There's the young robber out in three years, when the young woman he shot is confined for life in a wheelchair; an innocent victim to a terrible crime.

That is not proportional justice to fit the crime. The present law beginning at a one year minimum is not enough. Three years is not enough. Fifteen years under our present Parole and Penitentiary Acts can become simply five years. That again encourages cynicism and accusations that our laws favour the criminal and not the innocent victim. Therefore, as one means to correct that problem this bill would bring in a five-year mandatory minimum with no parole for that five year period.

• (1810)

Many police chiefs support this bill, including Chief Bill McCormack of the Metropolitan Toronto Police, Chief Constable Bill Marshall of Vancouver, and Chief Vince MacDonald of Halifax. Chief Harold Basse of the Waterloo Regional Police, who is also president of the Canadian Association of Chiefs of Police, wrote the following: "I am pleased to inform you that the Canadian Association of Chiefs of Police fully supports the proposals in your bill".

He also wrote:

The introduction of this bill is a very welcome change in attitude toward protecting the public rather than continuing with the trend of only being concerned with the rights of the offender. The increased minimum mandatory sentences should provide a deterrent to the use of a firearm while committing a crime.

He went on to say:

It is also very appropriate that in this proposal it was deemed necessary to include a control over withdrawing or "plea bargaining" away these charges.

Police Chief Borbridge of Calgary said:

I am encouraged by the serious view which is being demonstrated in putting forward this bill. Crimes of a violent nature have increased significantly across this country and it is timely that tougher and more realistic penalties are being considered to be imposed on persons found guilty of such crimes. The proposed penalties not only reflect the severity of the offence but also are reflective of the the communities concerns. The non-eligibility for parole reinforces the seriousness of these crimes.