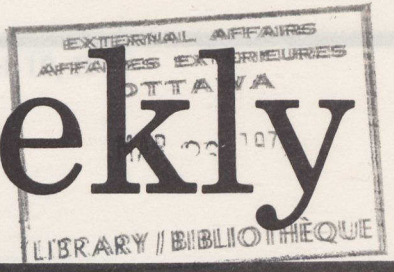


# Canada Weekly



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## Abolishment of capital punishment in proposed peace and security program

Ron Basford, Minister of Justice, and Warren Allmand, Solicitor General, tabled in the House of Commons on February 24 two bills aimed at strengthening the criminal law and its administration, particularly as they apply to crimes of violence.

Measures include new sentencing provisions for convicted murderers and dangerous offenders, increased resources for crime prevention and changes in the rules that apply to electronic surveillance, more comprehensive gun control, provisions enabling the provinces to set up commissions of inquiry into organized crime, an accelerated program for the construction of smaller, safer and more effective penitentiaries, measures to provide better control in penitentiaries and better screening processes for the release of offenders into society.

The legislation tabled in the House is in the form of two bills — the Criminal Law Amendment Act No. 1 and the Criminal Law Amendment Act No. 2.

### Criminal Law Amendment Act No. 2

The Criminal Law Amendment Act No. 2 proposes to abolish capital punishment for murder and to replace it with life imprisonment. New provisions for sentence administration will vary depending on whether murder is first degree or second degree.

Persons convicted of first degree murder will serve 25 years of imprisonment before they are eligible to be considered for parole.

(First degree murder includes planned and deliberate murder, including contracted murder, the murder of police officers and persons working in a prison or penitentiary in the line of duty, murder while committing or attempting to commit hijacking, kidnapping, rape or indecent assault on a male of female.)

Persons convicted of second degree murder, which includes all other murders, will not be eligible to be considered for parole until they have completed ten years of their sentence.

However, the judge may, at the time of sentencing, after seeking the view of the jury, increase the mandatory period of imprisonment without eligibility for parole to a maximum of 25 years.

There are provisions for the review of the parole eligibility date by three Superior Court Justices after the offender has served 15 years. This applies to all first degree murder cases and to those second degree murder cases where the parole eligibility date has been set at more than 15 years.

### Criminal Law Amendment Act No. 1

This act includes legislative amendments relating to gun control, dangerous offenders, special crime inquiries, electronic surveillance and custody and release of inmates.

### Gun control

The aims of the measures regarding guns are to screen out potential misusers and to restrict the general availability of guns without undue harassment of legitimate users for hunting and other sports, to enforce high standards in the safekeeping and proper use of firearms and to discourage the use of firearms in the commission of crime by new and increased penalties for such use. The proposed program includes:

New provisions for higher maximum sentences for crimes involving offensive weapons; mandatory minimum sentence of one to 14 years, to run consecutively to any other sentences imposed; if a person uses an offensive weapon while committing an indictable offence; seizure of a weapon by the police without a warrant; tightening of controls on restricted firearms and applicants will be required to justify the need before being granted a certificate.

### Voluntary recall of guns

Through an extensive voluntary campaign the Government will ask Canadians to turn in any guns no longer used.

Every owner of firearms in Canada