

of attention, then the commissioner or officer in charge can sign a document for his temporary release and he can be removed to the hospital. I might say in passing that I had cases of applications being made years before the act was misused, misjudged and misinterpreted. The other ground is humanitarian reasons. We know what they are. I can give you one example of a man who was incarcerated for seven years for armed robbery. He was a family man. His seven year-old girl had played with other children with whom she started a bonfire, as a result of which a fire started and in the accident she died. We made application to the attorney general and the inmate was released to attend the girl's funeral. Those are humanitarian grounds and they are justifiable. I hope we will always have such a law.

Then we should consider the rehabilitation of the inmate. I do not think it was ever intended that an inmate should be released under the temporary release program for the purpose of rehabilitation at a time in Canada when we have abolished capital punishment not only *de jure* but *de facto*. We had abolished it by law. Of course, that law has now lapsed and the bill to reinstate it is awaiting third reading. We abolished capital punishment except where a person was found guilty of intentionally killing a police officer or a prison guard. But even during the five-year abolition period all those people who had been found guilty of such murders—I could name them—and who went through the due process of law—trial, Court of Appeal and the Supreme Court of Canada—had their death sentences commuted to life imprisonment. Recently we saw the Prime Minister (Mr. Trudeau) on television when he appeared at the Liberal party convention. He was asked about this situation and he said that every case was decided on its own merits. But, Mr. Speaker, I stress that all sentences were commuted to life imprisonment. That is *de facto* abolition.

● (2100)

I hope the Minister of National Health and Welfare (Mr. Lalonde) does not want to get involved in this. He is a rather talkative man.

**Mr. Lalonde:** The same thing happened under Diefenbaker.

**Mr. Woolliams:** Do you want me to name the cases where they did go to the gallows?

**Mr. Lalonde:** Not under Diefenbaker.

**Mr. Woolliams:** Yes. Mr. Speaker, I can tell you of one in Calgary. The death took place on Scarborough Avenue, at Scarborough United Church, where a man beat a girl to death with a Coke bottle. The man went to the gallows. But I did not come here to defend Mr. Diefenbaker or discuss his government. Mr. Speaker, the hon. gentleman who is trying to heckle me was the executive assistant to a former minister of justice and he should have special knowledge of these matters.

Returning to the question of rehabilitation, I say that this section of the act was never intended for people who were sentenced to life imprisonment or had their death sentences commuted to life imprisonment. At the time

### Parole Act

Right Hon. Lester B. Pearson was prime minister this section was in force. It provides:

Notwithstanding any other law or authority, a person in respect of whom a sentence of death has been commuted to imprisonment for life or a term of imprisonment or a person upon whom a sentence of imprisonment for life has been imposed as a minimum punishment, shall not be released during his life or such term, as the case may be, without the prior approval of the governor in council.

So when section 26 is used it flaunts section 684(3) of the Criminal Code. I will deal with the Geoffroy case in a few moments. We also had the Head case, and another one that did not have any publicity, the Swearngen case. These men were found guilty of murder and given life imprisonment. In the case of the latter two it was not the parole board that was to blame. These people committed other crimes when they were out on temporary release. This is why I asked a question today about the chap in Prince Albert who some years ago was found guilty of killing a young boy. Recently he was given a temporary release, and now has escaped. I believe he is in a certain area, which I will not name, in western Canada. To date he has not been rearrested.

The point I wish to make is to raise a defence for the parole board. People have failed to differentiate between inmates on temporary release under section 26, whether legally or illegally enjoying that freedom, and people who are out on parole. Basically, the history of the parole board is good.

The first step we should take is to provide enough parole officers and more psychiatrists so that the proper documentation comes before local parole boards in order to minimize the risk of improper decisions being made. Any minister who must take responsibility for these things is sitting on a keg of dynamite when such decisions are made on an ad hoc basis by a local board with an officer in charge. I will give some examples. The parole board did not let Mr. Geoffroy out. He was found guilty of murdering his wife. He was in jail only a few months when he obtained a temporary release. On what grounds did he get that release? He was not sick. Surely it wasn't for humanitarian reasons. I do not know if it was necessary for rehabilitation.

I repeat that he was found guilty of murdering his wife. That might be a crime of passion, such as my hon. friend from Skeena (Mr. Howard) talks about. But there was another lady involved. There often is in such matters. How deeply she was involved is another question. I have some tapes in my office that would be worth listening to; I keep them there. She was involved with this man prior to the death of his wife. He applied for a temporary release, not because he was sick, not on humanitarian grounds, and surely not because of rehabilitation. He said he wanted to marry a particular woman. I quote the following from *Hansard* of February 21, 1972, the words of the then solicitor general:

On June 28, 1971, Mr. Geoffroy sought permission to marry Miss Carmen Parent with whom Mr. Geoffroy apparently had had a continuing liaison.

I don't know what kind of continuing liaison, but people can use their imagination.

The reason he cited to support his request was that marriage