

Private Members' Business

think all of us in this House will agree, that that alone would make any one of us consider whether there was, as suggested, a miscarriage of justice. I wrote the Minister of Justice beginning back on April 4, 1990. Later, there were two subsequent letters. There has been an unprecedented amount of media coverage of this particular case. Many of us, including my colleague from Winnipeg, have been quoted on statements we made with respect to the Milgaard case. We have been quoted because we have taken an interest. We are elected members of Parliament and we have to represent all Canadians, albeit the ones in Stony Mountain do not have a right to vote. I deem that still as an area that I represent. Upon any request I have for a meeting, whether it is with penitentiary management, the guard union or the prisoners' union, I have made myself available to them.

I do not know that I can draw the same conclusions, but I will say one thing with respect to this case. There appears to have been so much additional evidence since the original trial, so many more people coming forward providing a new slant toward this case, that I genuinely support the member's motion that the minister review this. The people of Canada should be provided with additional evidence that either it warrants a new trial or that the most intellectual people and people in positions of power, meaning perhaps former Supreme Court Justices who have all the evidence before them, can recommend that this particular issue of David Milgaard be revisited.

What the outcome of that would be I cannot say. Clearly we have another case which now warrants a new review by the minister as was put forward in this motion. If the answer to that by the minister is no, then I would hope that at the very least the evidence of why the case could not come back to trial would also be given. In other words, I do not think the public of Canada can accept just a plain no in respect to the Milgaard situation.

Mr. Speaker, I do not have as much time as my colleague who moved this motion, but I sincerely believe that there is no one in the human race who is without fault, who has not made mistakes, whether it is us as members of Parliament, whether it is those who are presently serving and have served time for their sins and misdeeds to society. There are those who may pass judgment, such as lawyers, judges, people who have

sworn testimony who may have made errors, or misled, and caused what is now considered by some to be a total miscarriage of justice. I alone, like many in this House, would not want to be sitting in that position.

Our Minister of Justice probably finds herself dealing with one of the most difficult decisions of her political career as a minister. I trust that she is viewing this particular exercise in the House as one of very important consideration in her judgment and that she will seek the best of council in reviewing this case. I would very much want to let everyone know that I support the motion by my colleague from Port Moody—Coquitlam.

• (1530)

Mr. John Harvard (Winnipeg St. James): Mr. Speaker, I am happy I was able to alter my plans to be here today to participate in this most important debate.

A man's freedom is on the line. Moreover David Milgaard's life is on the line. That is, what is left of it.

Our justice system has snatched away more than 20 years of life from David Milgaard. Those are years from the prime of his life and they cannot be given back to him but a wrong can be corrected. Our justice system can recognize its mistakes. Give David Milgaard his freedom. Let him go. He has suffered enough. The system has had its pound of flesh. Are his jailers so callous and so brutal that nothing short of death itself or a grovelling confession to a murder he did not commit will satisfy them?

In the short time available to me I want to explain why David Milgaard should be set free and should be granted a hearing so that the courts may re-decide this case. I am confident that if he can gain a new trial the Crown will fail to sustain its original conviction.

This was a botched case from the very first day. It was botched by nearly everyone who came in contact with it in those fateful days of the late 1960s. There were no heroes back then, not in this case. There was the over-zealous Saskatoon police under pressure to nab someone, anyone, after a series of brutal crimes in the city of Saskatoon. There was a questionable defence strategy which failed to tie the Gail Miller murder to other similar vicious assaults in Saskatoon around the very same time.