ment of the licence application, nor was it intended to exert pressure on the CRTC.

On March 30 the CRTC acknowledged his letter, categorizing it as a letter in support of the licence applicant. That acknowledgement letter was never brought to his attention. If it had been he would have immediately rectified the matter.

As soon as he learned that one of the interested parties wrote to him in September regarding his "alleged support" for the licence application, he took immediate action. He wrote to the interested party clarifying his earlier letter and clearing up any misunderstanding. In this letter dated September 30 he wrote:

> My letter of March 15, 1994 to the CRTC simply asked that due consideration be given to the application. It is not intended to convey support for or opposition to the application. The CRTC is the body mandated by law to make independent decisions on all such applications. It is, therefore, for the CRTC to weigh the merits of the arguments raised by the applicants and the interveners.

Members will note that he took these actions before the matter became public. He did his best to clear up the situation, not because of public or media pressure which did not exist at the time, but because it was the right thing to do.

JUSTICE

Hon. Warren Allmand (Notre–Dame–de–Grâce, Lib.): Mr. Speaker, on October 25 I asked the Minister of Justice whether he would amend article 690 of the Criminal Code to correct inadequacies in that section of the code and in the process that that section sets out.

This is the section of the Criminal Code which allows the Minister of Justice to order a new trial when a person has been sent to prison wrongly, unjustly, due to a mistake, due to false evidence, due to the fact that evidence has been hidden, and so on. There have been many criticisms of the article in recent years.

We are all familiar with how the article has been used. It was used in the case of Donald Marshall who was in prison for 10 years for a crime he did not commit. It was used by David Milgaard who was in prison for 23 years and found to have been convicted on false evidence.

We have seen this happen in other countries too. Recently many of us saw the film *In the Name of the Father* about the Gilford four in England, the Irish people who were convicted by rigged evidence. It took them considerable time to have their case reviewed and to be released from prison. In the United States there is a famous case of Rubin Carter who was in prison for a long time and then released because it was found that there was a mistake.

This is the article that gives the Minister of Justice the power to order a new trial when it is found that a mistake has been made or false evidence or hidden evidence or new evidence has been brought to light.

But the criticism is that while this is in principle a very good process, it is inadequate in that the delays are inordinately long. It took a considerable period of time for Donald Marshall and David Milgaard to take advantage of that section. The delays carried on and on.

Second, the whole process is carried on in secret and there is no accountability by the Minister of Justice and those who help him with these cases with respect to the public.

Third, the Attorney General in these matters serves both as the judge on those applications and the prosecutor and consequently there is a bit of incompatibility.

Finally the criteria for what will constitute sufficient new evidence or a mistake for release are vague and have varied from Ministers of Justice.

There have been several proposals to correct this. The major ones recently have been put forward by an organization called the association in defence of the wrongly convicted. The short word for that organization is AIDWYC. It had a conference in Toronto last February where they proposed certain changes to article 690 to make it more acceptable to take care of those, to have the whole process done in a much quicker way, to have it more accountable, to have it more objective and so on.

When will the Minister of Justice bring in changes to article 690 to accomplish some of the goals that have been put to him by such organizations as AIDWYC?

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, I wish to inform the hon. member that the Minister of Justice is continuing to address the concerns of those who have criticized the s.690 process by improving its procedures.

Several steps have been taken to this effect. The minister's decision in the application regarding Colin Thatcher was published to make the public aware of how the process works and what principles apply to govern the use of the s.690 powers.

The department has also published a fact sheet that describes the criteria for applying, who can apply, how and where to apply and what information applicants need to complete their applications.

The published information also describes how applications are assessed. This information shows that a great deal of work goes into the assessment of an s.690 application. To do a conscientious and thorough job takes time. Sometimes applicants submit additional grounds to be considered for their s.690 review. When such submissions are received months or even years after the initial application this extends the amount of time needed to investigate and assess cases.