

Legal Proceedings

minster (Mr. Leggatt), and I will try to quote him correctly, he said that people are sitting in jail at this moment as a result of this anachronism. Unless he is saying that they are sitting in jail pending their trial because of these complications, in fact those in jail as a result of convictions rendered would be there in any case whether convicted under the old law or under the new one, because 10 years versus 15 minimum, 20 years versus 25 years maximum, would mean that they would still be there now, even though several years have passed after passage of the new bill.

Mr. Leggatt: Would be.

Mr. Fleming: Yes, in time to come. I argue, as I did during the capital punishment debate as a very much committed abolitionist, that one of my great hopes when we introduced and then passed as a parliament that very tough legislation was that if you had to judge that legislation alongside the legislation preceding it, which provided that a few people could be hanged by the state, then compared generally with what the new legislation provides, it was much tougher, much more severe, and I would even admit regressive in the long run. I think I expressed in debate at that time my hope that we can show in time that we must reduce the length of that penalty yet still have an effective deterrent. I hope this will be done before 15, 20 or 25 years pass.

The other point I want to make is in defence of my colleague. He mentioned that only three people are involved. I do not believe that the parliamentary secretary any more than other members who have contributed to this debate for a moment minimizes one person's rights before the law and his right to absolute justice. Any law which would in the process of carrying out justice create injustice for one, two or 200 is a wrong law and should be changed.

Finally, I would like to add my voice, and I am sure that of all hon. members here present, in support. I see our very distinguished chairman of the justice committee here. I heard his applause in support of the hon. member for Calgary North. I think there is general sympathy that the Minister of Justice must look at this problem. As easy as it would be for us to take the soft course and to say we are talking about potential murderers, alleged murderers, people who defy our society and the highest principles of it, those principles are not worth a damn if we cannot give an equal measure of the law to all people who come up against it in our society.

Mrs. Simma Holt (Vancouver-Kingsway): Mr. Speaker, I would very much like to congratulate the hon. member for Calgary North (Mr. Woolliams). I am an admirer of his depth of perception and the deep sense of justice he has—

The Acting Speaker (Mr. Turner): Order, please. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock p.m.

At six o'clock the House took recess.

[Mr. Fleming.]

● (2002)

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[English]

BORROWING AUTHORITY ACT, 1978-79

MEASURE TO GRANT SUPPLEMENTARY BORROWING POWER

The House resumed consideration of Bill C-7, to provide supplementary borrowing authority for the fiscal year 1978-79 and to amend the Standing Committee on Finance, Trade and Economic Affairs, and the motion of Mr. Stevens.

Mr. Dan McKenzie (Winnipeg South Centre): Mr. Speaker, before five o'clock I was explaining how uncontrolled government spending, uncontrolled growth of government departments and uncontrolled borrowing started in 1963 under the Liberal government. I want to put on record the statement made by the Auditor General:

We feel very strongly about the fact that unless the systems are corrected the day may well come when I cannot give a clear certificate on the accounts of Canada.

Remember, all this happened during the term of office of the present government. The Liberal government has become a spending machine without a control centre. This has been verified by recent reports of the Auditor General. That is why we cannot rubber stamp authority for these loans and this latest request for additional borrowing of \$7 billion.

I wish to explain to the House how this situation arose a number of years ago. The erosion of parliamentary control over government spending has its genesis in certain parliamentary rule changes instituted in 1969. In the summer of that year the government invoked closure, which, as you know, Mr. Speaker, is the termination of debate, to ram through a rule, Standing Order 75C, permitting a minister to close debate within ten days where there is not agreement between all parties, with a maximum of four days' debate. This was a dictatorial, unilateral action on the part of the government. The rules are the property of parliament as a whole, not just of the government. The government used closure to get a new closure rule.

This rule has effectively prevented parliament from properly scrutinizing government expenditures. Departmental estimates are shuffled off to already overworked committees and then reported back to the House where debate on them is limited, and thus seldom meaningful. As well, the number of votes on estimates has been reduced, further restricting parliamentary debate on government spending.

I could go on about this, particularly the "ramming through" back in 1969. What it means is that there is no itemized accounting of government expenditure today, and