

Private Members' Business

the Supreme Court of Canada has been asked for to finally make a determination of whether or not there is a right of this Parliament to restrict the voting rights of prisoners notwithstanding the fact that section 1 of the Charter of Rights and Freedoms provides that all Canadian citizens have a right to vote.

The issue seems to be a very simple and clear one. Some people have interpreted the court's decision as saying that there is no way as a result of the Charter of Rights that we can place a restriction on prisoners voting. However, quite clearly, if we look at the decisions of the courts in those cases, they are saying, at least to me and I believe to all Canadians, that you can make the restriction on voting rights for prisoners, it is just a question of the kind of a restriction that you put in place. You cannot say for instance that somebody who is out on parole cannot vote. You cannot say that somebody who has been released on remission and is no longer in prison cannot vote. There are restrictions that you can put on voting as a Parliament and that we the courts in fact would like some guidance from you as to what kind of restriction that should be. We want to see what Parliament has to say on this subject.

It is with that in mind that I have brought this bill before the House to make it quite clear to the courts what Parliament has in mind as far as restricting the right to vote for prisoners.

This bill, as I have indicated, does not say that a prisoner who is on parole is going to be deprived of his right to vote or a prisoner on statutory release or who is no longer in prison because of a remission of their sentence. It does say however that any person convicted of an indictable offence and sentenced to a term of imprisonment in a penitentiary is not qualified to vote at a federal election.

Traditionally in this country and traditionally in many other countries around the world, as I have indicated, people of the country have taken a position that one of the penalties that goes with a conviction for a criminal offence of a serious nature is to be deprived of your vote. Those who have been convicted of a crime of a serious nature certainly do not have the right to vote in a federal election to choose the members of this House until they are released again into society.

I had a chance to reflect on this a little more over this past week as I read some of the reports in the newspapers of people being convicted and sentenced in my own city of Toronto.

• (1710)

On September 1 I picked up one of the Toronto newspapers and read of two particular cases that I think we should bear in mind when dealing with this issue. The first has the headline "Man jailed 17 years in failed \$3 million hold-up". This is a case of a man who made off with \$3 million in a downtown Toronto bank robbery but was caught when he came back to the area to retrieve his keys. He was jailed for 17 years. In imposing sentence on this man, one of the longest serving and most astute judges of the Ontario bench in dealing with criminal matters, Mr. Justice Hugh Locke, said of this particular person: "He was motivated by greed. He employed electronic devices and threatened the lives of many human beings. He threatened to blow up a building with thousands of human beings inside". As a result of that, Mr. Justice Locke sentenced that man to 17 years in prison.

Now surely, Madam Speaker, neither you nor I nor the Canadian people nor the courts in this country believe that somebody who Mr. Justice Locke would have used those comments about, somebody whom he sentenced to 17 years in prison, should have a right to vote while in prison. Surely that should be one of the additional penalties along with the 17 years.

In the same paper I picked up there was another headline that came to my attention. This was of a man who was sentenced to 13 and a half years in prison for three Brampton sex attacks. In this particular instance, the man came before a judge who used to be a member of this House when you and I were first elected, Madam Speaker. He was then the hon. member for Cambridge, Mr. Chris Speyer. Mr. Justice Speyer, in handing down judgment on this particular person, called this person a predator "as dangerous an individual to women as one can imagine". The facts of the case on which he based that opinion were the facts that he was sentenced for three sex attacks on Brampton women in their homes, including a knife-point assault on a frail 71-year old widowed grandmother. Surely, Madam Speaker, neither you nor I, the Canadian people nor the courts in this