

Amendments Respecting Death Sentence

Mr. Mongrain: Why is this not set out in the law?

Mr. Pennell: This is set out in the Parole Act.

Having regard to the two separatists mentioned by the hon. member, it is my understanding that the Quebec court of appeal quashed the conviction and ordered a new trial. At the present moment they are not under sentence of death. The attorney general's department of that province has appealed the cases to the Supreme Court of Canada.

Mr. Cowan: During the discussion of clause 2 I should like to ask the Solicitor General several questions. I hope he will answer my first question before I pose the remainder. When I proved by the record the Solicitor General produced to this house that the cabinet was granting parole under the present administration after individuals had served a life sentence of eight years, ten months and one day, a member of this house jumped to his feet in an attempt to get Steven Truscott, a convicted murderer of a defenceless girl, out on parole. He was advised by the Solicitor General that it is now necessary that convicted murderers serve at least ten years. I should like to know what section of what law makes it mandatory that ten years be served. Is this a law or a regulation, and when was it adopted?

Mr. Pennell: Mr. Chairman, in reply to the hon. member for York-Humber I would suggest that I made it clear in answering the hon. member for Winnipeg North Centre that this was a new regulation under the Parole Act. It is my understanding that this regulation was brought into force in 1964, and it applies to all persons convicted of capital murder whose sentences have been commuted.

Mr. Cowan: If I understand the Solicitor General correctly, this is required by a regulation under the Parole Act, which I presume was drafted by officials of the parole board.

Mr. Pennell: I am informed that the regulation was drafted by officials of the Department of Justice.

Mr. Cowan: Does that mean that officials of the Department of Justice thought the cabinet was being altogether too lenient in paroling these individuals after they had served eight years, ten months and one day, and felt the ten year sentence should be mandatory?

[Mr. Pennell.]

The Assistant Deputy Chairman: Shall clause two carry?

Some hon. Members: Carried.

Mr. Cowan: I have other questions to ask. May I call it ten o'clock.

Mr. Pennell: Mr. Chairman, I am advised—

The Assistant Deputy Chairman: It being ten o'clock, shall I rise and report progress?

Some hon. Members: No.

The Assistant Deputy Chairman: Shall clause 2 carry?

Mr. Cowan: I have other questions to ask, sir.

Mr. Pennell: I was attempting to answer the hon. member for York-Humber. I was not a member of the ministry at the time this particular regulation was put into effect, but I am advised by one of my colleagues that it was adopted at the request of the governor in council in 1964.

The Assistant Deputy Chairman: Shall clause 2 carry?

Mr. Cowan: May I call it ten o'clock?

The Assistant Deputy Chairman: Order. It being ten o'clock, shall I rise, report progress and request leave to sit again at the next sitting of the house?

Progress reported.

• (10:00 p.m.)

BUSINESS OF THE HOUSE

Mr. Starr: Mr. Speaker, I wonder whether this is the proper time for me to ask the government house leader if he can tell us the business of the house for tomorrow, and Monday and Tuesday of next week, if possible.

Mr. Monteith: And Wednesday and Thursday.

Mr. MacEachen: Mr. Speaker, I would ask my hon. friends not to test their luck too far. Tomorrow we will begin with item No. 33 on today's order paper, the resolution to amend the Post Office Act, followed by third reading of the Industrial Development Bank Act, committee study of the C.N.R. bill, the Emergency Gold Mining Assistance Act and the department of corporate and consumer affairs legislation. This will be the program