

*Private Members' Business*

for Edmonton—in the language of the 1960s—“in search of dope, in search of drugs”.

One month later Cadrain was picked up on another matter and jailed for vagrancy. When questioned about Milgaard he said that he saw blood on Milgaard's clothes on the day in question.

Wilson and John were interviewed. Wilson was in jail for theft and told that he was a suspect. After a lot of pressure he finally said that he saw blood on Milgaard's clothing and that Milgaard had a paring knife in the car.

Nicol John was in jail. At first she said nothing. Then finally she made a statement to the police on May 24, 1969. She was in jail for the whole night. At the end of that evening she finally told police that Milgaard had left the car, tried to snatch the purse from the woman, and stabbed the woman who was in front of the car.

There was forensic evidence in the case. I will not get into all the forensic evidence. It is a little long and it gets very detailed. It deals with blood samples, pubic hair and semen samples.

I will deal with it in a moment, as it was set out in a new paper on the Milgaard case just recently released in the past few weeks by Neil Boyd, Professor of the School of Criminology at Simon Fraser University, and Kim Rossmo, a graduate student at that same university. They point out that the forensic evidence could go either way. In fact the forensic doctor says that if he had to give the evidence again that evidence would point not to the guilt but to the innocence of Milgaard.

The Crown's case had problems. The Crown's case went to a jury and after 11 hours the jury convicted Milgaard of murder.

I just want to deal with some of the problems we now have with the case. As Professor Boyd says in his paper: “But some important questions emerged from the trial transcript and defence counsel noted at trial the timing that would make this crime possible is extremely tight. Within no more than 10 minutes of having stabbed and raped Gail Miller, David Milgaard is seen by hotel manager Rasmussen over a mile from the site of the murder, relaxed, polite and wearing only socks on his feet. Within no more than 30 minutes of having killed

Gail Miller, David Milgaard is seen by Walter and Melissa Danchuk. He is said to be chatty and polite”.

There are further problems with the case. A decade after the case there have been some recent changes.

The first one is with respect to Albert Cadrain, Shorty Cadrain, who said he saw blood on Milgaard's clothing. In fact, as Mr. Cadrain's brother Dennis had said recently: “Albert was picked up by the police, questioned 15 to 20 times. There was constant pressure, threats and bullying and he developed stomach ulcers and became very paranoid. He was committed to the psychiatric ward at University Hospital in Saskatoon, approximately a year after the trial”. His brother further said that Cadrain is: “prone to exaggeration”. He suffered from schizophrenia before the murder and afterward.

More importantly the main witness, Mr. Wilson, has recanted his evidence. On page 23 of the Boyd report Ron Wilson says that his evidence was wrong, that he did not see what he told the police he saw. Professor Boyd says at page 23, and I quote:

The minister's conclusion that Ron Wilson's recantation is simply not credible is difficult to support. Wilson's reasons for lying now are not easy defined. He risks a perjury charge related to his statements at trial, and there is no evidence or suspicion that he has received any financial benefit from his recantation. He seems, rather, to have suffered both personally and financially since his statement to the investigator, Paul Henderson.

• (1510)

The case has received a great deal of public interest, especially because of the fact that 10 years later we have suddenly realized that in the same area of Saskatoon there was a serial rapist loose right on the scene. His name was Larry Fisher and he was involved in—and I have the sexual assaults here in Saskatoon—seven assaults, including North Battleford and Winnipeg assaults. In fact, according to Professor Boyd, the psychological and graphic profile of the sex offenders in these cases fits one Larry Fisher who is serving time in jail now and not David Milgaard.

I want to summarize Professor Boyd's conclusion:

There is virtually no case against David Milgaard. Only Albert Cadrain still believes that he saw blood on David Milgaard. Albert Cadrain also believes that David Milgaard will try to kill him if he gets out of jail. Ron Wilson now says that he lied at the trial, and Nicol John doesn't want to speak about the case. The forensic evidence tends to exclude David Milgaard.