

Amendments Respecting Death Sentence

alcohol and leaving the area without permission. In this case parole was revoked. Another one was judged to be very unstable; he was suspected of having mental illness. He breached his parole conditions, and therefore in order to protect his wife and society his parole was revoked. One was convicted of robbery and sentenced to two and a half years. Naturally his parole was revoked. Another case was a breach of parole. In this instance he had threatened his common law wife and was considered to be unstable. Another was a case of breach of parole conditions and assault of a police officer. There was an automatic forfeiture. Another became hostile toward his wife and children and his parole was revoked. Another one involved a breach of parole. The individual left without permission and was involved in five charges of drunk and disorderly conduct. That is the information I have available at this moment.

● (9:50 p.m.)

Mr. Webb: I should like to ask the minister whether he can advise the house as to the number of murderers whose sentences have been commuted broke out of prison and committed further murders or offences, as outlined by the hon. member for Simcoe East?

Mr. Pennell: I am advised by my officials that they are not aware of any convicted murderers who escaped from an institution and committed a further murder.

[*Translation*]

Mr. Mongrain: Mr. Chairman, section 2 of the bill reads as follows:

Notwithstanding any other law or authority, a person in respect of whom a sentence of death has been commuted to imprisonment for life or a term of imprisonment or a person upon whom a sentence of imprisonment for life has been imposed as a minimum punishment, shall not be released during his life or such term, as the case may be, without the prior approval of the Governor in Council.

I wonder, therefore, why the governor in council, that is, the cabinet, the government, regardless of the party in power—at present we have a Liberal government—insists upon retaining the right to approve the release or the commutation of a death sentence to life imprisonment. I wonder why this whole matter should not be put in the hands of the National Parole Board, because in some cases—I am speaking in all objectivity, and I would not want the minister to be offended by my remarks, because they would apply to his government or to any subsequent ones—a

very rich man sentenced to life imprisonment could hire very competent, popular and influential lawyers to plead his case? I also see cases which might constitute what is generally called political crimes when governments might be concerned over electoral consequences, over the penalties they might mete out to those responsible for political crimes. There might be some even now and the rumor is rampant. Mr. Chairman, I am not inventing anything. It is currently being repeated at least in my province—I do not know whether it is being said in the rest of the country—that if the government is so insistent in having this bill carry, it is because they do not dare allow the death sentences against the two separatists who have been guilty of murder, lest a scandal result along the lines of the Louis Riel affair in the political history of the province of Quebec. So I wonder if the cabinet—which is very busy today and getting more so every year with all kinds of complex problems while ministers are required to work 12 to 15 hours a day and sometimes more—has really the time to consider questions in depth and if it is not likely on occasion to be influenced by situations such as I have mentioned and to slant an objective decision.

Mr. Chairman, I put the question most objectively to the minister.

[*English*]

Does the minister not think it more appropriate to leave this decision to the parole board? I expect that in some cases the governor in council might have the last word, but in respect of these cases it is my opinion that the decision should be left in the hands of the parole board. I have not the time to outline these cases, but I do not think there should be any possibility of cabinet influence, or influence from outside having regard to money, politics or other angles. I should like to know the reaction of the minister in this regard.

Mr. Pennell: Mr. Chairman, I believe I can set the hon. member's mind at ease regarding the possibility of political influence. The national parole board still must recommend the parole of an inmate before the case comes to the governor in council. If the national parole board does not make a favourable recommendation, the case is not dealt with by the governor in council. The safeguard suggested by the hon. member now exists under the legislation.