

HOUSE OF COMMONS

Friday, June 1, 1990

The House met at 10 a.m.

Prayers

[*Translation*]

PRIVILEGE

HON. MEMBER FOR SAINT-MAURICE—APOLOGIES TO
THE PEOPLE OF NEWFOUNDLAND

Mr. Denis Pronovost (Saint-Maurice): Mr. Speaker, I rise in the House today on a question of privilege, and I regret having to do so, but it is also a matter where my honour as a member is at stake.

Wednesday I was interviewed by telephone on radio station CHLN in Trois-Rivières, and this interview subsequently raised a great deal of controversy.

My comments regarding the Premier of Newfoundland, Mr. Clyde Wells and the citizens of that province were excessive. Today, I wish to take this opportunity in the House to make a public withdrawal and offer my sincere apologies to the citizens of Newfoundland.

[*English*]

From time to time politicians try to find excuses when they make an error. I do not choose that way. I recognize today that I made a human error. That is why I apologize fully for what has been said.

I do not try to escape my responsibility as a member of Parliament. That is why I would conclude by saying that Canada does not need more oil on the fire. The time is for hope and optimism. I want to be a part of the solution, to find a new way in order to keep Canada united forever.

[*Translation*]

Mr. Speaker: I want to thank my colleague for his statement.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Hon. William C. Winegard (for the Minister of Justice) moved that Bill C-54, an act to amend the Criminal Code (joinder of counts) be read the second time and referred to a legislative committee.

Mr. Rob Nicholson (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Madam Speaker, I rise today to speak on this short bill which repeals paragraph 230(d) of the Criminal Code and amends Section 589. As you know, Madam Speaker, Section 230 of the code now provides that culpable homicide is murder where a person causes the death of another while committing or attempting to commit one of a number of crimes such as treason, sabotage, hijacking, sexual assault, hostage taking, robbery, breaking and entering or arson.

• (1010)

Under paragraph (d) of Section 230, if a person uses a weapon or has it upon him or her at the time he or she commits or attempts to commit an offence, or at the time of flight after committing or attempting to commit the offence, and death is a consequence, it does not matter whether or not he or she meant to cause death or knew that death was likely to be caused to any other person. Very simply, the ordinary *mens rea* requirement need not be met.

We are quickly approaching the centenary of the adoption by this House of the Criminal Code of Canada. What are now paragraphs (a), (b) and (c) were a part of the original 1892 code. In 1947 paragraph (d) was included. At that time Senator Hayden said that the intention behind the amendment was to curb “the reckless disregard of life that seems to imbue to those who carry weapons when they embark on unlawful enterprises.”