



JUSTICE GONE AWRY

-Gordon Domm

(Gordon Domm is head of "**Citizens' Coalition Favouring More Effective Criminal Sentences**", based in Guelph Ontario. A justice activist and a retired police officer, he is probably best known for his recent public defiance of the **Karla Homolka (Teale) Trial Publication Ban**. These defiances have netted him convictions on two counts of "Contempt of Court" and a total fine of \$4,000. Although there have been other apparent breaches of the ban, Domm is the only person to date to have been charged. An appeal is now pending.)

As you may already know, I am a retired Police Officer and spokesperson for the lobby group **Citizens' Coalition Favouring More Effective Criminal Sentences**. We are basically advocating stiffer, more equitable, more certain, and more fair sentences that would be more relative to the CRIMES committed and less relative to the OFFENDERS who committed them.

Lately, my most vociferous lobbying has been in opposition to the "Karla Homolka (Teale) Trial Publication Ban" and the loss of our constitutional right to an open justice system with open trials accountable to the people, and the loss of our freedoms that this ban brought about.

LONG-TERM CRIME RATES RISING

Our national crime rates have tripled over the past 30 years, according to **Stats Can** statistics. Recently the feds reported that statistics showed no rise in violent crimes over the past five years. However, the truth is that these were not crime statistics at all but were merely the results of two public opinion polls taken from 2,000 people across Canada, one in 1988 and the second in 1993.

Actually, **Stats Can** crime statistics reported steady yearly increases in our total violent crime rates since 1962, with the exception of 1993 when the rate dropped less than 1%. Granted, the murder rates did level off in the past ten years, but that was largely due to improved medical treatment and injury prevention devices that saved many victims from becoming murder statistics. The murder rate is still more than double today to what it was in 1962. Reported statistics show slightly lower increases in recent years, which could be largely the result of slightly stiffer sentences being adjudicated from some serious crimes in the past several years. These stiffer sentences would have a deterrent effect.

Let us not lose sight of the fact that this has happened primarily because of the pressure brought to bear from victims dissatisfied with the lenient sentences handed out, and that victims and others should not let their guard down now, and should continue to press for stiffer sentences when appropriate for the crimes committed, and also for more equity in those sentences.

PUBLIC SUPPORT FOR JUSTICE SYSTEM WANING

Our once proud and more effective criminal justice system of the 1940's and 1950's has obviously been deteriorating steadily over the past few decades. We have reached the deplorable state where almost no one is now supportive of, or feels adequately protected by, our justice system. We have come to this sad and dangerous state of affairs because our legislators over the past 30 years or so have listened to and acted upon the whims and fancies of vested interest schemers, and adopted a variety of expensive and ineffective tax-paid programs, and passed a series of ill-conceived legislative double-standard laws that have poured gasoline rather than carbon-dioxide on the fires of crime.

SOME CAUSES FOR WANING PUBLIC SUPPORT

The first of these legislative mistakes was the enactment of the disastrous **National Parole Act** of 1959. This perilous act forever destroyed our once effective prison system which used to protect society on the outside from the criminals on the inside for their adjudicated sentences with only time off for good behaviour. This act replaced prisons with ineffective half-way recreation and good times centres under the guise of rehabilitation where inmates were gradually and intermittently released early into the community before completely finishing their adjudicated sentences. The pretence was that future re-offending potential could be predicted prior to sentence expiry. However, in reality there was and still is no proven scientific method that can establish with any certainty when a specific inmate will or will not re-offend.

One thing is sure and that is that many so-called professionals would be paid many tax dollars to make uncertain guesses that would put many Canadian lives at risk, and in fact many innocent lives would be lost on the outside because of erroneous predictions.

The **National Parole Act** of 1959 unleashed a horde of non-judicial civil servants who commenced to debase judicial justice, lower public confidence in justice, and encourage more criminals to commit more crimes and more serious crimes because they knew they could

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To those who consent, no injustice is done

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system, gain early release and return to their criminal ways again. Because of this 1959 butchery of judicial justice, the next few decades up to the present would never know what portion of a judicial sentence would really be served. How shameful, and how unfair that victims and potential victims would not know when they should start appropriate protective actions against further possible victimization by a convicted and sentenced criminal.

In a federal government study completed in late 1987 and made available under the **Access of Information Act**, it was revealed that 130 persons were murdered by inmates released early on parole or mandatory supervision prior to expiry of sentence while they were on the outside. Another statistic from the same survey revealed that out of 80 men who were detained to warrant expiry date, only 7% committed another indictable offence within three years of release. This was a better record than those released early on parole or mandatory supervision.

"Parole should be replaced by TRUE SENTENCING where inmates would serve their full sentences..."

ABOLISH PAROLE

Parole has long outlived its usefulness, except perhaps to those who make money on it. Parole should be replaced with TRUE SENTENCING where inmates would serve their full sentences unless changed through appeals to higher courts, but those appeals would not be based on events after the crime unless the events were aggravating or mitigating factors as a result of the crime. Surely it would make more logical sense and act as a more effective deterrence to convince criminals and would-be criminals that they would have to serve their full sentences, and if convicted again that they would have to serve substantially longer sentences the next time.

PROPOSED ALTERNATIVE TO PAROLE

In the absence of parole, we would propose Government Administered (6 month) Assistance Programs of Rehabilitation in the community for appropriate and consenting inmates -- after they had completed their full sentences. Leave the prisons to carry out the true function of incarceration, namely, confinement and separation from society. The basic reason we jail people is to protect society from them while they are in jail, and to deter them and others from repeating the act that put them there. Do this and watch the streets become safer places free of increasing violence. Then we will witness a return to the safer society that we enjoyed in the 1940's and 1950's.

However, these sentences must be fair, certain, and equitable and to ensure this, we would further propose the implementation of legislated Mandatory Minimum to Maximum Sentences for the most serious crimes, especially the most serious of violent crimes so that victims and potential victims would know the minimum penalty for serious crimes and thereby regain public confidence in the Justice System.

PLEA BARGAINS

To ensure that our proposals would work, we would also have to have Plea Bargaining abolished. The late Judge Bewley of Vancouver stated in his book, *The Breakdown of the Criminal Justice System in Canada*, that Plea Bargaining was the "venereal disease of the Criminal Justice System." I couldn't think of a better way of expressing one's displeasure with this practice.

Plea Bargaining occurs where a pre-arranged guilty plea to a lesser charge than

the one before the court is agreed upon in secret between the Crown Attorney and the Defence Attorney without any documentation of the proceedings. These plea bargains are sometimes made even more despicably secret by the trial judge issuing a Publication Ban on the evidence at the trial. I'll not comment any further on Trial Publication Bans now while my appeal against my own convictions for breaching such a ban are pending.

ALTERNATIVE MEASURES

Now that the game plan to keep the number of prisoners low by soaking them with loving care and gradually re-integrating them into the community during their sentences has failed to keep the prison population down, the courts are presently experimenting in some test centres with a plan called ALTERNATIVE MEASURES.

This plan, if legislated federally, would make it difficult or possibly impossible to send a large class of offenders to prison or even to trial. The plan would permit "Alternative Measures to Court Proceedings" and eliminate prison as an option for first-time non-violent offenders of certain minor crimes like theft where the offender agrees to do community work, or to compensate the victim if both sides agree. The plan, if legislated federally, would be a criminal's vision of heaven. If caught, just hand over the remaining loot, promise to do some "community work," and return to society without even so much as a criminal record, and then try a little harder to not get caught the next time. This plan will ENCOURAGE, rather than DISCOURAGE crime, just like all the other failed alternatives to punishment have done.

YOUNG OFFENDERS ACT

Another legislative mistake was the **Young Offenders Act** of 1984. This act is a prime example of another piece of legislation based on a double-standard because the act grants youth (12 to 17) Adult Rights while providing blanket exemptions to the same age group from the Adult Application of the law. We would support a Children's Act based on the principles of the former Juvenile Delinquents Act for those (7 to 13) based on Children's Rights with Children's Responsibilities, and some responsibilities for parents which the Young Offenders Act deleted. For those 14 years and older, the Adult Courts should be sorting out the dispositions, and for those fearful that youth would be put in adult jails I would remind them that there is provision under Section 733 of the Criminal

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THE WIZARD OF ID BY BRANT PARKER and JOHNNY HART



"The only stable state is the one in which all men are equal before the law." - Aristotle

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Code to place anyone up to the age of 20 years into a Youth Facility. That provision has been in the Code for decades.

Because of recent changes to the **Young Offenders Act** and the **Criminal Code** under Bill C-12, we also have a further legislated double-standard in Adult Court because the Mandatory Minimum Sentences for Teen Murderers tried as Adults in Adult Courts has been lowered to life with no chance of parole for 5 to 10 years rather than the longer Mandatory Minimum Sentences for Adult Murderers (life with no chance of parole for 25 years), or 15 years under Judicial Review as it was prior to the federally-passed Bill C-12. (Prior to this

new bill passed by the former federal government, everyone tried in adult court faced the same sentencing provisions as to DURATION, but of course there was still provision under Section 733 of the **Criminal Code** to place them in a Youth Facility if appropriate up to the age of 20 years.)

JUSTICE EQUITY

Our criminal justice system has deteriorated steadily of the past several decades because our legislators wrongly interpreted or disregarded the founding principle of criminal justice in a democracy: **EQUAL TREATMENT BEFORE AND UNDER THE LAW.**

Equity in Criminal Justice means sentences relative to the crime and the degree of involvement of the convicted offender, NOT sentences relative to the offender or how well he or she is represented before the court. Over the past number of decades we have erroneously switched from a **JUSTICE** system to a **LEGAL** system in dealing with those who commit crimes against society. That's where we lost it.

It is now the responsibility of our legislators to return **EQUITY** to our criminal justice system once again, and in the bargain, better protect all of us as we move into the 21st century.

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IN DEFENCE OF SELF-DEFENCE

-Karen Selick

(Karen Selick is a lawyer whose practice is in Belleville, Ontario. A **Freedom Party** supporter, she is a regular columnist for **Canadian Lawyer** magazine and has also been regularly published in many daily newspapers across Canada. A version of this article first appeared in Canadian Lawyer magazine. Copyright by Karen Selick. For reprint rights, contact the author via **Freedom Party**.)

Back in the days when men and women were running around in a state of nature (by which is meant an absence of government, not an absence of clothing), it was universally accepted that every individual had the right to defend himself from attack by another.

Then, according to philosophers like Locke and Hobbes, people got the bright idea that they could band together and form a government, and delegate to one of its branches (the police) the task of defending the vast majority of individuals against the physical violence of a very few.

At that stage, however, the police force was viewed as merely one arrow in the quiver of the defender. The existence of the police did not preclude you from defending yourself if that was what seemed necessary at the time. Indeed, says Hobbes, the right of self-defence is something you CANNOT give up.

Suddenly in 1995, people are waking up to find that the old philosophy has changed—worse than changed, actually; it's been stood on its head. Now we are told that we should not (indeed **MUST** not) attempt to defend ourselves; we have to let the police do it. Indeed, the government has taken away from us many of the tools we might use if we'd rather be do-it-yourself defenders than wait for their services. We no longer give orders regarding crime to our servant, the government; it gives orders to us.

Examples of this new attitude are everywhere. In the wake of the Just Desserts shooting in Toronto, citizens have been instructed to offer no resistance to criminals. Be passive. Comply. Wait for the police to come. (Yeah, sure — just don't hold your breath.)

Mace, stun guns and pepper spray, all devices which could be used for protection by those who deplore the thought of owning a gun, have been declared prohibited weapons in Canada.

We aren't even allowed to protect ourselves by being well-informed and vigilant. When a 17-year-old was convicted earlier this year of raping and murdering his six-year-old neighbour in Victoria, the victim's relatives were horrified to learn that he had already been on probation for sex crimes against children. No-one had known, because such information isn't released under the **Young Offenders Act**.

"Mace, stun guns and pepper spray, all devices which could be used for protection by those who deplore the thought of owning a gun have been declared prohibited weapons in Canada. We aren't even allowed to protect ourselves by being well-informed and vigilant."

In Colborne, Ontario recently, a pharmacist was charged with various firearms offences after he shot out the

tires on the getaway car of two burglars who had broken into his store in the middle of the night. He says that average police response time in his small village is 30 minutes. The police say he should not be using a weapon to protect his property, even though he is an experienced marksman, has a handgun permit and has had eight break-ins in two years.

In Toronto two years ago, Metro councillor Norman Gardner shot a thief in the leg in his (Gardner's) bakery. His action was criticized by Police Services Board chairwoman Susan Eng because it suggested "that the police can't come to his rescue fast enough." Well, gee whiz, Ms. Eng, are you actually trying to suggest that they CAN? With crime in Toronto getting worse all the time, that proposition is simply ludicrous.

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"Crime seems to be the only big business to escape government meddling." - Richard Needham

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The advertisements that used to appear regularly in THE GLOBE AND MAIL offering pepper spray for sale (for use against dogs and bears, ha-ha) are no longer there. Personally, I don't want a gun -- yet -- but I sometimes ask myself, should I have said to hell with the law and stocked up on pepper spray when I had the chance?

I know the arguments: a weapon might be used against its owner some day, or could even provoke a criminal into violence in the first place. After reading up on this subject, I'm not persuaded that the risks outweigh the benefits. According to Gary Kleck, a criminologist at Florida State University, there are

645,000 defensive uses of handguns per year in the U.S. Thirty-eight percent of convicted felons reported having been scared off, shot at, wounded or captured by an armed victim. In robberies involving personal contact with the offender, 25 percent of victims who remained completely passive were injured anyway. Of those robbery victims wielding guns, only 17 percent were injured. Of those using weapons other than guns and knives, 22 percent were injured.

But even if there is some risk that I could become a victim of my own weapon, isn't that a decision that I can make for myself after informed deliberation? The same statistics are available for everyone to read. If I decide it's a

risk I want to take, who is the government to tell me otherwise? We all have different tolerances for risk, just as we all have different tolerances for passive victimization. Why should we all be required to march in lock-step?

Meanwhile, I carry a 107-decibel shriek alarm in my purse, in the pathetic hope that if I'm ever attacked, it will be by someone who hasn't already half-deafened himself listening to a stolen ghetto blaster. And I pray that the government doesn't decide to outlaw even this pitiful little self-protection device on the grounds that it might accidentally some day give somebody a nasty fright. <END>

THE FALLACY OF GUN CONTROL

-Jim Montag

(Jim Montag is an owner and operator of **Great Lakes Gun, Knife and Military Collectors' Association** which sponsors several exhibitions annually. A version of the following essay was originally published in **Great Lakes News** and according to our sources, a copy of this article has already reached federal justice minister Allan Rock. A **Freedom Party** member, Montag is also chairperson of the **London-Middlesex Taxpayers' Coalition**.)

Why do the majority believe gun control will work?

Because they have been told by people they believed they could trust that it will work.

These entrusted, yet very misguided people, though well-meaning, do not have sufficient experience or knowledge and will not do the necessary research to make a rational statement. This is reflected in their narrowly focused viewpoints. Politicians listening to these people are tempted to enact laws that are extremely restrictive, but totally ineffective in the attempt to attract voters.

As a method to reduce crime and criminal activities, gun control has never worked, is not working, and will never work. Please permit me to explain.

First, guns are a weapon and should be referred to and treated as such.

The mere mention of guns or the sight of guns strikes fear into some of us. This fear is based on unsound irrational principles. This fear should be directed to the criminal misuse of weapons and not to a specific weapon.

Cain slew Abel with a rock. That criminal misuse of a weapon by Cain was just as deadly to Abel as if a tire iron or hammer had

been used to smash his brains, arsenic had been used to poison him, a knife had been used to stab him, a firearm had been used to shoot him or, indeed, if he had been vaporized by nuclear weapons.

To Abel, to be sure, the weapon of choice to 'deliver' him made absolutely no difference in the net result.

"It is not the weapon or even the type of weapon that is at issue here. The real issue is the CRIMINAL MISUSE of ANY type of weapon."

Death is still death, regardless of the tool used to inflict it.

It is not the weapon or even the type of weapon that is at issue here. The real issue is the CRIMINAL MISUSE of any type of weapon.

In the very distant past, a club instilled fear, then a knife or sword instilled fear, and now a gun instills fear. This misdirected fear never solved the basic problem.

The problem was never the instrument used, but the CRIMINAL MISUSE of that instrument. The solution most surely should not be directed at the object, but to succeed

must only be directed towards the CRIMINAL MISUSE of that object.

Some common weapons that have recently been used for criminal purposes are knives, swords, spears, guns, ordinary tableware, electric knives, high-heeled shoes, fists, feet, fingers, butcher knives, cleavers, hatchets, axes, ice picks, chain saws, hypodermic needles, medications, poisons, electroshock, motor vehicles, aeroplanes, hatpins, bombs, fires, wrenches, clubs, arrows, grenades, straightrazors, blowguns, golf clubs, baseball bats, rope, wire, and on and on ad nauseam.

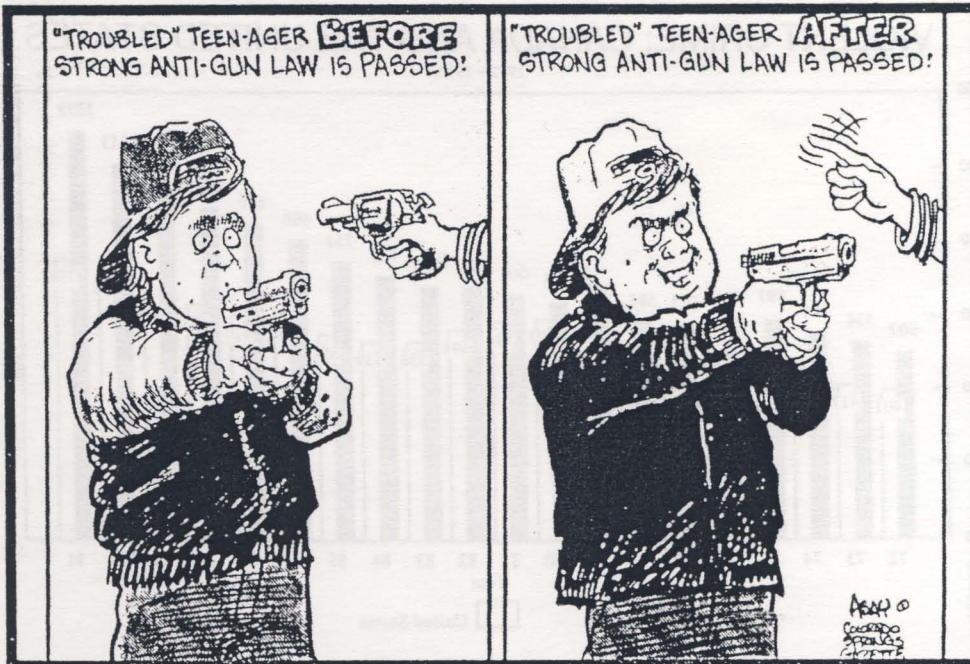
To try to control or eliminate one of these weapons (guns) and expect to control criminal activity is ludicrous and would be totally ineffectual. To eliminate all of these weapons is impossible.

A person intent on criminal activity, if denied the use of one weapon will simply turn to another. The lack of a specific weapon will not deter criminal intent. It will only redirect it.

In every jurisdiction in the world where firearms control has been used as a major method of crime control, it has failed.

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"Wise men, though all laws were abolished, would lead the same lives." - Aristophanes



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Strict gun control and severe limitations on gun ownership does not reduce crime, but actually results in increased criminal activity.

If gun control worked, then New York City, Detroit Michigan, and Washington D.C., with the most restrictive gun legislation, would be among the safest places on earth. In reality, they are in the top echelon of crime and murder capitals of the world. Gun control surely cannot be the answer.

In Orlando Florida, in 1966, reported rapes were 35.9 per 100,000. The Orlando police department organized a hand-gun training program for women; One year later the reported rapes were 4.1 per 100,000.

In 1982, Kennesaw Georgia (home of Georgia State University) passed a law which made it MANDATORY for all homeowners to possess a firearm. In less than a year, Kennesaw's burglary rate dropped 60%.

In the community in which I reside, forty years ago we experienced one to two bank robberies per year. In order to prevent and foil bank robberies, bank employees and messengers had available firearms and had been trained in the use thereof. The deterrent effect was self-evident in the robbery rate of one to two per year. It was also exceedingly rare for a bank employee to have to resort to the use of a weapon.

Present-day methodology has been to remove weapons from bank premises and to instruct all employees to hand over available

money to any threatening robber regardless of whether he is armed or not. This philosophy has resulted in a bank robbery rate of sometimes two or three in a day!

Variety store and gas station robberies, unheard of forty years ago, now number in the thousands per year.

Almost all police associations and the chiefs of police organizations support restrictive gun laws and appear to be anti-gun. I wonder, is this nothing else but a well-hidden "make-work" project? All valid statistics show that wide-spread gun ownership in a community REDUCES the crime rate and in communities where gun ownership is prohibited, the crime rate drastically INCREASES.

Is this wide-spread police opinion nothing other than a self-serving desire to expand police forces and to enhance their position in society? A higher crime rate would certainly mean more police work, larger police forces, more prisons, and result in much higher costs and taxation to the general population.

The residents of the United States have enshrined in their Constitution "the right to keep and bear arms." They are rightfully very

defensive against any attack on this basic right.

The lesson they learned only too well during their revolutionary war was that despite the gallantry and bravery of their people, the war would have been lost without the weapons that were in the hands of private law-abiding citizens.

The road to tyranny always starts with the disarming of the general population: "This year will go down in history. For the first time, a civilized nation has full gun control. Our streets will be safer, our police more efficient, and the world will follow our lead into the future." — Adolf Hitler, 1935 —

During World War II, when England was faced with invasion, they begged Canadians to send them their .22 rifles and shotguns so that they could defend themselves. Posters in this regard were placed in public buildings and this appeal received widespread publicity throughout Canada. This resulted in the shipment to England of thousands upon thousands of civilian-type weapons with the utmost speed possible. Unfortunately, this vast effort was not nearly sufficient for the self defence of England.

In desperation, the homeguard in England armed their civilian sentries, lookouts and guardsmen with sharpened wooden staffs. One can only imagine the slaughter that would have ensued had they been obliged to engage the Wehrmacht with such primitive weapons.

England still has not learned the lesson and has now almost totally removed guns from private ownership.

Fortunately for them, there hasn't been another threat of invasion and doubly

fortunate for them, their government has not tried to oppress its citizenry or tried to force anything tyrannical or objectionable upon its citizens.

Most people in Canada think that England is a low-crime country. Nothing could be further from the truth. Just ask anyone who has lived in England for a short time. The crime rate, both violent and nonviolent, is much higher than in Canada.

"The residents of the United States have enshrined in their Constitution 'the right to keep and bear arms.' They are rightfully very defensive against any attack on this basic right. The road to tyranny always starts with the disarming of the general population."

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"I fear three newspapers more than a hundred thousand bayonets." - Napoleon

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In England the violent crime rate has doubled every ten years since 1946.

Prohibiting firearms, again shown in this case, has not deterred any criminal activity and has drastically weakened the self-defense abilities of this country and its citizens.

There is not one oppressive government in the entire world that permits the private ownership of weapons. After all, if citizens owned enough weapons, then the oppressive regime would immediately cease to exist.

I have always questioned the motives of those supporting the curtailment of gun ownership. If, as the facts reveal, gun control does not reduce crime, what are their motives? What is their hidden agenda? And what is their secret objective?

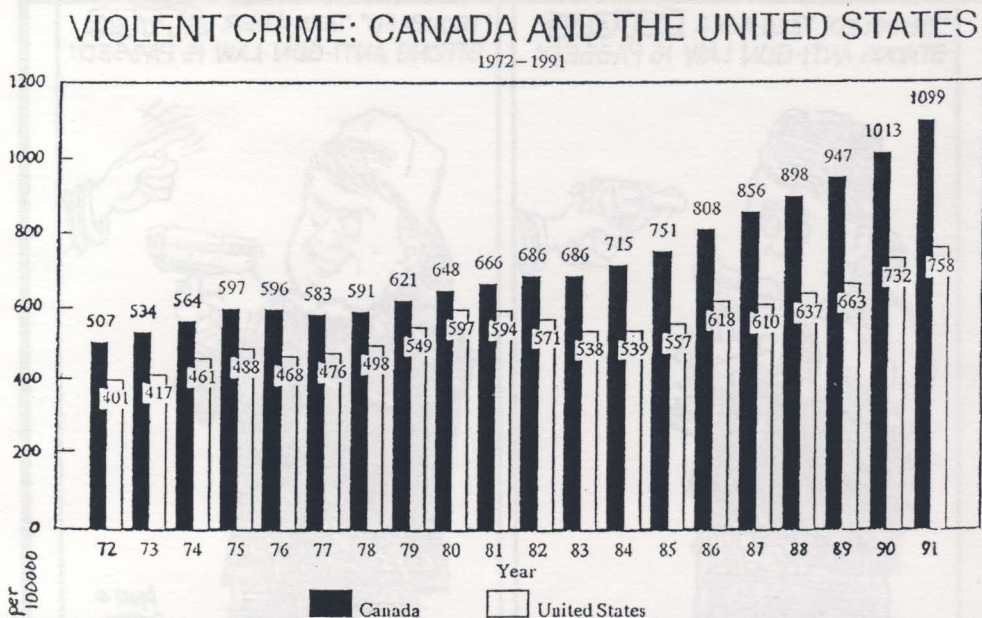
Is it a coincidence that the most socialistic of our political parties in Canada is also very adamant in its desire to remove firearms from private ownership? I don't even want to think about what type of government that they really would like to force upon us if they succeed. Fortunately, socialism throughout the world is dying. Unfortunately for us, in some parts of Canada, socialism is still alive and well.

In recent history, when faced with a problem with impaired drivers, did we prohibit cars, severely restrict automobile ownership, or stop issuing driving licenses? The answer is no. We did not punish ALL drivers, innocent and guilty alike. That wouldn't have been fair.

What did we do? We increased the penalties for the CRIMINAL MISUSE of driving privileges. Was that the right thing to do? Most certainly yes, and the very positive results have proven this. Unfortunately, not all of the impaired driving has been stopped and this might indicate that the maximum penalties are not yet severe enough.

Our past Prime Minister Kim Campbell, while attorney general, had the 32 cabinet members pass Order-in-council JUS 92-555-01 prohibiting stun guns. This is a non-lethal weapon. It cannot cause death or any kind of permanent harm to a person. The impairing results from its use lasts for a few moments only.

"I have always questioned the motives of those supporting the curtailment of gun ownership. As gun control does not reduce crime, what is their hidden agenda?"



ABOVE: A Canadian-U.S. comparison of VIOLENT CRIME RATES PER 100,000 POPULATION. U.S. SOURCE: 'Uniform Crime Reports for the United States 1991', Federal Bureau of Investigation, pg. 58; CANADIAN SOURCE: 'Crime Trends in Canada 1962-1990', Canadian Centre for Justice Statistics, pg. 15.

In a futile attempt to prove stun-guns can cause permanent harm, the Government of Canada Firearms Task Group, Department of Justice in Ottawa directed the Advanced Electromagnetic Protection Group of the National Research Council of Canada to investigate harmful effects of stun-gun use.

This experimentation was conducted on pigs. In a normal pig, it was found that only after open-chest surgery, with the most powerful stun-gun applied directly to the beating heart, could the heart-beat be stopped completely. Even with a pig fitted out with a pacemaker, the heart-beat could only be stopped completely by the most powerful stun-gun when applied to "wetted" skin closest to the heart.

Where oh where were our Animal Rights Activists when this futile senseless and useless experimental butchery was being performed?

As an item used for self-protection from criminal depredations, I can't imagine anything better or more effective and, more importantly, causing no permanent harm or injury of any kind whatsoever with its use.

This prohibitive and restrictive order-in-council has denied us a means of self-defence. The argument used for justification of this prohibition is that this weapon can be taken away by the criminal and used against the victim.

I find this argument very hard to accept and don't think that this could happen in even one out of a thousand instances. Even if it DID happen one out of a thousand times, wouldn't the 999 successful defences against criminal actions have been well worth the risk of one failure?

I truly do feel sorry for, and sympathize with, the thousands upon thousands of innocent victims who will now be subjected to robbery, violence, rape and murder because of their inability to protect themselves with such simple non-lethal self-defensive weapons.

To suggest that use has been denied to criminals by these prohibitions is completely false. We continually read, see, and hear via our massive information media that this is constantly happening and is, in fact, increasing. Any allegations to the contrary are non-factual and ridiculous.

If a Prime Minister or Minister of Justice wants to prohibit something, or to make some

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"A proper government is only a policeman, acting as an agent of man's self-defense, and, as such, may resort to force ONLY against those who START the use of force." - Ayn Rand

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object or action illegal, and knows he or she will never succeed if it is presented to the law-making legislative authorities, what does that person do to achieve his or her undemocratic goals? Easy --- they pass an order-in-council. In effect, this is a new law that has bypassed the presentations, debates, arguments, and approvals by our duly-elected law makers.

What has happened to our democracy?

Why do we permit and tolerate such dictatorial, undemocratic and unjust lawmaking? If this despotic activity of orders-in-council is allowed to continue much longer, then we will shortly have no need, and indeed, no useful purpose for our elected MPs and senators.

Perfect examples of illogical orders-in-council are JUS 92-567-01 (converting over 35 types of firearms to prohibited weapons status), and JUS 92-569-01 (converting over 200 types of firearms to restricted weapons status). The intent of these orders-in-council apparently was to prohibit and restrict ownership of weapons perceived to be the most life-threatening.

Somehow or other, in their zealous

efforts, they managed to overlook the most easily available and most dangerous short-range weapon of all: the 12-gauge shotgun. Anyone with a valid Firearms Acquisition Certificate (FAC) can purchase a 12-gauge shotgun and SSG shells in any store selling guns. With a hack-saw and a moment's time, the barrel can be reduced to 20 inches.

This will result in a STILL-LEGAL gun and one that is far deadlier than any machine gun or sub-machine gun at ranges of 200 feet or less.

During World War I, the US army put into use a Winchester model 97 shotgun with a 20-inch barrel and an extended magazine. The purpose of this gun was for two soldiers to jump back to back into an enemy trench and annihilate all of the enemy forces in sight.

The Germans considered this "inhumane" warfare and appealed to the Geneva Convention in this regard. The appeal was upheld and the use of shotguns for warfare was denied to all signatory nations.

Shortly afterwards, the German forces introduced and used the sub-machine gun for the same purpose. The sub-machine gun was not and is not consider a "inhumane" type of weapon and is widely used by all armed forces. The short-barrelled 12-gauge shotgun with SSG cartridges is also a weapon of choice for our police and penal authorities.

In recent Canadian history, every government that passed anti-gun legislation was defeated in the next election. It took two terms for the former Progressive Conservative government to pass their version of anti-gun legislation and then be subjected to the most humiliating election defeat in our history.

The present Liberal government, with the guidance and assistance of our Minister of Justice, Allan Rock, is frantically striving to match this crushing defeat in only one term. Seven million gun owners will not likely forget.

If gun control does not reduce criminal activity, what will?

The answer is so obvious that I am constantly amazed that more people haven't been able to see what the solution is.

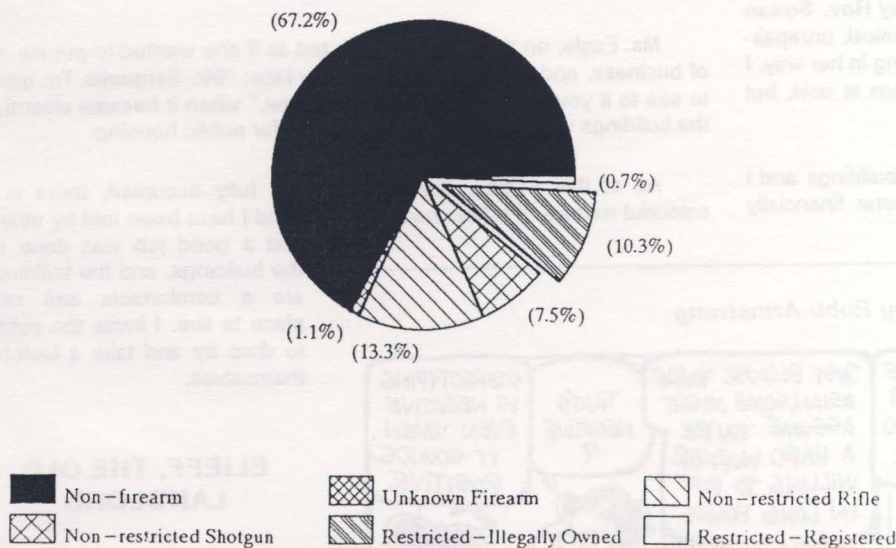
CRIMINAL control will reduce criminal actions.

Let us enact, by due process, laws like the following three suggestions:

(1) If any person takes anything into their hands (except in cases of self-defence) with the intention of doing harm to another person, let them be charged and if found guilty, be sentenced to a specific minimum mandatory jail sentence (one year seems logical). No plea bargaining with the charge or reduction of the sentence should be allowed.

(2) If any person (except in cases of self-defence) using any type of weapon actually does harm to another person, let them be charged and if found guilty, be sentenced to a specific minimum mandatory jail sentence (5 years seems logical). No plea bargaining with the charge or reduction of the sentence should be allowed.

RESTRICTED FIREARMS IN HOMICIDE: ONTARIO 1961-1990
Total Homicides-4,285



ABOVE: A breakdown of homicide causes in Ontario. NOTE: "Registered" means legally registered in Canada. "Non-firearm" refers to stabbing, beating, etc. SOURCE: Canadian Centre for Justice Statistics.

(FALLACY...cont'd on back cover.)

"Permissiveness is the principle of treating children as if they were adults; and the tactic of making sure they never reach that stage." - Thomas Szasz

"COMMUNITY LEADER"

-Peter Sergautis

(Peter Sergautis is a London-area home builder and property manager. The following article was submitted to the **London Free Press** for publication, but was refused on the grounds that it would not serve the "public interest". The article is Sergautis' account of his experience with social activist **Rev. Susan Eagle** since his purchase of the (former) **Cheyenne Ave. apartments** in London. The buildings were previously owned by **Elijah Elieff**, who eventually lost his ownership and control of them due to Eagle's campaign to have them converted to government-funded co-op housing. (Ask for back-issues of **Freedom Flyer** and **Consent** for background details and documentation on this issue.) Now a **Freedom Party** supporter, Peter Sergautis has decided to come to the aid of the former landlord. Telling his story is the first step in that process.)

My company, **Huron Terrace Apartments Limited**, purchased the two **Cheyenne Ave. buildings** (formerly owned by London landlord **Elijah Elieff**) in November 1993 from the **National Bank**, under Power of Sale. I purchased the buildings for \$420,000 because the buildings were well located, structurally sound, and had the potential for a long-term solid investment, providing total renovations.

Having been seized under Power of Sale by the bank, the apartments had been systematically vandalized with 12 of the 40 units occupied, and the occupants were living among sewage and in dark, deplorable conditions. Emergency repairs and clean up began immediately to secure the building, eliminate leaks, and to restore safe electricity and water. The project architect prepared plans for permits and construction was underway to rehabilitate the buildings with new doors, windows, plumbing, floors and walls, additions, and a controlled-entry system and landscaping.

Immediately after my purchase, I was approached by **Rev. Susan Eagle** who advised me that the buildings were uneconomical, unrepairable, and designated for public housing, and I was standing in her way. I offered her several opportunities to purchase the buildings at cost, but she was not able to act on that offer.

After closing, she asked me NOT to renovate the buildings and I had to explain to her that the project was like a taxi-meter financially

(time bomb would have been more accurate) and that I was obligated to proceed with emergency repairs and construction. Neither Ms. Eagle nor her builder were willing to put up any deposit or present me with an offer at any time.

At one point, she phoned me, her voice trembling with emotion, advising me that Ministry of Housing financing was imminent --- a matter of days, and could I co-operate? I agreed, and gave her thirty days to purchase the buildings from me, at cost, plus improvements. She did not act on my offer. Little did I foresee the problems she would cause us in the future.

"Ms. Eagle in anger told me to my face: 'Mr. Sergautis, I'm going to see to it you obey every letter of the law.'"

Both area councillors, **Betty Howard** and **Bernie McDonald**, offered support and welcomed me with open arms to the neighbourhood. They spearheaded a drive to

change the street name in record time (from **Cheyenne Ave.** to **Oakville Ave.**), and neighbours came by with encouragement and advised me that property values rose substantially with the street name change and building improvements.

Ms. Eagle, on the other hand, acted as if she wanted to put me out of business, and in anger told me to my face: "Mr. Sergautis, I'm going to see to it you obey every letter of the law," when it became clear that the buildings would no longer be available for public housing.

As of this writing, the buildings are fully occupied, there is a colourful mixture of ethnic backgrounds, and I have been told by others that a good job was done on the buildings, and the buildings are a comfortable and safe place to live. I invite the public to drop by and take a look for themselves.

ELIEFF, THE OLD LANDLORD

When I purchased the property, the **National Bank** refused to acknowledge any

JUMP START by Robb Armstrong



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"One hallmark of freedom is the sound of laughter." - Harry Ashmore

(cont'd from prev. pg)

responsibility towards the tenants and buildings, and acted only in exercising its right to sell the property under Power of Sale because it had a mortgage on it to Mr. Elieff, the previous owner of the buildings.

Mr. Elieff, a hardworking immigrant, business owner and landlord (I met him briefly after taking over the buildings) had the eyes of a broken man, quietly accusing me and "everybody (of) taking advantage". When asked about his involvement with the buildings, his only comment to me was "I couldn't keep up."

Looking back at my experiences with Ms. Eagle, I can clearly understand how a small businessman, ensnared by the hand of a voracious activist "couldn't keep up." The resulting publicity caused the heavy hand of bureaucracy to descend like a cement coffin lid upon Elieff and his family, and crushed them.

Shame on us.

We watched this public financial execution with morbid curiosity, for after all, he was the "bad guy." Even worse, a "bad landlord", and deserved all he got.

But did he? What heinous crimes did he commit? Or was his crime just that he "couldn't keep up" with the attack on every legal front? Because of the negative publicity, Elieff could not borrow a penny for repairs, and had no money for lawyers to defend numerous actions and applications against him.

What person, without considerable staff and resources, COULD keep up with what hit him?

Make no mistake. There was one controlling mind in this overpowering onslaught to bring down the man --- the Reverend Susan Eagle. She marshalled the awesome force of the media, public opinion, the social community, city council and administration, health department, the Province of Ontario, the Ministry of Housing, and even the Human Rights Commission.

His business was picketed and ruined, and the "letter of the law" was thrown against

this man. Even then, new laws had to be created to deal with Elieff, and so the City of London, in its wisdom, passed the "Vital Services by-law." Eagle managed to keep her troops (sorry, tenants) in place while this malestorm of activity and destruction took place. Elieff, meanwhile, lost his buildings.

His rents were prevented from reaching him and the Vital Services by-law forces the landlord to continue providing utilities even though he was not getting the rents. The media investigated, and Elieff tried, in his broken English way, to explain what was happening to him. Thus, the "little pigs" remark was published. Howls of outrage were heard from the community, and the financial public execution and humiliation of this man and his family took place.

A complaint was filed with the Human Rights Commission, which resulted in weeks of hearings with lawyers and the press all denouncing Elieff. Elieff was cooked.

A White Knight shows up! Mr. Robert Metz, founder of the Freedom Party of Ontario. He must be given recognition for the courage to stand up to the powerful forces systematically dismembering Elieff, and to the best of my knowledge, stood alone in this fine City of 300,000 souls. For days he presented the facts to the tribunal hearing the complaint and defended Elieff, acting as his unpaid agent, against hysterical claims and demands.

After more than a year, the tribunal's decision exonerated Elieff, and Susan Eagle promptly announced the decision would be appealed. At what point is this man's torment to end? What are her motives?

SUSAN EAGLE vs the NEW LANDLORD

The tenants were repeatedly canvassed by Ms. Eagle and advised their rents were illegal. The average rent is under \$400 monthly, and has been frozen for the last two years by Rent Review. When all the legal

harassment ends, this landlord will be permitted to apply to Rent Review for a maximum 3% increase or about \$12 per month per unit, and Susan Eagle has already advised that she will oppose any application by the landlord "tooth and nail"!

I worked hard to attract good, long-term tenants and offered them comfortable, safe, and very affordable accommodation, and intend to continue, in spite of Ms. Eagle's attempts to make the buildings uneconomical and unmanageable. Despite Ms. Eagle's demands, I leave the buildings "as is." I go to work and complete the renovations to the buildings.

Rent Investigation Officers appear in the buildings unannounced, at night, accompanied by Ms. Eagle. While building inspectors pour over the apartments and balconies looking for defects, Susan Eagle advises the occupants there could be compensation from the landlord if defects are found. Her practice is to knock on the tenant's door, identify herself as "Reverend" Susan Eagle, United Church Minister, Community Leader, and advises each tenant that if they have any problems they may be entitled to claim compensation from the landlord. Secret tenant meetings are held with staff from Neighbourhood Legal Services and the Ministry of Housing advising tenants of their "rights", after which Ms. Eagle advises the tenants the rent they are paying is illegal. (Most of the rents were well below the legal frozen rent this landlord is allowed to charge.)

Separate meters were installed and each new tenant got a reduction in rent and agreed to pay separately-metered hydro charges. When the bills came in, Eagle collected them, held further meetings, and advised the tenants not to pay the hydro. She told London Hydro that she intends to have the hydro bills paid by the City of London under the Vital Services by-law (the same by-law SHE spearheaded through council) if there was a threat of cut-off for non-payment. (These bills would then be added to the landlord's municipal taxes.)

That was the last straw! I picked up the phone and told Susan Eagle that I considered her actions "harassment" and unwarranted and I wanted an explanation. With unmistakable joy in her voice, she said: "Mr Sergautis, you are making the same mistake as the

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"What is a communist? One who has yearnings for equal divisions of unequal earnings." - Ebenezer Elliot

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previous landlord, Elieff. It's not ME doing these things to you, it's the TENANTS!" Shortly thereafter, Eagle declared her candidacy for London Board of Control, and that's when I decided that I had to speak up about her activities as I experienced them.

Over half of my tenants are Asian immigrants with large families and exceptionally well-behaved children. But they are MY tenants, NOT Susan Eagle's! Covert tenant meetings led by Susan Eagle, with the deliberate exclusion of the landlord, left the tenants confused and misinformed, and did nothing to enhance the good Landlord and Tenant relations I worked hard to achieve.

If one were to look at the events at the Cheyenne Buildings over the last few years with a clear eye, even Susan Eagle must admit they were given "special treatment." Because of the publicity and notoriety of "the Cheyenne Ave. apartments", City Hall may have had a good excuse for its paranoia, but what is Susan Eagle's excuse for her voracious attention and opposition to the renovating of the buildings?

Sure, it's a free country and anyone can act as an advocate and encourage tenants to sue, file numerous complaints, ad nauseam. But to marshal the powers of government and agencies against an INDIVIDUAL, to selectively target an INDIVIDUAL for enforcement, and even passing new laws against an INDIVIDUAL, scares me to hell! Susan Eagle has status and power and knows how to manipulate the community, and she used that knowledge selectively against the Cheyenne buildings.

Had she been elected to public office, would she have continued that policy -- targeting individuals for "letter-of-the-law" destruction? Let's all keep our eyes open!

<END>

ZIGGY BY TOM WILSON



CAUSE AND EFFECT

-Sheila Morrison

(Sheila Morrison, a long time public school teacher, founded the **Sheila Morrison Schools**, a private school for children with learning difficulties in Utopia, Ontario. Author of **Unbunbling the Basics**, a personal literacy teaching system designed to help parents supplement existing teaching methods, her history of public speaking engagements and interviews has earned her a national reputation as one of Canada's most outspoken critics of the public (i.e., government controlled and financed) education system. A **Freedom Party** supporter, Morrison offers us the following commentary on the academic, social, and moral crisis in our schools.)

For the last twenty-five years, ever since sociologists and social workers inflicted their theories about children on an eager bureaucracy of educational administrators, the education of our children has gone downhill.

For instance, it was decided, with no adequate (or even inadequate) research, that all children were "self-motivated"; that they could "teach themselves" (if they didn't, there was always osmosis); that they were "able to make their own mature decisions" about what they would need to know for the rest of their lives, and, most damaging of all, that "children never lied."

As a result, teachers were encouraged, nay commanded, to allow these oh, so-superior six- to twelve-year-olds, to "do their own thing", secure in the knowledge, however faulty, transmitted to them by a succession of social workers, guidance counsellors, university types, that we were at last to be saved, as a society. These youngsters, who, freed at last from the tyranny of those rigid teachers in days of yore (who actually taught!), would see that at last we would be living in a REAL UTOPIA.

To be sure that these mature six-to-twelve-year olds would have plenty of clout, the aforementioned teachers, social workers, etc. told these same youngsters of their "rights", and, in a very SMALL print, their responsibilities.

And what has been the result of all this experimentation? Far from the utopia envisioned by the social engineers of twenty-five years ago, the situation has deteriorated to the point where everyone (excluding government officials with their heads still in the sand) -- teachers, parents, trustees -- is outraged.

It is incomprehensible that common sense would not have intruded sooner than it has. As a result of all this "freedom" and permissiveness, students are arriving at the junior high-school level unable to read (they were "not motivated enough", or the osmosis didn't work); their penmanship, such as it is, resembles unintelligible hen scratches, because to insist on legibility would intrude on their "creativity"; their punctuation skills are non-existent because "it's the thought that counts" and their spelling!!! "Creative" is the only word that fits. Of course, when parents are told by a principal that the teachers do not mark spelling because "spelling is only a courtesy to the reader," what can you expect?

Unfortunately, in addition to turning out youngsters from the slow to bright who have been short-changed academically by a system that has not catered to their needs, but rather to their wants, the social implications are even more devastating. Having been encouraged to "do their own thing", with no emphasis on their responsibilities, we have many youngsters who flaunt their rights in the classroom and on the playground -- by being rude to teachers, insolent, and using absolutely foul language to ANYONE who attempts to discipline them.

Teachers, or even volunteers, who try to enforce even the slightest discipline, are treated like lepers by senior officials. Many principals do not support their staff, nor will they try to take any responsibility for the behaviour of students in school or on the playground.

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"Things are not always better because of change, but they never get better without change." - S. Cates

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On the playground, teachers are no longer expected to do yard duty, to attempt to control the bullying and violence which is always rampant, it seems. Most schools PAY mothers to do yard duty. Everyone must be aware that kids are not going to pay any attention to someone's mother.

Neither do the principals. When one paid volunteer mother dragged a twelve-year-old to the office, clutching a lead pipe he was wielding indiscriminately upon all and sundry, the principal dismissed the youngster, to be dealt with later. "Later" never came, because the principal said he had other things more important to deal with. This, even though the student had offered the mother \$20 for the return of his pipe.

In an even worse example of idiocy, there are schools where grade five and six students (10- to 12-year-olds) are equipped with colourful banners which give THEM the authority to break up fights without having to bother the teachers (or principals) with such mundane concerns as knives, clubs, bullies, fights, etc. The children are called "Conflict Managers". They are given two days' training -- during school hours, of course. The concept has been enthusiastically endorsed by the staffs at the schools.

Of course, the schools' reaction to any criticism of what is going on is to blame the parents who don't care, who don't read to their kids, who don't volunteer, who don't check homework, who don't discipline.

The school does not face the reality of a parent with three kids in the system who are told, on a daily basis, what their "rights" are, to "make their own decisions" for five hours. Just try to tell your nine-year-old to take out the garbage. He doesn't think it's HIS responsibility, so he "makes the decision" not to do it. Multiply that situation by three, and one can understand parents' frustration. There is no point in telling your kids they have responsibilities as part of the family, as the school doesn't emphasize THAT.

By the time youngsters reach grade six, the situation is out of hand, and the kids are out of control. The school system and the media blame SOCIETY.

I am part of society, parents are part of society, and most of us do not approve of the direction the system has taken us, in regard to academics, social mores, and moral values.

It is time to return to teachers teaching, being in authority, following a set province-wide curriculum in basic skills, having high

and at an average salary of \$65,000, they should not need volunteers to do their work either. Nor should parent councils be required to tell professionals how to run their business.

"By the time youngsters reach grade six, the situation is out of hand. The school system and the media blame SOCIETY."

The onus should be on the Ministry of Education to provide leadership, standards, evaluation practices, and to be held accountable.

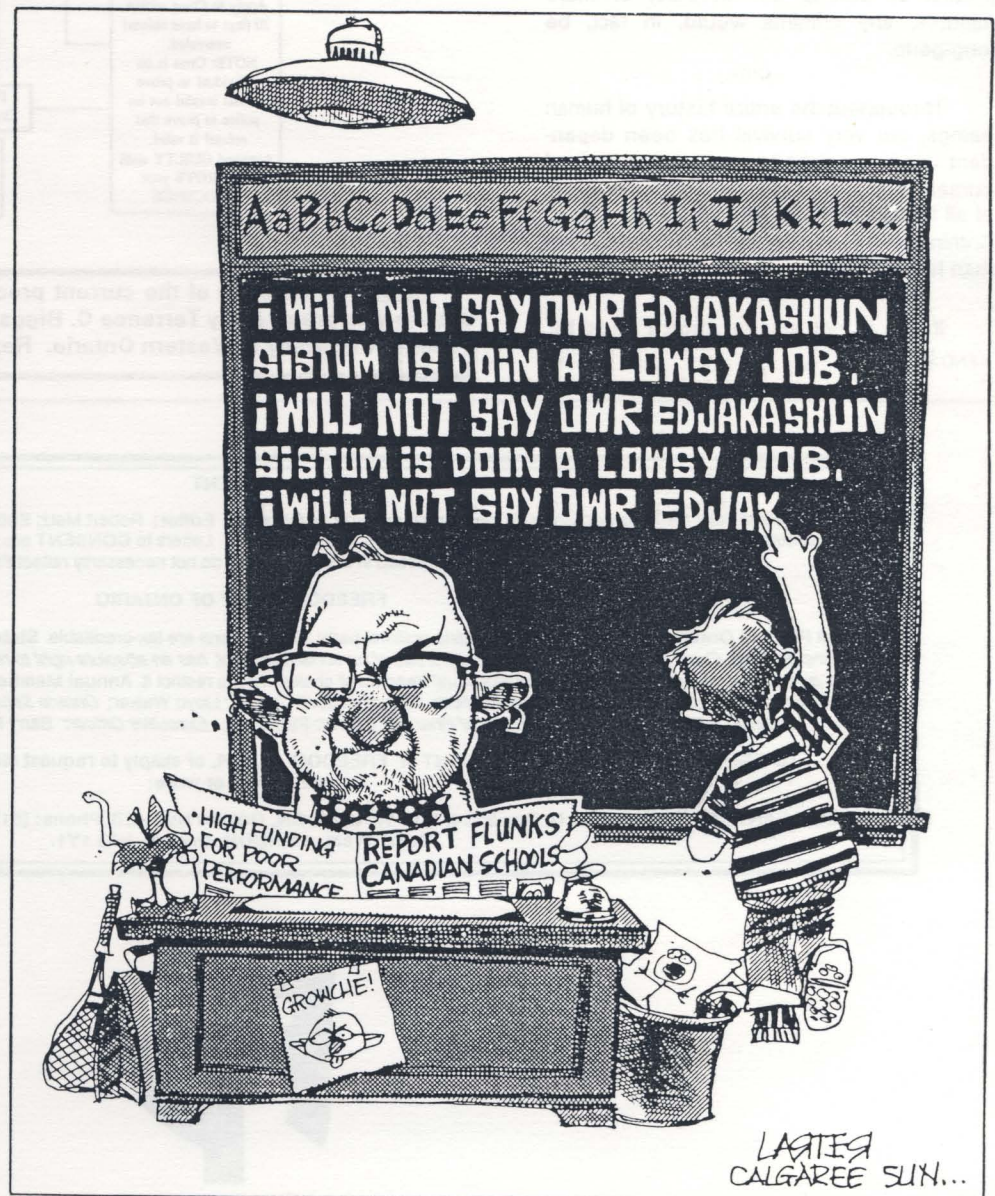
expectations of every child, and as a result, accountability. There should also be standards of frequent evaluation.

As taxpayers, we pay the piper.

We should be able to call the tune.

<END>

Lawyers, accountants, and doctors do not have volunteers. Teachers are professionals,



"Following the path of least resistance makes both rivers and men crooked." - Saying

(...FALLACY cont'd from pg 7)

(3) All sentences should be served consecutively with any other sentences imposed for the criminal activity.

Three simple laws for what should be a simple problem: why has this basic logic escaped our law-makers?

I would much rather have a gun and never have a need for it, than not to have a gun and have a need for it.

In Canada, we are now directed by the legal authorities that we should not attempt to defend ourselves from violent criminals, to let the police do this. With police response times of thirty minutes or more and increasing, how can they possibly protect or defend us? In thirty or more minutes, any criminal would, in fact, be long-gone.

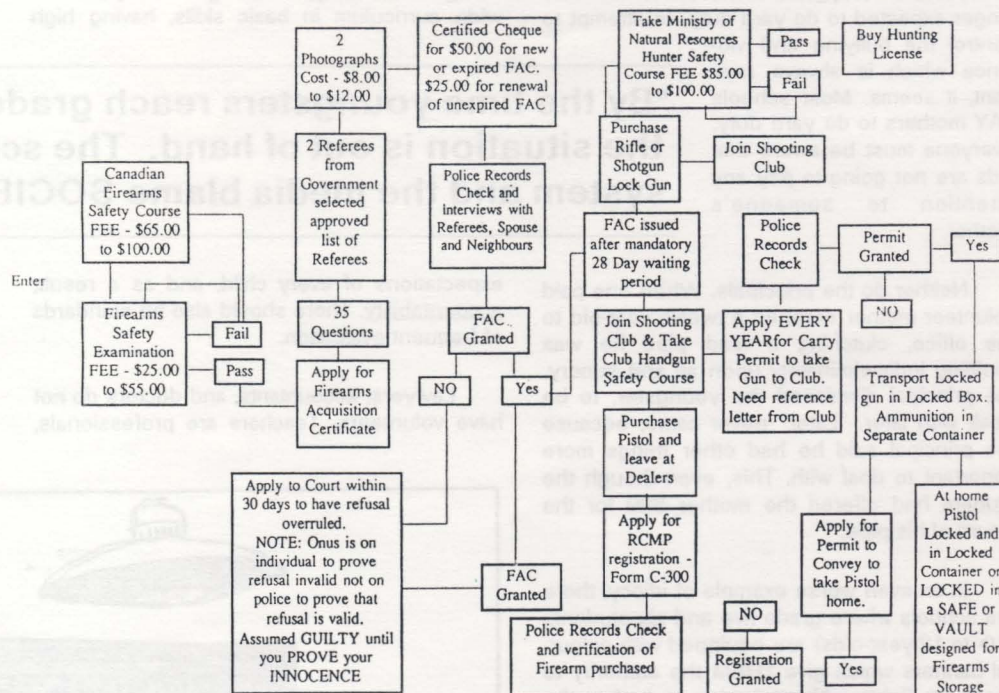
Throughout the entire history of human beings, our very survival has been dependent upon our right to protect and defend ourselves and our families. This most basic of all human rights is now to be denied us. Criminals now appear to have more rights than honest law-abiding citizens.

If this is not insane, then I must be.

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Flow Chart of the Steps involved in LEGALLY obtaining a Firearm in Ontario

Prepared by: Dr. Terrence C. Biggs, Assistant Professor of Psychology,
Brescia College, University of Western Ontario



ABOVE: Flowchart of the current process necessary to obtain a LEGAL firearm in Ontario was prepared by Terrence C. Biggs, Assistant Professor of Psychology, Brescia College, University of Western Ontario. Reproduced with permission.

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