

# Bagby-inspired bail bill a step closer to law

By STEVE BARTLETT

THE TELEGRAM

Unanimous approval from the House of Commons justice committee has David Bagby optimistic about achieving the bail reform he has sought since his grandson Zachary was killed in 2003.

"This whole issue has been a major part of our lives for six or seven years. To have it coming to front here in Parliament and the Senate is very important to us, very much," he said Tuesday afternoon.

Zachary was murdered by Shirley Turner, the accused killer of Bagby's son Andrew, in the waters off Conception Bay South in 2003.

Turner was awaiting extradition to the U.S. to stand trial for Andrew's murder at the time, but was out on bail and had custody of Zachary.

In Ottawa Monday morning, Bagby and wife Kate, along with Avalon MP Scott Andrews and representatives from the Canadian Resource



Zachary Turner

Centre for Victims of Crime, addressed and answered questions from the Commons' justice committee on Bill C-464.

Proposed as a private member's bill by Andrews in October, it seeks to

give courts the power to justify refusing bail to people accused of serious crimes in the name of protecting their children.

The rookie MP's interest in the issue was piqued by "Dear Zachary," a documentary about what happened by American filmmaker and Bagby friend Kurt Kuenne.

Before the committee supported the proposed law Tuesday, they amended it to ensure children meant those younger than age 18.

The change was made to ensure clarity throughout the Criminal Code of Canada, Andrews explained.

With the justice committee's thumbs up, the bill now goes before the House of Commons for a third reading. Andrews hopes that will happen immediately. If MPs support it, the draft legislation will head to the Senate, where Tommy Banks — a Liberal senator from Alberta — will attempt to help garner support to give it royal assent. That would make it law.

"I'm hoping that if we can have it moved to the Senate within a month, that they can have it moved through ... before they finish up in June, or if not, it would be first thing the fall," Andrews said, noting a desire to have Bill C-464 passed as soon as possible in case a federal election is called.

Even if the nation goes to the polls before then, the rookie MP doesn't believe his proposal will die on the table. He says it's been supported by all parties to date and he doesn't foresee that changing.

Bagby, who will also appear before the Senate as the bill proceeds through the upper chamber, is looking forward to getting the law through.

"Then I think we can walk away from murder for this lifetime and not have to think about it so much," he said, expressing appreciation to Andrews and Banks for taking up the issue.