

law. Let us decide whether we will give them a sample of their breath or a sample of their blood. Do we have the equipment? Can it be done? If we are not going to do it, then it should not be put in the law.

Mr. Speyer: I agree.

Mr. Waddell: I flag that for the committee's attention.

The Hon. Member for York Centre spoke about prostitution and pornography, as well as aid to victims. My understanding was that these other matters would be dealt with shortly by the Government in other Bills that will come before the House of Commons early in the New Year. The Hon. Member for York Centre mentioned victims. I think he said that there was more for victims in the previous package that distresses me somewhat because I personally think that our criminal law should be focusing more on the victims of crime, on ways in which to help them and give them some rights in this process. I hope the committee looks at what the Hon. Member for York Centre said and at what the Hon. Member for Burnaby has said in the past on this matter.

I think I have said all I want to say in terms of the Bill. In summary, the fact is that the Bill is overdue in terms of its impaired driving sections. There seems to be a growing consensus on the part of Canadians that we should get tough on impaired drivers. Perhaps they do not understand the consequences of that. It is not only the impaired drivers or drinking drivers out there, it is us. We are all involved. Perhaps we should be a little less hypocritical. We will all be affected by it; we have to adjust our behaviour accordingly. Sometimes that will not be easy.

I am glad the Minister of Justice recognized that there was a limited aspect to deterring drinking drivers with greater penalties. It will not be the entire answer. It may be the short-run answer but it is not the long-run one. No one has the long-run answer. I do not pretend to have it. It may lie in enforcement. It may lie in the area of treatment, education or understanding. I think that is probably where it lies. The next generation, through its notion of what it is like to live in the late 1980s and the 1990s, will live in a new society which is much more interested in the good life, a clean and pure life. It will mean limiting one's intake of drugs and alcohol, in the recognition that one can have a good time and fun without being impaired, without being stoned or without changing in other ways. If there is any hope in the upcoming generation, that is the great one. In the long run it will be the way to deal with this terrible problem with 2,500 people per year, many of whom were young, losing their lives as a result of the actions of drinking drivers.

I commend both the present and previous Government for putting a lot of thought into the Bill. For our part, we are prepared to let it go through today. I am the last speaker for our Party. We would like to see it go to committee immediately and to see it back in the House as soon as possible for early passage in the New Year.

Criminal Law Amendments

Mr. Chris Speyer (Parliamentary Secretary to Minister of Justice): Mr. Speaker, the Minister of Justice (Mr. Crosbie) articulated what is in the Bill. I have enjoyed very much the comments of the critic of the Official Opposition. I also enjoyed in particular the comments of the Hon. Member for Vancouver-Kingsway (Mr. Waddell). They expressed their personal concerns. I will articulate many of them also, as well as some of my concerns and the reason I support the Bill. I have absolutely no intention of repeating what the Minister of Justice said about what is in the Bill. I should like to analyse it and to talk about where we have been in terms of the criminal law and where we are going.

In 1953 the Criminal Code provided that a person who stole a car must be incarcerated for a period of one year. The same Criminal Code also indicated that if a person stole from the post office, it was mandatory that he go to jail for six months. My point is that there was a tremendous emphasis upon property rights. There was not an emphasis upon drinking and driving nor upon the protection of one's body or safety. That was the ethos of the fifties, the forties and indeed the 19th Century.

Times change. Crown attorneys, in order to ensure that young people would not have to go to jail for taking a car for a very brief period of time, would take a lesser offence of possession. Sometimes when one stole from the mail, one would be charged with theft as opposed to theft from the mail.

In the 1960s I became a prosecutor and, Mr. Speaker, I speak to you as one who has a wonderful reputation in terms of your own practise of criminal law. In 1967 when there was no mandatory breathalyser and I was a prosecutor, if a person did not blow 1.5 or over the charges would be withdrawn. We are talking of less than 15 years ago, but that was the rule of thumb. Unless a person refused to blow, had tremendous physical symptoms of impairment or there were other special circumstances, we would withdraw the charge because we did not believe he was impaired. Thank God there has been an evolution in thinking.

The point I am trying to make is that in those years when I was a young prosecutor, a person who would have a puff of a marijuana cigarette had to go to jail for six months; it was mandatory. Everyone must have been interested in hearing the Commissioner of the RCMP—he is a fine man and a great Canadian—who said he thought the penalties were too harsh, that the courts were not enforcing them and that indeed police forces were not enforcing them in the circumstances.

May I call it one o'clock?

Mr. Deputy Speaker: It being one o'clock, I do now leave the chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.