

The British Columbia Court of Appeal has found the writ of assistance to be in accordance with, and not invalidated by, the Charter of Rights and Freedoms, while the Ontario Court of Appeal has found the writ of assistance to be invalidated by the Charter of Rights and Freedoms. If the House passes this legislation, it would end the matter in any event because the writ of assistance will no longer exist.

As was proposed last year, we are proposing the telewarrant. There is nothing new, strange or startling about the telewarrant, Mr. Speaker. The State of California has had them for a number of years, as has the State of New York, the State of Arizona and the State of New South Wales in Australia. They are in use in other jurisdictions as well. In effect, it is a conventional warrant that is obtained by using the telephone or other means of telecommunication. The person seeking the warrant does not appear in person before a justice of the peace or provincial judge to get a search warrant, but gets it most likely over the telephone. It is done under oath, and reasonable grounds for believing that evidence of an offence may be found at a specific location must still be given.

The person seeking the warrant does not appear personally before the judicial person to obtain it and the judicial officer's signature will not appear on the copy of the telewarrant. However, the judge himself will be filling in the necessary details on his side of the telephone and the police officer will do the same on the document that he has on his side of the telephone. He will then leave a copy of it with the person whose premises he is searching by use of that telewarrant.

Telewarrants are to be used only in cases in which it is impractical to apply for a conventional warrant. In some circumstances they may be used in order to get a blood sample from a person who was in an accident, is suspected of impaired driving and is unconscious. They may be used in a situation such as one which might occur in the Yukon or Northwest Territories in which the RCMP member or police might have to travel 40, 50 or a couple of hundred miles before he could find a person to whom he could apply to receive a search warrant. It is to be used under those kinds of circumstances.

This proposal is similar to a recommendation made by the Law Reform Commission of Canada and, I think, fully protects individual rights. It is fully—

**Mr. Deputy Speaker:** I regret to interrupt the Hon. Minister but the allocated time is up.

**Mr. Kaplan:** Mr. Speaker, in view of the importance of the subject and the importance of the Minister's having the opportunity to explain it all, I think he ought to have more time, but certainly not the unlimited weeks, days and hours that he implied might be required.

**Mr. Deputy Speaker:** Do I gather that there is unanimous consent for this? I would like to put a limit on the time of 10 or 15 minutes. May I suggest 10 minutes?

**Some Hon. Members:** No.

### *Criminal Law Amendments*

**Mr. Nunziata:** Mr. Speaker, perhaps we might ask the Minister how much time he requires in order adequately to introduce the Bill, and then agree unanimously to a specific amount of time.

**Mr. Crosbie:** Mr. Speaker, I was under the impression that when introducing a Bill one has unlimited time.

**Mr. Ouellet:** No, you're not the Leader.

**Mr. Crosbie:** We're not talking about what should be. I will certainly finish within 30 minutes, Mr. Speaker.

**Mr. Deputy Speaker:** I gather there is such unanimous consent?

**Some Hon. Members:** Agreed.

**Mr. Deputy Speaker:** I recognize the Hon. Minister of Justice.

**Mr. Deans:** One of the most interesting leadership speeches I've heard in a while.

**Mr. Crosbie:** The difference between us and the two opposition Parties is that we do not need any other Leader.

**Mr. Ouellet:** It took you a long time to say it.

**Mr. Crosbie:** It took me a long time to be convinced but now I am convinced.

I had better speed up a bit in order to cover some of the other main sections of the Bill. My parliamentary assistant who, of course, is a real expert in all these areas will hopefully be able to answer any questions that are asked.

● (1150)

The legislation also deals with computer crimes. It covers three aspects of the problems associated with the abuse of computer systems. One of those aspects is already covered by the law, that is, the destruction of hardware and instruments of a computer system. That is adequately covered. However, there are two areas which are not adequately covered. One area is the unauthorized acquisition or destruction of the data in a computer system. The other area which is covered by this legislation is the unauthorized use of computer services.

As all Members of the House will know, with the increased use of computers the instances of abuse are occurring more frequently. People who are not authorized to use computer systems are plugging into them. I do not know how this is done because I am not mechanically minded, but apparently it can be done and it is being done.

**Mr. Waddell:** Watch the movie *WarGames*.

**Mr. Nunziata:** Look who's talking! You sanctimonious son of a gun.

**Some Hon. Members:** Oh, oh!