

*Criminal Code*

Health and Welfare is aware of the importance of ensuring that medical devices sold in Canada are safe and effective. On July 30, 1981, the resources for the Medical Devices Program were significantly increased to cope with rapidly advancing device technology. For fulfilling its mandate under the Food and Drugs Act, the Department employs several procedures such as premarket review, imposition of standards, evaluations and testing. Devices such as the prolonged-wear contact lenses, tampons and pacemakers are subject to premarket review; condoms are subject to standards.

[English]

**Mr. Schroder:** I ask, Madam Speaker, that the remaining questions be allowed to stand.

**Madam Speaker:** The questions enumerated by the Parliamentary Secretary have been answered. Shall the remaining questions stand?

**Some Hon. Members:** Agreed.

**Madam Speaker:** Stand.

\* \* \*

## MOTIONS FOR PAPERS

**Mr. Jim Schroder (Parliamentary Secretary to Minister of National Health and Welfare):** Madam Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

**Madam Speaker:** Shall all notices of motions for the production of papers be allowed to stand?

**Some Hon. Members:** Agreed.

## PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[Translation]

**Madam Speaker:** Shall all orders listed under Private Members' Public Bills preceding No. 464 be allowed to stand by unanimous consent?

**Some Hon. Members:** Agreed.

\* \* \*

[English]

## CRIMINAL CODE

## AMENDMENT TO PREVENT FINANCIAL GAIN FROM CRIME

**Mr. Arnold Malone (Crowfoot)** moved that Bill C-664, to amend the Criminal Code (profits of crime), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, the Bill which is before you, Bill C-664, is a timely Bill in terms of the Canadian mentality

towards crime at the moment. If this Bill is passed it would mean that persons sentenced for crime have the prerogative to write, to express, to act out by play or by film, their criminal deeds and those activities centering around their crimes, but any profits derived therefrom would be taxed 100 per cent. The Attorney General of the Province concerned would disburse this money to victims of crime.

In commenting on this Private Members' Bill, I feel it is important to give the background leading up to its presentation. There is a great belief in Canada today that criminals must be stopped from profiting from their heinous crimes. A few years ago as I returned to Ottawa from a speaking engagement in Prince Edward Island, upon landing at a Montreal airport I was incensed to find on the bookshelves in the airport bookstore a book entitled "Son of Sam", concerning the murders of David Berkowitz. In such a situation we have a person who has committed outlandish crimes profiting from those crimes, and doing it in a society where it is a fundamental fact, even in elementary school children's understanding of law, that crime should not pay. In a democratic society we take the view that when one goes to jail for a crime he is paying his debt to society. If at the end of his jail term he writes a book about his crime from which he profits, then in effect the debt has not been paid.

This legislation would be timely for the Canadian public, because the David Berkowitz case resulted in a New York State law being passed. Here in Canada at the present time we have two potential books: one, the recent writing of the Pierre Laporte murder story by Francis Simard and other members of the freedom fighters in the Province of Quebec; the other, of course, is about Clifford Robert Olson in the Province of British Columbia who killed many young people in that Province. Olson has said that he has hired a ghost writer to write the story of his life. These are two examples of profiting from crime.

David Berkowitz is a citizen of the United States, a person who committed his crimes in New York City. The fact that his story in the book called "Son of Sam" caused him to profit as a result of his crime stimulated the New York State legislature to put in place a law, which is now referred to as "The Son of Sam Law", which does precisely what my proposed legislation is intended to do. It takes away those profits from the person who committed the crime and such profits are used for other purposes. So we have a precedent for this particular kind of legislation.

I would like to point out, Mr. Speaker, that since I first introduced this legislation on first reading, numerous press reporters have asked me about my intended legislation, but more importantly, there have been a number of radio or television call-in shows with respect to having some kind of legislation which would stop people profiting from crime. The result of those call-in shows, was that the view was unanimous