

Measures Against Crime

The proposed legislation provides for a certain number of safeguards for the offender, including the right to call as a witness any psychiatrist, psychologist or criminologist and the right to appeal the decision of the court. On the other hand, the Parole Board should review the case of a dangerous offender, first of all, at the latest three months after the verdict and then every two years, in order to determine whether the offender should be released in the community on condition and in such a case, under what conditions.

A periodical review appears necessary because the punishment does not include either the termination date, nor a fixed date of eligibility for parole, as is the case for all other offenders. The Parole Board will not release a dangerous offender unless two members of the regional community are admitted to the proceedings related to this subject.

Bill C-83 also includes measures relating to crime detection and electronic listening device. Six main amendments are involved in this bill. Courts may allow interception of communications with regard to all criminal offences instead of the limited number of crimes specified in the existing law. Further, any offence, criminal or not, may warrant an authorization, when such an offence seems to be part of an organized crime. Evidence derived directly or indirectly from an unlawful interception may be admitted by the court. This restores the common law rule in part but the unauthorized intercepted communication itself remains inadmissible and the act of interception punishable as a criminal offence. Court authorization for electronic surveillance will be extended from thirty to sixty days, experience having shown that the average interception is likely to last approximately sixty days. Evidence of an offence other than one for which the authorization was obtained will be made admissible in prosecuting that other offence.

Reporting by the media of an intercepted communication that has been revealed in open court will not constitute an offence. These changes are of course designed to increase the effectiveness of the police: still, the new powers should not be abused in order not to encroach upon the individual, right to privacy. Rigorous sanctions must apply, criminal and civil, in all cases of violation of these rights in line with the protection of the individual's rights to privacy granted by Parliament in 1974.

As to the provisions of Bill C-85 dealing with special crime inquiries the proposed amendments add to the traditional means by enabling the provincial authorities to create special commissions of inquiry when it is deemed necessary to obtain knowledge about crime or criminal organizations, which is not likely to be acquired through the normal investigatory procedures. Those measures will no doubt be discussed in committee with respect to special crime inquiries, considering the recent judgment by the Supreme Court of Canada declaring constitutional the Quebec Commission of Inquiry into Organized Crime.

With respect to the custody and release of inmates, the bill includes amendments aimed at ensuring a better control of inmates in penitentiaries and bringing about amendments with respect to their paroling by way of full paroles, day paroles or temporary absences. Certain procedural safeguards will be introduced into parole hearings so

[Mr. Pinard.]

the decision making of the Board will meet the expectations of criminal justice.

Those safeguards will call for the help of the applicant, the communication to him of additional information and the giving of the grounds in the event of the decision refusing him parole. These will be defined in regulations and will be phased in over a period of several years. Finally, Bill C-83 includes provisions dealing with crime prevention, police prevention, victimization, concerning studies every 18 months over the next five years to assess more accurately the incidence and effects of crime on victims, and with the defensible space, or accelerating work on the development of better knowledge on target hardening and environmental design. Also, there will be strategies to increase the crime resistant quality of communities.

Those are briefly all the measures contained in Bill C-83 the principle and intention of which I approve while awaiting its consideration in committee where witnesses will be heard and where in all likelihood amendments can be introduced to improve certain aspects, particularly those dealing with special inquiries on organized crime.

• (2110)

[English.]

Mr. Gordon Towers (Red Deer): Mr. Speaker, the hon. member who has just resumed his seat recognized the danger of the criminal to the law-abiding citizens of Canada but he did not recognize the greatest danger facing them today, that is, the government which sits opposite.

Some hon. Members: Hear, hear!

Mr. Towers: This bill merely reconfirms the fact that the government is incompetent to govern and too willing and determined to dictate. Bill C-83 would establish another bureaucracy which could not be fairly administered across this country but would be costly, inconvenient, a burden to policemen, judges and courts, and would place unwarranted restrictions upon experienced users and owners of guns who have not broken any law, as well as on all adult Canadians.

Aside from the inconsistencies in this legislation, which I intend to enlarge upon later, it has created a justifiable fear in the minds of Canadians. They are concerned because in this bill they see another of their freedoms removed. Criminals and those bent on crime will not let gun licensing or registration forestall them in their efforts to maim, murder, steal, kidnap, escape custody, threaten guards and other law officers, or commit any other illegal act. This bill will not prevent or deter crimes caused by passion, anger, revenge, or by any planned or sudden desire to get even.

Owners of rifles or shotguns would be compelled to apply for a licence to continue ownership by completing an application form, not described, which could infringe on any human right the government chose. Two guarantors would be required to qualify an applicant for such a licence—their status is not stated. The guarantors would be subject to the discretion of a local firearms registrar, who in turn would be governed by guidelines to be laid down by order-in-council at some future date; the owner