

Criminal Code

should not be permitted. Unfortunately this legislation does permit wiretapping of a solicitor if he is himself suspected of being involved in a crime. If it turns out that he has not been involved in a crime, Mr. Speaker, we are still wiretapping all his conversations which he is having with his clients most of whom have nothing to do with the alleged crime about which he is being wiretapped.

I do not have the time tonight, Mr. Speaker, to expand on these matters, but we did learn years ago that the Prime Minister is no great libertarian. In fact he is quite the opposite, as we learned under the War Measures Act implemented in Quebec a few years ago. This bill is another instance. Once it has served his purposes, the Prime Minister no longer cares what goes on in the bedrooms of the nation, and the police and RCMP can do what they like if this House will give them the power. Well, Mr. Speaker, I say count me out. I am going to vote against the wiretapping provisions of this bill if I get a chance to do so.

Mr. Cecil Smith (Churchill): Mr. Speaker, I suppose that in my initial remarks it is almost needless to say that the portion of Bill C-51 which concerns amendments to the Criminal Code with respect to firearms is far more acceptable than last year's effort, this of course being the result of very substantial changes to the content of that area of the previous omnibus bill.

Nobody can argue with the government's intent to protect more readily the lives and safety of citizens of this country. However, I think that legislation of this nature can be measured by degree. The previous gun control legislation, for example, was not acceptable because it went too far. I do not feel that such a severe proposal would have been very widely accepted. So far as I am concerned, though, the principle and content of the latest firearms legislation will not elicit the same degree of adverse reaction.

I will reserve comment on the other areas of the bill in favour of confining my remarks to the portion strictly related to firearms legislation. I am pleased to see that this latest proposition does not appear to have attached to it an inherent need for a large administrative structure. That was a very negative factor in last year's bill. I see that much of the actual administrative aspects, if you want to call them that, are left to the jurisdiction of police officers. I am thinking specifically of the areas that mention the fact that the new proposals build on existing systems such as the courts' powers and police record checks, and the fact that firearms officers will usually be police officers.

● (2150)

When I think of my own riding in particular, the allowance of certain concessions for exemptions to people who are dependent upon the use of firearms for their livelihoods is quite acceptable. I have no argument against the exception to the requirements for firearms acquisition certificates which allows persons dependent on trapping or hunting to lend firearms to each other without a certificate being produced. Second, I have no protest over the exemptions from certificate

[Mr. Crosbie.]

fees for those who hunt or trap for their living. This would go over well in the Churchill constituency, as it would in all northern areas where people depend on trapping and hunting for a living. The bill also honours current provincial safety programs that have traditionally been of provincial jurisdiction. I am in agreement with that portion of the bill.

There are still many areas of the new gun control proposal which are open to speculation however. For example, it is going to be difficult to determine accurately, and possibly legally, whether an individual can be considered potentially dangerous. Such a determination would make him subject to a court order prohibition that would prevent him from owning or using a firearm. This system would surely be abused.

The bill might also be labelled discriminatory in terms of the provision which stipulates that anyone with a history of mental disorder associated with violence is immediately prohibited from owning or using a firearm. This clause would also be open to abuse as it could possibly promulgate a stereotypical view of former mental patients in the eyes of law enforcement officials. I am talking about, a patient who has been released from a mental institution and who is now deemed to be of sound mind. What I mean is that an ordinary citizen could be discriminated against because of his past. This would surely be a difficult law to enact fairly. I know the intent behind this provision is well meaning, but it appears to me that the ethics of fair, just treatment and jurisprudence would be disregarded. It is also going to be hard to judge cases in which police can issue prohibitions where reasonable grounds can be shown that a certain person is likely to harm someone if he or she has access to a firearm.

The question of why the government still chooses to present firearms proposals in an omnibus form arises. The Progressive Conservative party has held firm to the belief that this sort of legislation should be introduced separately or severed from the rest of the bill altogether. However, the government has again given us an everything-in-one bill.

Although there are some weak areas of Bill C-51 in the portion dealing with firearms, I am sure that many of the bugs will be ironed out in committee stage. With those remarks I would like to conclude. I hope this bill will be cleared up and a lot of amendments made and accepted by the government at committee stage.

The Acting Speaker (Mr. Turner): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Turner): The question is on the amendment (Mr. Woolliams) to the main motion. All those in favour will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Turner): All those opposed will please say nay.

Some hon. Members: Nay.