

Criminal Code

and reference to the Standing Committee on Justice and Legal Affairs was moved on January 23, 1969 and, as I have said, debate on the second reading stage took place on eight separate days.

On February 26, 1969, the bill received second reading and was referred to the Standing Committee on Justice and Legal Affairs. The bill was discussed in committee on nine different days, comprising a total of 15 sittings of half a day each, or seven and a half days in all. In the Standing Committee on Justice and Legal Affairs 42 motions to amend the bill were made, of which 30 were carried and 12 were negatived. They include motions made to that part of the bill for which my colleague the Solicitor General (Mr. McIlraith) is responsible. Six motions were made with respect to that part of the bill, of which five were carried and one negatived. Thirty-six motions were made to those parts of the bill for which I as Minister of Justice was responsible. Twenty-five of those motions were carried and 11 negatived.

● (3:40 p.m.)

I have drawn these matters to the attention of hon. members to emphasize the fact that, despite what has been said, where the amendments proposed before the standing committee that gave this bill detailed scrutiny were constructive and were improvements they were accepted by the government. As a matter of fact, one of the more significant amendments was to make the failure to take a compulsory breathalyzer test, where the statutory limit on the blood-alcohol ratio was set at 0.08 per cent, an offence punishable by way of summary conviction only. I did not approve of this amendment personally and opposed it in committee. The government was beaten in committee by a majority of committee members consisting of members from both sides of the house. I accepted the decision.

I took the position in committee and I take the position in the house now that the committee system as it is being extended and developed will improve our parliamentary process. I took the position that if members of parliament were able to cross-examine the minister and his officials and were able to bring independent, outside witnesses, as well as develop their own research in order to arrive at their own independent assessments, this was an improvement of our parliamentary procedure. If the member of parliament can benefit from independent advice, if he has the opportunity to cross-examine officials

and outside witnesses, if he can oppose the minister's position on the basis of facts he has assembled, and if there is a certain relaxing of rules of party discipline, the role of the member of parliament will be enhanced. For those reasons we accepted the committee report and the government stood behind the committee report in parliament.

As I said, 25 amendments were carried with respect to that part of the bill affecting the Minister of Justice and five amendments were carried with respect to that part affecting the Solicitor General. And, of course, we stood behind the bill at the report stage.

During the course of discussion, entreaties were made to the government inside and outside parliament to split the bill. When I first assumed responsibility for the justice portfolio I said that my prime concern was not to split the bill but to ensure that the will of parliament could be assessed on every part of the bill, no matter whether it related to lotteries, gross indecency, abortion, firearm control, cruelty to animals or what have you. There are 120 clauses in the bill. I am satisfied that under the new rules, both at the report stage which we have just concluded and more particularly at the committee stage, any member of parliament or any group of members, whether they represented a party or not, has been able to move amendments in the standing committee and, pursuant to the 24-hour rule, to move amendments at the report stage in the house. Those hon. members have had the right to have those amendments debated and discussed thoroughly. The amendments have been canvassed by parliament and thoroughly scrutinized by the public opinion of Canada. Finally they have been voted on in parliament.

Once this bill becomes law I hope the country will reunite behind this legislation and accept it as part of the law of the land. On every issue in the bill that divided this house, whether it related to lotteries, gross indecency or anything else, there was no attempt to curtail debate and restrict discussion. Every part of the bill that commanded either the loyalty or hostility of hon. members, every part of the bill that divided the house, has been given full scrutiny. I believe parliament has expressed itself on those areas of the bill that divided members of this house and, presumably, that divided opinion in the country. Hon. members on both sides of the house, holding deep convictions on aspects of the bill relating to private morals and life and death, will at least be able to say to their constituents, "We did our best; we put our views to