

*Criminal Code*

police are called and this usually depletes the number of available policemen for other duties; so the police department has to call in policemen who are off duty or working other shifts. This all adds to the city tax bill, as the police have to be paid for working extra time.

During the post office strike in London there were never more than six or eight pickets on duty, working a three or four hour shift; consequently there was no trouble.

In conclusion, Mr. Speaker, we must all remember that the workingman or woman of this nation pays over 60 per cent of the income tax received by governments. He has no loopholes to avoid taxes, because it is all taken from his cheque before he receives it. Workingmen and women of this nation buy the products of their labours, and pay the full retail price. They are quite willing to pay their way, but they must have some guarantee that they will receive their fair share of the economic pie, so that they can live and play with dignity in the new just society.

*[Translation]*

**Mr. Guy LeBlanc (Rimouski):** Mr. Speaker, the legal results of such an amendment seem to me, at first glance, to be very clear. At the present time, picketers are, I think, free to give information to other people, who are in turn free to decide whether their relations with the picketers could in any way affect their contractual and working relations with the employer.

The proposed amendment would give picketers the right to try to persuade persons who have signed a contract with an employer to violate their contractual obligations. I wonder whether there is not some way other than picketing to persuade our fellow-Canadians.

According to the act, picketing is used to communicate information, to receive or give information. That is where the provision of the act is obsolete because in this day and age it is possible to use many other means of information without having to meet in groups in the street. There is television, the telephone, the newspapers which can be received in every home in Canada every day, and many other means of communication.

Now, this is an attempt to include the right of persuasion which is a real right and I think that the workers should have that right. On the other hand, I wonder if striking workers who want to persuade their fellow-workers or some of their fellow-citizens could not, as is done in other circumstances in other fields, simply ask them to a public hall to

[Mr. Turner (London East).]

inform them, influence them or even visit them at home if they agree.

In many cases, such a permission would be granted to them. I know very well that if workers in my area were going through that ordeal—and being on strike and having to picket to seek justice, in the case of a legal strike, is an ordeal—and asked me and friends of mine permission to meet me in my home, as an ordinary citizen, and explain their problems so that I can understand them, so that I can take sides with them, to help them defend their cause, I, as the majority of responsible citizens, would accept to receive in my office or in my private home those workers with problems to be settled.

In my opinion, the decision on the advisability of such an amendment would rest with the Minister of Labour (Mr. Mackasey) rather than with the Minister of Justice (Mr. Turner). The Minister of Labour and the Minister of Justice could get together as they have probably had occasion to in such cases, in order to update our legislation.

• (5:30 p.m.)

Furthermore, since this amendment could affect public order in general as well as the ownership and civil rights in the provinces, a change such as that proposed in this bill would require consultation with provincial representatives in order to determine the border-line between provincial and federal jurisdiction with regard to those ever so complex labour relation problems.

The legal implications of this bill could lead to further complications. The sponsor of the bill (Mr. Broadbent) and its supporters in general have often taken this opportunity in this house or elsewhere to express their viewpoint in this respect. Generally speaking, this problem is a matter for the provincial rather than the federal government.

However, in their opinion, the federal government could look after it by changing subsection 2 of section 366 of our Criminal Code. Thus, the matter of watching or besetting, which is allowed under this section, could be defined so that our courts could no longer limit the number of people involved in picketing and punish the picketers and the labour unions, if they attempted to get the support of others.

That is why the Minister of Labour has often been asked to discuss with the Minister of Justice and Solicitor General (Mr. McIlraith) the possibility of amending subsection 2 of section 366. Then, when a strike is legal,