

Public Order Act, 1970

The Deputy Chairman: Shall the title carry?
Title agreed to.

The Deputy Chairman: Shall I report the bill?
Bill reported.

Mr. Turner (Ottawa-Carleton) moved that the bill be read the third time and do pass.

Hon. Robert L. Stanfield (Leader of the Opposition): Mr. Speaker, I shall be voting for the third reading of this bill but I shall not be voting happily. I shall be voting for it because it is a temporary measure, because despite its weaknesses it is an improvement on the War Measures Act. Above all, I shall be voting for it because it gets rid of the War Measures Act, the invocation of which has not yet been justified by this government. Those are my reasons for voting for the bill on third reading. I want to make it perfectly clear to the government, to this house and to the people of Canada—

An hon. Member: You had better find a better one than that.

Mr. Stanfield: Did I hear somebody over there say, "You had better have a better one than that"?

Mr. Ricard: The member for St. Boniface (Mr. Guay).

Mr. Stanfield: Well, you had better have a better one than this. I want to make it perfectly clear that this is not a good law. It has serious faults, and in one way at least it is a very bad piece of legislation. It is very bad despite all the demands of the members of this House, despite the demands of many independently-minded citizens of this country and despite the demands even of a majority of delegates to last weekend's Liberal convention in Ottawa.

• (9:10 p.m.)

This government has stubbornly refused even to consider the establishment of an independent review commission to guard against abuses in the operation of this act. Today the Prime Minister (Mr. Trudeau) said that in some way this would involve, on our part, an act of mistrust toward the government of Quebec. It is this Parliament and not the National Assembly of Quebec which has this legislation before it, legislation which we all recognize abridges on a temporary basis the civil rights of Canadians. This Parliament is responsible for taking this action. I submit that it is not too much for members of this Parliament to demand, as we have demanded, that there be guarantees against abuse.

An hon. Member: But you will vote for the bill.

Mr. Stanfield: It is suggested that somehow this would involve a lack of respect on our part for the government of the province of Quebec. Mr. Speaker, I want to make it clear that I suffer from a very grave lack of respect for any government which will not provide for a reasonable

[The Deputy Chairman.]

review in connection with the abrogation of civil rights, as provided in this bill.

Some hon. Members: Hear, hear!

Mr. Stanfield: It follows from this that I lack respect for the government of Canada, for the government of Quebec and for my hon. friends opposite. The government of Quebec and perhaps the governments of other provinces will be using the special powers passed by this Parliament. I do not see how it can be said that it would somehow be derogatory to the province of Quebec if we were to insist upon an independent board of review. I have not heard any member opposite seriously try to justify the absence of an adequate review provision. Not one member has risen in his place, sir, and really attempted to justify the absence of a board of review, although I notice that quite a number of them tried to hide behind the Constitution and constitutional provisions that just do not exist.

Mr. McCleave: That is right.

Mr. Stanfield: There is no question at all that jurisdiction over criminal procedure lies with this Parliament. If for any reason it seems to the government to be more politic to have such a board of review established by the government of the province of Quebec rather than by this Parliament, then let it obtain that assurance from that province. The government's attitude and the Prime Minister's attitude today was that a committee of civil libertarians should be allowed to visit the jails. The suggestion that this constitutes an adequate arrangement for review is nothing short of fraudulent.

Some hon. Members: Hear, hear!

Mr. Stanfield: I say, Mr. Speaker, that anybody who pretends that a committee of civil libertarians constitutes an adequate board of review deserves nothing but the contempt of this House. I say that the government's attitude toward this proposal has been at least consistent with its attitude toward all the other proposals put forward by parties in the opposition. Obviously, the word went out that there should be no changes whatsoever in the bill except in so far as they might be put forward by the government itself. Why is that, Mr. Speaker?

An hon. Member: Vote against the bill, then.

Mr. Ricard: Hon. members over there are too dumb to understand anything.

Mr. Stanfield: Mr. Speaker, the opposition have shown their good faith in voting for the principle of the bill on second reading. Why is there all this stubbornness?

Some hon. Members: Oh, oh!

Mr. Stanfield: I might say that all the static from the rabble opposite is a pretty good indication of their present attitude.

Some hon. Members: Hear, hear!