

In introducing the government bill, the then solicitor general, the hon. George McIlraith, commented on the purpose of the proposed legislation, and I would like to quote that:

In this whole subject there is the problem of striking a proper balance among the different needs.

It seems to me that our prime and paramount need, and indeed the whole purpose of seeking to legislate on this subject, is to provide some means of removing from a person, who has been convicted and subsequently re-entered society and rehabilitated himself, that rather vaguely defined but nonetheless real stigma that he seems to have to carry with him in later life in those circumstances it would seem to all that it is unjust. That is the primary need. But consistent with that I suppose it is only responsible to say that we must not in correcting that evil, create another by removing the proper need relating to the identification of criminals who are still engaged in criminal activity. It is a delicate matter of adjustment to get a proper balance because that latter need, while not the paramount one in this type of legislation, is nonetheless an important one which cannot be brushed aside or ignored.

It would seem to me that we face, in the current situation, the same fundamental question that was posed when the legislation was first introduced in 1967. What is the legitimate balance between the objective of assisting those who have transgressed the law to reform and lead crime free lives and equally legitimate needs of the policing authorities and the community at large to be protected from a recurrence of criminal activities.

In truth, I must say that the question is one that requires very serious thought. Certainly, it is worth the time of this House to ensure that all the opinions on a very important issue have been canvassed.

We must not rush to make one change to a complex piece of legislation which may have far-reaching and unforeseen consequences on the other parts of the system. Has sufficient study been done, is a question which we must ask. Have the opinions of the interested parties been sought and secured? Ideas for change in this area were first presented to the House in the form of a private members' bill, as I have already indicated. That is much like the proposal which is before us today.

The government of that day apparently recognized the importance of implementing change in this area and encouraged to act on that initiative by Mr. Tolmie, proceeded to study options for reform and to present to the House, a government bill. That bill proposed com-

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prehensive reform, and resulted from a consensus of those with knowledge of the subject.

It may well be that we are faced with a similar situation today. My preference would therefore be to see a substantive review of the issues take place, leading to a presentation of a comprehensive set of recommendations, based on the bill which is before us.

If I may draw an allusion, I would suggest the introduction of the current measures, like that of the original private member's bill presented in 1966, should be followed by a period of reflection.

I would suggest that perhaps during the period of reflection, the hon. member for Mississauga who presents the bill, might be pleasantly surprised, given time, at just how far reaching his actions may prove to be.

In fact, I understand that officials within the Ministry of the Solicitor General are presently studying the very reforms suggested in my friend's bill. I also understand that this review of the issues will consider other possible reforms as well.

If I may for a moment return to the historical review of the debate at the time of first passage of the Criminal Records Act, I believe hon. members will be struck by the continuing parallels to the task which faces us today.

The justice committee at that time was fully informed on the complexity of balancing the various dictates posed by the objectives of the legislation. They were cognizant of the need to create an act which would remove as much as possible the residual stigma which remained for those offenders who successfully rehabilitate themselves.

They were also aware of the need to consider the complications to the actual functioning of this act, created by the split in criminal justice responsibilities between federal and provincial government.

Our learned predecessors were sensitive to the fact that the vagaries of public sentiment often discriminate against persons with a criminal record. This was most true then, as it is now, in the vital area of employment.

However, are we to forsake entirely our responsibility to ensure that people who are hired for sensitive positions are adequately screened before being offered a position of such trust?