anyone who reads the newspapers or listens to the radio knows that almost every day there are reports of crimes being committed by young men of sixteen or seventeen. It is quite common to read of these young people committing or attempting to commit burglary, for instance, and often they are armed. But I do not think we have so far had any cause for believing that boys under fourteen are likely to engage in this kind of criminal activity. Under the Juvenile Delinquents Act most provinces regard children under sixteen as minors, and in certain provinces even children up to eighteen are so classified. Honourable members will recall that in a recent discussion I stated my intention to propose next session that the definition of a minor under the Juvenile Delinquents Act be made uniform in all provinces.

I wish to mention one other point that was dealt with by the senator from Toronto-Trinity. Subsection (2)(a) of the proposed new section 128, on page 8 of the bill, exempts persons in the business of repairing firearms from the requirement to have a permit for arms in their possesion. If no change is made in this provision and the proprietor of a repair shop does not have to be shown a permit by anyone who brings in a firearm for repairs, then any criminal will be quite within the law in taking a gun for which he has no permit to such an establishment for repairs.

If we were not so near to the end of the session I would criticize other sections of the bill. But in the circumstances I will content myself by going now to my amendment to the proposed new subsection (4)(d) of section 285 of the Act, which provides for the chemical analysis of the blood, and so forth of persons charged with driving a motor vehicle while under the influence of alcohol or drug. The subsection reads as follows:

> In any proceedings under subsection four or four (a) the result of a chemical analysis is of a sample of the blood, urine, breath or other bodily substance of a person may be admitted in evidence on the issue whether that person was intoxicated or under the influence of a narcotic drug or whether his ability to drive was impaired by alcohol or a drug, notwithstanding that he was not, before he gave the sample, warned that he need not give the sample or that the results of the analysis of the sample might be used in evidence.

Honourable senators, I have been practising law in the courts of Saskatchewan for nearly forty years, and in that time I have been connected with a good many cases brought under the Criminal Code. As the years have passed by, I have been more and more impressed by the fact that we are getting away from British principles of law. I was born in the Province of Quebec and am familiar with the laws of that province. I later migrated to the province of Saskatchewan, and am familiar with the laws of that province, so I have been able to compare the laws of the two provinces. Frankly, I am a great admirer of British institutions and the principles enunciated in the criminal law, that a man is presumed innocent until proven guilty, and that he may not make a statement or confession as to his guilt unless he has first been warned that it may be used in evidence against him.

Let us consider what may happen under the provisions of the present bill. A man may be drugged by his friends as a joke. Oh, let us say that three people stop at a restaurant and two order liquor and the other takes tea. The tea drinker may unknowingly be drugged by his companions and then be placed behind the wheel of an automobile which is presumed to be in his care. You will note that the section provides that whether or not the car is in motion, it is presumed to be in his care and he is responsible for it. The unfortunate victim is then arrested, conducted to the police station, and without any warning of the consequences a sample is taken of his blood or urine. This, to my way of thinking, is not in accordance with the principles of British justice and the application of criminal law as I know it, and it is obvious that unless such a sample is taken at the proper time it is of no value.

I read in the *Montreal Gazette* this morning that the Minister of Justice had been congratulated upon having removed from this bill the provisions referring to what is called the tapping of wires. Let him withdraw the section providing that, without proper warning, some part of a human may be tapped, and then he may properly be congratulated.

Honourable senators, I have moved the amendment before the house because I am opposed to the obtaining of convictions by requiring an accused person to do something he knows nothing about and over which he has no control. The proposal to use against him evidence obtained in such a way is contrary to all the best principles of criminal law, as I know them. I do not think that is a just way to treat an accused person.

During my years of practice I have always respected and been on good terms with the police officers of my province. At the same time I despise the use of spotters a device that is contrary to all principles of British law. The amendments which have been creeping into the Code have allowed such practices to become all too common.