

Liberal members of the committee and the chairman agreed that rules and regulations proposed under Bill C-83 should be brought before the House of Commons and subjected to scrutiny. Mr. Speaker, that is the only way to legislate criminal law. In passing such laws, we must be concise and precise. I congratulate the chairman for his position, and I think he agrees with mine.

**Mr. Gilbert:** He is present in the House.

**Mr. Woolliams:** The duties of the commissioner are substantial. He will be busy indeed, being responsible for the issuing of permits, dealing with prohibited and restricted weapons and issuing certificates to people who want to buy guns. I do not know how large his staff will be, what the cost will be, or what fees will be charged. Mr. Speaker, one should not enact such provisions by order in council. The criminal law must be precise and concise, as the chairman of the committee said when we studied Bill C-83. Other members of my party will speak on other aspects of the bill, and possibly cover some of the ground I covered in my remarks.

I now deal with the clause which I think it is good to include in the bill and which I hope will do the necessary job. I am speaking of the clause relating to dangerous offenders. In March this year I addressed a question to the Minister of Justice concerning an inmate of an institution who had been released on mandatory parole by right of law. That person had, on several occasions, been charged with raping children aged six and seven. He applied to be released on parole. The Saskatoon parole division was not empowered by law to refuse that parole. The chairman of the Saskatoon parole division wrote a letter to the Calgary parole division about this man who had raped children. This man has lived a life of crime, involving rape and indecent assault, and it was feared that he was capable of killing his next victim. Unfortunately, this man was released in society. He left Saskatoon and came to Calgary, where he was an unwelcome guest.

I have put before the House our position on this bill and have said where we stand on the question of electronic surveillance, or bugging. As I tried to explain carefully, and I argued by referring to case law and precedents, judicial interpretation of electronic surveillance provisions has placed too much power in the hands of those in authority. I tried to show how such power can be abused, to the detriment of the citizens of Canada. We must examine this question as well in committee.

I spoke of the difficulties associated with gun control rules and regulations, and mentioned some of the weaknesses and strengths of the bill. I still remain to be convinced that the bill will prevent a crackpot from acquiring a gun and shooting someone. This is a technical bill, and in order to debate it thoroughly one needs to do a great deal of research.

In conclusion, may I move the amendment which I said at the beginning of my remarks I intended to move. Therefore, seconded by the hon. member for Edmonton Centre (Mr. Paproski), I move:

That all the words after the word 'that' be deleted and the following substituted therefor:

### *Criminal Code*

Bill C-51, an act to amend the Criminal Code, the Customs Tariff, the Parole Act, the Penitentiary Act and the Prisons and Reformatories Act, be not now read a second time but that the subject matter thereof be referred to the Standing Committee on Justice and Legal Affairs.

As reported at page 11636 of *Hansard* for March 9, 1976, a similarly worded motion was proposed. I moved an amendment in similar terms, which Mr. Speaker accepted. If one substitutes Bill C-51 for Bill C-83, the terms of the amendment proposed today and that moved previously become exactly similar.

**Mr. Stuart Leggatt (New Westminster):** Mr. Speaker, I am pleased to participate in this debate and I particularly appreciate the remarks initially made by the hon. member for Calgary North (Mr. Woolliams) who threw bouquets in all directions. He congratulated the Minister of Justice (Mr. Basford) on accepting his proposed amendment. For a while I suspected he was preaching for a call. I know the hon. member for Calgary North is secure in his position as a practising lawyer, but I am sure he would make an excellent judge.

**Some hon. Members:** Hear, hear!

**Mr. Leggatt:** I was greatly impressed with the erudition of the hon. member for Calgary North and listened with interest to his arguments concerning the wiretap provisions of the bill, arguments he backed with case law. It is refreshing to hear an argument backed with that kind of in-depth research and logic. Too often we deal with such questions on the basis of emotionalism rather than logic. When speaking of wiretapping the hon. member did himself and his party and, indeed, the entire opposition, proud. Later I shall speak in some detail on gun control but for a moment let me deal with wire-tapping.

First let me say that in my remarks I do not intend to reflect on the ruling Mr. Speaker handed down in this House relating to the procedural point which we raised several days ago. Unfortunately our present procedures, which follow parliamentary tradition, do not give members of this House any chance on second reading to distinguish between their support or otherwise of wiretapping and gun control. That procedure is unfortunate, and it seems to me a device must be found beyond that suggested by the Speaker, which simply involves deletion on third reading. We need desperately a proceeding which will apply to the second reading vote, which is most important, in order to enable the public to understand our positions.

Obviously, in terms of gun control, this is a compromise bill. We have half a loaf, which is sometimes better than no loaf at all. But we do not support the wiretap provisions of the bill. We feel as strongly and vigorously as we ever felt that those provisions of the bill are an insidious invasion of the privacy of Canadians. These further extensions of that insidious invasion must be resisted by members of the opposition in the interests of their constituents and in the interests of freedom of the mind, that freedom of the mind which all Canadians cherish.

● (1710)

Why I say that the whole wiretap question becomes one that is insidious and, in a sense, immoral is that in the mind of a