

Criminal Code

roads. I am convinced that firmer action is required by this parliament to shake up the conscience and state of awareness of the Canadian people, and to support the sound sense of the admonition found on some billboards, "If you drink don't drive, if you drive don't drink." If you heed that observation I can say that is the admonition to which this test is applied. All of us have been in the situation where we have said to ourselves—and I am not a hypocrite about this—"There but for the grace of God go I."

• (3:30 p.m.)

I now want to talk briefly about firearms. A number of significant amendments are proposed which will tighten control over the availability and the use of firearms in the interest of public safety. This is a tougher gun law. There are some entirely new offences and procedures created by the bill. It provides for the making by a court of a prohibitory order against criminals who have been convicted of offences involving firearms. It provides for a new search and seizure procedure at the instance of the provincial Attorney General where the personal safety of any person is involved. It provides for a new offence of selling or in any way transferring a weapon to anyone under a prohibition order or to anyone of unsound mind. It provides for a new offence of dangerous use, carriage or possession of firearms, aimed at the trigger-happy hunter, the type who goes out into the woods, hears something and fires, the type who sees something, does not know what it is, and fires. At the moment juries are loath to convict because the only available charge is criminal negligence with a maximum penalty of life. This new offence will have a maximum penalty of two years.

The bill provides for a more realistic approach to the question of possession of firearms by younger persons by generally prohibiting children under the age of 14 from using firearms except under the personal supervision of someone who has a permit, someone who is lawfully entitled to use a firearm. It requires young people between 14 and 17 years of age to obtain a permit to possess a firearm of any sort.

I am going to confess to the house that I do not believe there is any foolproof gun law. Even if we were to withdraw every weapon in the country—

An hon. Member: You would have a revolution.

Mr. Turner (Ottawa Carleton):—even apart from the political factors involved, if we were to enforce registration of every weapon in the country a gun could always get into the wrong hands, and in this area of legislation, as in others, it is not possible to reconcile all the conflicting interests.

I am glad to say that no gun enthusiast or organization of sportsmen or gun club has ever suggested to me that there should not be a gun law. The real issue, I would submit to hon. members, is to achieve controls which will discourage and penalize the criminal and the criminally careless, which will remove lethal weapons from the irresponsible or mentally ill, which will help to foster social attitudes against violence and which will at the same time leave the avenue open for responsible people to engage in legitimate sport and hobbies involving firearms in the same way as those interested in motor racing are left free under restricted and controlled conditions to exceed the speed limit.

I now want to turn briefly to the question of lotteries. I may say that I am dealing now with those clauses of the bill that have provoked the most public response and comment. The proposed amendments concerning lotteries—and when I use the word "lotteries" I mean games of chance generally—incorporate a fundamentally new approach in the sense that the amount and nature of gaming which will be permitted will depend to a considerable extent on the policy of provincial authorities in issuing the licences to which I will refer in a moment. The attitude toward lotteries in Canada varies in various parts of the country. The proposed amendments will provide, to an appreciable degree, for recognition of that fact. The nature of the proposed amendments might be described as local option within prescribed limits set in the Code. The amendments also clarify an important obscurity in the present law in relation to the conduct of lotteries by religious and charitable organizations.

[Translation]

I shall just deal, Mr. Speaker, with a few essential aspects. First of all, any provincial government, either alone or in conjunction with the government of another province, will be allowed to conduct a lottery. I was asked, on several occasions, whether municipal institutions would be also allowed to conduct lotteries, under the proposed act. The answer is no, except in the case of provincial lotteries where they may be appointed as representatives of the provinces.