

*Criminal Code*

to the legislative process in the House of Commons, and (b) to the understanding of the legislative process by the general public.

In respect of this bill the general public deluged us with representations pertaining to firearms—and they may do so again—but generally ignored the equally important provisions on electronic surveillance, dangerous offenders, and custody and release of inmates. I dare say members would not be stoop shouldered from the weight of correspondence received in regard to the rest of the legislation. I think this practice is so bad that it misrepresents to the public the intent and purpose of parliament. If parliament is to remain relevant, if the actions of members of parliament are to be understood, and if members are to be held accountable, then I think this practice ought not to be followed.

I repeat, Mr. Speaker, that omnibus bills do nothing but prolong debate in the House. In this day and age of communications being almost instant between constituents and members of parliament, the member has somehow to explain himself and the position he takes. The only way he can do that logically is to answer the mail he receives which comes from a few people who question his actions, or else the only place he can do it is in this House where it is put on the record.

We are dealing with the whole attitude of the public toward parliament. A line has to be drawn somewhere and a study made of what is happening. It may be that in your summation of the position, and in your findings with respect to the arguments put to you, that you can commence the drawing of the line between what is appropriate for an omnibus bill and what is not appropriate. It may be that you do not feel you can do it here, but I hope you can. It is important that the House of Commons start—and the public will follow in terms of knowledge—to understand that there is a limit to the use of the omnibus bill, the lumping together of all kinds of things that may be related but often may not be related at all. That leads to such confusion that only a Philadelphia lawyer could understand the bill to begin with, and members of parliament have difficulty in establishing clearly and succinctly for the public what their position is, and ensuring that the positions taken in the House are not misconstrued.

I am not going to repeat the precedents. I think the hon. member for New Westminster has done that. I must say in conclusion, however, that if the practice is to be found legal in the sense that governments can have all they want with respect to omnibus bills, then this practice, which is continuing and growing, borders on the irresponsible. It could very well bring this House into disrepute and make the life of members, in terms of how they vote, untenable and, worst of all, unexplainable.

[*Translation*]

**Hon. Francis Fox (Solicitor General):** Mr. Speaker, I do not intend to speak at length on this matter. I listened with a lot of interest to the hon. member for New Westminster (Mr. Leggatt) and the hon. member for Grenville-Carleton (Mr. Baker). If I did understand the argument of the hon. member for New Westminster, he suggested that the procedure adopt-

[Mr. Baker (Grenville-Carleton).]

ed in this case by the government in relation to Bill C-51 was clearly within the rules of the House but he was objecting on the grounds of the privileges of the House. As to the hon. member for Grenville-Carleton, in his inimitable and usual style he said he was confused—which did not surprise government members—and did not understand the legislation put forward by the government. In brief, Mr. Speaker, the hon. member for Grenville-Carleton nevertheless clearly stated, at least it would seem, that this practice was legal and sanctioned by the customs of this House, and in fact we all know that the practice of introducing omnibus bills in the House is not a recent one, particularly in relation to the Criminal Code to which the hon. member for New Westminster referred, who did try to limit his remarks to the amendments in Bill C-51 dealing with the control of firearms and the amendments dealing with wire-tapping.

So, Mr. Speaker, it is not a new area in which the practice is to have omnibus bills, and the reason for that is quite simple: the Criminal Code, as we all know, includes a great variety of provisions on a great variety of subjects. If one wanted to push the argument of my hon. colleague to the extreme a separate bill would have to be introduced every time we want to touch any section of the Criminal Code if the amendments did not all deal with the same subjects.

I will give a few examples, Mr. Speaker, with respect to omnibus bills. First, in 1969, the government introduced Bill C-150 amending the Criminal Code with respect to firearms, lotteries, abortions and alcohol abuse. In 1975, we had Bill C-71 which also included a whole series of provisions about summary conviction, rape, appeal procedures and release on bail. Moreover it is our usual practice not only in criminal matters but also quite frequent in non criminal matters to use the same procedure, as was done during this session for Bills C-19, C-27, C-48 and C-52.

However, I would like to say a few words in answer to the point raised by the hon. member for New Westminster who said that hon. members would not have the opportunity to vote on each provision itself, but would have to vote on the provisions taken as a whole. On this point, I would only refer hon. members to two paragraphs of the debate of January, 26, 1971 when your predecessor had to make a decision on an issue which was not identical but similar matter. I quote from page 2768 of *Hansard* for January 26, 1971:

● (2040)

[*English*]

Perhaps hon. members might have wanted to say the same thing about the bill now before the House. There is no question, without going further into the details, that this is a long established practice. We have had this type of omnibus bill before the House on many occasions.

[*Translation*]

Of course the Chair goes on and says a little further:

[*English*]

The House must note that there is a third reading stage of a bill. When a bill comes to the House for third reading—