

Evidence Act amendments, and along with the bill now before us we have on the order paper a bill in regard to the invasion of privacy.

In all of these moves to amend the law we have been conscious of the view that there is an important distinction between law and morality, that not everything which some of us may regard as wrong or undesirable need be included within the prohibitions of the law. The law does not have to interfere in everything that is regarded as wrong: it need not be overzealous in this regard.

The legal system is designed to assist in the promotion of order but, of course, the promotion of order itself is desirable because of the freedom which it allows us as citizens in society. Order is important for our freedom, for the free exercise of our rights and for the enjoyment of life itself. The legal system promotes that order.

The order which we are talking about is not brought about by law enforcement alone. Law enforcement is important and we must not lose sight of the importance of the quality of the law enforcement process. That is vital. But order in our legal system is brought about, as well, by the reasonableness of the law inducing a willing compliance on the part of members of our society who see how the legal system means to provide order and how that order means to provide for their freedom.

For far too long we went without any very quick responsiveness on the part of our legislators when the law was seen to lag behind and when it was seen by many who knew it best to fail in providing reasonable solutions. It failed to do that because we seemed never to be able to give adequate attention to the question of reform and improvement of our law in the face of what some thought were more pressing problems of economics or other practical matters.

It has been the performance of this government, and it is my pledge as Minister of Justice, to provide quick action where changes in the legal system are seen to be necessary. To this end we have been improving the ability of the government, and the abilities of others have been improving at the same time, to study what changes should take place so that we can react to studied suggestions for reform. The formation of the Law Reform Commission has been an important step in this regard.

We have seen the growing strength of research in our universities and in our faculties of law across the country as well as in the Department of Justice. From these we may expect increased research and examination of the legal system, with recommendation where it may fail to provide that reasonable order to which I have referred. The bill before us contributes to the process of reform in part by establishing new offences in an attempt to secure a higher level of order through their existence. At the same time, this bill responds in other ways to views about where the law need not be and where we have been out of date in our application of either offences or procedures.

In the area of new offences, the bill before us establishes the offence of hijacking by that name and the related offences of endangering the safety of aircraft in flight and the taking onto aircraft of offensive weapons without authorization. Some of these matters may have

been dealt with under existing law in other ways but here we deal with them explicitly.

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In the establishment of these offences we have ratified the convention on the unlawful seizure of aircraft which was signed at The Hague on December 16, 1970, and the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation signed at Montreal on September 23, 1971. Among the new offences is included the offence of disturbing the peace in relation to apartment dwellings. Protection has been available to those who live in houses in the traditional style and this protection is now extended to those who live in apartments. In a slightly different legal category we propose to treat as *prime facie* evidence of an offence the obliteration of serial numbers of motor vehicles, for more effective enforcement of law in that area.

There is also, under this bill, the introduction of an offence for the turning in of false fire alarms. This has been the subject of bills placed before the House, most recently by the hon. member for Saint-Denis (Mr. Prud'homme) who withdrew his bill in this session when we tabled for first reading Bill C-2 which is now before us.

The bill removes certain offences and punishments from the law. Corporal punishment is removed in its entirety from the Criminal Code of Canada. We have not used very much this particular form of punishment in Canada in recent years and there has been a growing feeling that it should not have a place in our system at all. This is not to say that corporal punishment in other places and in other situations does not have its role, but we feel that in the penal system, in the penitentiaries and prisons it is out of place and undesirable as a technique for deterrence or punishment.

We have removed, as well, the offence of attempted suicide, again on the philosophy that this is not a matter which requires a legal remedy, that it has its roots and its solutions in sciences outside of the law and that certainly deterrent under the legal system is unnecessary.

The offence of vagrancy, which to this day has been applied in many different ways in the legal system, is modified very significantly. Here we have an offence which has been applied differently to the rich and to the poor in our society and we propose to move against this difference in application. There will be some who will feel that it has served useful purposes, but the question is whether when it served those purposes it was being fair to those who were caught up in it.

I believe that if we must find better ways of strengthening enforcement, we must do so in ways which are more equitable, and we have applied that principle under this legislation. In citing this change I liken the move to action which has been taken with regard to bail reform to which I referred earlier. Here, too, we recognized certain risks which the change entails, risks in regard to law enforcement and perhaps additional difficulties for our law enforcement officers. Yet the changes are necessary in order to try in some way to attain greater fairness in our law as applied to the privileged and to those who are less privileged, to the rich and to the poor. This is an ideal which we must always keep before us. It is not one easy of