

*Measures Against Crime*

sons can be carried out just as easily without the benefit of firearms.

The real problem at hand is the high incidence of crime and the search for methods of reducing it. If this could be achieved by eliminating a weapon from the market, or more specifically in this case, requiring registration of its ownership, then this action would be supported. However, this action can be discarded as ineffective since violent crime can be committed with any number of weapons.

I would now like to focus my attention on another relevant aspect of this complex situation, and that is the role of our courts in the administration and enforcement of this proposed legislation on gun control. We all are aware that our courts are inadequately equipped to deal with the heavy caseloads that are before them now. If there is any one area within the system of Canadian justice that requires priority treatment it is the courts and the trial process. The delays in criminal proceedings from the time of a charge being laid to the ultimate disposition of a case are not only unnecessarily long but grossly unfair to the innocent, and much too favourable to the guilty.

If we are to have a criminal justice system that works effectively and is to be seen to work effectively, it must be a system that is able to handle cases with dispatch after charges are laid, and which will pass sentences or give decisions more rapidly than is the case at present.

I have the greatest respect for the members of the judiciary. In no way are my remarks to be seen as a reflection on their competence except that it is of a very high level. These honourable men and women who sit in judgment are overworked and stifled by a system that cries out to be corrected. The first priority of the government must be to encourage the provincial governments to bring about more uniform and more rapid reform to our legal processes.

The creation of new offences such as failure to license guns will only further encumber the courts and tax the already overburdened judicial system. Furthermore legal contests, particularly in the more serious offences, will inevitably add to the cost of the taxpayer and of the individual as a private citizen. I have grave reservations in this respect with regard to the clauses dealing with owner liability. I can envisage a countless number of non productive court cases tying up the legal processes for long and unnecessary periods of time because of this most contentious and ill thought out piece of legislation.

● (2120)

Having concentrated my efforts on the gun control aspects of this legislation, and I think successfully illustrated why it is inadequate and unacceptable, allow me to offer some constructive suggestions on the same subject. First, I restate my position that these provisions should be severed from the rest of the bill so that the gun control clauses may be dealt with more effectively. The bill cannot be properly debated in this manner due to its complexity, and adequate conclusions cannot possibly be reached.

However, with the limited means which are available to me and to my colleagues in the official opposition, I will attempt to impress upon the government some of the more useful approaches it could be taking with regard to the over-all issue of gun control and all its related ramifications.

[Mr. Wise.]

There are indeed clauses of this bill which indicate that the government intends to take a tougher stance against the perpetration of violent crime. However, these particular measures leave much to be desired if violent crime is to be substantially reduced.

Only recently a policeman was murdered and two hostages subsequently taken in the city of Calgary by two men, both of whom were out on bail for alleged offences in the city of Vancouver. One of these men had been charged with murder, and the other with attempted murder. Public outrage has once again been expressed over this incident despite the alarming regularity with which such occurrences now take place, not only because another policeman has been shot down while attempting to do his duty in protecting innocent citizens, but also because his murderers were men already free on bail after being charged with serious offences. Registration of firearm ownership would have in no way prevented this tragedy.

I know that the government will say that those released on bail will soon not be permitted to purchase guns, but this will just be another of a continuing series of sham arguments on this subject. Violent men who are planning an armed robbery will secure firearms with a minimum of difficulty regardless of the rule, and every hon. member here knows it. What I am suggesting is that no bail be allowed for offences involving dangerous weapons where there is a previous record of violent crime.

I suggest too that guidelines be prepared in restricting somewhat the latitude allowed for the granting or denying of bail in the case of first offenders where it is obvious that the alleged offender is a potential danger to society. I realize that the inherent difficulty in this proposal is the criteria to be used in determining who is and who is not a potential danger, but surely some cases will offer obvious conclusions.

A bail hearing can differentiate between a case where the evidence is circumstantial and bail must be granted, and a case where reliable witnesses leave little doubt as to the violent nature of the accused. There will be instances where such distinctions are not clear, but that is what our honourable ladies and gentlemen of the bench are for. These decisions must remain in their hands, but some legal guidelines are desperately needed.

At this point I wish to make clear that I recognize the possible danger to the rights of the innocent in these proposals. It ties in with my previous argument, however, that the government is focusing on the wrong aspects of crime prevention and punishment. Were the court processes speeded up to an acceptable rate, it would be much easier to detain obviously violent offenders for a short period of time while awaiting trial. I quite agree that under the present ineffective system it does not seem practical or even desirable to remove such rights to bail from the accused.

With all these vital problems strangling our system of criminal justice and law enforcement, and the government reacting in its usual sluggish manner, it seems ludicrous that such useless and ineffective legislation as this gun control measure should be rammed down our throats by tying it in with the rest of Bill C-83 which, while weak in nature, is not without some merit, and with gun control removed could well be worthy of my support.