

*Measures Against Crime*

and to ensure that they are not further damaged in these legislative proposals.

Fifth and finally, because it is a subject that has interested me for many years, I do not see here any recognition of the fact that our prison system has failed utterly to be either a source of security and protection for society generally or a protection of the legitimate rights of the individuals who are from time to time incarcerated.

In many ways—and this has not been admitted by the government—certain aspects of our criminal justice system are a disgrace. In fact the government has reacted to myths; it has tried, by its own understanding of public opinion, which has been in some cases badly informed, to deal only with the effects of violent crime in our society. It has provided a kind of band-aid solution. I think there has been a total failure to grapple with the basic causes and not come up with workable suggestions and solutions in this Chamber. Incredibly, instead we have legislation before us which, in my opinion, largely reinforces in a number of instances false concerns and anxieties. May I say that it will make it much more difficult to solve these problems in the future and ultimately more dangerous and more insecure for the public at large.

I believe that the government has the responsibility to give leadership. We are going through a system of social change. We have to think clearly and freshly about how we will clarify criminal actions and deal with offenders in our society, but we are certainly not going to do it with this bill.

I think the government has responded with a rather naive document offering the illusion or the veneer of a solution, with only short-term benefits to itself but a very real long-term cost to our country in human and social terms.

I hope very sincerely that when this debate is concluded on second reading and the bill goes to committee a serious attempt will be made by all members to present the government with a much better package out of committee than has been sent to it.

**Mr. Andrew Brewin (Greenwood):** Mr. Speaker, I agree with a good deal of what the hon. member for Egmont (Mr. MacDonald) has said, but I think I come to a different conclusion from him. I think there are some good things in the bill and I think it should be given second reading. Then, I think, it should be amended. I do not think it is helpful to throw out the whole thing.

Three of my colleagues, the hon. member for New Westminster (Mr. Leggatt), the hon. member for Broadview (Mr. Gilbert), and the hon. member for Winnipeg North (Mr. Orlikow), have spoken on second reading of this bill. I agree with what they have said and I want to add only a few points.

First of all, I want to deal with the form of the bill. This bill is a hodge podge of different provisions. In fact, it is about six different bills all rolled into one. It contains 72 pages. I wonder why those who draft our legislation seem completely incapable of ever being concise or precise. These lengthy and elaborate provisions which appear in all the legislation that comes before us are not a source of clarity but a source of confusion, and from the point of

[Mr. MacDonald (Egmont).]

view of form I think this bill is an example of what I would call a monstrosity of verbiage.

My general view of the bill can best be described in the same way as the curate described the egg provided for him at the vicar's breakfast table. He was asked what he thought of it and he said "sir, it is good in parts." I think that this is a fair description of this bill. We have made it clear that, because it has some good parts which are necessary, we think it should be supported on second reading, and we will do our best to have it amended and indeed some parts of it deleted.

I agree with the hon. member for Egmont—I will say it quite briefly—that the title of "peace and security" is a very pretentious title for this bill. It may make some contribution to peace and security, but it is perfectly obvious that alone it will be totally inadequate for that purpose. There is no easy way to achieve peace and security. It involves striking at the causes of criminal activity and it involves striking at the causes of violence. Indeed, it means an awful lot more than just making the penalties more severe. I suppose there is a case for severity sometimes in the field of criminal law, but it is an absolute delusion, and one much too widely shared, that somehow or other you are reducing crime by making sentences more severe as a general rule. It does not work that way.

I think that the hon. member for New Westminster was absolutely right when he said that a real effort to tackle the problems of narcotics—which are a direct cause of a large amount of criminal offences in this country—is called for in order to have peace and security. I think we need a much greater effort to achieve social justice, particularly as it applies to our native population who have been deprived in our society of their own way of life, and who have sometimes tended to lose human dignity and have become involved in petty crimes involving jail sentences, perhaps because they cannot afford to pay the fines that might be imposed. One of the greatest things which this House could do for peace and security would be to insist on justice in respect of aboriginal claims to land and an early settlement of these claims before the Indian land is handed over for development in a way which destroys our native society. If we did that sort of thing we would have a lot more peace and security.

In order to obtain peace and security we need a thorough review and revision of our criminal law. It is timely that the Law Reform Commission—and the hon. member for Egmont has referred to this already—recently issued a report on criminal law which called for no less than the reshaping of criminal law. Acceptance of the philosophy of that report in words and action will do more to provide peace and security than the present legislation.

One of the most effective ways to deter the commission of criminal acts is to have effective means of detection and enforcement of the law. Deterrents are useless unless people have a fairly good understanding of the fact that they are likely to be applied to their cases if they are caught.

There has been no real revision of our Criminal Code for many years. About ten years ago there was a revision but it was superficial in nature; it did not go to the roots of the problem.