

*Criminal Code*

to the parliament of Canada by the then minister of justice, Sir John Thompson.

• (4:10 p.m.)

**Some hon. Members:** Hear, hear.

**Mr. Woolliams:** I am very happy that I have pleased one section of the country.

The development and improvement of the Code over the past 70 years has been largely by way of amendment. The minister told us today: I have got this bill now, but I shall be adding something else tomorrow. He is like Alice in Wonderland. When we look at this great article we see this beautiful, fine picture of a Canadian who is a great reformer.

**Some hon. Members:** Hear, hear.

**Mr. Woolliams:** But he has had to admit that everything he has done to date the Prime Minister has handed to him on a platter. Yet tomorrow, like Alice in Wonderland, he will become a great reformer.

My good friend from British Columbia over there is a member of the bar. I hope he will give this measure some study because I am sure it is important to him and to his people.

As I was saying, the development and improvement of the Code over the past 70-odd years has largely been by way of amendment, as is proposed today. The desirability of proceeding in this manner has been challenged by a leading Canadian authority, Professor Alan Mewett, who in an article entitled "The Criminal Law, 1867-1967" which appeared in the Canadian Bar Review stated:

The numerous amendments present a shocking indictment of the process of criminal legislation.

Professor Mewett concluded in somewhat dejected fashion—he did not appear to be as excited about the Code as does the Minister of Justice—by saying:

Thus, tampered with and tinkered with, it remains the monument of the eminent Victorian, Sir James Stephen.

Later he added:

But it is not a cause for congratulation that Sir James Stephen would be quite at home with the Criminal Code of 1967.

I ask you, Mr. Speaker, whether this same unhappy conclusion could not be drawn in 1968 or in 1969? Of course it could. What should we be looking for, then, when we consider the reform of the Criminal Code? We heard what the Minister of Justice had to say in this regard and I think most hon. members would be in accord with much of his thinking

[Mr. Woolliams.]

as to the need of a codified law relating to the morals of the nation.

The notion that crime can be placed in a single category is erroneous. Violent crimes create a climate of fear in the streets of our growing cities. White collar crime, though important in economic terms, is much less visible than are crimes of violence. The material cost of crimes such as petty theft, consumer fraud, violations of the Combines Investigation Act and embezzlement dwarfs, in economic terms, all crimes of violence.

To control violent crime and white collar crime we must have laws which are practical and acceptable to modern interpretations of life and human behaviour. The Minister of Justice agrees with me in this regard. This is why I hoped the minister, when he talked about amending the Code, would really do a job and not merely scratch the surface.

The value of proper laws and proper law enforcement cannot be underestimated in connection with the control of crime but I have felt for years that we must get at the breeding grounds of crime. What are those breeding grounds? Crime breeds in the cesspools of injustice. Crime breeds in the urban slums of our fast-growing cities. Urban poverty makes people the victims, not the masters, of their environment. A bad environment becomes the hereditary property of succeeding generations.

In order to launch a major assault on crime we must attack the conditions of despair and denial of human opportunity in which crime can grow. However, crime still thrives under conditions of affluence; it is white collar economic crime which is eroding the capitalistic system and promoting more controls, less freedom. Carried to a conclusion, this kind of crime will lead us farther down the road of socialism.

In brief, police, courts and prisons cannot by themselves control crime. We must all deal with it. We must also deal with the underlying causes of crime, the immense and stubborn forces which pervade our environment, form our character and determine the quality of our lives. Through long-range effort in a new land of bountiful resources such as Canada, we can surely conquer poverty, ignorance, disease, discrimination, family breakdown, injustice, social tension and despair. But while we must strive to uproot the causes of crime we must put our practical mind to work in amending the various sections of the Criminal Code in such a way as to guarantee that the law is respected, and so that it shall