

*Measures Against Crime*

● (2050)

Protection against violent acts will precisely be provided in this bill through the following means: first, the provision of increased resources in crime prevention; second, a stricter program of gun control, including increased penalties for those using firearms while making a criminal offence, special provisions to ensure control over dangerous offenders, a real concerted attack against organized crime, by making police investigations easier through wiretap and by establishing a provincial commission of inquiry into criminal activities.

On that matter, incidentally, changes might probably be made to this legislation, in view of the recent decision by the Supreme Court of Canada declaring the Quebec Commission of Inquiry into Organized Crime as constitutional, and finally, the imposing of more efficient selection procedures for freeing violent criminals out in society and the exercise of a better surveillance of these offenders after their release.

We know that the program will also include plans to improve the training of policemen and prison personnel; speed up the building of smaller prisons which will eventually replace the fortress-like present institutions; improve the police special training programs to help law enforcement personnel cope with critical situations; assist police forces by introducing new policies and preventive measures; evaluate the effects of violent crime on its victims; get a better knowledge of the public response to the administration of justice and criminal law.

The House has already passed the bill, now before the Senate, which aims at amending the Criminal Code by, among other things, tightening the conditions for release under bail and correcting the abuses inherent in this system; making more difficult for the organized crime boss to bleach the money he has acquired through criminal activities; and changing rape trial procedure to ensure better protection for the victim.

At the present time the government is considering views expressed by the Law Reform Commission of Canada on some aspects of criminal law and its enforcement, and national consultation is going on to pass new legislation with respect to young offenders. The "Order and Security Program" therefore should be looked upon as a step in an ongoing process, not as the ultimate goal of the government with respect to the protection of society against violent crime.

It is appropriate to bear in mind that criminal justice is essentially a control mechanism and that it is not in itself responsible for the incidence or prevention of criminality in our society. Criminal justice concurs in limiting the incidence of criminality through the awe arising from the penalty it imposes on criminals and in preventing criminality through police action. What maintains order in society is the set of values of society and the efforts made to keep up in every citizen the conviction that he is responsible for his actions and his environment.

With regard to gun control, it is striking to realize that the public is increasingly concerned about the rise in gun-related crimes and incidents. Statistics show that murders committed with guns increased from 178 in 1970 to 272 in 1974. Indeed, guns are used in close to half of the

murder cases. Moreover, each year guns are involved in more than one third of the 2,500 suicides and in more than 100 accidental deaths.

The present legislation controlling possession of handguns is among the best in the world. On the other hand, the owners of some 10 million long-barrel guns such as hunting rifles and shotguns are subjected to few restrictions on their use and handling. The government shares the public concern with respect to the role of guns in crimes, suicides and accidents. Therefore the Criminal Code has to be amended and other measures have to be proposed to control the general availability of guns, to promote increased public responsibility in relation to firearms, and to increase the penalties for the use of guns during the commission of offences.

However, the new legislation does not forbid either legitimate ownership or use of firearms for hunting and target-shooting. In the case of sanctions, the new provisions of this legislation provide for higher maximum sentences when used as offensive weapons. In addition, whenever an individual uses an offensive weapon in committing an indictable offence, he will be liable to a mandatory minimum penalty at least one year and up to 14 years, to run consecutively to any other.

With regard to arms seizure, the police is not now permitted to do so without warrant, except if a crime has already been committed or is being committed. In addition, the law allows the obtention of a warrant if there are good grounds to believe that possession of such weapons jeopardizes someone's interest and security. This provision will be extended to authorize a policeman to seize a weapon without warrant if he reasonably believes that an individual's security is endangered, and if there is no other way out. Thus, a policeman can seize a weapon when a threatening situation arises, for instance, in the case of domestic quarrels which contribute to one third of murders in Canada.

With respect to firearms availability, we know that a great many of the 10 million guns in Canada are held by people who no longer have any use for them. The government must start a vast information and amnesty campaign to recover these useless weapons. The purpose of this campaign is to inform the Canadian people of the responsibilities underlying the possession of firearms and to encourage them to give over voluntarily these weapons at the nearest police station if they do not want to keep them. As far as prohibited or restricted firearms are concerned, the Criminal Code now requires the registration of firearms such as handguns and so on, and it allows the possession of such weapons only at home or at the place of business.

Under the new provisions of Bill C-83, the registration procedure for restricted firearms will become much stricter. The applicants will have to prove that they need these weapons even before a certificate is delivered. The only admissible reasons are the protection of life, legal position, authorized target practice and the collecting of such weapons in good faith. Some weapons are already prohibited. The legislation will extend this prohibition to cover weapons which were restricted before such as automatic weapons, weapons with sawed-off barrels and second-hand weapons which are not very expensive and not very accu-