

*Measures Against Crime*

Although I congratulate our law investigators for the major drug busts in Vancouver, the result has been a limitation of supply, driving the price up and causing old addicts to commit more crimes to obtain more money to support their habit. What, then, may be required if we are to reduce the level of crime attributable to heroin addicts in Vancouver is a measure of forced treatment of these users. This would take these addicts off the streets so they would not be in a position to commit more crimes. Such a system of forced treatment has worked with success in Japan. To cut off the demand, the government of Japan required that every user caught be confined for at least 30 days of treatment. The result has been that in Japan the use of heroin as a medical problem has become as scarce as smallpox. In fact, we have in our laws a similar system of forced treatment, although not as draconian as the Japanese system.

● (1620)

Part II of the Narcotic Control Act provides for the preventive detention and custody for treatment of addicts who have had previous convictions. However, these provisions are not used because they were not proclaimed. In my investigation of the reasons why such provisions were not proclaimed, I have found that the provisions were not clear because of doubts about the constitutional validity of the provisions or the failure to develop suitable treatment methods and facilities, or later reservations as to the advisability of compulsory treatment in principle, or some combination thereof.

Given the successful results in Japan which may, or may not be applicable to Canada because of different cultural background, I strongly urge my colleagues, particularly the hon. member for New Westminster (Mr. Leggatt), on the Standing Committee on Justice and Legal Affairs to examine in detail this matter of forced treatment of addicts. During such examination members of the Standing Committee of Justice and Legal Affairs will find that the LeDain commission, in its final report into the non-medical use of drugs recommended temporary, involuntary commitment. I quote from this report:

While we do not see how, as a practical matter, we can withdraw at this time from the use of the criminal law against the user of opiate narcotics, we are not in favour of introducing long periods of civil commitment. We do not believe that the results obtained elsewhere with this approach justify the extended deprivation of liberty in cases in which there has not been a criminal conviction. We do believe, however, that there is a strong case to be made for the use of compulsory confinement for a short time to oblige the opiate dependent to confront his situation and to consider, in an atmosphere in which he is free from the pressures of "hustling" in the illicit market and has access to good diagnosis and advice, whether he desires to pursue one of the treatment or management options open to him.

We recommend that provincial legislation confer power on police officers to bring any person whom they have reasonable and probable grounds for believing to be dependent on opiate narcotics before a magistrate, in order that it may be determined, upon prima facie evidence, whether the person should be committed to custody for medical examination for a period up to seventy-two hours. If the person is found to be drug-dependent, the examining physician and another physician who confirms the diagnosis should have power to commit the person to a residential treatment facility for a period of not less than one month and not more than three months. The purpose of such confinement would be to permit further examination and observation of the drug-dependent person, to permit him to confront his situation and to consider the various treatment or management options open to him, and to afford an opportunity for a commencement of treatment

[Mr. Lee.]

including extended detoxification, the technique of the therapeutic community or stabilization on methadone maintenance. The chief purpose would be to acquaint the patient with the possibilities of treatment, to encourage him to decide in favour of some course of treatment, and to begin the treatment process. If, at the end of the stipulated period, the patient refuses to follow a course of treatment he should be discharged. The period of residential confinement would also afford an opportunity for advice and assistance with other problems having a bearing on the patient's drug use. The residential facility should have access to the necessary counselling personnel to assist with problems of social rehabilitation.

In closing, Mr. Speaker, I would like to make it very clear that in my opinion the forced treatment of addicts might help reduce the level of crime attributable to them. I think the adoption of such a system after careful examination by the Standing Committee on Justice and Legal Affairs may well be a step in the right direction in eliminating one of the major causes of crime, namely, hard drugs.

**Mr. Dan McKenzie (Winnipeg South Centre):** Mr. Speaker, with the introduction of Bill C-83, the abolition of Bill C-84 and calling both bills together peace and security legislation, the government continues its record of putting together piecemeal legislation to calm irate public opinion. One need only look at the economic policies of the present administration. The Canadian people were, and continue to be, dissatisfied with the ever-increasing rate of inflation, so the government threw together a package in the hope of changing public opinion in their favour. The anti-inflation propaganda did not work, and neither will their public relations effort on crime.

In the past several weeks I have received a very considerable amount of correspondence from my constituents on crime. The consensus is that the government has been responsible for creating an atmosphere that makes it easy for criminals. The laws of a nation are respected only if the government enforces them. This government has for nearly a decade given the impression it is easy on criminals, and now the people are reacting. Any government that would try to lull people into believing it can reverse the crime rate by a slick public relations job is guilty of a sinister hoax. The time has come for leadership in facing this cancer on our society.

Now that the government is feeling the pressure of an annoyed public, I believe their dismal performance in law enforcement bears repeating. There was a time when the conviction of criminals was within the aims of the law and we were not so lenient. That is no longer the case. The Canadian criminal justice system has been drastically weakened, and the spiral has continued to the point where fewer and fewer criminals are being jailed or made to feel the punishment of the laws, they have broken. Parole and probation policies have become far too lenient, restrictions have been placed upon the law enforcement officers, and one need not look far to find the culprit. The government must take the responsibility for creating this lax approach to the law. Criminals and potential criminals are very aware that a permissive society has been encouraged by this administration, and there should be little wonder why crime is escalating. Criminals operate on the way they interpret the odds of getting caught, punished, and so on. With this government in office, they have been given encouragement.