

*Measures Against Crime*

their misunderstanding and lack of knowledge of the bill. What are some of the questions being raised? I am concerned about the difficulties which native people, and indeed all people living in isolated areas of the Northwest Territories, northern Ontario, northern Quebec and northern British Columbia, will have in getting a licence. It will not be difficult—at least, it will be easy—for someone who lives in Winnipeg, Vancouver, Ottawa or Toronto to go to whoever is the licensing authority and get a licence, but for people who live 100 or 200 miles from the licensing authority, who may be an RCMP officer or some other appointee, I think it may be difficult. I want an explanation of how this system will work.

I see some difficulties, also, with the question of age. I am not concerned about the age of people living in the cities, because those who use guns do so largely for sport or recreation. But this law is not good enough for the people I have spoken about who live in the isolated and underdeveloped areas, farm people who have to live with various predators such as skunks, gophers and weasels. You cannot say that such person must be 16, 18 or over 14. I think we must have a good deal of discussion about this question.

I am also concerned about the question of guarantors. It may be easy to get two guarantors in a city, but I think that for somebody living on the edge of the Arctic ocean it may be difficult to get two guarantors. Then, Mr. Speaker, there is the question of the cost of licensing. I am sure the minister will not be surprised to hear that I have discussed this question with the attorney general of Manitoba. He said, "Here is another illustration of Ottawa passing legislation which we will have to administer. We have had discussions with the police, and they estimate that in terms of manpower it will cost them \$30 to \$40 to get character references and issue a licence to an applicant." That is a lot of money, Mr. Speaker.

● (1610)

Before we vote on this bill, I think the minister should indicate what discussions his department has had with the provinces and who will be responsible for the costs, who will pay the bill. A farm family with three or four people likely to be using a gun would face a stiff licensing bill. At committee stage it is likely that some of my colleagues will put forward a suggestion that provision be made for a mandatory training program for all new applicants for licences, not those who already have a hunting licence or target-shooting licence. Wherever possible, such a mandatory training program should be made available under the auspices of fish and game or wildlife organizations. I intend to vote for this bill, Mr. Speaker, and for this provision but these are the questions that I believe still have to be asked.

I should like, now, to put on the record some of the criticisms advanced by FARO—the Firearms for Responsible Ownership organization. I have a document which was circulated at a large meeting in Winnipeg, and a reply prepared by the Department of the Attorney General. The latter document states on page 1:

Everyone is responsible for his safe handling and storing of firearms and ammunition. If someone steals your gun and misuses it—you are responsible.

[Mr. Orlikow.]

Mr. Speaker, I cannot believe this is the intention of the bill. I asked the Department of the Solicitor General for comments, and they sent me a seven-page written reply which I have forwarded to the interested parties. This reply is prepared by the co-ordinator of the working group on gun control, Mr. R. D. Gualtieri. The following is what he says on page 1:

Responsibility for safe handling, storage, etc.—the proposed S.99(2) in the bill does not create criminal or civil liability of the owner for the misuse of a weapon by a thief. It simply makes the careless or unsafe use, carriage, handling or storage of a firearm or ammunition a criminal offence, for which an offender may be liable to up to five years' imprisonment.

I will not go over all the clauses, but the next one says that without a warrant the police can search your house and seize firearms and ammunition. Mr. Speaker, the bill does say that, but it has some very clear limitations. Here is the explanation provided for me which I want to put on the record, again quoting from the letter I received, page 2:

Search and seizure without warrant—Under normal circumstances, police may search anyone or anywhere (except in a private house), and make seizures, only when they believe on reasonable grounds that a firearm-related offence is being, or has been, committed (S.103(1)). In addition in cases of immediate or imminent danger to the safety of any person, police will be empowered to seize a weapon from the possession of a person, where it would be impractical to wait to apply for a warrant for this purpose (S.105(2)). Both of these conditions must be met however. The bill does not, therefore, give unrestricted powers of search and seizure to the police, as suggested by FARO's summary.

I am sure that with my record in this House in regard to questions of police and justice no one would suspect that I would favour giving indiscriminate power to the police. I put this on the record to indicate that there are many questions which have been asked and not answered to the satisfaction of a large number of people in the country.

I now want to deal with the proposals with regard to dangerous offenders. When I read the material and listen to the speeches of the minister and compare them with the recommendations made in the Ouimet committee report of 1969, I have to say to the government that, while it seems to be following the committee recommendations to some extent, the committee's main recommendations with regard to the provision of adequate facilities and the need for study of things being done in this field have not been implemented. Let me put on record a few of the recommendations of the Ouimet committee. At page 257 the report reads:

The committee recommends that the present habitual offender legislation and dangerous sexual offender legislation be repealed and replaced by dangerous offender legislation.

That is what we seem to be doing. At page 262 it says:

The committee, therefore, recommends the passing of an indeterminate sentence upon persons found to be dangerous offenders, subject to the safeguards hereinafter discussed.

Again, the proposals before us seems to be directed to that end. At the bottom of page 262, this appears:

The committee recommends that the proposed dangerous offender legislation, if enacted, provide in addition to an automatic yearly assessment and review by the Parole Board, that a person sentenced to preventive detention as a dangerous offender be entitled to have a hearing every three years before a superior, county or district court judge or judge of the court of sessions of the peace, for the purpose of determining whether he should be further detained or his sentence should be terminated if he has been released on parole.