

reduction in accidents. In 1948 the total number of fatal accidents attributable to drunken driving was three, with 120 injuries. The number of fatalities was reduced by 93 per cent in six years and the number of injuries by about 90 per cent. The estimate is that the program has saved at least 50 lives each year in Detroit.

Some may want to know how that came about, whether it was due to stricter enforcement. The conclusion of the Michigan police force is that it is brought about because people realize that they will be subject to a breath test. When such a test is taken there is no doubt about the guilt or innocence. If a man smells of liquor and advances the defence that his condition is due to shock as a result of the accident, a defence that is advanced quite often, one being noted in the Montreal papers of yesterday—

Mr. Smith (Calgary West): Almost invariably.

Mr. Diefenbaker: As the hon. member for Calgary West says that defence is almost invariably advanced and he has had long experience on the side both of the crown and of the defence. Such a test removes the possibility of a defence such as that being successful. It was interesting to note the other day what happened when I tried to find out how many convictions for drunken driving there had been in this country. The Minister of Justice did not have this information so they had to turn to the Minister of Trade and Commerce who is in charge of the bureau of statistics, but without success.

The last records I have—the minister will have later records although I was unable to get them—are to be found in the 73rd annual report of statistics of criminal and other offences for the year ended September 30, 1948. This shows that the number of convictions for driving a car when drunk increased from 1,155 in 1945 to 1,898 in 1946, with a decrease to 1,481 in 1948. I am not going into the mass of information on the subject that has come to my hands, but as a result of the general discussion there has been on this subject almost every outstanding newspaper in Canada gave support to the need of something being done to prevent the colossal death losses due to drunken driving.

For the benefit of those who are interested in studying the subject, one of the best discussions of it is to be found in an address delivered before the provincial committee of the accident prevention association of Ontario at the Royal York hotel, Toronto, on February 23, 1950, by Professor R. N. Harger of the department of biochemistry and toxicology, Indiana university, a man who is recognized

in all articles I have read on the subject, and in every book on toxicology dealing with the subject, as the outstanding authority in the United States.

Mr. Carroll: Are there any statistics which would indicate to us the number of deaths due to drunken driving?

Mr. Diefenbaker: The only statistics available are estimates made by the association of chiefs of police. That is the only basis upon which one can determine the question. They accept available statistics as to the numbers who were killed in Canada last year, and then they estimate the number whose deaths in automobile accidents were directly attributable to drunken driving. It was those figures I placed before the house on a former occasion, and for the sake of brevity I am not going to refer to them now. The question asked by my hon. friend, with his long experience as a judge, is a most searching one. It is obvious that no one could go further than to arrive at an approximate estimate of the numbers. Certainly on the basis of those figures the number who died in Canada last year in consequence of drunken drivers being on the highways exceeded by five or six times or more the number who met death through either murder or manslaughter.

I do not want to overstate or overdiscuss the problem, but I feel it is one that deserves the serious attention of the minister. It is one against which arguments will be advanced. I am not going into the chemical arguments now although I am in a position to do so. There are those who will say that it means some invasion of one's liberty. Looking at it from the point of view of one who, with few exceptions, has invariably been engaged on the defence side, my answer is that I do not believe any question of the liberties of the subject arises when a person who has been in an accident which was obviously due to his negligence, and who apparently is under the influence of liquor, is asked to breathe into a balloon with a view to determining once and for all the question whether or not the degree of his intoxication was such as made it dangerous for him to be on the highway. More than that I will not say.

A vast amount of correspondence, I might say, has come to my hand on the subject. I have had hundreds of letters, and not one per cent have raised any question against the application of those rules that have meant the lives of many people being saved from avoidable and wanton death. I believe in personal liberty, individual freedom and the rights of the accused, but as I see it no man has a right to raise the defence that his liberties are going to be interfered with by