

John Slinger, the 17-year-old who was murdered that day, was one of our son's best friends. As they were walking down the hall to go to their next class of "phys.ed.," John decided to use a washroom in the hallway while our son went on to the change rooms. Because of that innocent choice, one young man died and one young man lived.

Honourable senators, some of you will remember that day, for the sheer horror and shock that swept across Canada led directly to the passage of Bill C-51 in 1978. Many of the honourable senators opposite were deeply involved, as Senator Spivak was, with the passage of Bill C-17 by the last government in 1991.

Although that day in May 20 years ago was so personally traumatic, as you can tell by the tremor in my voice, I do not want to leave the members of this house with the impression that my emotions are still running away with my reason.

My friends, those two bills only began the process of giving our police forces the tools that they need to reduce street crime; to deal with the domestic violence and to increase community safety — goals to which I know we are all committed.

• (1700)

Although I have strong reservations about many of the proposed amendments to this bill that are included in the committee's report, I will confine my remarks to two specific features of these amendments. The first is the decriminalization of the bill which is dealt with in proposed amendments numbers one, two, six, seven, nine and ten, which remove all long gun possession offences from the Criminal Code.

As it stands, honourable senators, Bill C-68 provides for a first-time summary conviction offence which is aimed at first-time offenders who may have failed to register their long guns for some reason or another, including ignorance of the law. This was developed with input from many groups to address truly inadvertent factual situations. However, the bill also ensures that more serious second and repeat offences would be indictable under the Criminal Code. This provision was very carefully tailored so as not to trivialize the conduct of people who act in deliberate and repeated defiance of the law — in other words, deliberate criminals. Removing this provision eliminates any deterrent factor for not obeying the law; in fact, it trivializes the entire bill.

What effect would this amendment have on the following situations? For example, let us assume that a stash of long guns is discovered on the premises of one of these infamous motorcycle gangs whose members are suspected of selling sawed-off shotguns. The amendments would mean that these people could only be charged with a minor summary Firearms Act offence.

What if the police stopped someone with a long gun who appeared to be on their way to commit a convenience store

robbery? Again, this would lead only to a tap on the wrist for the potential robber.

The bill as it stands — the unamended bill — seems to strike a good balance between protecting those who inadvertently fail or forget to register their long guns, and those who fail to register because of a serious criminal intent.

Honourable senators, one should consider that the justice system is not a cold, calculating computer. As my friend Senator Roux pointed out, police and prosecutors have discretion. It seems that critics of the bill have no faith in our system. I differ with that assessment. I believe that we can place our trust in the hands of the police and Crown prosecutors not to prosecute when there is a clear case of inadvertent omission. The objective of our justice system is to foster compliance, not to look for opportunities to fill our jails.

A person who reaches the stage where minimum sentences will apply is a person who has ignored numerous warnings from authorities and has been charged and convicted summarily of refusing to register a firearm. If such a person still refused to comply, he or she would merely be showing wilful disregard for the law. Such contempt for our system of justice should be treated harshly.

Honourable senators, I recall in committee the point was made several times that other jurisdictions with universal registration have seen only about a 60-per-cent compliance. This point was made to suggest that no system can gather sufficient data to make a registry useful to the police. Clearly, that fact really demonstrates the need for the option of resorting to criminal sanction in order to correct this non-compliance, and give the system some teeth.

As well, honourable senators, the amendment to the transitional provisions of the bill is structured in such a way, by deeming people to have licences and registration certificates by at least January 1, 2001 and January 1, 2003 respectively or such other later date as is prescribed, that licensing and registration of long guns need never come into force. Passing these amendments would completely gut the registration aspects of this bill, and for this reason I strongly oppose these amendments. I urge honourable senators to oppose them as well.

I also wish to touch on the powers of the Governor in Council because there was some reference in committee to secret proceedings by government which would somehow make people criminals without their knowledge. Although regulatory powers are not common in the Criminal Code, they do exist. In fact, the current Criminal Code provides that the Governor in Council may designate a type of firearm as a restricted or prohibited firearm by way of regulation. What happens is that these regulations come into force. Parliament may then examine them