

Criminal Code

He went on to say:

This is not to suggest for a moment that crime in Canada is out of control. Indeed, it is not, and our timely response to these concerns will ensure that it does not become so.

In addition to setting forth the problem, the minister outlined his attitude in this way:

The criminal justice system is both a powerful and delicate instrument for achieving justice and order. In adjusting the policies underlying it we must exercise great care to guard the continued proper balance between the system's two imperatives: the adequate protection of the safety and security of the law-abiding and the legal rights and dignity of those charged with offences.

He set this forth in a clear and concise way back in March of 1976. Here we are, in May, 1977, with Bill C-51 before us, and his response to the problems which he set forth is, to my mind an abdication and a surrender. It is an abdication with regard to the duty providing adequate protection of the citizen, and it is a surrender to the gun clubs on the firearms issue.

I shall deal only briefly with the firearm question, because my hon. friend from New Westminster yesterday set forth our position in detail. What is the problem? These are the facts from the booklet which was published by the Department of the Solicitor General. They say there are 10.2 million firearms in Canada, and this number is increasing at the rate of about 260,000 annually. The department also states there has been a substantial increase in deaths and robberies in which firearms have played a part. There has, in fact, been a sweeping increase in the number of deaths caused by firearms and in the number of robberies in which firearms have been used.

Yesterday, in the most eloquent terms he could muster, the minister spoke about the availability of guns. He told us how easy it is for a person to go into a department store and buy a gun. Other members reminded us of various horrific incidents, for example, those at Brampton and in Ottawa involving students who went berserk and killed other students. Then there was the mental patient who, after his release last October, went to a store, purchased a gun, proceeded to wound five people in Toronto and then turned the weapon on himself. What is the attitude of the public? Gallup polls have shown without a doubt that between 80 per cent and 85 per cent of all Canadians want strict gun control.

Mr. Brisco: Garbage!

Mr. Gilbert: The Gallup poll to which the minister referred yesterday reflected answers to questions which asked, in general terms, whether a person should be required to possess a permit before being allowed to buy a gun. The answers showed that between 80 per cent and 85 per cent of all Canadians want strict control to be exercised over the purchase and use of firearms.

What has been the response of the minister in this legislation? It is that if a person owns a long gun, he may continue to use it without having to register it, without having to secure a certificate of competency or a licensing certificate. In short, nothing is required of those who already possess long guns. But the bill does provide that if a person wishes to buy a gun he must possess a firearm acquisition certificate, and conditions

[Mr. Gilbert.]

are imposed with regard to the obtaining of such a licence. For example, such a person must be without a criminal record or history of mental disorder. But I would point out, Mr. Speaker, that this relates only to the purchase of a gun. Nothing is said with regard to a person already in possession of a gun.

Moreover, cleverly shifting the onus, the Minister of Justice says that provincial attorneys general may request the federal government to require that certificates of competency be issued within provinces. Mr. Speaker, this was not within the terms of Bill C-83. As I say, the minister is doing nothing about people who already have guns in their possession. He is only imposing restrictions on those who propose to buy guns, and he is shifting the responsibility from the federal government to the provinces in the area of competency tests.

No one in this House complains about persons who hunt or trap to support themselves or their families, and no one wishes to impose upon them measures which would be restrictive and onerous. But as far as other classes are concerned, most Canadians want restrictions. Possession of a firearm is not a right, but a privilege, and conditions should be imposed upon ownership. Thus, we need provision for registration, competency tests and licensing. Why? Because we must control availability. The proliferation of guns has been enormous. Not only the federal government, but provincial governments should restrict the sale of guns in stores. They should be sold in stores which are government-approved and inspected.

Mr. Brisco: With government inspectors?

Mr. Gilbert: Absolutely. Controls should be imposed with regard to the possession of guns. That is why the minister, in Bill C-83, attempted to impose competency tests. This is why I say the minister has caved in to the pressure of the gun clubs.

● (1600)

Let me relate to the House what happens in gun clubs in England. Members of gun clubs do not take their guns home and leave them there; they leave them on the premises of the gun club, where they are properly secured and a count is easily available. This is what is required of members of gun clubs. All others who are not members of gun clubs and who are in possession of guns surely have some responsibility regarding those guns. This is why it is so important to know the number of guns in circulation. We may have to impose registration but, more important than registration, we have to impose some form of licensing.

We accepted the approach of the Minister of Justice in Bill C-83, which he said would have taken three years to phase in. I suggest the approach of the government in Bill C-51 will take at least 20 to 25 years to implement. I repeat, Mr. Speaker, that registration of hand guns in Canada gives the proof of the requirement of registration. We must register hand guns, and rightly so. The number of murders committed by persons with hand guns in Canada compared to the number of murders committed by persons with hand guns in the United States proves my point. In Canada, 10.4 per cent of all murders are committed by people with hand guns; in the United States the