

have reached third reading. Not only I but the members of the Canadian Air Line Pilots Association have expressed concern that parliament might prorogue without passing the hijacking provisions. I am sure the association will feel much better when the bill is given third reading in this House, passes the necessary stages in the other place and is proclaimed law. Many Canadians felt that these hijacking provisions were necessary for the safety and security of people in flight and that the government was slow in its approach to passing the legislation. The government will now have an opportunity of ratifying the conventions passed at The Hague and in Montreal, making them part of our international law in relation to hijacking.

One of the measures in the bill that we all welcome is that providing for absolute and conditional discharge. In the past, the suspended sentence procedure in the courts fell far short of dealing with people who had been convicted of crime. What it did was to impose a conviction which carried with it necessarily hurtful consequences regarding employment, travel and bonding.

We also welcome the provision dealing with the temporary serving of sentences of 90 days or less. This is a step in the right direction and will mean that many people who are convicted of an offence and receive a short jail term will be able to serve that term during weekends, being able to continue working during the week without losing their jobs, with consequent benefit to their families.

In drawing my remarks to a close, Mr. Speaker, we feel the bill is a step in the right direction. We also hope the government will continue to bring forth bills that make the law in Canada one that is contemporary, one that is credible, enforceable, flexible and compassionate. I look forward to the Minister of Justice being able to take the initiative in this direction.

[Translation]

Mr. André Fortin (Lotbinière): Mr. Speaker, may I call it ten o'clock?

[English]

Mr. MacEachen: Mr. Speaker, I wonder whether hon. members would be prepared to hear the hon. member for Lotbinière (Mr. Fortin), in the expectation that we might get the bill through within a very short time. If the hon. member wishes to speak tonight, we might allow him to continue and get third reading of the bill since it seems to meet with the approval of the House.

The Acting Speaker (Mr. Laniel): Does the House agree to not see the clock at this time and complete third reading stage of the bill?

Some hon. Members: Agreed.

[Translation]

Mr. Fortin: Mr. Speaker, I thank my colleagues for their kindness. I did not intend to add these five minutes to their day's work.

First of all, I would like to correct what the Parliamentary Secretary to the Minister of Justice (Mr. Béchard) said about the Creditistes not attending the committee meetings. I suggest, Mr. Speaker, with all due respect to the House, that this is a ridiculous accusation. It is very

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easy for one party with 150 members to sit on all committees. However, when only 13 members have to sit on more than 25 committees, it is a lot harder to do so. We cannot be everywhere at once.

I wish to indicate also that, according to the government, committee reports have generally been shelved. It follows then that it is in the House of Commons that the most efficient work is done, which we do with all our hearts.

• (2200)

Mr. Speaker, I took the floor during the debate on the motion for second reading of Bill C-2, introduced by the Minister of Justice (Mr. Lang). As I said then, I do accept that legislation, even though I am not too enthusiastic about it. Again, I do accept it even though it surely does not settle the problems of justice in Canada. I have in mind particularly some clauses or some part of the bill.

Indeed we can criticize justice in Canada, but if we take no steps to improve it, we shall settle nothing. This is why, Mr. Speaker, I intend to vote for this legislation, even if I already know that the whole problem of justice, the appointment of judges, and like matters will not be settled. But one thing remains, Mr. Speaker, we must achieve some progress.

I should like to call the attention of the House on a particular point. It is, in the bill, clause 44, sub-section (2.1), page 27, and I quote:

Notwithstanding subsection (2), a court, judge or magistrate may remand an accused in accordance with that subsection

(a) for a period not exceeding thirty days without having heard the evidence of a duly qualified medical practitioner where he is satisfied that compelling circumstances exist for so doing and that such a medical practitioner is not readily available to examine the accused and give evidence;

Mr. Speaker, this is quite in accordance with this government's philosophy on administration of justice and means that whenever a court, a judge or a magistrate is confronted with an accused in need of a medical examination before a decision is rendered, for more or less sophisticated reasons which are not explained anyhow, the court or judge would have the option to remand an accused who was under detention for observation at all times before the verdict or sentence was passed, without having heard the evidence of a physician, under the circumstances specified in this paragraph.

What are those circumstances? The bill reads:

—where he is satisfied that compelling circumstances exist for so doing—

What does this mean? Here is a extremely vague phrase which allows for any interpretation and which means that before a sentence or verdict is passed, an accused can be released without having previously been examined by a qualified physician.

In the case of a person who suffers mental illness, for instance, or a mentally unbalanced female charged with murder of her newborn child, this means that the judge may release those persons until such time as a verdict or sentence is passed, without first having them examined by a physician, even if it means doing so later on—although no time is specified for that.