

*Criminal Code*

Mr. Speaker, I shall not say that the bill under consideration is perfect, nor that I endorse all its provisions. The breathalyzer test, for instance in my opinion, implies very important principles which tend to change the entire picture of our criminal law. As most members know, the accused is presumed innocent. This is the basic principle of our criminal law, a principle that we have somehow imported from England, and, in my opinion, it is a good one, although it differs completely from the French principle of law whereby the accused is presumed guilty.

Now, in this new bill, the accused is presumed guilty and it is up to him to defend himself and prove that he is innocent of the charge laid against him.

I must say that I have certain scruples about this, perhaps as a lawyer and as counsel for the defence. But, on the other hand, considering the number of accidents we deplore in Canada, and considering the principle outlined by the Minister of Justice, (Mr. Turner) to the effect that he who drinks must not drive, we are confronted by a drastic principle, and under those circumstances, I might be inclined to support government members for that reason. I must admit however that some questions need answering and I trust that members of the opposition and my other colleagues of the government will enlighten me on the advantages of such a measure, and on the possibility of perhaps making the law more efficient and more acceptable through other means.

All this to say that, contrary to what my hon. friend for Lotbinière (Mr. Fortin) said, I do not tag along behind the Prime Minister and I shall not vote even if the Prime Minister (Mr. Trudeau) were to tell me to do so. *(Laughter)*

Some members smile across the way; I wonder if they could say as much.

I accepted freely to join the Liberal team and if ever I realize that I must forego my freedom of action, my free vote, I shall not hesitate to go back home. But I am still confident within my party, there is still enough freedom and honour for me to be allowed to vote according to my conscience and convictions.

I feel that is an insult for the prime minister, who has given the impression of

being a sincere man to be told that he is capable of imposing his will upon the members.

Knowing the sense of humour of the hon. members for Lotbinière and Témiscamingue, I am sure that in making those assertions they wanted to tease us.

To my mind, Mr. Speaker, in the case of paroles, the bill does not go far enough. A while ago, an hon. member mentioned that the bill should allow the destruction of criminal records after a while, and that there was a recommendation to that effect. I want to state emphatically that in my opinion, such a provision should be included in the bill. I am in a position to know, Mr. Speaker. As a matter of fact, some people have come to me with a criminal record going back four years. They were turned down from interesting jobs in spite of their qualifications, simply because they had a criminal record going back several years.

Mr. Speaker, I believe that the rehabilitation of convicts is essential and that we should do something in order to enable those people, especially young people who have made a mistake because they were influenced by others, to rehabilitate themselves and take back their place in our society.

In the lottery field, Mr. Speaker, I must say that I heard the arguments of the previous speaker who is against lotteries. I should say that the problem is not so serious in the province of Quebec, at least in my area. I have heard favourable comments about this question, but when I consider that lotteries could become a means of taxation, I am perhaps not ready to accept such a view for the time being, and I hope I will get some clarification in committee and through discussions with my colleagues, who could perhaps convince me that this would be the best solution.

To sum up, Mr. Speaker, I think I represent the opinion expressed by the majority of my constituents when I say that I am in favour of this legislation. I should add, Mr. Speaker, that at first I was not in favour but after consultation I think it is my duty to indicate to this house that I shall vote for this bill, but that I hope we shall have the opportunity in committee to bring in some useful and efficient amendments in the interest of all Canadians.