

Criminal Code

impaired driving charge. As a result of my experience it would be pretty hard to refute or defend against such a charge.

If you do blow into the bag and it is found that you have .08 per cent alcohol in your blood you are guilty of an offence. There are three offences involved. If you refuse to take the test you are guilty of an offence; if you do take the test and you hit that .08 per cent jackpot you are guilty of an offence, and in respect of impaired driving this is *prima facie* evidence that you were not driving properly or that you were impaired in charge of an automobile. That will be the law, and it will be very hard for a defence lawyer to digest.

It does seem to me that at times this new law will infringe upon civil rights, but I agree with the minister and I intend to support the provision because we must come to grips with the situation. The public should know what it will have to face with the adoption of this new measure. I am not one of those lawyers who suggest that there is an infringement of civil rights every time a law is changed to deal with situations created by increases in population and increases in the use of automobiles in our urban centres. Very often these changes are necessary, and in that way I think this is a good change.

Let me conclude by saying that Canadians should not consider that this is a bill of reform. The minister must be on the same wavelength as the Prime Minister who continues day after day to promise jam for tomorrow but never jam today. He has suggested we will have a new mini-omnibus bill to cover those things I have mentioned. Why were they not covered in this bill? This is not a bill of reform. It is a bill which changes the language of the abortion law but does nothing really in that field. It does legalize homosexuality under certain circumstances. In my opinion these people should not come under the Criminal Code but should be treated in hospitals in an attempt to rehabilitate them. I am not impressed with these reforms on which we have spent 18 days.

On the other hand, I enjoyed working with the minister and other members of parliament on the Criminal Code. Many of us reviewed much of the law that we had probably forgotten. If the minister wishes to maintain his image in the future I hope he will bring in amendments in respect of the matters I have described. When this bill becomes law it will be applied in such a way we will still have one law for the rich and another for the poor. As a result of the financial environ-

[Mr. Woolliams.]

ment in which I grew up I will never be happy until people in all walks of society have the law applied equally.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I rise to take part in the debate on third reading of this bill mainly for the purpose of dealing with one specific subject, indeed, one particular aspect of a specific subject. In reference thereto I shall be presenting an amendment.

Before dealing with the particular matter I have in mind I should like to say a few words in support of the position taken by the Minister of Justice (Mr. Turner) when he declared that in his view parliament has done a good job on this piece of legislation. I hope I do not sound at the moment as though I am trying to win friends on both sides of the house when I say I also agree with the hon. member for Calgary North (Mr. Woolliams) that there are a number of subjects which ought to have been included in this bill but which the government failed to lay before parliament at this time. I think particularly of our bail system, the expunging of records, the right to counsel, the abolition of corporal punishment and matters of that kind. The statement by the minister that these matters will be dealt with at a later date is too much like statements we get all the time from the government. Things are always coming soon, they are always under review and always under consideration.

Mr. Turner (Ottawa-Carleton): Stick around.

Mr. Knowles (Winnipeg North Centre): The minister invites me to stick around and that is an invitation I intend to continue to accept.

● (4:20 p.m.)

It seems to me that in an omnibus bill of 120 clauses dealing with many aspects of criminal law the government ought to have included these other items. However, I think the hon. member for Calgary North should be reminded that though there are things this bill did not cover, and we complained about this fact as much as he did, it is unfair to say that it deals only with sexual behaviour and sexual offences. After all, he himself has referred to the new law that has been written regarding breathalyzer tests and drunken driving, and there are also new laws regarding firearms, and so on. There are many changes in the law respecting court procedures.

Mr. Turner (Ottawa-Carleton): Insanity.