

Gun Control

to own private property. Responsible gun owners recognize that guns are not toys and must be used with care. But surely Canadians have the right to own private property and exercise that right freely. When we talk about property rights, some have a tendency to think about real estate only. As we all know, however, a rifle or a shotgun is private property. As well, the provisions in Bill C-451 extend also to the possession of ammunition, which presents the possibility of extreme abuse. I stated earlier that this Government seems intent on creating a police state.

The Prime Minister (Mr. Trudeau) relished the taste of repression when he instituted the War Measures Act in 1970, and his Government has been trying one way or another ever since to recapture that taste. The present gun control section of the Criminal Code is cumbersome, expensive to administer and effective only to harass law-abiding individuals. It does not restrict the use of firearms by the criminal element, nor does it affect their ability to secure restricted weapons illegally.

I and Members of my Party have advocated and continue to stress the need for a detailed review of the firearm control provisions in the Criminal Code by the House of Commons Standing Committee on Justice and Legal Affairs. The evaluation study commissioned by the Solicitor General's Ministry will not allow public input until after it is written. The evaluation study has no credibility without direction and public input. The Justice and Legal Affairs Committee could conduct hearings across Canada, at which time the public, particularly in rural areas, could give their views and suggestions for any changes pertaining to gun control in the Criminal Code. The Hon. Member for Durham-Northumberland's (Mr. Lawrence) motion asking for this public review has come before the House previously, and before this House should ever consider more legislation added to current gun laws, I believe a conscious effort should be made to iron out the flaws in the current gun legislation. The time for a review of Bill C-51 is now, and it will most properly be done by a parliamentary committee.

If the purpose of Bill C-451 is to reduce the number of gun crimes in Canada then let us take an accurate accounting of the state of current gun legislation. This would be more effective and appropriate than what Bill C-451 will accomplish by adding to the already cumbersome and time consuming process that now exists. The proposals in Bill C-451 would be a curse to all law-abiding rifle and shotgun owners throughout the country.

It seems that the former solicitor general is still conducting his misguided crusade against legitimate, law-abiding gun owners. Bill C-451 will succeed, if passed, in making criminals out of a great many honest people. If someone is found with ammunition and they do not possess a firearms possession certificate or even a gun with which to fire the ammunition, rendering it virtually harmless, he could be sentenced to two years in a federal penitentiary, not a county jail. In the same vein, if a person is an occupant of a vehicle in which there is ammunition and no one has a firearms possession certificate, that individual could receive a sentence of five years in prison.

The burden of proof is on the individual to prove that he is innocent in that he was unaware of the existence of the ammunition, or that someone else in the vehicle possessed a firearms possession certificate. I repeat, Bill C-451 will make a great many law-abiding citizens into criminals.

While I am confident today that Bill C-451 has no chance of becoming legislation, I also recognize the distinct possibility of this Government introducing future legislation. There has been a considerable amount of confusion about this private Member's Bill. This arose, I believe, in the time it took from when it was first introduced to the time it took to be printed. Also, the resemblance of the Bill number of the current gun legislation, Bill C-51, to the Bill number of the private Member's Bill C-451, is just too coincidental for me not to be skeptical.

The party of the Hon. Member for Notre-Dame-de-Grâce (Mr. Allmand) has a history of reversing previous positions and claiming this has not occurred. During the metric debate the Progressive Conservatives were prepared to negotiate concessions to the Government's demand only if the mandatory element was removed from the legislation. The Liberal Party has been misinterpreting our position ever since. My stand on the issue of gun control has been very consistent. The review which the previous Liberal Government made a commitment to undertake, which the succeeding Progressive Conservative Government actively undertook, has now been abandoned. On previous occasions I have risen in support of caucus colleagues who had made a similar request to the current Government.

A recent evaluation of the present Canadian gun control legislation by the Solicitor General (Mr. Kaplan) reveals points worth mentioning. First, there is an inability to find any relationship between gun prohibition and firearm incidents; second, there is evidence of abuse of the power of search and seizure without a warrant; and third, the return procedure for confiscated firearms was not being adhered to, with this report specifically mentioning those sections as potential areas of abuse in the future.

These are all sound reasons why a review of Bill C-51 is necessary, and it is also a sound reason for not allowing Bill C-451 to go any further than the floor of this House. Bill C-451 represents a further erosion of rights we all take for granted. The significance of the right of every lawful citizen to acquire private property for peaceful purposes is a fundamental cornerstone of our system. A majority of citizens, including gun owners, support some form of gun control measures. In practice, Bill C-451 would serve only to impede law-abiding citizens.

In closing, I would like to state that the real losers in Bill C-451 are the Canadian people. Yes, it is conceivable that people possess firearms for peaceful purposes and the need to acquire a firearms possession certificate is just one more regulation in an over-regulated lifestyle.

Mr. Rod Murphy (Churchill): Mr. Speaker, my Party has had a tradition of supporting the concept of reasonable and