

*Criminal Code*

legislation, often strict and at times too lenient, but most of the time, those countries have returned to a happy medium, to a fair sense of proportion, which is exactly what Canada is now advocating today under Bill C-150.

[English]

**Mr. Stanley Knowles (Winnipeg North Centre):** Before the next speaker is called, who I believe will be the member for Winnipeg North, (Mr. Orlikow), could we have an understanding on the plans for today? I have spoken to the chief government whip and he sees no objection to continuing this debate instead of having private members hour, in order to have one or two more speeches.

**Some hon. Members:** Agreed.

**The Acting Speaker (Mr. Richard):** Is it agreed that we waive the hour reserved for private members business and proceed with the order now under debate.

**Some hon. Members:** Agreed.

**Mr. Turner (Ottawa-Carleton):** I want to excuse myself to the hon. member for Winnipeg North (Mr. Orlikow). I have an appointment at four o'clock. My parliamentary secretary will listen to the hon. member's speech and I will read it. I hope the hon. member will not interpret my absence as an affront.

**Mr. David Orlikow (Winnipeg North):** Mr. Speaker, this bill was proposed in its original form by the Prime Minister (Mr. Trudeau) when he was the Minister of Justice, and is now being brought forward by the present Minister of Justice (Mr. Turner). This bill has been depicted to members of parliament, the press, radio, television and the public of Canada as a revolutionary bill, a bill to bring the criminal law into the second half of the twentieth century.

This bill includes sections which are improvements that will begin to modernize the Criminal Code, but to suggest that it is indeed very radical is to misread the entire bill. The bill fails to deal with some of the most important matters which the Prime Minister proposed in his Charter of Human Rights when he met with the provincial premiers in February of 1968. This bill, Mr. Speaker, is brought forward by a Liberal government which people expect to be progressive, expect to be liberal with a small "l". It does not meet the recommendations of

[Mr. Isabelle.]

the royal commission appointed by the Premier of Quebec, Mr. Bertrand, when he was the minister of justice, the first report of which was brought forward this week.

Those of us who do not come from Quebec have been trained, or I might say brain-washed, to believe that the Liberals are really liberal, with a small "l", and that the Union Nationale represents those conservatives with a small "c" who hold reactionary views when it comes to social matters. Yet if one compares the recommendations in this first report of the royal commission with this bill we are dealing with today, one can see how small the steps, how picayune the proposals being put forward in this bill by this Liberal government.

I would like to quote from today's *Globe and Mail* in which some main thoughts of the Quebec royal commission are summarized.

• (4:00 p.m.)

The article reads:

The report said Quebec does not have an overall justice policy and calls for basic reforms of laws and law enforcement so as to purge the province's system of justice of its tendency to be repressive rather than rehabilitative.

I submit, Mr. Speaker, that what this newspaper says about Quebec is true of our system of justice in every part of Canada.

The commission report rejected as retrograde the prevailing practice in which punitive aspects of the law take precedence over the possibility of rehabilitation.

That is true not only of Quebec but of every other province in the country. Here are some of the things I commend to the Minister of Justice (Mr. Turner) and the government because they are not even mentioned in these omnibus amendments to the Criminal Code:

Abolition of the bail system, or if that is not possible, a reform which would allow a person to go free while awaiting trial with only a pledge to forfeit a certain sum if he does not show up for his trial;

That has been proposed by a number of hon. members but obviously it is missing from these draft amendments.

A new system of fines which would take the income of the accused into account and which would allow him to make payments on an instalment basis rather than in a lump sum.

The hon. member for Yukon (Mr. Nielsen) has talked about the difficulties which Indians have. Hundreds of Indians go to jail because they cannot pay the \$15 or \$25 fine which the judge metes out as a sentence. This proposal