

Measures Against Crime

Persons such as convicted perpetrators of violent crimes, the committed insane persons, proven drug addicts, and such persons who threaten peace and property of the majority should be forbidden to own firearms. However, these persons must be specifically listed in the legislation.

I think that illustrates the point that gun clubs, sporting groups and so on, are not so violently opposed to gun controls of all kinds that they do not recognize the legitimate concern of society when such firearms are put in the hands of those who clearly will not be using them responsibly, people whom we might suspect will use them in a fit of passion or emotion. These groups have raised a number of legitimate objections to the bill. I am not going to go through them in the context of the correspondence, but may I simply say that those who have raised objections to certain aspects of the bill are not all kooks. They have many legitimate concerns and we have to listen to those concerns.

There is, of course, a great deal of confusion and misunderstanding as to the nature of the gun control aspects of the legislation. Let me briefly outline my understanding of the primary thrust of this aspect of the bill. First, Bill C-83, in my view, will have little if any impact on criminals using guns. But this is not the primary thrust of the bill at all. It is quite evident that those who have firearms illegally are not going to rush out and try to register them; they will probably continue to possess guns and will have to be dealt with in the traditional way and, I hope, a stepped up means of surveillance will take guns out of their hands.

As I say, in my view this bill is not primarily directed toward that aspect of the matter; the bill is directed at law-abiding citizens, basically to ensure three things. The first is the licensing of gun users so that those who have histories of violence, who perhaps are drug users or have been convicted of criminal offences in which firearms have been involved, or those who are mentally incapable of adequately looking after firearms, will not be allowed to have such weapons. I think that is fair enough and I do not think anyone in society would really object to that at all.

Secondly, this law provides for a requirement by those who do possess firearms to ensure adequate storage in the handling of those firearms, so they will not fall into the hands of people who should not have them, or so they do not fall into the hands of those who in a highly emotional state would use them without thinking. If they were locked up this would give people an opportunity for second thought, so that they might perhaps not commit a crime of violence. These are people with no history of violence at all.

About a year or a year and a half ago in my own riding a number of murders, of a common law wife and, I think, three children were committed by one person who got into alcohol, went out and grabbed a gun. If the gun had been adequately stored and the ammunition locked away, there would have been time for second sober thought and this murder might not have been committed. The recent crimes in schools in Toronto and in Ottawa might to some extent have been averted if firearms had not been so quickly and readily available in homes. I think it important that we address ourselves to this question. Those who improperly or inappropriately store firearms will have the obligation upon them in law not to do so in the future. I think this

[Mr. Cafik.]

will help avoid some of the crimes of violence that do occur on the spur of the moment.

● (1740)

The third thrust is to prohibit the possession of certain types of weapons. Basically I have no objection to such thrusts. I primarily support them and I think that all reasonable people would do so as well. However, there are some legitimate concerns being expressed by Canadian people as to how this should best be done. I will now address myself to those concerns which need to be carefully considered, and amendments may be required at the committee stage to overcome the inherent difficulties in the presently proposed legislation.

There is the basic concern that this measure provides too much arbitrary power in the hands of the Governor in Council, and is subject to possible abuse in the administration of the law by either licensing officials or law enforcement officers. I think that concern is legitimate. It is not only legitimate in connection with this bill but in connection with all bills that parliaments pass.

On another bill of a similar nature, Bill C-58, I spoke very strongly, as I have in respect of other matters, about the delegation of powers through regulation and so on rather than having them specifically spelled out within a bill dealt with by parliament. Many people in Canada feel that same concern, and I should like to see this bill tidied up to some extent to remove, wherever possible, that arbitrariness which may exist through the Governor in Council or through enforcement agencies, spelling this out a little better and more carefully than this bill does. I think that is a legitimate concern and a matter the committee must address itself to in order to rectify this problem. Obviously we should attempt wherever possible to contain within the law sufficient safeguards to ensure that these concerns are in fact unwarranted.

Concern has also been expressed about the availability of licensing after the law is passed. We must ensure that the rights of our citizens are protected, and that the presumption is that a person should have the right to own a gun unless there is a specific and demonstrable reason why he should be prohibited from doing so. If there is a demonstrable reason, I think all reasonable people would agree.

Many people have guns for various reasons, collecting, legitimate sporting activities, and so on. They feel they run the risk of having their rights denied by an arbitrary enforcement of this law. We have to look at that side of the question and satisfy ourselves that the concerns they have expressed are either unwarranted or, if warranted, that corrective action is taken.

There is also a concern expressed about the bureaucratic institution of records in respect of ammunition sales. Every bureaucratic aspect of this bill should be looked at very carefully. The licensing procedures, I am sure, can be achieved in a simple way without the involvement of an enormous bureaucracy. However, knowing the tendency of government and the tendencies of civil servants who are very much inclined from time to time to feather bed and to provide new and better jobs for themselves, this may well create a kind of bureaucratic nightmare about which many of our citizens are expressing a legitimate concern. At the committee stage we should look at this question and at this