

Adjournment Debate

become an instant celebrity. Then we have the fact that a political crime is not supposed to be a crime. Therefore, there are nuances; a person can come on the screen and insult the collective decency of the community by a statement such as, "Oh, yes, I killed, but I killed sincerely". I do not believe—and frankly I think the Solicitor General may share some of my views—that the people behind him have the sense of urgency and immediacy which this phenomenon deserves.

Olson, that sickness of smut, killed a lot of young Canadians and is still taking the administration of justice into perversion by getting flyaway trips to Vancouver and/or Victoria in search of a new grave. It is a sickness beyond comprehension that we all share, in terms of the horror of the thing. Then we had Simard come on the public screens not too long ago. Those two incidents alone demand more action in the offices of the Solicitor General and the Minister of Justice (Mr. MacGuigan) than we have frankly seen heretofore.

I say to the Solicitor General that the United States has been faced with this because of a so-called Bill of Rights. They appreciate the fact that there is freedom of speech and the fact that I, in speaking tonight, might trespass on that right. But there is no absolute freedom of speech which allows the absolute insult of the dignity of the community at large, and which allows an absolute assault on the collective decency of Canadians. This has been proven in the Supreme Court of the United States. There are 28 states in the United States that have linked with them in their statutes compensation to victims and a prohibition, in respect of publication.

I must say that, in my emotional reaction to the press conference, when I first asked the question I was all for prohibition—take away the rights of the pen from anybody in the prison. I think I went too far, but this is not beyond the ingenuity of the law officers of the Crown and/or the compassion of the Attorney General. I have never asked a question in this House which has evoked more of a spontaneous response than the question about the murderer not profiting from his murder.

In conclusion, may I suggest that continual pressure should be kept on the Minister, he should not give me the slough-off by saying that law officers are studying it. Let us have a white paper, or a green paper; let us have the Law Reform Commission do something. Something has to be done now because Canadians are speaking out that a murderer should not be able to profit from his crime, whether this is done by establishing trust fund for victims, by impoundment of the profit in the right of the state or any one of a number of things. If we can have an embargo on External Affairs documents and documents of state for 20 or 30 years to save the sensitive egos of public servants, surely to "Lord liftin" we can have some type of embargo from the Attorney General and/or the Minister of Justice on a murderer insulting and committing another crime against the sensitivity of the victims and/or Canadians by coming on the screen and suggesting that he will profit from his crime.

Hon. Bob Kaplan (Solicitor General of Canada): Mr. Speaker, the Hon. Member has generated a lot of heat on a subject about which I too have very strong feelings. Like the Member, I consider it to be unacceptable for a criminal to be able to profit from the sensationalizing of his crime through the writing of a book or the giving of interviews. While the Hon. Member has generated a considerable amount of heat, I would rather that he generated some light as well.

• (2220)

Mr. Nowlan: Twenty eight states have got it. What are you doing?

Mr. Kaplan: Twenty eight states have got it, and that suggests it is not federal legislation in the United States.

Mr. Nowlan: The Americans have states.

Mr. Kaplan: We have provinces in this country and our provinces have considerably more power than the states do in the United States. I do not mean by that to suggest there is not a federal solution. There may well be a federal solution. We are pursuing one, but I have not heard one from the Hon. Member opposite.

Mr. Nowlan: I could have given them to you.

Mr. Kaplan: A private Member's Bill was proposed by someone on his side of the House.

Mr. Nowlan: The Hon. Member for Crowfoot (Mr. Malone).

Mr. Kaplan: It is a Bill worth putting forward, but it is probably not a bill that would create valid federal legislation.

I myself have proposed two ideas, one to which the Hon. Member referred, and the other being simply making it a crime to write a book like that. I proposed my ideas to the country for some thought. The provincial Attorneys General, by and large, replied. They are also very concerned about the problem and they feel concerned about the solutions I proposed. They indicated, without giving me any ideas about what to do, that I should do something other than the two suggestions I had proposed. I am giving the matter a great deal more thought. I am working with officials on it.

We have made suggestions to the law officers of the Crown. We have kept in mind the constitutional issue, because no one will be served if we bring forward a bill that Clifford Olson can take to the Supreme Court or to a lower level court and have struck down as being valid provincial legislation, but not valid federal legislation. I might add that a couple of Attorneys General who wrote me rejected the option of provincial action, and suggested that this is a problem that only the federal Government can solve.

Mr. Nowlan: Publish them all.

Mr. Kaplan: I take that responsibility very seriously. I am working on this problem and I am putting a lot of time into it. I hope that very shortly I will be able to share the results of my work with members opposite and, indeed, with all Members of