

Measures Against Crime

I hope illegal police wiretapping is not a problem. If it is not, I am not sure that the reason advanced, namely, that to avoid delays at trial, is sufficient to offset the considerations on the other side. We are dealing with the protection of the public from injurious action by the police. The public need to be reassured that the police, their guardians, are themselves acting according to law.

We are all very much concerned about protection from criminals, and we have substantial apparatus for doing that. But if we cannot also be assured that the people who are protecting us from criminals are not themselves taking advantage of us, we shall have put ourselves in a most unfortunate position.

The Minister of Justice has given comfort to those who have reservations about the bill by observing that he will listen attentively and with an open mind to what is said in the House and in committee. We shall all be interested in pursuing a fruitful dialogue with him on these matters.

Mr. Robert C. Coates (Cumberland-Colchester North): Mr. Speaker, I cannot think of a better time to debate the government's proposed peace and security legislation. The members of my party welcome the opportunity to discuss this legislation and to discuss the kind of law necessary for restoring the confidence of our people in law and order.

● (2130)

In these days law and order are giving a good many Canadians a great deal of concern. One of the things we, as Canadians, have been proud of is that we have one system of justice that applies to everyone in this nation. As far as justice is concerned there are no second class citizens. What has given me concern, as I am sure it has most members of this House, especially those trained in the law, is the indication that there may have been some interference with the way that justice is administered in this country, and that there have been moves by members of this House that in effect bring justice into disrepute. In their minds Canadians are concerned that there are two sets of laws in this nation, one for some members of parliament and one for all other Canadians.

Some hon. Members: Hear, hear!

Mr. Coates: That just is not good enough. It is not good enough for any member of this House. It is certainly not good enough for any member of the Progressive Conservative party in this country.

Some hon. Members: Hear, hear!

Mr. Coates: As I said earlier today in reply to the Minister of Transport (Mr. Lang), who for some reason decided that he is the fountain of all wisdom and justice in this country, even in excess of that now available to the present Minister of Justice (Mr. Basford), there are two forms of ethics as far as law in this country is concerned.

As a member of this House for close to 18 years, and having been trained in the law, I appreciate that there is absolutely no way, especially for a man trained in the law, under any circumstances to telephone a judge who is deliberating on a case, even so much as to ask when he is going to render his decision, because it may be presumed

[Mr. MacGuigan.]

that in some way you are interfering with his very real responsibilities.

Let me say something about judges. They are very lonely men. They are lonely because they assume a very special and sacred responsibility, to administer the law. They have no one to whom they can turn. In this particular instance Justice Mackay would not even have had the knowledge that is available to the public in his special privileged writings to the Minister of Justice if it were not for some chance that the information became public. What greatly concerns me as a member of parliament is how many other times that we do not know about when some judge in this country was contacted by a member of the executive and had something suggested to him, as the Minister of Public Works (Mr. Drury) said, to get him straightened out as to the facts.

Some hon. Members: Hear, hear!

Mr. Coates: There is only one way that any individual, be he a member of this House or anyone else, to get a judge straightened out as to the facts, and that is to take the stand in a courtroom and tell him what the facts are in his mind. That is the only way we can have a system of justice in this country.

Some hon. Members: Hear, hear!

Mr. Coates: I want to say to the hon. member for Windsor-Walkerville (Mr. MacGuigan) that even though at one time he may have been dean of a law school, he should not come into this House and try to be the conscience of the Progressive Conservative party.

Some hon. Members: Hear, hear!

Mr. Coates: Earlier today the hon. member for Calgary North (Mr. Woollians) said the foundations for the judicial system and penology of this country were laid by the Diefenbaker administration, in particular by the Hon. E. Davie Fulton who, for a long time, gave great lustre to the role of Minister of Justice. He gave us the foundation on which we are trying to build today.

Some hon. Members: Hear, hear!

Mr. Coates: Indeed the parole system on which the Minister of Justice is today endeavouring to build in order to give people peace and security was the creation of the Hon. E. Davie Fulton when he was Minister of Justice. It was a tremendous achievement, and it can be a tremendous achievement in the future to bring peace and security to this nation. However, we have to build in a constructive, not destructive way. The hon. member for Calgary North today stated some of the reasons why he feels this legislation is not adequate to handle the job we feel has to be done if we are to have law and order and protection for the public.

Some hon. Members: Hear, hear!

Mr. Coates: The hon. member for New Westminster (Mr. Leggatt) pointed out the biggest gap that exists in this legislation when he said you would not even think there is a drug problem in this country. However, our penitentiaries are filled with people involved in one way or another