

Finally, Mr. Speaker, I do not know that it will help much to be told what goes on in other countries in the matter of gun control. Switzerland has been mentioned, but Switzerland has a different tradition. New York City was referred to, and so was Ireland. They have tighter controls in Japan, yet the same homicide rate as Canada. All of this has been thrown into the melting pot in this debate. I do not know whether any of these matters are really germane to the situation in Canada. I do not think there is any Canadian city that quite approaches the situation in New York. They seem to be degenerating into a rat race and it seems to me that city is on its last legs. Although our Canadian cities have a crime rate, they are nowhere near that of New York City's. Neither have we got into the woeful state that they have in Ireland. We are too large and have too much interdependence with other countries to be a sort of Switzerland. We are not insular in the way Japan is.

The problems that we have to solve are surely "made in Canada" problems. We have to consider that we are mainly city folk—or are tending to be—with a fair element of country folk. It is not too long ago that our ancestors were scraping up a livelihood by running fur lines and the like, and they needed weapons to fend off bears and other marauders from the forest and to find food. To me, Mr. Speaker, our traditions are much different from the other countries cited in this debate. We must pay some regard to the traditions of the past from which we have come.

One of the obvious defects of this measure is that there has really been no consultation about it. The wildlife people and the trapshooting people have never been consulted about the bill. I have been told time and time again, and presume it must be so, that somewhere a group of people gathered together in Ottawa and put together the 37 or 38 pages of legislation that is under discussion today, using a very autocratic and arbitrary approach. They compounded the legislation with rules, regulations and all sorts of red tape and set out to catch crooks, turning too many other people into crooks in the process instead of concentrating on the crooks themselves.

Surely, Mr. Speaker, in committee, in a spirit of reasonableness we can separate these gun control provisions from the rest of the bill, send the bill back to the House and then get on with formulating some decent gun control legislation instead of the stuff with which we have been presented.

The Acting Speaker (Mr. Turner): The hon. member for Regina-Lake Centre (Mr. Benjamin); and I should like to wish him well on Monday.

Mr. Les Benjamin (Regina-Lake Centre): Thank you, Mr. Speaker, for your good wishes and for recognizing me at this time. At the outset I would like to say I support the legislation in a general way in principle: but let me also say that I have some degree of sympathy for the amendment proposed by the hon. member for Calgary North (Mr. Woolliams) and am tempted to vote for that amendment and may well do so.

I say that because I find myself in a position similar to the one I found myself in when we were debating the western grain stabilization bill. I or one of my colleagues moved a similar motion, that the subject matter of the bill

Measures Against Crime

be referred to committee for further study, but I supported the legislation in principle. I see nothing inconsistent with that action. However, I want to proceed to deal briefly with the major sections of the legislation and to express not only my feelings on the matter but to reflect to some extent the feelings of many of my colleagues and also the attorney general of my own province of Saskatchewan.

I feel that the split of first and second degree murder, on the present basis, is sensible and that the provision of a minimum of 25 years' imprisonment for first degree murder and at least ten years for second degree murder before being eligible for parole is an improvement and will be looked upon as such by the public. However, practical problems arise, of course. Twenty-five years looks like forever to most of us, and a prisoner may well feel that he is in a nothing to lose situation. We may be required to provide additional protection and incentives for prison guards.

The new parole provisions, including the three-judge panel, may decrease the eligible time for parole after 15 years, but this may diminish the deterrent aspect of such a sentence which, after all, was its main purpose. So long as there is a way of avoiding the maximum penalty, you run the risk of the deterrent factor being lost. However, I think the risk of losing some of the deterrent effect is minimal and I, for one, am prepared to give several years of trial to that particular provision.

The power to set up special provincial commissions of inquiry into organized crime is potentially a good provision but adds little to good police work. It can be a good thing when used as a public pacifier, but it really depends on the provinces and is not really a criticism of the legislation.

I want now to move to the crime detection and electronic surveillance amendments, some of which are generally welcome. I submit the major defect is the departure from the rest of our criminal law wherein an unauthorized interception is inadmissible though evidence arising from such interception will be received. I think this has the effect of encouraging unauthorized interceptions, something I suggest parliament should not do. Either it is all admissible or none should be. Lack of basic philosophy in this part of the legislation seems to me evident.

Another concern has to do with the elimination of notice to a person whose telephone has been tapped. This portion of the legislation has potential for abuse. I do not think anyone can question that. My colleagues and I know the attorney general of Saskatchewan came down on the side of the present system whereby notice should be given, to ensure accurate police work and to protect individual rights.

● (1250)

I am more than surprised—in fact, I am shocked—that the Minister of Justice (Mr. Basford) and his colleagues would even consider introducing such changes in the law relating to electronic surveillance. I would have thought they would have been the last persons to bring in such a change. The legislation we now have in this regard, I believe, is sufficient. It should be left as it is. There may be some minor improvements which could be made to some parts of it, but certainly this major power in respect of