

Private Members' Business

After all the judge has said, like our Lord said: "Go and sin no more". Let us get rid of this piece of legislation. Let us get this matter changed. I ask the House to adopt the bill and to move it to the Standing Committee on Justice and the Solicitor General.

Mr. Derek Blackburn (Brant): Madam Speaker, I take pleasure in once again entering into this debate. I spoke on it, I believe it was December of last year, when the hon. member for Mississauga South introduced it into the House for second reading debate as Bill C-314. It has now come back as Bill C-238.

By way of introduction, though, I wish to make the point that a year ago it was not the opposition that held up the bill or talked it out. It was his own party, and I believe it was the parliamentary secretary to the then Solicitor General.

• (1920)

I stand corrected by the minister's parliamentary secretary, but it was one of them at least who came in to the House and simply talked the bill out.

Obviously at that time, and that was less than a year ago, the government did not see fit to adopt this bill. I hope that in the interim it had second thoughts, will adopt this bill and pass it into law after it goes to committee.

I have no objection whatever, Madam Speaker, in allowing this bill to pass second reading tonight without a vote. I assume it would be unanimous and then it would go to a legislative committee.

Before I do, though, and I will be very, very brief, I think the member for Mississauga South touched a very raw nerve when he talked about records and bureaucrats keeping records. I simply want to expand upon that for a moment or two.

Recorditis is a disease. It is a disease of virtually every police force and law enforcement agency in the world. When the RCMP turned over its records from its counter-intelligence and security department to CSIS, there were no fewer than 500,000 records that CSIS had to go through. Finally, I believe CSIS has been able to do away with about 95 per cent of those records.

Obviously, they were not important in terms of national security. That is a very major field in this country. I dare say if you go to any police department in Canada, the United States, the Soviet Union, the KGB, in England MI-5 and MI-6, in France and Germany you will find the same thing. Police officers and their agents suffer from recorditis. They cannot find security of a personal nature in their work unless they have literally tons of records on people, whether they are guilty or innocent, whether they have gone through a trial and been convicted or whether they were given in this case an absolute discharge or conditional discharge. I see absolutely no reason why anybody in a free society such as ours, a liberal democracy where the rule of law is the basis of our justice system, who has been given an absolute discharge or conditional discharge should have any record at all from that moment on. I see absolutely no reason for that.

And yet, as the member very eloquently stated a few moments ago, we have this situation in this country where law enforcement agencies, courts and so on, have to keep records.

The hon. member made reference to, I believe, somebody in his constituency who attempted to get into the United States. Well, the member knows that once the Canadian authorities hand over any information to the U.S. immigration department or the border patrol or whatever it is called, then of course it is up to the United States authorities as to whether or not they want to put it in their computers or more importantly, keep it there.

Unfortunately, we cannot do anything about that. I am very fearful that even if this bill becomes law, everything that is in their computers as of the day this becomes law will remain in their computers. There is untold damage that has already been done and I am afraid that would be perpetuated year after year, generation after generation, as the names remain in their computers.

I agree with this bill, particularly clause 4 which provides for the destruction of a criminal record where that record relates to an offence for which a person has received an absolute or conditional discharge under the Criminal Code and sets out when such destruction is to occur. It also gives a person the right to view the destruction of that record.