

Criminal Code

vote, in supporting the change proposed here by the minister. I believe that homosexuality or homosexual acts between consenting males, unpleasant as that is to contemplate, are nevertheless a case for the most compassionate, sympathetic understanding on the part of civilized men and women. I think that this bill has that objective in mind.

With regard to gun control, the other day the National Rifle Association Journal contained a message to the widow of the late President John Kennedy saying that they had noted with regret that he had died, and then in an editorial in the same issue discussed the U.S. constitutional provisions with regard to the right to carry sidearms. I do not suppose that any more bitter illustration of a lobby gone rampant could exist.

I think that the changes proposed in this bill are essential. I am glad the bill is now before the house and that some changes have been made in the original proposals contained in the previous bill, C-195. Some provisions I had hoped to see are not included in the bill. I had hoped that consideration by the committee on justice and legal affairs of the issue of wiretapping and electronic eavesdropping would have been farther advanced. I recognize why it has not been, but this problem has to be faced soon by parliament. The proliferation of wanton snooping without any imprimatur of legal or judicial authority is to me most offensive. I hope the government will urge the committee on justice and legal affairs to complete its study of this matter, and that the house will soon have before it a further amendment to the Criminal Code condemning this type of activity.

In his speech the minister emphasized, I think quite correctly, the human rights aspect of the Criminal Code. I hope that on his various excursions about the country to discuss law reform with lawyers, who tend to be conservative types, the minister will be able to prevail upon the bar to accept the traditional right—in fact, it should be more than traditional; it should be a current right—of all members of the public to counsel. It troubles me that the bar has often to be reminded to assume a responsibility that has long been part of its tradition. No one should have to shop around for counsel. When the minister addresses the Canadian Bar Association I trust he will underline the importance of the acceptance of responsibility in this particular area of the law, though those who attend the meetings of the association are usually those who readily do so. But having

[Mr. Fairweather.]

said that I think there is an obligation upon lawyers to fulfil their duty in this regard. The legal aid systems that have been set up in some of the provinces are looking after this problem, in some cases better than in others, but there are still gaps that need to be filled.

Perhaps I have not given the philosophical arguments for supporting the various so-called conscience sections of the bill. I accept the view of many in my party that it would have been easier to discuss the four major aspects of the bill separately in that we would have readily been able to exercise our individual vote. But that does not in any way inhibit me from supporting the legislation.

The issue I warned the house I had some doubts about is lotteries. I have doubts because I have been in various countries of the world which operate state lotteries. Such a lottery is a most unpleasant feature of their national life and is a very poor way of raising money. For example, the so-called Irish sweepstakes hands over very little of its revenue to the Irish hospitals—I understand about 12 per cent, or 12 cents of very dollar. I think this gives that fine country a poor name in the world, as do the national lotteries of so many other countries. If the state requires money for education and hospitals, then the ethical way to raise it, in my opinion, is by taxation spread fairly among the people. To try to grub for money in this way diminishes, I think, the national prestige of a country. But even though I feel this way I will not resist the important changes contained within the ambit of the bill.

● (4:20 p.m.)

Mrs. Grace MacInnis (Vancouver-Kingsway): Mr. Speaker, no one can fail to be impressed by the serious tone of this debate. Some hon. members have already had a chance to speak their minds on this bill. There are members of my party who share the views of the hon. member for Hamilton Mountain (Mr. Sullivan) who spoke last Friday. I am glad to live in a country where hon. members such as the hon. member for Hamilton Mountain and others can speak their minds on clauses of a bill in such a way as not to leave their constituents in any doubt about where they stand. I am afraid I cannot agree with the right hon. member for Prince Albert (Mr. Diefenbaker) that hon. members are being muzzled and cannot speak their minds on this bill.

Our leader has made known the general attitude of the N.D.P. caucus to this legislation. Various hon. members of our party will