

Criminal Records

In municipal court, by mere chance, that police officer was shaking his head when a number of female shoplifters were sentenced to seven full days for stealing goods worth some ten dollars in Miracle Mart outlets.

Incidentally, none of them had a record, like that 19-year old girl whose eyes were wet with tears as she walked to a cell for having stolen some pieces of clothing worth \$37.21 in all.

One question . . . !

"It's serious, the police officer told us".

"But, asked the same detective, don't you think it is as serious for a 35-year old habitual criminal to steal \$160,000?

The people have lost confidence in the courts because some of the jurists have a doubtful past. And it is always the same question: are these people with a doubtful past fit to judge the actions of others? You can imagine a Conservative judge having to render a verdict in the case of a liberal organizer who was responsible for his defeat in the last election.

Besides, old racial grudges might flare up again. Just imagine a Chinaman being judged by a Russian or an English speaking Canadian from Ontario being tried by a Quebec separatist judge. Or else, a unilingual French Canadian of Quebec being judged by a unilingual English speaking judge from another province.

Past events provide us with enough evidence that too many people are given false records. A man from Rimouski visiting Quebec City last spring asked a taxi driver where the Court of Justice was. The driver replied: "Well, my friend, the Court is over there, but you will have to look for Justice!"

I think that legal proceedings are obsolete in many cases. They never end because giving oral testimony is an ancient custom dating back to the days when most people were illiterate, which made it necessary for people to meet personally in order to settle a number of issues.

In my opinion, we should consider giving written testimony as this would do away with much too many postponements.

Since Unemployment Insurance Commission officials generally solve most cases this way, I feel that other courts should consider doing the same thing.

• (9:10 p.m.)

Since in many cases the accused and the witnesses could prepare their own testimonies themselves, it would obviously save the parties concerned some expense as often the

[Mr. Godin.]

accused could dispense with an attorney's services.

In police matters, self-examination is also necessary. In order to avoid the opening of certain files, the R.C.M.P. should never intervene without valid reasons. This police body is never too expeditious when it comes to find individuals of the calibre of Lucien Rivard or Georges Lemay. When it comes to arresting a peaceful citizen, however, it is something different. Just by placing a telephone call, anyone can have a man arrested. I am thinking precisely of the particular case of a Quebecer who had become a bit of a nuisance for certain citizens comfortably entrenched on the municipal council. A mere telephone call and our man was "penned" for two months following false testimony.

Such methods are of a blatant dishonesty and I firmly hope that means will be found to put an end to them.

If I might be allowed to make a comparison, Mr. Speaker, in order to qualify for a \$200 yearly subsidy, a farmer must submit an affidavit to the Canadian Dairy Commission, and when it is attempted to destroy the reputation of a citizen, it is abnormal, I think, that one anonymous phone call should be enough to set in motion the police machinery. I will quote, if I may, a letter dated November 8, 1968 which was sent to me by the Commissioner of the R.C.M.P. It reads as follows:

I shall not mention the name.

On July 15th, 1968, our Quebec detachment was advised by a fictitious source that a stranger was bottlegging alcohol in a car—

Mr. Speaker, the investigation later revealed that the man in question had merely been the victim of a mean trick. As his friends were thinking of having him elected alderman, an opponent had simply put a gallon of "home brew" in the car that was seized.

Allow me to read you the next paragraph:

You will no doubt be pleased to hear that following further investigation no action will be taken under the Excise Act and we have asked our chief of police in Montreal to return the car that was being held.

I say again that my first letter was sent to the Commissioner of the R.C.M.P. on September 13th, and I point out that the reply was sent only on November 8th, that is four days after the municipal elections in the area concerned. Needless to say the taxpayer was defeated and finally the purpose of the anonymous phone call achieved.