

reading the provisions of Bill C-83 that I had given to him. Here is what he states in part:

In every country where prohibitive laws have been enacted, they had the effect of reducing the people's freedoms to the advantage of those who could not care less about legal matters.

He adds that controls of this kind would create hardships for a large number of Canadian citizens, and he makes a comparison with the registration of motor vehicles, which does not prevent accidents. It would be more useful, he adds, to stop giving free publicity to criminals, and describing terrible crimes in newspapers, in movies and on television, which cannot but rouse already disturbed minds. He goes on to say that we had better enforce existing laws before drafting others that are still more ambiguous and with which anyway, those who do not abide by the present legislation would fail to comply. In his view, this kind of prohibition will have no effect whatsoever on criminals and he goes on to say that he has never heard of a criminal being arrested in possession of a gun registered in his name.

According to a booklet published by an association responsible for the guidance in the safe training in the use of firearms, I read the following passage which I believe appropriate to quote:

We know that many politicians today prefer to blame the availability of firearms for the continuous rise in crime, rather than face the economic and social causes which are the roots of crime...

I insist on this: rather than face the economic and social causes which are the roots of crime, and I continue the quotation:

... such as the failure of our penal system, the diminishing authority of our police forces, the moral and spiritual decline of our society and the general tolerating attitude prevailing today.

We firmly believe that any gun enthusiast must comply with the law in a responsible manner when participating in these activities. Most firearm fans comply with the law and are prepared to conform with the normal legal restrictions allowing every citizen to use firearms in a responsible way.

We know that the criminal disregards altogether any restriction about firearms.

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Under present legislation, criminals can be severely punished, and so they should. Additional restrictions concerning firearms would only increase the pressure already imposed on the law-abiding owner of firearms. In my opinion, this is not the best way to protect the Canadian society against perpetrators of violent and other crimes.

A booklet published by the Law Reform Commission of Canada points out the problem of guilt by asking questions which call for consideration because, in some circumstances, guilt has to be determined. I quote a paragraph from this booklet:

What does being guilty mean? Most people think a person is guilty of an offence only if he was wholly aware of what he was doing and that he knew it was an offence.

But this is not what the law says. Ignorance of the law is not an excuse but mistake of fact can be one.

For instance, a person accused of selling drugs is found guilty even if he or she ignored that the sale of drug was forbidden by law. But if that person thought he or she was selling something else, sugar for instance, he or she is not guilty. However, the mistake of fact is not always an

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excuse, especially for minor offences. In 90 per cent of offences where liability is strict, the mistake of fact is not an excuse.

Elsewhere in the booklet, the following question is asked:

What is strict liability? Strict liability is a liability whether you are at fault or not. The motorist who runs through a stop is guilty even if he cannot see the sign, and so is the butcher who has tainted meat on his stall, even if he did not know the meat was tainted. Guilt therefore is not dependent upon fault.

I bet that a man would not be punished if he could prove that he was not at fault, that the stop sign was not visible, or that the meat deteriorated due to a power failure.

But according to the letter of the law, you should be found guilty. In fact there is a discrepancy between what is stated in the law and the way it is applied. But you could find even worse. The law is so complicated that you do not know when the responsibility is strict, nor do you know what the concept of strict responsibility means. However, each Canadian is likely to perpetrate about 40,000 of this type of strict responsibility offences, which make up about 90 per cent of our penal laws. Each year they account for 1,300,000 condemnations. One person out of 25 in Canada is condemned. This is a tremendous problem, especially when, on top of that, it is impossible to know what the law requires or what it prohibits.

This shows that I have very good reasons to insist that the laws and regulations should be written more clearly so that we may not be likely to condemn people who are not guilty at all.

I should like to make a few remarks on the subject of parole, a problem which is inevitably linked to the lives of the inmates in the penitentiary institutions of Canada.

Having had the opportunity to participate in discussions and work done in the committee which studied penitentiaries, I will say also that this participation gave me the advantage of a group visit to the St. Vincent de Paul penitentiary and the maximum security institution then being built in that area. I made interesting findings and got acquainted with all the responsibilities of those who are in charge of various correctional departments such as practical works, teaching, maintenance, supervising, cooking and clothing. I am not one of those who are prepared to admit that everything is perfect, that we have done all we could possibly do and that everything works wonderfully well. Indeed I would be in danger of being suddenly contradicted by various cases of rebellion and revolt which have already occurred in penitentiaries or cases of evasion which have enabled some reporters on the look out for sensational news to write reports which have contributed to promote the sale of their newspapers, not to mention some cartoonists who have shown in their usual style various ways to flood a rink without considering the weather when hoses are used for other purposes.

It is obvious that there is much room for improvement in the organization of our prisons in Canada and the matter is urgent. First we will have to acknowledge that the prime responsibility of the authorities of those establishments is to keep in their institutions the individuals committed to them and I am convinced that it is not always an easy task. In most cases, the prisoner does not resign himself to