

*Criminal Law Amendments*

the Liberal Members of Parliament in order to achieve that goal.

I do not believe it is good enough for the Minister to say, as he did, that it is all important legislation and it should all go forward. I wonder whether there is not behind that statement an attempt by the Minister to force the hand of Hon. Members on this side of the House by indicating that if we want the drunk driving provisions, we are going to have to agree today as well to all of the other provisions. I do not feel that is an acceptable bargain. I put it to the Minister that that is unfair and that the drunk driving provisions can stand on their own. I know that the justice critic for the Conservative Party in the last Parliament put that position forward. That was available all during the year. But now we are reaching a critical time when drunk driving does become a special problem. The Minister should know that, of course, because it is a well known police matter across the country. Provincial Attorneys General would be very much assisted by the gesture of this Parliament in legislating the drunk driving provisions right away. The other provisions could be left for committee study and for the receipt of briefs and hearings.

I can also give the Minister the assurance, as I did when he appeared before committee on estimates, that we will not hold this Bill up. This is a Bill we would like very much to see in the law in general, although certain other provisions will require study. Nothing is gained from the point of view of the Government or the legislative timetable by trying to twist the arms of the Parties opposite by saying we can only give the country the drunk driving legislation by giving it the rest of the legislation. I urge the Minister, perhaps through his Parliamentary Secretary who might speak this morning, to accept that offer before the Senators leave for the Christmas holidays, in order to get these drunk driving provisions into effect.

Let me say in general that I was interested in the length of time it took for the Minister of Justice (Mr. Crosbie) to come forward with the omnibus, "minibus" Bill which is now before us. I had assumed, as the days, weeks and months went by, that the Conservative Government was going to deal in the first omnibus Criminal Code amendment with some of the issues which were current during the election campaign, that there might even be provisions dealing with prostitution and pornography. These are issues in which voters had a considerable interest, as was expressed during the last election campaign. I would not even have been surprised if the Bill had addressed the problem of capital punishment, a high priority issue to many Conservative candidates during the election campaign.

● (1210)

So when the Bill came forward I was disappointed to find that it was actually less than the Bill that was before the House in the last Parliament. I had expected that in that amount of time criminal law reform would be a priority and that this Bill would show it. But what we see is that this Parliament and perhaps the new Government will continue to be governed by the Liberal criminal law agenda. Certainly this

Bill has less than the Liberal criminal law agenda, but I think I can say with some pride that that agenda is still governing this Parliament.

This Government has brought forward some but not all of the very important reforms introduced last year by my colleague Mark MacGuigan, to whom I think this Bill, even in its diminished form, is a tribute. I wanted to begin by noting that and by expressing our approval in general of the Liberal criminal law agenda which this new Conservative Government has seen fit to follow.

I mentioned there were some very sad omissions from the Bill. The Minister has referred to some of them himself. For example, I am very sorry that we have not moved ahead with the contempt of court provisions because Members on our side have been aware of and discussing the problems with respect to wife battering. According to media reports, a number of wives have over this past summer ended up in jail for contempt of court because they did not want to testify, after charges were laid, against husbands who beat them. I think this is an urgent matter. I know it is a difficult matter, but criminal law reform is sometimes difficult. The former Government bit the bullet, made a decision and put forward provisions which would have helped in that situation. I wish they were in the law now because there would be less battered wives going to jail for not testifying against their husbands. Yet this Government has taken a step backward and said it will not act, that it will leave things the way they are until it can have further discussions and give it some further thought.

I place in the same category the problems of pornography. The House has been discussing those problems in Question Period regularly. Pornography seems to be on a descending dynamic; the degradation gets worse and worse. Instead of moving forward the new Government has chosen to wait and have more discussions and consultation before acting.

In the same area I include the general subject of sentencing reform. I had hoped to see in this Bill something like the toughening up of the mandatory supervision law which I had introduced shortly before the election and which the Conservatives indicated they supported. I think everyone in the country knows, and it is a discredit to the criminal justice system, that there are a number of hardened criminals whose violence and aggression and further criminality can be predicted with a pretty high degree of accuracy. Yet because of certain failings in the present law, they get out on the street before the end of their sentence where they represent a kind of walking time bomb or menace to the Canadian people. New victims are created.

As the inadequacy of the law was recognized, I brought forward a Bill for tougher treatment and tougher rules concerning mandatory supervision. But instead of going further, as one might do in view of certain things which have happened in the last few months, the Conservatives have stepped back and we find no reforms being offered to the Canadian people right now.

Similarly, Mr. Speaker, prostitution has been omitted. I thought the present Government, given statements made