

Criminal Code

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the second time and the House went into committee thereon, Mr. Ethier in the chair.

Clauses 1 to 7 inclusive agreed to.

Title agreed to.

Bill reported.

The Acting Speaker (Mr. Ethier): When shall the bill be read the third time?

Some hon. Members: By leave, now.

Mr. Faulkner moved that the bill be read the third time and do pass.

Motion agreed to and bill read the third time and passed.

The Acting Speaker (Mr. Ethier): It being one o'clock, I do now leave the chair until two o'clock.

At one o'clock the House took recess.

● (1402)

AFTER RECESS

The House resumed at 2 p.m.

CRIMINAL CODE

AMENDMENTS TO GIVE CERTAIN RIGHTS TO POLICE

The House resumed, from Tuesday, March 14, consideration of the motion of Mr. Blais that Bill C-26, to amend the Criminal Code, the Crown Liability Act and the Post Office Act, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

Mr. Mark MacGuigan (Windsor-Walkerville): Mr. Speaker, this is an important bill and one which I believe ought to be given very sober and careful consideration by this House.

● (1412)

After a number of years in this House, it has struck me that the more purple the rhetoric of the speech which deals with a subject, often the less substantial is its content. I regret to say that I find this to be the case in what we have heard so far from the hon. members opposite on this bill. Indeed, the hon. member for Perth-Wilmot (Mr. Jarvis) gave such a thespian performance that I could only believe that, representing as he does the city of Stratford, he was auditioning for a role there later this summer in the event that his electoral fortunes do not go as he would wish. The hon. member for Provencher (Mr. Epp) on his own side who followed him was, nevertheless, most impressed by his colleague's address. Perhaps he though he

[The Acting Speaker (Mr. Ethier).]

was playing the role of Henry V. As I heard it, it sounded more like Polonius.

Mr. Knowles (Winnipeg North Centre): This sounds more like baloney.

Mr. MacGuigan: I think we have to look at the public's perception of a matter such as this when we are concerned with something which is not only a matter of technical concern to members of parliament or a small group of learned people, but to the whole public. It potentially involves the whole country.

The hon. member for Perth-Wilmot has cited the Mackenzie report at page 3772 of *Hansard* where he points out that the Mackenzie commission recommended that the power of opening mail be available to the government. The Solicitor General (Mr. Blais) rightly drew attention to the fact that the Franks commission which reported in the United Kingdom in 1957 and the Australian Royal Commission on Intelligence and Security in 1977 also agreed that the power to intercept and open the mail should be possessed by the government.

In a constituency bulletin I recently put this question to my constituents on the subject, which I phrased as follows:

Do you favour legislation which would give the power, under appropriate safeguards, to open first class mail to apprehend drugs or to protect national security?

As you will note, it covers both aspects of this bill which is before us. I gave my constituents until this week to reply. I received approximately 700 replies, and the breakdown is as follows: those who favoured such legislation totalled 74.6 per cent and those who were opposed totalled 25.4 per cent.

One cannot treat the results of such a questionnaire with scientific exactitude because it is not a poll in the same sense as in a Gallup poll, but I have no doubt that the same proportion of support for legislation of this kind would be found in a proper poll in any constituency, indeed, in the constituencies of the hon. members who have either spoken against the bill or those who have very haltingly spoken in its favour. I submit that this is certainly an occasion for consideration of public attitudes since it involves the public and the public's mail. It is their mail, not our mail, and the public should be listened to.

With respect to drugs I sense, even on the part of the opposition, a disposition not to raise very difficult questions as to the provisions. I would like to quote a publication which came across my desk this week. It is a newsletter of the Council on Drug Abuse, dated February, 1977. I received it on the very day that the hon. members opposite were making their speeches. My quote is from a news story in the newsletter entitled "Heroin In Our Mail To Continue Or Not?". It reads as follows:

It was reported at a meeting of the International Narcotic Enforcement Officers Association held in Toronto in August that the use of first class mail for the importation of heroin into Canada was prevalent.

One gram of heroin worth \$5 at source can easily be mailed in a regular envelope. By the time this has been cut and adulterated with other substances