

Police also need the power to charge members of organized crime, gun smugglers caught with a large number of unregistered guns, or someone about to commit a robbery, with a criminal offence. If we remove sections 91 and 92 from the Criminal Code, as the amendments suggest, we rob them of that power. In the guise of decriminalizing the bill for ordinary citizens, we decriminalize criminals.

The one-year minimum sentence for a second conviction under section 92 of the Criminal Code also clearly applies to criminals, not to ordinary citizens who fail to register their guns. It would not cause to be jailed a gun owner who had failed to register and had been found guilty of a summary offence under the proposed Firearms Act. It would not apply to a gun owner who had defied the law and was charged again under section 91 of the code. It would apply only to criminals already convicted of a serious offence under section 92.

For criminals, a much stiffer, four-year minimum sentence for using a gun in 10 serious crimes is provided for in this bill. The amendment would not change that. However, it takes away the minimum sentence for criminals who acquire and supply unregistered guns, and who have been convicted at least once. The minimum sentence tells the courts that Parliament believes gun possession for underground trafficking, or motorcycle gang wars, or organized crime is a serious matter. That message should stand.

I want to make a couple of comments before concluding. First, on the issue of regional representation, it is not accurate to characterize the West as a region entirely opposed to this legislation. Let me name just a few of the groups in Manitoba, which fully endorse Bill C-68. They are the Brandon Police Service; the Children's Home of Winnipeg; the John Howard Society of Manitoba; the Manitoba Action Committee on the Status of Women; the Manitoba Child Care Association; the Manitoba Teacher's Society; the Manitoba Police Association; the Portage Women's Shelter; the Winnipeg Health Department; the Winnipeg Municipal Council; and the Winnipeg Police Service.

The Manitoba Action Committee on the Status of Women cites statistics that show Manitoba has the highest annual average number and rate of hospitalization from firearm injuries of any province. The same organization has called attention to the role firearms play in domestic violence and violence against women. In Winnipeg, in a six-month period, 150 firearms were stolen in 90 break-ins, mostly by young offenders. All across the country, thousands of organizations and virtually every police association, except Saskatchewan's, support the legislation.

The Chair of the Law and Amendments Committee of the Canadian Police Association, who testified before the committee in the Senate, had this to say:

It is the view of the Canadian Association of Chiefs of Police that gun control generally, and Bill C-68 in particular, is a positive, preventive, and powerful piece of legislation

which will reduce crime, save lives, and significantly assist in the work of police officers.

In a letter of November 17 to the Leader of the Opposition, the Canadian Association of Police categorically stated that they support Bill C-68 without amendment.

Your Honour, may I have just a few more minutes?

• (1650)

The Hon. the Speaker *pro tempore*: The rules require that I point out that the honourable senator's time has expired.

Is there leave for her to continue?

Hon. Senators: Agreed.

Senator Spivak: Thank you, honourable senators.

The police association stated in its testimony that it had canvassed its members extensively. Many people say their view does not apply to the ordinary cop on the beat. Not a single member among the rank and file of police officers called me to suggest opposition to the bill. I am sure my friends here would have received such calls had that sentiment existed.

That brings me to the subject of national unity, a subject on which Senator Ghitter waxed eloquent yesterday. I fully agree with Senator Ghitter that that should be our primary preoccupation in these parlous times, but with regard to this bill, it is no surprise that I view the matter slightly differently. It seems to me that national unity would be well served if we were to concentrate on the problems which this bill is attempting to address: issues of public health, safety, security in our cities, towns and rural areas, crime prevention and violence.

We need to recognize that the provisions of this bill with regard to registration constitute a difference of degree, not of kind, since we have had licensing and registration in Canada for many years. This should not be used as a bargaining tool in the debate on national unity, nor should the criminal law power be involved in the demands for devolution on the part of the provinces — an insatiable demand, I might add. The enthusiasm of provincial premiers to vest more power in themselves is universal and profound.

Andrew Coyne coined a new term over the weekend, "unapologetic federalism," which carries with it the notion that the federal government should perform a vital, integrative role in the nation's affairs while allowing the provinces to exercise their traditional powers.

The Senate's role is to assess legislation and also to pass good legislation. That is the target here. The role of the Senate is not simply to bounce the bill back to the House so that they can simply return it to us unchanged, or not at all. In the immortal words of Izzy Asper, the Senate is not "chopped liver." The Senate has a role and a responsibility in Parliament.