

*Measures Against Crime*

council by proclamation to declare what is called "a firearms amnesty period".

● (1230)

Mr. Speaker, I always thought that an amnesty was a retroactive pardon which was given for criminal behaviour so that the criminal act could somehow be forgotten. But this bill creates criminal actions and then has the colossal gall to say that the whole population, or perhaps one million Canadians, will be guilty of a crime but that an amnesty provision will be brought in to clean up the situation. Any government which permits a provision of that kind to be brought before us really has to do a lot of explaining to the Canadian people. To my mind, the use of the language to which I have referred is the most offensive thing that occurs in a large number of very offensive pages. This is why I support the motion put forward by the hon. member for Calgary North (Mr. Woolliams) and, indeed, had something to do with the strategy which inspired it.

The Minister of Justice will find life much simpler if he takes out clauses 3 and 4 and pages 1 to 38 of this measure, puts them aside, and goes on with the rest of the bill. It is true that what remains will need purification and clarification, but I have the impression the other parts of the legislation could be expeditiously handled. I suggest to the minister that he will find himself in a long, cool spring, a hot summer and a chilly fall if he believes the measure as presently drafted and submitted to us is one which is likely to be accepted by the House.

I know that members opposite also have their reservations. The parliamentary secretary who preceded me has reservations with regard to the measure. After listening the other day to the hon. member for Ontario (Mr. Cafik), I said to myself, "That is the speech I was going to make." After indulging in a little political persiflage, he dealt with all the issues which to my mind were germane to what we are considering. I hope the Minister of Justice has the political sense to recognize that the motion put forward by my hon. friend from Calgary North is one way out of a bad situation.

It may be that the members of the Standing Committee on Justice and Legal Affairs, by working very hard—it is a superb committee—will be able to straighten out the kinds and overcome the four or five howlers I have drawn attention to already, as well as a number of others of which I have made note. It may be the committee will find itself able to straighten out certain of the technical details. But it is improbably we shall be able to straighten out the philosophy which lies behind a bill which would suddenly, at one swoop, turn a million or so Canadians into criminals who are to be given amnesty.

Surely, if the government is setting its mind upon gun control, the first target should be the criminal element; it should use every legitimate device to grab their weapons, to throw the book at them. Going through this bill, I find only three or four clauses which deal with criminal use and related punishment—a quarter of a page in one place, with two clauses in it, and another quarter of a page later on. Instead of dealing with criminals, this legislation would create criminals, and in a democratic society, when you go out of your way to turn a large class of people into

[Mr. McCleave.]

criminals, quasi-criminals or pseudo-criminals, either the society or the government is very sick indeed.

Let me give an illustration of what the Minister of Justice and the Solicitor General talk about doing but are really not able to do. The Solicitor General has made the point that most murders, where a gun is used as a weapon, are committed by the victim's relatives or friends. Most of these murders are, in fact, within that category. I ask the hon. gentleman to look at clause 103(1) and ask himself, if murders really take place in people's homes, as many of them do, in tragic circumstances often associated with too much liquor on a Saturday night, whether clause 103(1) really bills the bill. A former commissioner of the RCMP, Mr. L. H. Nicholson, a man for whom I have great respect—I hope he will be appearing before the committee, giving us his advice—points out that sometimes the people in the neighbourhood are in the best position to head off trouble. They can hear a quarrel; they might know of a weapon which could lead to fatal consequences, and decide to alert the police.

Mr. Speaker, the sanctity of a person's home is one thing, but clause 103(1) does not permit the police to enter a home in such circumstances, so doubtless we shall continue to hear of Saturday night tragedies. If there were any ground for being peremptory and ignoring the old attitude that a person's home is his castle, it would surely be a situation where neighbours know that something bad is going on and something much worse might happen unless there is speedy intervention. I will ask the Solicitor General further questions about this aspect when the bill goes to committee.

Another aspect which concerns me—and perhaps this is a special interest of mine—is the use made of the power of regulation. I refer specifically to the powers set forth in clauses 82 and 106. Regulations and orders in council have been a special topic of mine for a number of years. Regulations can be very strange animals indeed, and they tend to reflect the philosophy of the minister in charge of the department concerned. Incidentally, the ministers I have in mind are not here; as a matter of fact, no ministers are here at the present time. Yes, I see the Minister of Public Works (Mr. Drury) is here. The law officers of the Crown are not here, though. Perhaps they are out advising one of their colleagues who is in trouble. In any event, the acceptability of a regulation depends to a large extent on whether or not the minister is an autocratic type. Later this session, when the House sees the report of one of the House committees in a month or so, it might ponder my words.

● (1240)

Another matter that bothers me is the question of guarantors. I think that does go too far. I was going to ask the Minister of Justice about this, and I hope someone on the other side will pass this along to him. We keep hearing disturbing reports behind the scenes to the effect that when the regulations are drafted there will be a requirement to list weapons on the backs of licences. This report is fairly current and I hope the hon. member from Lakeshore is giving me his attention: he is familiar with the regulatory process. I hope the minister can provide an answer if he does take further part in this debate, or at least that someone on the other side will give me an answer whether or not this will be done.