

*Criminal Code*

reform. It would have been something for the average man.

● (4:00 p.m.)

What about the provision of counsel? This is covered by liaison between the federal government and the provinces. When a young boy is faced with a charge of manslaughter, it having been his bad luck to hit someone with an automobile, what kind of mouthpiece does he hire, especially if he comes from the class of people of below average income? According to statistics quoted the other day by the Leader of the N.D.P. 60 per cent of the population is in that category. That young boy cannot hire a good, experienced lawyer. In the past he would have gone before the bar of justice without counsel. Now counsel is appointed for him. Young counsel gain their experience through these appointments. That is not good enough. If this bill had come to grips with some of these subjects it would have done something to make sure that the law of Canada is applied equally to the rich and the poor.

I read in the newspapers the other day that the minister is trying to reclaim the former status of the Department of Justice and of his portfolio. Apparently it had fallen into some disrepute and its functions had been divided among other ministries. If this bill had done something about bail, expunging records, guaranteeing counsel and making appeals less costly it would have raised the status of the department.

Appealing a conviction for an indictable offence is a costly business. An appeal book costs \$1 or \$2 a page and may run to 500 pages. If a lawyer says to the father or mother of a young defendant who has been convicted. "I think this is a case where the judge did not instruct the jury properly and you should appeal," the first expense may be \$1,000 for the appeal book. Legal aid is provided in some provinces, but really nothing is done in this great bill.

What is this bill all about? It is not that beautiful painting outlined by the great brush used by the minister. What a great painter he is, and what oratory he can exercise in this chamber when he wishes. This is a bill through which the government wants to change the law on homosexuality and abortion, questions which affect the consciences of all Canadians, but the government knew that if it wrapped up these amendments in one great cornflakes package it could put it through parliament. It is a bill tied up with

[Mr. Woolliams.]

great big bows and ribbons, but it contains no reform so far as the average man is concerned except in relation to the morals of the nation.

The minister says that no influence was exerted on the members of his party. I can just hear every little heart over there throb and members saying, "I wasn't influenced; I love my Minister of Justice." If there was no influence and if the minister was not afraid of the pie, why did he not carve it up as he promised his constituency president and the nation as a whole? I know what goes on in the workings of government and parties. Anybody who has sat in this house as long as I have cannot be so naïve as to believe there is no influence through party discipline on the Liberal ranks. If there is no such influence, then it is the strangest coincidence since the first conception. I say that the bill should have been divided so that all members of parliament could have spoken according to their consciences.

I now come back to the Standing Committee on Justice and Legal Affairs. I said I did not want to pour cold water on it. There were many amendments proposed. I managed to get several through, one of them changing the age from 17 to 16. But I defy the minister to stand in his place and say that the meat of the bill was not homosexuality and abortion. Very few amendments were permitted on those clauses without influence from the Liberal members of the committee. Those amendments that did pass did not centre on the core of the bill.

**Mr. Turner (Ottawa-Carleton):** Would the hon. member permit a question?

**Mr. Woolliams:** Always from you, sir.

**Mr. Turner (Ottawa-Carleton):** The hon. member was an assiduous member of the Standing Committee on Justice and Legal Affairs. Does he recall the amendment introduced by his colleague, the hon. member for Halifax-East Hants (Mr. McCleave), affecting gross indecency, where he had the word "force" added to make it perfectly clear that consent could not be obtained by force? Does he recall as well the amendment to the abortion section where the word "approved" was added to the word "accredited" so as to enlarge the range of hospitals?

**Mr. Woolliams:** I said material amendments, and through you, Mr. Speaker, I say again to the minister that there were no material amendments. I will deal with both of those