

*Criminal Code*

As a result of the introduction of Bill C-83 and all the discussion which flowed from it we have been successful, in Bill C-51, in marrying the public objective with the need to protect the rights of certain people who, for responsible and legitimate purposes, use long guns in this country.

Mr. Speaker, I would not want to hurt his feelings and make him cry in the House of Commons, but I do believe it is my duty to tell the minister that once again he is completely mistaken if he imagines that Bill C-51, as it now stands, protects the public while also protecting the right of the individual to use guns for legitimate purposes.

Now, Mr. Speaker, those who claim that the public will be better protected once this bill is passed are naive to a very considerable extent. Criminals will never be placed by this bill in a position which will prevent them from finding firearms. Criminals use the firearms they bought in the underworld and which cannot be traced nor identified by dealers. These firearms have been stolen and disguised especially for crime.

It is as ridiculous to claim that these criminals will be affected by this legislation as to believe that criminals are so stupid that they would have their firearms registered at the registration office and obtain a certificate before committing their crimes. In fact, we must recognize that criminals will not be affected by this piece of legislation. As in that past, they will obtain their firearms on the sly, that is on the black market which the government will never be in a position to control with the provisions of the bill which is now before us. So much for the protection of citizens!

As for the protection of the rights of individuals who possess and legitimately use firearms for serious purposes such as hunting or target shooting, the bill is not only useless and unefficient but plainly dangerous. Indeed, it will be left to officials to decide whether or not citizens will be allowed to possess or to use firearms. For instance, subclause 104(3) provides that decisions of the firearm officer are presumed to be valid, that they are supposed to represent the truth whether or not this officer has made an inquiry, that his conclusion be right or not, and that the citizen is presumed to be guilty. Mr. Speaker, that provision is completely contrary to what our judicial system stands for, namely that a citizen is presumed innocent unless proven guilty. In the case of Bill C-51, the firearm officer enjoys a presumption which compels ordinary citizen to bear the burden of the evidence, even if this decision is excessive and has been taken without prior inquiry or checking. That is a frightful aspect of the bill, Mr. Speaker. Canadians are not ready to accept this kind of dictatorship; they are used to be given the benefit of presumptive innocence and they are entitled to the extension of that presumption in all areas. Mr. Speaker, any legislative measure imposing the burden of the proof on the ordinary citizen is unacceptable. For that matter, if he wants to put Canadian citizens in the position of having to prove everything, the minister could just as well ask them to dip their hands in boiling oil to prove that they are innocent and protected by God. Was it not the way it was done in those days when people had to prove their innocence? This is a basic principle and the minister should amend the bill accordingly.

● (1720)

I would like to give a few more examples of very questionable points. One reads in the following clauses, and I quote:

The accused, the citizen is presumed not to have had a permit, and it is up to him to prove it before the court, that is he is still presumed guilty.

It is forbidden to sell, exchange, give, lend, give up or deliver a firearm without the person receiving it showing his or her permit between individuals and the person selling, giving or lending has the onus of proving that the person to whom he gave, sold or lent had the permit.

Those are, Mr. Speaker, further cases where the onus is unfairly placed on the shoulders of the citizen. Here are, Mr. Speaker, a few more examples of clauses interfering with the rights of citizens.

Permits and registrations issued by bureaucrats may be withdrawn at any time.

The recognition of the validity of hunting permits (competency cards in the handling of firearms) under clause 105 (p. 130) is a purely discretionary prerogative of the governor in council.

Those are clauses, Mr. Speaker, and I will have an opportunity to quote others later, that take acquired rights away from Canadian citizens. Having a permit to own a firearm is no longer a right. It becomes a privilege. And that privilege will be administered by almighty public servants who will hide behind the authority of the cabinet to prevent law-abiding citizens from using their acquired rights.

Mr. Speaker, I have here an article by Jean Pagé, published in the *Montreal-Matin* of May 12 last. He writes the following about Bill C-51, and I quote:

Seizures without warrants, without crimes, without trials, and confiscation without compensation are the first legislative step toward dictatorship. Presuming decisions by bureaucrats imposing the onus on citizens to be right is the second step toward dictatorship.

And what benefits will Canadians get for the loss of their rights and freedoms?

Mr. Speaker, gun control is not an effective way to check crime. Take Switzerland for example. In that country, all adult citizens are required to own a gun under the law. Everybody must have one. Yet, the crime rate for aggravated theft and murder is quite low in that country. Far from controlling firearms, Switzerland requires its citizens to own guns and rifles.

On the other hand, in England where gun control laws have been very strict for more than 50 years, a study conducted by Inspector Colin Greenwood of the British police has shown that gun control had no effect at all in reducing the number of crimes committed with firearms. Indeed according to those figures, violent crime has greatly increased since 1963 in England in spite of gun control. There again, Mr. Speaker, it is clear that gun control will not reduce the number of violent crimes. We have proof of that. Some countries without gun control have very low crime rates, while others with controls are faced with soaring crime rates. If Canadians cannot even expect a decrease in the crime rate in exchange for this loss of freedom, what will they get? Nothing more, Mr. Speaker. The minister thinks that firearms are responsible for crimes and murders.