

Mr. Macdonald (Rosedale): Yes, Mr. Speaker, as I indicated to the hon. member for York South we shall soon be making an announcement with respect to the legislative program for the balance of the session, perhaps on Thursday next.

● (3:00 p.m.)

GOVERNMENT ORDERS

CRIMINAL CODE

Hon. John N. Turner (Minister of Justice) moved second reading and reference to the Standing Committee on Justice and Legal Affairs of Bill C-150, to amend the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act and to make certain consequential amendments to the Combines Investigation Act, the Customs Tariff and the National Defence Act.

He said: Mr. Speaker, in introducing this massive bill I am very sensitive of the solemn duty that I have to the law of this country and of the effect that this bill, if adopted by the house, will have on the individual lives and individual human rights of everyone in Canada. I speak this afternoon with the confidence that this legislation is the most important and all-embracing reform of the criminal and penal law ever attempted at one time in this country. The omnibus measure contains matters of deep social significance which, in the course of time, will affect the lives of most of us, perhaps each one of us, in varying degrees.

I submit this bill to the scrutiny of this house, weighing as best I can the delicate balance between law and morals and the historic ideal of the rule of law in a free society. In placing these matters before you, sir, the government is endeavouring to have the criminal law reflect the attitude of what most persons believe to be reasonable and necessary for the well-being of our society or, to put it in another way, to bring the law into line with the times.

[*Translation*]

The interest shown in that project has been tremendous. No wonder that such interest often became argumentative.

In my opinion, it would have been absolutely unrealistic to hope that the proposals which have been made would be free of controversy. However, the fact that such controversy exists, although serious and sober, ought not to stand in the way of the proposed bill before this house.

Criminal Code

We have listened to and carefully weighed the arguments and the views from all sides and, on that basis, we have tried to draft a bill which, we believe, is sound and useful and will receive the approval of most of the people in this parliament as well as outside.

[*English*]

Much has been said and written recently about the concept of law and order. It was probably the underlying issue in the recent election in the United States. We are not immune from that discussion; what is happening there is contagious. We are witnessing what has been described as a new search for human values and relationships—relationships between man and man and between men and government, new relationships that have new meaning in the technical and psychological context of our age.

What this search and the accompanying changes mean, as far as I am concerned, are not a demand for law and order that freeze men into a predetermined pattern but law and order that respond to change and to movement and give us options. Because, sir, yesterday's order, if unresponsive to change, becomes tomorrow's oppression.

[*Translation*]

It is not the first review of the Criminal Code. However, I do not think that any other review of our criminal statutes has aroused such a great interest. It is true that in 1954, parliament studied and adopted a general review of the Criminal Code but its main purpose was, on the one hand, to give it a more orderly and understandable pattern and, on the other hand, to change and repeal provisions which had become obsolete. Since its inception in 1892, until the early 50's, the Code had been amended several times, but in a piecemeal fashion and without any overall plan. By making these remarks I do not wish to depreciate the results achieved by the review of 1954.

It was really a necessary and significant task. However, it did not get the kind of contribution which the bill under consideration has inspired all across the country.

No bill concerning the Criminal Code has been as much scrutinized and commented upon by members of the legal profession as well as the people in general.

This bill will be remembered, I am sure, as a high point in penal reform in Canada.