

Criminal Code

Mr. MacDonald (Egmont): A further supplementary question. I wonder whether the government or the minister have had any consultations with the International Red Cross or their representatives here in Canada—because they have representatives both here and at Sao Tome—to consider the possibility of diverting part of the necessary food-stuffs to the island of Sao Tome?

Mr. Sharp: Mr. Speaker, we have been in touch with the Red Cross, but up to the present time they have not indicated any such preference.

GOVERNMENT ORDERS**CRIMINAL CODE**

The house resumed, from Friday, January 24, consideration of the motion of Mr. Turner (Ottawa-Carleton) for the 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.

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, after reading the various speeches delivered during the course of this debate I felt there were a number of suggestions I might make which, on the basis of experience, may be helpful. During the 50 years since I was called to the bar I have followed the practice of always appearing in court, regardless of fee, when anyone was able to show me that he was in danger of being subjected to a grave injustice. Although my appearances as defence counsel constituted only about 5 per cent of my practice, I appeared in some cases which the press reported in a manner not unfriendly to me.

● (3:00 p.m.)

My first words now must be to congratulate the Minister of Justice (Mr. Turner) on an honour done to him in the last few days. We were in Barbados together and the hon. gentleman there received the distinction of being admitted to the distinguished bar of that country. Should the hon. gentleman decide in the years ahead that he prefers the salubrious climate of the Caribbean the barristers of Barbados will encounter strong opposition if the hon. gentleman appears at their bar.

Sir, I was interested in certain references he made to me in connection with the Berubé case. The minister said that on the basis of representations that were made as a result of that case the law is being changed so that never again will a person innocent of any offence be incarcerated for a number of months. The Berubé case came to my attention in a personal way. When I visited the prison in which Berubé was confined a senior official there said he could not understand why I would become interested in an ordinary man 20 years of age. Imprisonment would do him no harm even if he were guilty of nothing—an unusual viewpoint, to say the least, for anyone to hold.

On the other hand, the minister has said that in his view this bill is one of the most comprehensive reforms of the Criminal Code ever undertaken in our country. On page 4717 of *Hansard* the minister is reported as saying:

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.

I remember when the present Prime Minister (Mr. Trudeau) introduced this bill originally. At that time he was minister of justice and held different views. Reporting his views, U.P.I. said on December 21 1967 that "the minister at no time suggested the bill was a radical revision of Canada's criminal law." The report continued to the effect that the 46-year old bachelor said that the changes only "tidied up" the act. There is a wide discrepancy between the fulsome description of the bill given by the Minister of Justice and the description given by the former minister who now is Prime Minister. But that is not unusual with this government, sir.

We had an example of inconsistencies in connection with the Grey case. When asked at a press conference in London questions regarding Grey's incarceration in Peking the Prime Minister said he had no knowledge of the matter. It had never been brought to his attention and he had no idea what the press was speaking about. He then fell back on that reed, the Secretary of State for External Affairs (Mr. Sharp), inquired what that minister knew about the matter. He received no information whatever. The Grey incident in London made many pressmen abroad realize that all wisdom did not reside with the two leading members of the present government of Canada.

In his speech the Minister of Justice also said that this legislation had received the approval of the Canadian people. All I can