

changes be made with reference to the severity of sentences to be imposed, specifically in sections 364, 365 and 436 of the code.

The reason why I rise to say a few words is that, in my opinion, there is an inconsistency between the severity of the penalties allowable under sections 1 and 2 of the bill and the severity of the penalties allowable under section 3. A number of hon. members have pointed out that it would be possible, if this bill were passed in its present form, for a postal employee to be given a life sentence for the stealing of an empty postal bag. On the other hand, if a firm deliberately defrauds the government and the people of Canada, in the terms set out in section 3 of the bill, section 436 of the criminal code as amended would provide a maximum sentence of only seven years or a fine of \$50,000 or both.

My interest in section 3 is related to certain remarks I have had occasion to make previously during this session with regard to the alleged defrauding of the government by certain bedding manufacturers. I have asked questions of ministers of certain departments and their parliamentary assistants, and there has been placed on *Hansard* information which would seem to indicate that such practices are in some cases being carried out. I refer to the failure of certain bedding companies, who are providing mattresses and other bedding products for the armed forces, to make those products in accordance with the specifications laid down by the government. Offences of that kind are covered by section 436, and the answer given me in one instance by the parliamentary assistant to the Minister of Munitions and Supply made it quite clear that at least one case is being proceeded with against a firm under this section. I have had strong representations made to me by parents and other relatives of members of the armed forces who learned that this kind of thing was being done. Not only is the government being defrauded but the health of persons in the services is being endangered in this way. I have taken this moment or two to refer in detail to this matter as one example of cases that come under section 436 of the criminal code. To my mind the offence I have mentioned is far more serious than the offences possible under paragraphs (a), (b), (c) and (d) of section 1 of this bill. Like some of the hon. members who have preceded me I feel that we have no option but to raise these questions on second reading because the principle that we are being asked

to approve is the amending of the criminal code along the lines set out in the various sections. I wholly support the contention already made to the effect that a possible life sentence for the theft of an empty post letter bag should be reduced. I couple with that the suggestion—

Mr. BERTRAND (Laurier): But if the bag had a \$100,000 in it, what then?

Mr. KNOWLES: In that case the judge would have the discretionary power to pass the appropriate sentence. The bill before us gives the judge the right to impose that very severe sentence even for a very light offence, and yet on the other hand, no matter how deliberate the action of a company in defrauding the government under section 436 of the criminal code may be, no matter how injurious it may be to the health of the people in the armed forces or to the health of our civilian population, the offence under the section even as amended by this bill cannot receive a greater punishment than imprisonment for seven years and a \$50,000 fine. My contention is that the element of fraud in section 436 and the injurious effects upon health are so much worse than some of the offences under section 364 of the criminal code that there should be an alteration in the provisions of this bill. Like others who have spoken, I feel that there should be a lessening of the severity so far as sections 1 and 2 are concerned, but I contend also that there should be an increase in the severity so far as section 3 is concerned.

Hon. L. S. ST. LAURENT (Minister of Justice): I think I should deal very briefly with some of the general observations that have been made with respect to this bill to amend the criminal code to provide for better administration of criminal justice.

The suggestion is made that there should be a provision dealing with mandatory sentences, removing the obligation to impose capital punishment in all cases of verdicts of murder. There may be very good reasons to urge for the limited extent of the removal which has been enacted in the parliament of the United Kingdom for that kingdom.

Mr. DIFENBAKER: That is as far as I went.

Mr. ST. LAURENT: I gathered that that was as far as the hon. member for Lake Centre was recommending that we should go. Beyond that I think it is preferable, so long as capital