include an undertaking that the applicant be responsible for the whereabouts of his firearms. He should also be required to show, at the time of the application, that he has the means to store firearms in a safe place where a child or other unauthorized person cannot have easy access to them. I would suggest that administratively the licensing be carried out locally in a similar manner to that already in effect for hunting licence applications in provinces. I would also suggest that some control be exercised with regard to the purchase of ammunition and/or explosives and/or the ingredients required for ammunition, so that authorities would know where any large quantity of ammunition may be found, such as the location of gun clubs and other similar organizations.

● (1450)

In imposing gun controls it is important to recognize that for many people firearms serve a necessary and legitimate purpose. This is a factor that has been admirably recognized by this bill. Being required to prove, at five year intervals, the ability to use and own firearms and to exercise responsibly will not inhibit any person with lawful intentions. I think this is the minimum price that should be required for the privilege of using weapons that have the potential for so much harm.

I fully support the proposed increases in maximum sentences for firearm misuse and for the use of firearms in the commission of other crimes. It will provide a more effective deterrent to the gratuitous use of weapons in criminal activities. However, I do not support the minimum sentence requirement in section 98(1), the proposed section that everyone who uses an offensive weapon, etc., whether or not he causes or means to cause bodily harm to any person as a result thereof, is guilty of an indictable offence and is liable to imprisonment for not more than 14 years and not less than one year.

I would also suggest that the proposed section should be changed so that the individual could be charged under the section summarily or by indictment. The section refers only to proceeding by way of indictment, which seems rather harsh to me in all circumstances. In my view, the Crown attorney should be able to decide, on the facts available to him, whether to proceed summarily or by way of indictment. Minimum sentence do not provide any stronger deterrent to the commission of a crime, but they tie the hands of the judge responsible for sentencing. He alone is in the position to weigh the circumstances of the individual case and determine a suitable punishment. Appropriate sentencing is an integral part of the crime prevention process. For this reason, I think the sentencing judge should be limited only by maximum penalties.

I turn now, Mr. Speaker, to the question of electronic surveillance. In this section the amendments proposed in clauses 6 to 10 of the bill correct what I feel to be a serious error in the Protection of Privacy Act. The law enforcement authorities must be given sufficient freedom in their powers of investigation to uncover and prosecute the activities of organized criminals. The extension of the allowable period of surveillance is a belated recognition of the fact that crime prevention and detection is a lengthy and painstaking process. If the power to intercept communications is to be an effective one, then the time limit should be subject only to the requirement that the continued necessity of the surveillance be shown at prescribed intervals.

The removal of the exclusionary evidence rule corrects another error in the orignal act that needlessly hampers police investigation. Admitting evidence derived from an illegal interception should not be viewed as an open invitation to unauthorized electronic surveillance. I think that more confidence in the integrity of our law enforcement authorities is warranted. Under the amended section, however, a technical invalidity in the judicial authorization would not cripple the entire investigation. Similarly, removing the requirement to notify the person being investigated will allow the investigation to be persistently developed without prematurely alerting the suspect.

These amendments have already been the object of a great deal of criticism, notably by the Civil Liberties Federation. In the *Globe and Mail* of March 2, the federation is quoted as calling this bill "the most regressive action taken by the government since the imposition of the War Measures Act", and predicting that "Canadians will lose a significant part of their hard won freedoms, while peace and security will still remain an elusive objective". Certainly in its efforts to control crime and reverse the trend of increasing violence, the government must not disregard the civil liberties of the individual. I think it is possible to establish a healthy balance between safeguarding the individual's rights and giving the police enough power to do their job effectively.

Specifically in the matter of electronic surveillance, this balance can best be maintained by requiring stringent judicial examination of every application for authorized surveillance. The grounds for authorizing an interception are set out in clause 7. I think the standing committee should undertake a careful study of this section in or to consider a more precise definition of the grounds for authorization, without, however, limiting their scope.

It is my understanding that when wiretapping and electronic bugging legislation was passed in the United States in 1968 it was actively utilized. In the first year of operation I understand that for 3,500 arrests where "bugs" were used, some 40,000 people were heard in some 500,000 conversations. When you consider the magnitude of such statistics, the whole question of bugging appears to be potentially dangerous to personal privacy.

I think the onus must remain on the Crown to demonstrate why it is necessary in the public interest. Surely it is useful for detection and follow-up concerning organized crime. However, it should only be used where other policing methods and techniques are not considered adequate or efficient. It has been shown in the United States, so I am advised, that there was more success in detecting crime using other conventional methods than when bugging was used. It seems to me that for bugging devices to be used, it must be shown that they are not only useful but indispensable under the circumstances of the case. The burden of showing the necessity of electronic surveillance rests, quite properly, on the official applying for authorization. If this requirement is rigorously applied, the public will not become subservient to the police, as the Civil Liberties Federation has charged. Subjecting each application for surveillance to close scrutiny by a member of the judiciary will do far more to protect the individual's rights than any