

Private Members' Business

waits or you are waiting for the Attorney General to make his or her decision?

• (1830)

We also have plea bargaining as a tool of the criminal justice system. I agree that it is used too frequently. But is plea bargaining the culprit or is it a symptom of another greater problem, that we do not have enough judges and justices in our court system, that our court system is backed up. Should we then look at the fact that we need more judges?

We should also look at the idea of community service. Perhaps that would relieve some of the congestion in our judicial system.

While I appreciate what the hon. member is trying to do, I have some problems with the way he is doing it and what he is suggesting. The extreme nature of some of his suggestions would be counterproductive. While I applaud him for his concern, I cannot support this suggested legislation.

Mr. Ian Waddell (Port Moody—Coquitlam): Mr. Speaker, I rise to speak on this bill as the NDP justice critic and also as someone with a background in criminal law.

My first job as a young lawyer was assistant city prosecutor for the city of Vancouver. In that job, I dealt with people who were charged with these sorts of offences and prosecuted cases where people went to jail for these offences. I might say that those who went to jail should have gone to jail for those offences.

After I served as Crown attorney in the city of Vancouver, I spent some time as a defence lawyer. I defended people who were charged with these offences. People say, how can you do that? In our system people are entitled to a fair trial and they are entitled to a fair defence.

The hon. member for Kitchener quoted a past member of this House who originally brought forward the idea of a five-year minimum penalty for an offence with guns, the Right Hon. John Diefenbaker. He too was a defence counsel. He could see both sides and knew that you could defend someone for these offences, but you

also had to prosecute them for these offences and that they were serious offences.

I want to say right out to the member for Kitchener that I agree with zero tolerance for those who commit a crime with firearms. They should go to jail. They should go to jail quickly and they should serve their time in jail. We do need stricter and tougher laws for criminals that use firearms. I want to say that right out. It needs to be said.

Having said that, I know the hon. member chaired the committee on Bill C-80, the first gun control bill. It then became Bill C-17. As my hon. friend and colleague for Cape Breton—The Sydneys, the Liberal justice critic said, the hon. member for Kitchener did an outstanding job in chairing that committee. I do not have any hesitation in saying that. Politically, we do not agree on many things although there is some agreement here. I want to say right out he did a good job with that committee. I am tempted to say I wish the Beaudoin-Dobbie committee had been more like our other committee on Bill C-17.

He will forgive me and allow me to quote myself from the committee report because he did allow members, unlike Beaudoin-Dobbie, to sign the report but also to put in an addendum, to flag important issues. I want to quote myself on page 68 from my addendum under Criminal Misuse of Firearms:

The special committee proposes much stiffer penalties for criminal misuse of firearms. For example, it is recommended that a minimum term for the use of a gun in the commission of an offence be tripled.

That was one year to three years. The member's bill proposes five years.

I agree with this recommendation. However, I believe the special committee mistakenly sees longer sentences as a trade off for weakening the controls on firearms of Bill C-80. The focus on jail terms for criminals is an easy one for politicians.

Perhaps I was being a little bit harsh, but I did say "an easy one for politicians".

In some way, it is an extension of the oft-heard phrase "guns don't kill people; people kill people". We need strong controls on firearms and tough penalties for those who misuse them. People with guns kill people.

What I was saying there and I say now is a bit of a warning. Do not think by passing a tougher law on criminal misuse of firearms that the problem of gun control is solved.