

Measures Against Crime

The Acting Speaker (Mr. Turner): I suggest to the hon. member for Hamilton West (Mr. Alexander) that that is a point of debate and not a point of order.

Mr. MacGuigan: This is the first time I have ever seen the hon. member for Hamilton West (Mr. Alexander) shrink from politics. Perhaps he should take advice from his provincial counterpart.

Mr. Epp: You know all about provincial politics, don't you?

Mr. MacGuigan: I was talking about this unfortunate undercurrent, and I was saying that if this is going to mark the speeches of opposition members on this bill, this is going to be a sorry day for the Conservative party as well as for debate in this House.

Mr. Epp: Look at your own house and what is left of it.

Mr. MacGuigan: I not only have my own conscience. I have to worry about you people too.

Mr. Coates: We don't need you as our conscience.

Mr. MacGuigan: The theory of the right to bear arms is not a Canadian theory; it is not a British theory; it is an American theory, and it is part of the most revolutionary aspect of American life, the one part of American life which has been rejected by all Canadians looking at the United States from the very beginning of our history. We can say that we are not Americans because we refused to share that tradition. If that is the kind of argument hon. members opposite are going to make against this bill, if they want to have that kind of alien importation of American philosophy and to strike at the British and Canadian tradition—which members of their party have been so proud to uphold over the years—then I am very worried about the course of this debate.

Some hon. Members: Hear, hear!

Mr. MacGuigan: Just to refer to the various kinds of control which are provided by this bill with respect to firearms, I might mention providing stiffer sentences for most crimes involving guns, the permitting of police seizure of weapons which are likely to be used in an offence—which I think will prove to be a very valuable power—tighter regulations concerning both restricted and prohibited weapons, and perhaps the centerpiece of all these measures, the licensing of all gun owners and gun dealers. That is really the heart of the legislation.

In addition to that there is the program of the recall of all unwanted weapons and the program to promote greater legal responsibility for those who possess weapons. However, the heart of all this is the licensing of gun owners and gun dealers.

The kinds of arguments we heard this afternoon from the hon. member for Calgary North are really not very effective arguments with respect to gun control. Most Canadians today will agree that it is just as important that guns should be as controlled as automobiles. If uncontrolled both are dangerous things, and guns are much more dangerous than automobiles.

[Mr. Alexander.]

I do not think anyone can successfully make the argument before the Canadian public or this House that guns should not be subject to some form of licensing and that gun owners should not have to show a certain responsibility before they are given the privilege of using firearms, and it is indeed, a privilege. In Canada it is not a natural right. I do not know what the hon. member for Calgary North hoped to prove by repeating the phrase one gets from U.S. extremists that when guns are outlawed, only outlaws will have guns. I do not think we should have that kind of argument being used to oppose this bill. That will not win very many supporters for the hon. member who makes it.

I also want to say some words about the wiretapping provisions of the bill. When we approved the protection of privacy bill some years ago—1974 was the year the bill was proclaimed—the votes at that time indicated that most hon. members of this House believed that wiretapping was necessary in view of the increasing sophistication of criminals and criminal activity in our country. There seems to be no other way by which the police can be effective in dealing with criminals except through the use of devices which are of this degree of sophistication. However, even used by the police, wiretapping is something which is dangerous. It is sufficiently dangerous that it requires an unusually careful balancing of interests every time it is allowed, even when it is carefully controlled by law. It must be very carefully controlled and very carefully restricted so that it is always used in the public interest and does not get out of hand.

As chairman of the Standing Committee on Justice and Legal Affairs I may not have as much opportunity as I would wish in the forthcoming debate in the committee to express my viewpoint on this, so I want to do so here this evening, first with respect to the notice provision. We had an indication here from the minister today, and indeed from our general awareness of what is going on, that the police consider a problem to exist because of the provision that notice must be given to a person who has been wiretapped 90 days after the wiretapping is completed—after the investigation is completed, to put it more accurately—and that this is unduly hampering the police.

Although I have never seen it put this way, I suppose one might say that the exemption provisions which allow a judge to defer giving the notice, while they are broad enough to allow continuing investigation, are not broad enough to provide for continuing suspicion. I have some reservations about allowing notice to be deferred when we are proceeding only on the basis of continuing suspicion and when the investigation is actually finished. Yet we know there are people in our society who are sufficiently borderline in their activities that a particular investigation may be concluded by the police—and by any reasonable test the police might have to say before a judge that that investigation was completed—but they would not want to have notice given to that person to make him aware in a very direct way that he was being watched by the police. Perhaps we will have to take all this into account in committee. I have an open mind on it at the moment. But even if there is a problem not taken into account by existing law, that does not necessarily mean that no notice at all should be given. Perhaps the law could be changed in other ways, to require notice still in some circumstances.