

Government Orders

them. Their job is to push the envelope to ensure that what is done correctly and that the checks and balances work.

• (1315)

A confirmation of some description would have far more value not to the judge who has been appointed but to those who are making the appointment to know that if they are making an appointment of someone who does not bear the scrutiny of a carefully crafted confirmation hearing they probably should not be there in the first place.

It would be a check and balance to those of us who are elected and make these appointments to make sure the appointments will stand the test of time, the test of open debate and the test of a little sunshine coming in so people understand these laws and the people who interpret them belong to the people of Canada. Our laws do not belong to the court. They do not belong to the Queen. We live together in society in a social contract because we have confidence and faith in our laws.

When someone commits a crime in all of our courts it is always the Queen, Regina versus the defendant. Perhaps we should expand that and say it is the Queen representing Canada at large and the person affected, the family affected versus the defendant. It is not an abstract third party deal if one has lost a friend or a mother, a father, a brother, children or a spouse either through criminal activity like murder or through violence or second degree offences such as impaired driving where there was no necessary intent.

We have to realize we are not talking about abstract ideas. We are talking about real honest to God people impacted on positively and negatively by the results of our actions, by the results of actions of others.

I put these suggestions on the table. These are the things Canadians from coast to coast want. Whether in British Columbia, the maritimes, Ontario, Alberta, in the north or in the south, whether Canadians are French speaking, English speaking, male, female, black, white, have been here for 10 generations or 10 days, we want security of the person. We want to feel secure when we leave our homes. We want to know that if we have been hurt or injured by someone else, the law of the land is here to protect us, not to protect the guilty, not to protect the perpetrator. The due process should belong to the innocent victim.

Unless we start to put the rights of the victim ahead of the rights of the criminal we will never ensure that people in the social contract between independent citizens who have given of themselves to the state, given their duty and fidelity to the state, get a fair return in exchange.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I endorse what my colleague said at the beginning of his statement, with all due respect to the minister and the speaker from

the official opposition. It is rather difficult for an ordinary fellow with my education to keep up with lawyer talk. I get lost from time to time. If we use lawyer talk we might as well use doctor talk because I do not understand that either. However, I do understand the intent of this legislation. I commend the minister.

My colleague felt we were caught between a rock and hard place. I am going to change that from a stone to a hard place in respect of our minister so there will be absolutely no confusion.

I hope my speech will reflect the voice of ordinary Canadians, that which I have heard for quite a while on this issue. As we live from day to day we all have a habit of taking things for granted.

• (1320)

When I hear of a crime being committed by someone who is intoxicated I immediately take it for granted that he will be charged and probably convicted. However, when I learned there is no conviction because he was drunk, I am flabbergasted. I never dreamed for a moment that being drunk would be a successful defence. I began to ask myself how this could be. Who would ever have imagined being drunk would be an excuse to commit a crime?

My life prior to becoming a member of Parliament allowed me on many occasions to come to the aid of those involved in family problems in general and specifically in family abuse. In about 90 per cent of the cases liquor was a contributing factor. In other words, the physical abuse would probably not have occurred if the assailant had been sober.

With courts now deciding drunkenness can be used as a defence all our efforts to stop spousal abuse and child abuse would be for not. One only has to be drunk to be declared innocent. How ridiculous can we get?

Laws are written to protect the public. I find it unbelievable that normal human beings would decide that drunkenness is a defence. If it is because of the wording of legislation or the wording in the charter of rights and freedoms, for heaven's sake let us fix it.

I support and commend the efforts of the justice minister in preparing legislation to deal with this problem. I encourage each member to support it to the fullest so every judge in this country will get the message that the law makers of this land clearly state that under no circumstances will drunkenness be used as a defence in criminal activity. The best message we can send is that this legislation receive 100 per cent support, and the sooner the better.

As members of Parliament we are responsible for addressing the concerns of our constituents. As members of this House we are responsible for instituting legislation wanted by our constituents. Therefore the Supreme Court should be listening to