

A restricted weapon is a lot different than the so-called long guns. The minister is not letting us in on what he and his department heads are thinking. It is a great deal different trying to compare changing the number on a gun with running a disorderly house or some of the other things the minister suggested the bill is designed to prevent.

The minister has not put forward a very good defence for his suggested change. If he does not intend to have registration, what good is this clause? Obviously it will not help to catch criminals. It will open up the way for a law officer to get at somebody without having to prove some more serious infraction under the law.

I am not a lawyer. I have no training in that field. However, I feel this amendment will help to make the bill a little more reasonable. If accepted, we will not have the situation where a person has to prove his innocence rather than the other way around.

I hope the House will accept my amendment and that the minister will see his way clear to change his thinking. Obviously he is intent on increasing the hold which government has on people, controlling them in this area. I feel that control in this area is far too widespread.

The Acting Speaker (Mr. Turner): Order, please. It being six o'clock, I do now leave the chair until eight o'clock later this day.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Ritchie: Mr. Speaker, before the supper hour I was speaking to the amendment I have presented. I should like to add that, after reading what the minister had to say in committee, it is obvious he has not taken the House into his confidence. He said then:

The reason is obviously a practical one in that the authorities, coming upon someone with a firearm on which the serial number has been changed, just as a matter of practical investigation have absolutely no way of determining whether it was in his possession with lawful excuse.

This appears on page 22:40 of the Minutes of Evidence before the Committee on Justice and Legal Affairs on June 16 of this year. He is indicating that somewhere down the road he expects to use this power, and the only way it would be useful to the authorities is through the registration of guns. It would be almost impossible to prove that someone has unlawfully erased a mark or changed a bolt for his own benefit.

The House would do well to consider what the hon. member for Calgary North said, as recorded at page 22:42 of the proceedings of the same committee:

I think this is the little thing that finally smoked out what the philosophy of the department is. Do you know what most people, the wildlife people and the gun owners, believe? That this Bill C-51 which got watered down after they

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opposed C-83 so violently, is like the camel in the tent; once he gets his neck in, you are going to have him all in the tent.

I believe the minister intends to press on with gun legislation at some point. I should like to register my objection, and I hope the House will see fit to pass this amendment. At least it will provide some small degree of protection so that if gun registration does come about it will come about in an honest manner, not by way of back-door tactics.

Mr. Gordon Towers (Red Deer): Mr. Speaker, on rising to take part in this debate in support of the amendments put forward by my hon. friends I wish to make a few remarks, a few comments, relative to the statement made by the minister this afternoon. The minister was not very convincing when he tried to argue that when a person was charged he did not have to prove his innocence.

I could illustrate for you an incident with regard to income tax, where the Income Tax Department contacted one of my constituents and asked for information. The information was sent in with regard to the income of the individual, but the Tax Department took no cognizance whatsoever of the reply and went ahead and assessed him for the tax. In turn, the individual had to hire accountants to protect himself and, even though he was not guilty of an offence or any violation of the income tax law—it was just that he had been assessed wrongly—he still had to prove his innocence. The same thing would happen if this provision were enacted. If an individual is charged, unless he wants to plead guilty he has to prove his innocence.

I am not a lawyer, just a layman, but I can see what is going on in our society today. In a great many cases people plead guilty because it is easier and cheaper to do so than to fight a case. To me, Mr. Speaker, that is not justice and it is why, as I said earlier today, I am wondering whether justice has vacated our land entirely, with the Minister of Justice (Mr. Basford) continuing to bring in legislation whereby individuals have to prove their innocence when they are charged with an offence.

● (2010)

It seems to me that somewhere along the line either the House of Commons or this legislation is lacking in common sense. Surely in this day and age of abundant technology we have the intelligence to put in place legislation which will be of benefit to all rather than infringe on the rights of individual Canadians.

As I said earlier, the Minister of Justice was not convincing in his argument this afternoon. I am sure that if he were in one of our courts in Canada and approached the issue in the same manner as today, he would not win many cases. I plead with members on the government side of the House to talk to the minister to try to impress upon him that this is not the way to put forward this legislation.

If the legislation were going to control the activities of the criminal, there would be less opposition to it, but there is no guarantee that legislation such as this will do so. Further, those who are charged, whether law abiding or not, will have to prove their innocence.