

*Criminal Law Amendment Act, 1972*

Clause 49 deals with disclosure of jury proceedings. I welcome it in the sense that it prevents jurors from being asked by the press during or after trial to disclose what is going on in what should be a confidential forum, the jury-room. I wonder whether this provision does not go too far. Perhaps there should be a limit, so that within five or ten years of a trial a juror could be allowed to report a reminiscence of what took place. For historical purposes perhaps it would be useful not to impose any penalty, but the imposition of a time limit would remove any difficulties which might be created by press sensationalism.

I should like to devote the balance of my remarks to the clauses which make the bill a matter of the utmost urgency. These clauses deal with air piracy, hijacking and the commission of offences in flight. These are of an urgent nature and I hope the bill will go to committee, if not by tomorrow, when our time will be limited, at least as early next week as possible. I can assure the minister that we in the opposition will deal with it as expeditiously as we can. The Canadian Air Lines Pilots Association have conveyed to us, as I am sure they have to the minister, that they consider time to be of the essence with regard to the air piracy clause.

This association has written to me that if they thought there was going to be any delay in the bill becoming law, the portion dealing with airline difficulties could be severed from the rest of the bill and dealt with. However, I think the bill as a whole can be dealt with expeditiously but I want the public record to note that this is one of the reasons we want to get at it. The pilots wrote as follows to the Minister of Transport (Mr. Jamieson) during the time of the hijacking of an Air Canada aircraft:

• (2050)

The recent spectacular hijacking of an Air Canada aircraft points out the need for immediate government action in this area.

That a man carrying a veritable arsenal can board an aircraft unnoticed indicates a total lack of security measures.

The Canadian Air Line Pilots Association urgently requests the Canadian government to implement effective security measures at all Canadian airports and terminals.

Further delays in this matter cannot be tolerated.

I think we are all aware of the event to which this association refers. A person walked on to an airplane with a sawed-off shotgun and some 40 pounds of dynamite, and rather spectacular bravery by the captain of the plane eventually brought the man back to earth. One is entitled to ask whether the measures that are proposed in the omnibus Criminal Code bill before us are sufficient. Some argument can be made, and in fact was made in the *Financial Post* of August 21, 1971, about the pre-flight screening technique that has been used in the United States more than it has been used in Canada. I quote from that editorial:

There have been an impressive 815 airport arrests as a result of a preflight screening technique that has been specially developed to pick out likely hijackers. While the eventual charges against those detained covered a wide range, 141 of those caught were actually carrying concealed deadly weapons.

The transport association figures that in 1969 only 17.5 per cent of hijack attempts were thwarted. By 1970, as the system of preflight screening became better developed, they claim a hijack failure rate of 30.8 per cent. So far in 1971, 43.8 per cent of all attempted hijackings of U.S. airliners have been averted.

[Mr. McCleave.]

I think the Canadian public has conditioned itself to expect the strongest measures possible to deal with hijacking, including the preventive measures I have mentioned. It is not a pleasant experience to be subjected to a search outside an airplane. I am sure it has happened to most members in this chamber when bomb threats have been telephoned to airports. None the less, when you get into the air and look at that rather fragile metal cocoon surrounding you from the elements and great heights, you are happy that all measures have been taken to ensure that no infernal instrument has been brought on board which could put you into the great hereafter and the great beyond before you want to go there.

The minister and, I am sure, other ministers have received correspondence from a gentleman in Calgary, Mr. Van Wielingen. He has written to a sufficient number of people so his writings can really be classed as public documentation. I quote:

During the first 10 months of this year I logged 72,021 air miles by commercial aircraft. Twenty-seven departures involved embarkations from Canadian international airports, 28 from U.S. airports, and six departures from airports outside of North America.

In Canada, I was involved in one superficial metal-detector inspection at Vancouver International Airport in January, 1971. Notwithstanding considerable waiting time spent at numerous Canadian international airports, I never witnessed any checks whatsoever, although I had ample opportunity to do so if any had been conducted at those occasions.

In the United States, I underwent nine inspections, several including thorough bodily inspections and detailed checking of carry-on luggage.

On transoceanic flights I underwent three inspections.

Notwithstanding his experience, this man argued with various ministers and members of parliament for a more detailed inspection system for Canadian airlines and Canadian airports.

The hon. member for Calgary North (Mr. Woolliams) would normally be carrying the burden of this bill but he is on special assignment to the United Kingdom. However, I think it should be noted that he has presented a measure on air piracy as a private member's bill. Along with the hon. member for St. John's East (Mr. McGrath) and other members of the official opposition, he has consistently argued for quick dealing by Parliament of the legislation to implement the several international conventions dealing with the twentieth century crimes, as they must be called, of air piracy and hijacking of aircraft.

It has been two years since the Air Line Pilots Association met with the former minister of justice to argue for the fastest action possible. I suppose parliament really is not in tune with the jet age, because two years is a long time to wait for remedies. Now that we have embarked upon this legislation, hopefully we will get on with the job and before too many weeks have passed our law enforcement people will have something with which to deter or cut out altogether one of the sophisticated crimes of this era.

I think I have indicated to the minister areas where he can expect opposition and areas where he can expect support. I have tried to do this in the spirit of trying to make the Criminal Code as good and as enlightened an instrument as possible. We will deal further with it in committee.