

GRAIN

PRODUCTION AND RECEIPTS POLICY—FARM CONSOLIDATION PROGRAM

Mr. Don Mazankowski (Vegreville): Mr. Speaker, on Monday last I directed a question to the Minister of Agriculture asking for information relating to the government's policy respecting consolidation of prairie farm units. The minister replied that it was too large an area for him to reply to during the question period. Can the minister now advise the House whether he will be making a statement on motions outlining the government's policy on prairie farm unit consolidation, as referred to in the grains proposal, prior to the convening of the agricultural congress?

Hon. H. A. Olson (Minister of Agriculture): Mr. Speaker, I have no plans to make a statement on motions in that context.

Mr. Mazankowski: A supplementary question. I wonder whether the minister could explain to the House and to the farmers of this country how in the name of heaven—

Mr. Speaker: Order, please. This is an argumentative supplementary.

Mr. Lundrigan: Mr. Speaker, on a point of order, is it in order for me to ask the House Leader where all the ministers are today? Five ministers are absent who, according to the roster system, should be here.

Mr. Speaker: That, of course, is not a point of order. Orders of the day.

GOVERNMENT ORDERS

PUBLIC ORDER (TEMPORARY MEASURES) ACT, 1970

PROVISION OF EMERGENCY POWERS FOR PRESERVATION OF PUBLIC ORDER

The House resumed from Friday, November 13, consideration in committee of Bill C-181, to provide temporary emergency powers for the preservation of public order in Canada—Mr. Turner (Ottawa-Carleton)—Mr. Honey in the chair.

The Chairman: Order. House again in committee of the whole on Bill C-181, an act to provide temporary emergency powers for the preservation of public order in Canada. When the committee rose on Friday, November 13, 1970, clause 7, as amended, of the bill was under consideration, with an amendment proposed thereto by the hon. member for Broadview, which reads as follows:

That clause 7(1) be amended by striking out all the words in the said clause after the words "pending his trial" in the third line thereof so that the subclause would read:

"a person charged with an offence under section 4 shall be detained in custody without bail pending his trial unless an order for his release on bail is made by a court having jurisdiction under the Criminal Code"; and

That subclause 2 be deleted.

Shall the amendment carry?

Public Order Act, 1970

On clause 7—Detention.

Mr. Gilbert: Mr. Chairman, when I moved the amendment on Friday, I commenced by saying that prior to the implementing of the War Measures Act, and the regulations thereunder, and also prior to passing Bill C-181—

The Chairman: Order. I wonder whether the committee would agree with my suggestion that we have a degree of quietness so we can hear the hon. member for Broadview speak to his amendment.

Mr. Gilbert: Thank you, Mr. Chairman. I was saying that prior to the implementation of the War Measures Act and the regulations thereunder, and also prior to the passage of Bill C-181, the Minister of Justice was considered one of the more progressive reformers in this House. The reason I say that is that his handling of the languages bill and the amendments to the Criminal Code indicated not only that he was progressive but that he was a man who was conciliatory in the matter of amendments, one whose position was flexible and certainly possessed of understanding.

Thus far, the minister has refused to budge on any amendments proposed to Bill C-181, not only by members of his party but also by members of the opposition. I am sure the Minister of Justice does not want to mar his reputation as a progressive reformer, and doubtless he is concerned at the reaction of certain people to the War Measures Act and to this bill. I am sure the minister is aware of articles in the newspaper written by James Ayres and other writers, as well as some university professors. I hope that in considering not only clause 7 but some of the remaining clauses of the bill the minister will change his attitude to the amendments that will be brought forward.

In introducing my amendment to this clause, I could do no better than remind the committee of the words used by the minister in June of this year when he introduced a bill to reform bail procedures, particularly since the clause we are discussing relates to bail. Rather than giving an attorney general discretionary power, we feel that the judge before whom an accused appears should be given the power to make the decision as to bail. When he introduced the amendments regarding bail in June, the minister said that at present many people are unnecessarily subjected to arrest, though other means such as a summons might be perfectly adequate to secure the ends of justice. He also said that too many people who have been arrested are held in custody pending trial, and are thereby exposed to the various indignities of pre-trial detention.

I could not agree more with the minister. In addition, the 447 people arrested under the War Measures Act, of whom 283 were released, 64 detained and 41 charged, indicates the high proportion of those who were perhaps unnecessarily arrested, 283 of them, as I say, having been released. Perhaps this underlines the necessity for seriously considering the bill clause of this bill.

As the minister said in his statement, the criterion for granting bail should be based on the likelihood that an accused will turn up for his trial, as well as on the