

Supply—Justice

I pleaded before the judge that they should be fined and not incarcerated because they wanted to go back and finish their term at university. I am not naming the university. But under the penalty section of the Narcotic Control Act our court of appeal has taken the position that on conviction a person cannot solely be fined. The judge must sentence him to some period in jail. In this case we had a very learned and understanding judge, because he has a family of his own. What did he do? He looked at the matter and said, "All right. If that is what the court of appeal says I will sentence them to one day in jail with a \$500 fine, and as it is past noon they do not have to serve their one day." I do not know where the provision about it being past noon comes from but it is used. Basically, we got a fine for them instead of prison.

But do you know what happened, Mr. Chairman? Counsel for the federal crown called the immigration department and said, "We now have three people in Canada who have been convicted of an indictable offence and we want them arrested under the Immigration Act." Air Canada was better than usual and we made a quick reservation and got them out of the country.

With regard to a student who is caught smoking marijuana, if we are going to make it an offence let us look at it from the point of view of education and re-education so that he will cease using it. If we are going to make it an offence let us amend the law so that it serves the kind of justice we expect and allows persons convicted to live within the institutions of our society with some kind of dignity.

One last thought, Mr. Chairman, with regard to corporal punishment. I have heard the hon. member for Vancouver East make excellent speeches on this subject and he will probably have something to say about it today. He was bringing this matter before the house long before I became a member. Some 15 or 20 years ago a royal commission dealt with the matter of corporal punishment and thought it was terrible. Here is what section 641 of the Criminal Code says in part:

Where a person is liable to be sentenced to be whipped, the court may sentence him to be whipped on one, two or three occasions within the limits of the prison in which he is confined.

A sentence of whipping shall specify the number of strokes to be administered on each occasion.

Have we not reached the time in our civilization when a man should not cause another man, for whatever he may have done, to be stretched out and brutally beat him in the

most sadistic fashion? Is it not time to review the details and wording of the Criminal Code? The Minister of Justice is a young man. If he can accomplish this job he will go down in history as one of the best ministers of justice, apart from politics. I am glad, Mr. Chairman, I have had the opportunity to deal with this point.

Before sitting down may I mention one last thought. Ex-R.C.M.P. Commissioner Harvison made a statement the other day. I do not think he is a reckless man. Over the years that I have practiced law I have been more often on the defence side than on the other side, and I have developed a tremendous respect for the R.C.M.P. I do not think there is a nation in the world that has a police force of which it can be more proud than we can be of the R.C.M.P.

Just a week or so ago ex-Commissioner Harvison said that American syndicate criminals are moving into Canada, into Vancouver, Montreal and other big centres. He said they have been doing this for a long time. In this respect I say that the administration of justice is a joint responsibility of the federal and provincial authorities. I ask the Prime Minister if he would set up a royal commission to find out what is going on in regard to corrupt bankruptcies, because there has to be some investigation carried out. I think Lafayette Payette was the name of the man who, because he dared to raise a question about a fraudulent bankruptcy, was found dead in the trunk of his car. This is syndicate crime.

• (5:40 p.m.)

We prosecute the poor girls and boys and men and women who take drugs. But what about the pushers? What about the fellows who are bringing these drugs into the country? The R.C.M.P. have done a terrific job in this respect. They have caught up with people who had several millions of dollars worth of drugs in their possession. These people are making money from the demoralization of our youth and older people. Let us investigate this problem in view of the commissioner's statement. Let us not play politics and say: This is not the way I would handle the matter. I say to the Prime Minister with the greatest respect—he is not here at the moment but I do not make anything of that—that we must do something to solve this extremely serious problem. The Minister of Justice is here. He is a member of the cabinet and I asked him to talk to his cabinet colleagues about it.