

Measures Against Crime

government would be better to prevent the selling of military surplus to the public, for I regard the fact of putting such arms on the market as criminal. I would like to add that the minimum age to buy firearms should be 18 or more.

In its present state, Mr. Speaker, Bill C-83 provides that a much greater number of justifications will be available to intercept private communications. An authorization of the courts would still be needed before intercepting communications and the period during which interceptions are authorized would be increased from 30 to 60 days. And it would no longer be necessary, after 90 days to notify a person whose communications have been intercepted. On top of allowing that more interceptions be conducted, Bill C-83 indicates that the police will even be allowed to use the private communication that has been intercepted as evidence in courts even if they have not been authorized by the judge.

Private communications are intercepted especially in the case of persons suspected of drug trafficking or gambling for these are areas in which the police is not always successful. But, even we can easily recognize that organized crime is now a real plague that we should fight with all possible means, do we really wish to allow the police to interfere in the private lives of honest people in such a generalized way in order to fight a war which they cannot win.

This measure seems unacceptable to me for it is unacceptable that in this free and democratic country, the research and the punishment of the guilty comes before the respect for the private lives of the honest citizens. For the moment, the law authorizes interception of private communications only in some very restricted cases and I hope that this will continue to be so.

Police officers are only human. They are not immune from error. We must therefore oppose any provision leaving too much discretion in such an area, because it is extremely important not to infringe unnecessarily on the rights of a number of innocent people.

This does not mean wiretapping is not valuable. Any investigation technique, and especially undercover ones, may bring useful information. But I would not readily suggest it is the most precious police weapon, nor that the police cannot successfully conduct investigations without it. We must be realistic about it.

It must be added that intrusion has been made into the privacy of hundreds of thousands of individuals, with the aim of restricting freedom of speech and association, in the name of national security. Each year the government spends millions of dollars in that area, while neglecting more important services that could undoubtedly help eradicate factors leading to crime. And to what success, Mr. Speaker? A few drug peddlers, a handful of gamblers and bookkeepers sentenced. Never are the major bosses arrested, for the simple reason that the big ones probably do not receive that many phone calls. Evidently, those not wishing to get caught do not use their telephones where they suspect they might be wiretapped. Frankly, there must be better ways of spending our few dollars.

Surely the aims of this legislation are commendable. But I cannot accept the fact that to fulfill them the government

[Mr. Allard.]

found nothing better than restricting the civil liberties of honest Canadian citizens. In my view, further research should be done on the relationship between guns and violent crime, and the ways and means of fighting violence. Such are the comments I leave on Bill C-83.

● (1440)

[English]

Mr. W. Kenneth Robinson (Toronto-Lakeshore): Mr. Speaker, I am pleased to take part in this debate on Bill C-83 because it is so important to Canada and Canadians. As a lawyer and defence counsel I am concerned about the matters covered in the bill and the approach the minister is taking to handle them. I will not speak on all matters of interest to me at this time but will confine my remarks specifically to gun control, electronic surveillance, special crime inquiries, dangerous offenders, and custody and release. Time does not permit me to go into each in depth but only to make what I consider to be relevant points in order to have the best bill possible.

The first part of Bill C-83, dealing with gun controls, is an important part of the peace and security programme as a preventive approach to crime. We have all heard the criticisms of the proposed controls that have been levelled by hunters, sportsmen and other gun owners. These critics regard any form of gun control as an attempt to disarm them and deprive them of a means of protection and recreation. I think this is an unreasoned response to the measures that have been proposed by the government. There is a limited proposal to disarm: first, by providing for an absolute prohibition of weapons that have no legitimate uses in hunting or target shooting, and second, by restricting the possession of all firearms to people who can be relied upon to use them in a responsible manner and only for lawful purposes. A system of licensing firearm owners will not make it impossible for professional criminals to own and use guns, but the conscientious application of these controls will reduce the chances of dangerous weapons remaining in the hands of unreliable people.

A Statistics Canada study of firearms has revealed that 13 per cent of the homicides in 1974 were committed with hand-guns, which have been controlled for some fifty years. In the same year, approximately 30 per cent of the homicides were committed with long guns, which are not now subject to any means of control. The unrestricted availability of weapons obviously has a direct relationship to their use in criminal activities. It is important to bear in mind that, although "professional crime" is increasing in Canada, most homicides are still impetuous acts, committed in moments of extreme emotional stress. Controlled access to firearms could significantly reduce the number of these crimes. The "cooling-off" period built into the licensing system will forestall the train of events that so often ends in misfortune when there is uncontrolled access to weapons.

As the minister said in his remarks opening this debate, "gun ownership is not a right, but a privilege". People with previous convictions for firearm misuse, or with a history of mental instability, should not be granted this privilege. The onus must rest on the person seeking this privilege to show that he is capable of using firearms in a responsible way. To this end, I would like to see the licence application