

Mr. BELL (*Carleton*). Oh, there are scores of presumptions of this type in the Code. I have in front of me the index to the Code showing in at least 20 cases that there are presumption of the type which Mr. Forest explained, not the type that is in the draftsmanship of the bill.

The CHAIRMAN: Well, in answer to certain comments, Mr. Forest indicated his willingness to change paragraph (b) by substituting the word, I take it, "presumed" for "deemed" and I was wondering if we wanted to discuss the principle on the basis of the words should be "shall then be presumed to be the person having had charged" and that, to a degree, eliminates some of the curse that is on it that we have been talking about. But it does not get right down to the principle of whether or not we want to recommend this.

Mr. BELL (*Carleton*) May I ask, Mr. Chairman, Mr. Forest whether he has discussed this matter with the director of the criminal law division of the Department of Justice or with the Attorney General of his own or any other province?

Mr. FOREST: I wrote to the Minister of Justice.

Mr. SCOTT (*Danforth*): Mr. Chairman, we should hear some of these people as to their experience with this section of the Code and what difficulties they have encountered, and any ideas they may have as to the way in which it could be safely strengthened.

Mr. BELL (*Carleton*): I would be quite interested in knowing what the views of the Attorneys General of the provinces were in a matter of this sort. Has there been a real problem encountered by the police and what suggestions would they have, if such a problem has been encountered, of meeting it.

Mr. MACEWAN: Was it discussed at the last federal-provincial conference on crime?

Mr. NIELSEN: Another question, too, that I would want to ask, Mr. Chairman, is whether the bill had gone through the mechanics of being cleared under the requirements in that regard with respect to its constitutionality, and so on.

Mr. FOREST: No. It was just presented because of my own experience in some similar cases and I know for a fact that there have been a rash of hit-and-run cases in the last few years. I know that there are very seldom convictions in these cases. It was introduced for the purpose of strengthening the law, though I was myself worried about the implication on the inconvenience and the awkward position it might put some owners, naturally and especially if the Crown was not prudent in laying charges.

The CHAIRMAN: What is in your mind, Mr. Nielsen, in regard to constitutionality? Is it property and civil rights that you have in mind, or what?

Mr. NIELSEN: No, no, there is a requirement that all private members bills submitted have to be vetted by the Minister of Justice for their correctness—

The CHAIRMAN: All I can say is that I wrote to the Minister of Justice and told him that these bills would be considered by the committee, and asked him