

*Government Orders*

This bill is a major realignment of drug control legislation, specifically an act respecting the control of certain drugs, their precursors and other substances, and to amend certain other acts and repeal the Narcotic Control Act. The first flag of concern is that this bill is presented by the Minister of Health. It amends the contents of the Criminal Code of which the Narcotic Control Act and federal drug act have traditionally been part. It is now seen as health legislation rather than behavioural control legislation that is commonly known as the criminal law.

• (1245)

I am directly suggesting that there is joint responsibility between the Standing Committee on Health and the Standing Committee on Justice. When this bill gets to committee the significant and traditional Criminal Code and justice nature of the bill must not be forgotten.

This begs the question: What is the government saying about the drug problem in Canada? What philosophical flavour made this bill be presented as health legislation? Certainly that should be a concern to the community.

The assignment category for legislation into health sends a message to the country. I am not so sure I like that message. Is there a misguided softening on law and order with this government? Has the government given up on the aggressive police enforcement side of dealing with the drug problem? I hope not. Certainly I do not think it has the political mandate for that either.

May this legislation receive the significance and priority that it deserves. For all its hoped for improvements let us hope that changes in the criminal law will not be weakened by Bill C-7's regulation to be seen merely as a health issue.

The role of the federal government in combating drug abuse is long established. Within Canada the Narcotic Control Act, the Food and Drugs Act and the Criminal Code provide the basic legislative structure for the control of psychoactive substances, narcotic stimulants, depressants and hallucinogens.

Enforcement of these federal statutes is the responsibility of the Royal Canadian Mounted Police who work closely with customs authorities, provincial and municipal police forces to combat illicit drug activity.

Health and Welfare Canada's bureau of dangerous drugs has a dual role in the implementation of the statutes. It provides administrative support to law enforcement agencies such as disposal of seized goods and assets, training assistance and scientific expertise. The bureau also administers the regulations covering the legitimate use of psychoactive substances for medical and scientific research purposes.

These provide for distribution procedures, security measures, record keeping and prescribing practice among others. There must be a balance between control over drugs and their availability to meet legitimate medical and scientific needs.

The health care community must also be accountable for its shared role in achieving this balance. Since practitioners, physicians, veterinarians, dentists and pharmacists are licensed by the provincial government where they practise, those governments are also responsible for ensuring that standards are met by health professionals under their jurisdiction.

Close and ongoing liaison among federal and provincial authorities is the key to an effective drug control program. However it must be sustained by bold, clear law that actually works in the courtroom and does not become a retirement plan for lawyers.

Drug control law must also send the right signals for general deterrence. It must work technically but it also must teach. It is symbolism and advance warning of what the community will tolerate.

My reading of the community mood is that it is looking for political leadership and courage concerning our drug laws. The attitudes of zero tolerance are increasing as the community comes to comprehend the long term debilitating effects that illicit drug use has on society, especially among the young.

Bill C-7 replaces a large part of the Criminal Code book which I have on my reference shelf, for the Narcotic Control Act and the Food and Drugs Act have traditionally been known as criminal legislation. Law enforcement agencies are involved. The courts regularly impose sentences on those duly charged under it, fined and given jail terms. This is the character and seriousness of the legislation.

Drugs are also related to organized crime. Yet this bill to amend the Criminal Code is introduced by the Minister of Health. Health is an issue for sure but Bill C-7 is clearly criminal law in tradition and substance. Therefore when we push this bill on to the next stage, I ask the government to send it to the Standing Committee on Justice and Legal Affairs, not the Standing Committee on Health.

I want to talk for a moment about marijuana. A survey a few years ago revealed at that time that 4.5 million Canadians 15 years old and over had tried some form of cannabis. The same survey showed that 1 in 15 Canadians used cannabis in the year of that survey and the numbers were rather astonishing. Approximately 700,000 Canadians have tried some form of cocaine. More than 800,000 have tried LSD, speed or heroin.

• (1250)

Since the drug problem seems to accelerate each year, there is no question that there needs to be a coherent, workable and