

his statements last week respecting writs of assistance and his intention to press upon his cabinet colleagues reinstatement of writs of assistance on a large basis, and the removal of the moratorium. In view of the fact that writs of assistance provide the holder with extraordinary legal ability to carry out search and seizure without a search warrant, no discretion being provided to the court with respect to the issuance, with no back-up material needed to be filed outlining the reason for the issuance, and no time limit being imposed upon the length of time which writs of assistance are in existence, could the Solicitor General, in all conscience, and on behalf of the government, indicate that it is his intention to ask for the reinstatement of this particular legal device?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I did not mean to speak on behalf of the government. I indicated quite clearly that it was a personal view—

Miss MacDonald: You cannot do that.

Mr. Kaplan:—which I was hoping to take to government; I still do. I would be very glad to come at some proper time before the Standing Committee on Justice and Legal Affairs to demonstrate the benefits in terms of drug law enforcement which would be derived from these writs. I would also want to indicate a great number of safeguards which could be imposed and would be quite acceptable. They would ensure that none of the kinds of dangers which have been spoken about recently in connection with these writs would take place. For example, I could visualize circumstances where, immediately after any entry pursuant to a writ, a process could be gone through either before a judge or some official that would meet or could meet all the standards which apply to writs obtained before the fact.

REASONS FOR MINISTER'S POSITION

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, the type of writ to which I and the Solicitor General referred has been abolished in the United Kingdom for a considerable period of time. Under the Bill of Rights in the United States it is prohibited. Over the weekend the Solicitor General made a fulsome defence of an entrenched charter of rights. How can he take that position with respect to supporting the principle of an entrenched charter of rights which protects the rights of individuals against the state, and at the same time try to bring forward and press upon the government his concept of the expanded use of the writ of assistance, as he now does?

Mr. MacKay: It is the Liberal way.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I do it because I am gravely concerned about drug trafficking in Canada and because I believe that, as effective as the RCMP has been, the problem, particularly on the west coast, is getting out of hand. Those who are interested in more effective law enforcement in connection with drugs, and the problems with drugs, ought to be searching with me for some additional ways

to achieve effective law enforcement consistent with our democratic tradition in Canada on civil liberties.

* * *

● (1440)

NUCLEAR ARMAMENTS

VISIT OF UNITED STATES WARSHIPS TO VANCOUVER HARBOUR

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, my question is for the Minister of National Defence. The minister is aware, of course, that three U.S. warships have spent the weekend in Vancouver harbour—

Some hon. Members: Hear, hear!

Miss Jewett:—including a 71,000 ton aircraft carrier the U.S.S. *Ranger* and a guided missile cruiser. Neither the commanding officer of the *Ranger* nor the U.S. government is willing to tell us whether or not these vessels are carrying nuclear arms. Since Canada claims to be free of nuclear arms and committed to disarmament, can the minister tell us whether or not nuclear arms have been sitting in Vancouver harbour since Friday last?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I would like to tell the hon. member that if I had a chance to be in Vancouver these days I would welcome our American friends.

Some hon. Members: Hear, hear!

Mr. Lamontagne: As far as nuclear weapons are concerned, the defence policy of the Canadian government is well known. We are against any nuclear weapons whatever they are. We do not like to have them on our land and we do not like to have them on our soil. But if someone comes to our country as a NATO ally, as a friend, and being one of our allies, some of whom are nuclear powers, we rely on them for the best credible deterrents that are possible against war. As such, without saying whether they have or have not nuclear weapons, they are always welcome.

TIMING OF VISIT

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, in a television interview last Friday in Vancouver the commander of the U.S.S. *Ranger* said it was a matter of concern only to himself as commander and to the U.S. government. He did not mention the Canadian government at all. I wonder if the minister will tell us whether the Canadian government did in fact know whether nuclear arms were aboard these ships. Will the minister also tell the House, when he invited the U.S.S. *Ranger* and the other two ships to spend four days in Vancouver harbour, whether he knew at that time this would be during the United Nations sponsored Disarmament Week? In fact, has the minister ever even heard of Disarmament Week?