



House of Commons Debates

VOLUME 133

NUMBER 114

1st SESSION

35th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, October 26, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Wednesday, October 26, 1994

The House met at 2 p.m.

Prayers

STATEMENTS BY MEMBERS

[English]

REGISTERED RETIREMENT SAVINGS PLANS

Mr. Janko Peric (Cambridge, Lib.): Mr. Speaker, I have received numerous letters from constituents concerned about the upcoming budget and whether they can expect to be taxed on their RRSPs.

These constituents believe that an understanding between government and Canadians has existed since the 1950s when RRSPs were first introduced. At that time the government rewarded Canadians who took responsibility for their own retirement by offering both an initial tax deduction as well as tax free accumulation.

Since then thousands of Canadians have assumed responsibility for their own retirement by taking advantage of RRSPs. They have done so in part because of strains on the Canada pension plan and old age security and their need for greater income security during retirement.

My constituents and I feel that any move on the part of the minister to change the ground rules by taxing RRSPs would be unfair and unwelcome. It is our sincere hope that the minister will listen to these concerns and not tax RRSPs.

* * *

[Translation]

IMMIGRATION

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, for several months now, the written press has reported numerous delays in the processing of immigrant files. Ever since the previous government decided to concentrate its operations in Vegreville, Alberta, there has been one problem after another.

All members of this House have been receiving legitimate complaints from their constituents with respect to Vegreville,

but the minister does not seem particularly concerned about this administrative catastrophe. Furthermore, services are offered almost exclusively in English. Immigrants and visitors who have all the documents required by the act thus find themselves in an illegal situation.

When will the minister stop insisting that he wants to see his immigration policy rigorously applied, when his department is clearly no longer able to keep up with the routine requests of the immigrants it is there to serve?

* * *

[English]

GUN CONTROL

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, I have received a petition signed by over 2,000 residents of southern Alberta.

I would like to associate myself with the prayer in the petition which reads:

Whereas there is no proven connection between gun control legislation and a decrease in the occurrence of criminal activity;

And whereas all handguns in Canada are required by law to be registered;

And whereas crimes involving the use of firearms already carry severe penalties under the Criminal Code;

And whereas criminals by definition feel no compulsion to abide by the law;

We the undersigned feel that implementing more restrictive firearms controls which will affect only law abiding citizens is an unjustifiable action and the proper course of action for responsible governments to follow is more effective prosecution and tougher sentencing of criminals.

I will be forwarding the petition to the Minister of Justice.

The Speaker: My colleagues, I have no problem with this kind of a statement in the House whatsoever. It is just that we do have a place for petitions themselves and you might want to consider that at a later time. I just make that comment in passing.

* * *

CYCLING FOR A MIRACLE

Mrs. Anna Terrana (Vancouver East, Lib.): Mr. Speaker, I have the great honour and privilege to recognize the accomplishments of Suzanne MacLean of Vancouver. Suzanne demonstrated profound courage, remarkable strength and depth of humanity in her recent cross-Canada bicycle journey "Cycling for a Miracle".

S. O. 31

Travelling across this vast country is always challenging, but to do so in renal failure and on peritoneal dialysis is truly unbelievable and a miracle in itself.

Suzanne set out to promote organ donation awareness and to raise money for transplant research. However, she has also instilled in us a strong sense of hope and confidence in being able to overcome traditional physical obstacles and in meeting our expectations and aspirations. She has generated tremendous public support for organ donations. The impact has already been felt; Canadians have signed their organ cards and are discussing the idea of donating.

I am proud to have had the opportunity to lend my support to Suzanne and to this worthy endeavour. Please join me in congratulating and thanking Suzanne MacLean.

* * *

SMALL BUSINESS WEEK

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, October 23 to 29 is Small Business Week in Ontario. The week is sponsored by the Federal Business Development Bank in partnership with many local private and public sector organizations that promote entrepreneurship.

It is no surprise to anyone in this House that small business is critical to the Canadian economy. Eight of ten new jobs in Canada come from the small business sector. It employs 4.2 million Canadians and accounts for 37 per cent of the country's employment.

This week throughout Ontario the FBDB will be giving a series of seminars and luncheons which will promote small business, educate participants and pay tribute to the men and women who make this province successful.

We owe a debt to the small business men and women of this country who daily risk everything they have and in doing so create jobs and economic growth for Canada.

* * *

[Translation]

CONTRACTING OUT

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, the government is challenging the opposition to indicate where public spending could be cut. I would like to add a suggestion to the long list the Bloc Québécois has already submitted over the past year. Yesterday, speaking before a committee, the president of the Professional Institute of the Public Service of Canada denounced the federal government's negligence in the management of contracting out. He presented some pretty ludicrous examples to us, including the one about public servants who

retire on a Friday with generous severance benefits, and are hired as consultants the following Monday.

In order to remedy this situation, the Bloc Québécois suggests that the government have a code governing contracting out, which would ensure transparency in the awarding of contracts and would introduce the right for public servants to denounce abuses. This is another suggestion to add to the list.

Will the federal government finally decide to straighten up its expenditures?

* * *

(1405)

[English]

ISRAEL AND JORDAN PEACE PLAN

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I would like to congratulate the people and governments of Israel and Jordan for today's signing of the comprehensive peace deal.

For 47 years Israel and Jordan were divided by war but, to quote King Hussein, "today the two countries will close a dark chapter and open a new book of light". Since the Middle East process began several years ago, there have been many tough moments on all sides. I often wondered whether the obstacles to peace could ever be removed. Thanks to the commitment, dedication and courage of King Hussein, Prime Minister Rabin and many others, today's peace has been achieved.

Now is the time for new friends to come together to learn about each other and forge new bonds. For the children of Israel and Jordan a new and bright future is emerging, a future where they will not fight each other but will work to build prosperity for the Middle East.

On behalf of the Reform Party and all Canadians, I send best wishes, hearty congratulations and the promise of future friendship for all the people of that region.

* * *

SHIRLEY CARR

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, on October 31, the first woman in the world to head a national labour body and a long term resident of Niagara Falls will be honoured at Rideau Hall. Shirley Carr will be presented with the Governor General's award in commemoration of the Person's case.

Shirley Carr has been a leading advocate of women's rights in the workplace and a role model for women in the labour movement. As the first woman president of the Canadian Labour Congress, she championed legislation to address women's equality and concerns about health and safety in the workplace.

The awards commemorate the lengthy legal and political battle for women's constitutional right to be recognized as persons.

On behalf of my constituents of Niagara Falls, I would like to congratulate Ms. Carr on her numerous achievements and for having been chosen as this year's recipient of the Governor General's award.

* * *

JUANITA LESTER

Mrs. Jean Payne (St. John's West, Lib.): Mr. Speaker, it seems that we have a number of firsts by women today.

I want to congratulate Juanita Lester a constituent of St. John's West who is today being inducted into the Atlantic Agricultural Hall of Fame. She is the first woman from Newfoundland to be granted this honour.

Having been involved in the family farm business for over 40 years and being an active participant in a wide range of farm related activities, Juanita Lester has had a career featuring many achievements.

Dedicated involvement with the Provincial Farm Women's Network, the Avalon Farm Women's Association and the Newfoundland and Labrador Farm Women's Network are only a few of her accomplishments.

Ms. Lester has served on the executive of the Provincial Farm Women's Association and is past president of the Newfoundland and Labrador Federation of Agriculture. She is presently serving on the Women's Institute, the food and livestock and agricultural training committees.

Congratulations Juanita. I am very pleased Juanita has been given this special honour.

* * *

SMALL BUSINESS WEEK

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, we are well on our way to economic recovery and leading the way are Canadian entrepreneurs. Close to 900,000 Canadian women and men who own and operate small and medium sized enterprises are celebrating Small Business Week from October 23 to 29.

This year's theme is Partnerships for Growth. The federal government must continue to support and encourage small businesses and truly become partners in breaking down the barriers.

In Burlington small businesses like Roxanne Moffat's Hillcrest Florists are the backbone of our community and ultimately of our nation. They encourage healthy competition, provide great products and service and combine innovation with expertise.

S. O. 31

Ms. Moffat, head of our Business Women's Network and an active member of the Burlington Chamber of Commerce, is one of many Canadian women whose skill, imagination and determination have made them a success.

This weekend the contributions of many women like Ms. Moffat are being acknowledged at the 1994 Canadian Woman Entrepreneur of the Year Awards and Conference. The awards and conference help to stimulate the Canadian economy by nurturing entrepreneurial skills and encouraging small business—

The Speaker: The hon. member for The Battlefords—Meadow Lake.

* * *

4-H PROGRAM

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, I rise today in support of one of Canada's most important youth organizations, Canada's 4-H. The history and results of the 4-H are well known to all Canadians.

Today with the future of rural Canada uncertain, the recognition of an organization dedicated to providing a quality life experience for rural youth has never been more necessary. However federal funding of 4-H remains uncertain.

(1410)

Media reports that the Department of Agriculture and Agri-Food will trim its budget perhaps by as much as 40 per cent. The department's reluctance to commit itself to funding beyond the end of the current fiscal year is troubling 4-H participants across Canada.

I stand today 100 per cent behind Canada's 4-H program and its support for rural youth. In recognition of the value of these young people to the future of Canada I encourage the Minister of Agriculture and Agri-Food and the federal government to express their immediate and ongoing commitment to the 4-H program and its supporters across Canada.

* * *

[Translation]

SOCIAL PROGRAM REFORM

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, it is with dismay that we read *Income Security for Children*, a document released as part of the reform proposal put forward by the Minister of Human Resources Development.

The minister has the nerve to put the financial burden of these measures aimed at eliminating child poverty on middle-class parents whose deductions will be reduced. The minister's cynicism has reached an all-time high. The minister does not seem to realize that such an unwarranted increase of the middle class's financial burden will inevitably force more children to live in poverty.

Oral Questions

How can the minister be so arrogant and paternalistic as to claim that he wants to make conditions better for children, when he is making them worse? The minister has a great responsibility to these children and hundreds of thousands of Canadian children.

* * *

[English]

CRIMINAL JUSTICE SYSTEM

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the Liberal government has sure toughened up on the criminal element in our society.

I have found that convicted murderers receive old age security, the guaranteed income supplement, not to mention GST rebates. So what if their room and board is provided for, not to mention their clothing, education and counselling? So what if they have conjugal visits to relieve them of any deprivation they may have? So what if they receive free condoms acknowledging their habits?

Okay, so their medical and dental are free. And they are not paying taxes. They can vote if they are incarcerated for less than two years. If they have a bad day on the prison golf course at Ferndale penitentiary, they can submit a grievance, receive free legal aid and sue the system.

Yes, this Liberal government is tough all right. The only problem is it is tough on the taxpayer and the innocent victims, not the criminals.

* * *

YOUTH SERVICE CANADA

Mr. Maurizio Bevilacqua (York North, Lib.): Mr. Speaker, on behalf of the Minister of Human Resources Development and the Secretary of State for Youth and Training I am pleased to announce that Youth Service Canada kicks into high gear today as it enters its regular operational phase.

Young Canadians have the ability and desire to contribute to our country. Youth Service Canada will give young people the opportunity to prepare for the challenges of the 1990s labour market and global competitiveness of the 21st century.

The federal government is calling on communities to plant a seed of hope in our youth. Any community based group, band council, or other organization interested in youth and community development can apply to sponsor a Youth Service Canada project. Applications and guidelines are now available through Canada Employment Centres.

It is my hope that members of Parliament will be instrumental in broadcasting the message to their constituents on this very important program.

YOUTH SERVICE CANADA

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I call upon all members of this House to support imaginative project ideas from their respective ridings for Youth Service Canada. There is a great deal of work to be done in our communities.

We should put the talent, energy and creativity of our young people to work in our own backyards. Young people will stand taller and our communities will grow stronger for it.

On October 25, 1993 Canada's youth voted overwhelmingly for the Liberals. That generation put its x over here, because they trust us to deliver.

* * *

GOVERNMENT POLICIES

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, we have heard several honourable ministers indicate there is a need for change in the status quo and I agree. While change may be difficult, Canadians are impressed with the consultation process brought forth by this government.

(1415)

With continued openness and co-operation by the government, all Canadians will be able to participate constructively in those areas which require change to meet the needs of today and of the 21st century.

To provide opportunity for future generations, these changes must be brought about fairly.

On this first anniversary I am still proud of the government and of our ministers. They are prepared to work with all members of the House and with all Canadians to help build a better tomorrow.

Public forums will be hosted across Carleton—Charlotte from November 5 to 12 to obtain input on various issues before the House. This consultation process truly opens up government and allows everyone to participate which is a welcome change—

ORAL QUESTION PERIOD

[Translation]

MANPOWER TRAINING

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, in April, the Government of Quebec asked the Minister of Human Resources Development to help finance six innovative Quebec programs through federal strategic pilot projects. Six months later, Ottawa has still not answered.

Oral Questions

How can the minister claim that he is ready to negotiate a transfer of manpower training responsibilities with Quebec, when for six months he has refused, in a much smaller matter, to participate in financing six Quebec programs through the pilot projects that Ottawa is supporting in all of Canada?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, like most things we hear from the Leader of the Opposition, the facts he has stated simply are not true.

Let me state what has taken place. We have offered to cost share a number of strategic initiatives with the province of Quebec. In August of this year we arrived at an agreement in principle and one that would be particularly appropriate for helping young people to get employed. An election ensued.

I wrote to my counterpart after the election to suggest that we were prepared to move ahead. My deputy has written to his counterpart to say that all we want from the province of Quebec is for it to establish among six or seven projects what priority projects it has.

As soon as Quebec is prepared to confirm with us what its priority projects are we will go ahead in a co-operative way and work with it. Because the strategic initiatives are part and parcel of an important element of the overall review of social policy, I am glad to hear that the Leader of the Opposition and the Quebec government now want to become part of that process.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, the information that we have from the Government of Quebec contradicts what the minister is saying today. Quebec's request for six projects is still outstanding and Ottawa has not yet accepted. Why does the minister refuse Quebec what he has allowed under other pilot projects which are being funded in New Brunswick and especially in Newfoundland?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, I would like the Leader of the Opposition to listen carefully. Please listen carefully so that maybe you can understand something for the first time. Please, I want you to understand this.

Some hon. members: Oh, oh.

Mr. Axworthy (Winnipeg South Centre): Mr. Speaker, I have read the material the Bloc members have put out concerning the social review. I know just how much they distort the facts.

I want them to understand that we have written back to the Quebec government saying that as soon as it establishes clearly

what its priorities are then we will sign an agreement and proceed with social review and with strategic initiatives because they are part and parcel of the same thing.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, the minister reduces the question to a lack of understanding by the Leader of the Opposition. In fact, if anyone does not understand something in this House, it is the minister who does not understand Quebec's historic demands in the manpower field.

Some hon. members: Hear, hear.

Mr. Bouchard: Speaking of this, how can the minister expect the present government of Quebec to accept his offers of administrative transfers in the manpower field, of sharing quarters for the same confusing mess in the same building, when this offer was rejected by the previous federalist government?

(1420)

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, perhaps one reason why there may be some confusion is because we have one party in the House on the opposite side which makes it its business to try and create confusion between Quebec and the rest of the country. That is part of the problem we face.

When it comes to strategic initiatives we have said that as soon as the Quebec government replies to our request and specifically says what its priority projects are we will discuss them. We cannot fund all the projects because it would take all the money. We have to share with the rest of the country.

As soon as the Quebec government indicates it is prepared to go ahead with the priorities that were presented by the previous government then we will sit down and negotiate with it.

We understand and fully support the process. By developing these kinds of new, progressive and innovative approaches to the development of social programs, we can bring a much better system to all Canadians, including those in Quebec.

That is why the position of the Parti Quebecois and the Bloc Quebecois—

[*Translation*]

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development. We learned from the SQDM, the Quebec labour development corporation, that the minister was aware of the duplication between his youth service project and Quebec's young volunteers program as early as the beginning of February, two months before he launched his program.

Oral Questions

Does the minister confirm that federal and Quebec government officials tried without success to harmonize the two programs before the federal government decided to go ahead despite the resulting increase in duplication?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, at noon hour I attended a very interesting event where a youth service project that serves both sides of the Outaouais area and a group of young people who were street kids had come together to start their own business in a recycling plant.

As part of the testimony one young man said that he had been on the streets since he was 11 years old. Because of the youth services project he was now able to get a pay cheque. He was now able to plan to go to school. Much more important, he now believed in himself.

I do not think that young man was concerned about jurisdictional turf wars. He was concerned about the Government of Canada which, in co-operation with the private sector and the local community, was giving him a new chance at life. That is what the program is all about.

[Translation]

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, my question is again for the Minister of Human Resources Development. Does the minister not admit that his attitude in the youth service matter clearly shows that he is trying to muzzle the Quebec government, when we know that federal officials offered Quebec a seat on the federal pilot project selection board provided that Quebec made a commitment not to criticize the Canadian youth service program publicly?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, the facts of the matter are this. We presented to the province of Quebec, as we did to all provinces, a proposal on a labour and manpower agreement that would offer wide responsibility to all provinces to help set planning priorities for federal human resource expenditures in each of the provinces.

In the case of Quebec the count was close to 60 or 70 per cent of the human resource expenditures in terms of helping engage in that planning.

At this time I have not received a response from the province of Quebec on that proposal. If that response is received, we are prepared to sit down and talk about all the programs. Once the province of Quebec responds we will co-operate with it.

PENITENTIARIES

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, in 1978 Allan Kinsella murdered 24-year old Kenny Kaplinski by shooting him twice in the head. He was sentenced to life in prison.

(1425)

In July he was transferred to the Bath penitentiary, in spite of the fact that the Solicitor General received two letters from the Assistant Attorney General of Ontario warning that Kinsella was unsuitable for transfer and likely to attempt escape.

The Solicitor General did not respond to these warnings and on October 19 Kinsella escaped from Bath along with Serge Damien who was serving life for murdering a credit union cashier with a sledge hammer.

Can the Solicitor General explain his negligence in this case, and what does he have to say to the people whose lives have been put at risk by this negligence?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, Mr. Kinsella had been in a medium security institution since 1986. He was transferred to another medium security institution, Bath.

The letters of warning from Mr. Code, the Deputy Assistant Attorney General, were to the effect that Mr. Kinsella should not be transferred to a minimum security institution, specifically Beaver Creek. The advice on Mr. Kinsella was followed by the Correctional Service officials because Mr. Kinsella was not transferred to Beaver Creek or any other minimum security institution.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the Attorney General of Ontario knew more about Bath than the Solicitor General. Not only did his office warn the Solicitor General about Mr. Kinsella, but the Bath medium security prison was medium security in name only. Bath was supposedly upgraded to medium security last May but many of the security features of a medium security facility were not in place, such as adequate lighting, surveillance cameras and double fencing.

Why did the Solicitor General allow murderers like Alex Kinsella and Serge Damien to be transferred to an institution that was incomplete and substandard from a security standpoint?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, before the transfer was carried out, the professional staff of the Correctional Service had formally upgraded Bath to medium security status, after adding additional protection measures. That is the fact, Mr. Speaker.

Oral Questions

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, a lot of these measures are after the fact, after the horse is out of the barn. Every time there is a problem in his jurisdiction the minister says it is a serious matter, there has been an investigation and steps are being taken, but in fact no action really occurs.

Since the Solicitor General is so fond of investigations, will he submit to an independent public inquiry to examine not only the problems within Corrections Canada but the negligence of the Solicitor General's department itself?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, an independent investigation has been convened, headed by the retired former deputy police chief of the city of Toronto. Under the Corrections and Conditional Release Act that investigation has the status of an investigation under part II of the Inquiries Act.

If the hon. member is serious about this matter he will be happy to hear this news from me.

* * *

[Translation]

COMMUNICATIONS SECURITY ESTABLISHMENT

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, my question is for the Minister of National Defence.

On May 25, the Privacy Commissioner confirmed to the Standing Committee on Justice and Legal Affairs that an examination of the operations of the Communications Security Establishment was being carried out. That exercise was to be completed in August. Yesterday, the defence minister alluded to that examination by the Privacy Commissioner.

Considering the recent disclosure of surveillance activities targeting members of the Quebec government, will the minister confirm that he asked the Commissioner to expand the scope of the examination conducted?

[English]

Hon. David Michael Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the answer is absolutely no.

[Translation]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, does the Minister of National Defence not realize that the government cannot be content with a routine examination by the Privacy Commissioner, given the seriousness of claims that CSE apparently spied on members of the Quebec government, and in spite of the fact that the minister is already predicting a positive conclusion to that examination?

[English]

Hon. David Michael Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I

will not repeat the answers I have given in the House. At this moment the privacy commissioner is conducting an examination of CSE. It has been done in the past, it is a matter of routine business and it will conclude shortly.

* * *

(1430)

YOUNG OFFENDERS ACT

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.): Mr. Speaker, my question is for the Minister of Justice.

Yesterday a youth charged with criminal negligence causing death with a stolen car was sentenced to one year in a youth detention facility. In frustration the judge presiding over the case remarked that politicians, not judges, were the lawmakers. The judge's hands were tied and because of a weak Young Offenders Act the offender walked away with a year.

In view of this case, how many more insupportable decisions does the Minister of Justice need to hear before he will make substantive and not cosmetic changes to the Young Offenders Act?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am not going to comment on the facts of the case. I will speak to the point generally.

Let me say that the member is himself participating in the work of the justice committee of the House of Commons, which has been engaged for many weeks in hearings with respect to Bill C-37, proposals to amend the Young Offenders Act.

In that capacity the member has heard witnesses who have been before the committee saying that in their view the Young Offenders Act as it exists at present is more than sufficient, if properly administered, to deal with juvenile justice in the country.

The changes in Bill C-37 represent the amendments that the government thinks are appropriate at this time. The member knows we have asked the standing committee to commence, as soon as it finishes with Bill C-37, a comprehensive review of the statute as a whole, crossing the country, listening to experts, speaking to police, principals, parents, and hearing views about other changes that may be appropriate to the act.

The member knows that process is going to be undertaken. Indeed he is going to be part of it. I trust he will come back to the House with responsible recommendations at the end of it.

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.): Mr. Speaker, it was quoted this morning that the Canadian Association of Chiefs of Police as well as the Canadian Police Association recommended that judges must have access to longer and more appropriate sentences and that 16 and 17 year olds charged with serious crimes should automatically be tried in adult court.

Oral Questions

These recommendations do not come from bleeding hearts or social agencies. They come from the men and women who defend our streets.

Will the minister endorse the recommendations of the two associations, or is he going to sit back and listen to the broken record of the professional criminal justice community?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, what we are going to do and what we have done is be responsible and balanced and take into account the views at all ends of the spectrum.

The fact is the hon. member seizes upon the headlines of this morning from the Canadian Association of Chiefs of Police. I have two comments. The first is that recently the paper has been full of reports of the testimony of other witnesses before the committee who said precisely the opposite. Obviously views differ. What we have done in Bill C-37 is produce a balanced bill that adjusts and amends the act in the public interest.

The second observation I would make is that I am interested to observe the hon. member's interest in the views of the Canadian Association of Chiefs of Police. I remind him it is the same organization that very much supports our intentions with respect to gun control.

* * *

[Translation]

PRIVACY

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, my question is for the Minister of Industry. The information highway project will increase the pooling of data banks holding personal information of all kinds and disclosure of that information to governments, businesses and institutions.

May I remind you, Mr. Speaker, that privacy is not yet a fundamental right entrenched in the Charter of Rights and Freedoms?

Given that there is no federal legislation protecting the confidentiality of personal data held by private businesses, can the Minister of Industry tell us what concrete action his department intends to take to address this problem which will likely get worse with the implementation of the information highway?

[English]

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I thank the hon. member for his question. He raises a very important question of concern to us.

He may know that the government recently released a discussion paper on privacy and the information highway. The Information Highway Advisory Council is charged with

discussing this important issue and with determining what measures are appropriate to take as all Canadians, particularly those who have personal information encased in the databanks of the world, are concerned about protecting their privacy with respect to that information.

(1435)

[Translation]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, given the fact that there already are several networks available in Canada and elsewhere, can the Minister of Industry tell us if he intends to ask his colleague, the Minister of Justice, to bring in a bill to ensure the protection of personal data in areas of federal jurisdiction?

[English]

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, it may well be that there are legislative responses that would be appropriate to this issue. Fundamentally we will want to hear what the advisory council has to say and what Canadians generally have to say.

The hon. member will understand that in this area technology has developed very rapidly over the last number of years. We expect the revolution in information technology to accelerate rather than decelerate. In responding to the changing environment that technology brings all Canadians—not just government but Canadians who provide information to users of that information—we must take caution to protect their own privacy as we try to protect the privacy of others.

* * *

MUSEUM OF NATURE

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, the President of the Privy Council as a member of the Treasury Board authorized the construction of facilities for the Museum of Nature to be built in his riding. This puts him in a possible conflict of interest.

Why did the President of the Privy Council not absent himself from this decision?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, nice try but no cigar.

The decision to use property in Aylmer to meet the accommodation needs of the Canadian Museum of Nature dates back to 1990 when the Treasury Board approved the purchase of the property on Pink Road in Aylmer by the Department of Public Works and Government Services for use by the museum.

Oral Questions

Mrs. Jan Brown (Calgary Southeast, Ref.): Nice try, Mr. Speaker; I don't smoke.

Furthermore I reject that answer on the grounds that the decision of 1990 was rejected by the Liberals. It indeed was a Tory decision taken in 1990. This is a new decision undertaken by the Liberals.

My supplementary question is for the Prime Minister. The Prime Minister said he would restore the trust of Canadians in their institutions. The political system is meant to serve the interest of Canadians and not of members of Parliament. When the public trust is gone the system does not work any more.

The building of this museum in the member's riding is at best what appears to be a conflict of interest and at worst a possible abuse of his power.

Will the Prime Minister—

Some hon. members: Oh, oh.

The Speaker: I ask the hon. member to put her question forthwith.

Mrs. Brown (Calgary Southeast): Will the Prime Minister direct the ethics counsellor to investigate this serious matter?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, first, there is clearly no conflict of interest because I have no pecuniary interest in the museum. Second, the decision to locate in Aylmer was taken by the Treasury Board in 1990.

The recent decision to permit the Museum of Nature to acquire more land and build up its own facilities was made. I am a member of Treasury Board and all members of Treasury Board know that my riding is Hull—Aylmer. If it had been placed on this side of the river, since all 12 ridings are occupied by Liberal members there is no doubt it would have been in the riding of a Liberal member.

There is no conflict of interest. There is no problem of impropriety. The Museum of Nature made the decision on its own. It was approved by Treasury Board. It was all done in an open and proper manner.

* * *

(1440)

[Translation]

COLLÈGE MILITAIRE ROYAL DE SAINT-JEAN

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, my question is directed to the Minister of Intergovernmental Affairs.

In its first budget last February, the government announced it was closing the Collège militaire de Saint-Jean. Reacting to the ensuing controversy and to protests organized by the Official Opposition, the federal government started negotiations with the Government of Quebec and concluded an agreement in principle on July 19. This agreement was never ratified, and negotiations with Quebec are at a standstill.

Considering the uncertainty in which the people of Saint-Jean have been living for far too long, is the Minister of Intergovernmental Affairs prepared to resume negotiations with the new government in Quebec, on the basis of the agreement in principle reached on July 19, and to confirm the military role of the college?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, we have an agreement on the Collège militaire royal de Saint-Jean which was concluded between the previous government and our government. The agreement clearly sets out the civilian status of the Collège de Saint-Jean and is in the best interest of both governments and of the people of Saint-Jean.

The federal government has no intention of backtracking on the basic terms of the agreement as signed. What has not been determined is the implementation procedures. I will be sitting down very shortly with my Quebec counterpart to settle these final details which will implement the principles on which we have already agreed.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, are we to understand from the minister's attitude that his government is trying to withdraw from any plans to reopen the college, although it was responsible for closing it in the first place?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, we certainly intend to stand by our commitments, and I hope the Government of Quebec intends to do the same.

The uncertainty is not caused by our attitude, because we continue to abide by the terms of the agreement we concluded. However, if those terms are not implemented, the one to blame for the uncertainty in the Saint-Jean region and for preventing the Collège de Saint-Jean from continuing operations in its new context will be the government that refuses to negotiate the details of the agreement.

* * *

[English]

FORT YORK

Mr. Tony Ianno (Trinity—Spadina, Lib.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

Oral Questions

The Toronto city council is considering a huge development that may not be sensitive to Toronto's Fort York which is of national historic importance. A 1909 agreement states that the fort must be preserved and maintained or the federal government could repossess both Fort York and the grounds of the CNE.

How is the government going to ensure that Fort York's historical integrity is maintained and that the site is accessible to Canadians as per the 1909 agreement?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I am pleased to confirm that the federal government remains firmly committed to the original conditions attached to the transfer of Fort York to the city of Toronto.

Both the Department of Public Works and Government Services and my department recognize the importance of Fort York to our national heritage and to tourism.

My colleague can rest assured that the minister of public works and myself will make sure that the provisions of the covenant are respected. This is an important piece of national heritage. We are devoted to it. We have offered to discuss it and we will support it.

* * *

ROYAL COMMISSION ON ABORIGINAL PEOPLES

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, the Royal Commission on Aboriginal Peoples was projected to cost \$10 million. Now in fact it will come in at a staggering \$58 million. At best the report will come in a year past its deadline and there is strong evidence of abuse in the \$8 million research budget.

In light of the government's promise to cut government spending and in light of the government's promise of accountability, does the Minister of Indian Affairs and Northern Development really expect the taxpayer to happily swallow the costs of the commission simply because the minister claims it was started by the previous government?

(1445)

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, first I will deal with the research. The chairman of the commission has been in contact with our department. Out of approximately 140 reports that were supposed to come in I believe 15 were looked at. Nine were judged as inadequate and five were non-existent.

Mr. Crombie is looking into that. I am waiting for his report, but 90 per cent of the reports that were paid for came in, were

adequate and sufficient and were utilized. As far as the costs, I made my point last week.

The commission is made up of eminent people. I am sure their report is going to be a good report. On balance we have to make judgments and decisions. The former government decided to have a royal commission. If we had to decide it today, in today's environment with \$58 million we would build 1,000 houses.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, this report will come in a year late at best. It will have a cost overrun of some \$48 million. As the minister indicated a couple of days ago, they probably will not be able to implement some of the recommendations by the time they get it anyway.

In spite of all of this, the Minister of Indian Affairs and Northern Development apparently thought this was something to joke about when he said the other day that maybe he would like to have a job on the commission but that he would have to stand in line.

My question for the Minister of Indian Affairs and Northern Development is how does he ever expect the Canadian people to regain some trust in the government when he treats such a serious matter like this with such irresponsible statements?

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, there are two parts to that. The first is that we will not implement. I find this odd coming from the Reform Party which has not yet voted for one piece of aboriginal legislation in 11 months either in this House or at the committee.

Talking about seriousness, we are treating this seriously. I think it is about time the Reform Party look at its obligations as members of Parliament and start treating the aboriginal people of this country seriously and not just an election issue for 10 per cent of the population.

* * *

[Translation]

FISHERIES

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. For months the Gaspé Cured company has been asking the minister to officially recognize a label of origin, *une appellation contrôlée*, for the area and the process and product of Gaspé Cured. Yet, the federal minister allows companies in the Atlantic region to export their salt cod under the name Gaspé Cure, which creates some confusion on international markets and leads to losses of as much as \$10 million for the Gaspé Peninsula company.

Oral Questions

Could the Minister of Fisheries and Oceans tell us if he intends to accede to Gaspé Cured's request, and if so, how soon?

Hon. Fernand Robichaud (Secretary of State (Agriculture and Agri-Food, Fisheries and Oceans), Lib.): Mr. Speaker, the minister is very conscious of the importance of the issue raised by the hon. member. Officials in the department are studying the request of Gaspé Cured. At the present time the expression is used not only for a grade of fish from a certain area, but also for a grade and a process used elsewhere. I can assure the hon. member that the minister is studying the matter carefully.

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, the request submitted by Gaspé Cured covers the process and the product.

My second question is for the Secretary of State. If the research done by the department—because I understand that they are doing research on the matter—is positive, and demonstrates that the product from the Gaspé is different from similar products in other areas, will the department give the people of the Gaspé Peninsula the right to a label of origin for their process and product?

(1450)

Hon. Fernand Robichaud (Secretary of State (Agriculture and Agri-Food, Fisheries and Oceans), Lib.): Mr. Speaker, as I was saying, the Department is devoting a lot of attention to this issue, and when the study is over the decision will certainly be to the advantage of fishermen in the Gaspé Peninsula, and of the industry in general.

* * *

*[English]***INDIAN AFFAIRS**

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, I understand that the Metis nation of Saskatchewan has this week requested core funding from the Department of Canadian Heritage.

Will the minister assure this House that no core funding will be dispersed until the RCMP investigation is completed into the improper use of funds by the Metis nation of Saskatchewan and the current creditors have been paid by the trustee?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, we are aware that there was an investigation into the funding of that society.

Some auditors looked at the books. They have been retained as counsel to the society. The two levels of government, the federal government and the provincial government, have agreed in light of the fact that Deloitte & Touche is advising the financing of the society to resume some degree of funding.

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, the Metis leadership is proposing a national legislative assembly, a capital in Batoche, Metis and Canadian citizenship and the national registry of Metis.

In light of this, can the federal interlocutor for the Metis tell this House why she has committed new funding to the Metis National Council at a cost of millions of dollars?

Mr. George S. Rideout (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, as indicated by the minister of heritage, we are working with the Metis in order to assist them. We have not committed large sums of money on this project yet.

* * *

FIREARM ACQUISITION CERTIFICATE

Mr. Sarkis Assadourian (Don Valley North, Lib.): Mr. Speaker, my question is for the Minister of Justice.

The fee for a firearm acquisition certificate is \$50. However, the real cost of processing an FAC in metro Toronto is \$180. What measures will the minister be taking to reduce the administrative costs of FACs in metro Toronto?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the hon. member has pointed out, the current fee is \$50.

The actual cost to the police force for carrying out necessary investigations varies. It depends in part upon the exercise of the discretion of the investigating officers, the degree of risk.

It also depends sometimes on whether the investigations are being done in an urban or rural area because finding the referees in the urban area may be more difficult.

As the hon. member knows, the entire subject of firearms regulation is under review by the government at present. We are including in that review the process by which acquisition certificates are obtained. We will bear in mind the cost disparity to which the member has referred in completing our work on that subject.

* * *

*[Translation]***CUSTOMS BROKERS**

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, my question is for the Minister of National Revenue.

Effective January 16, a new guideline issued by Revenue Canada will require customs brokers to post bonds equal to 100 per cent of their monthly instalments to the government, whereas before the requirement was 35 per cent of the first \$200,000 and 17.5 per cent of the next \$1,800,000 up to a maximum bond of \$2 million.

Oral Questions

Can the Minister of National Revenue explain why he increased the bond required of customs brokers from 35 per cent to 100 per cent of their monthly instalments?

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, we take note of the member's question and will try to provide him with an answer as soon as possible.

(1455)

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, could I also ask the minister to check why the maximum bond was set at \$10 million when some importers pay the government monthly instalments of \$250 million?

Is the minister aware that this policy may drive some smaller customs brokers into bankruptcy?

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, I thank the member for his comments. Rest assured that I will refer this question to the Minister of National Revenue.

* * *

[English]

GUN CONTROL

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, underground dealers buy guns through street dealers in Detroit, bringing them back by the dozens every time they cross the border and then they sell them at immense profits at after hours clubs in Toronto.

On Monday this week the revenue minister assured this House that everything was under control; except the Hamilton *Spectator* says that 98 per cent of the guns that are seized are seized from unsuspecting U.S. citizens coming into Canada.

Why is the justice minister considering useless, ill conceived, unnecessary gun registration programs when guns continue to flow over the border?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as my colleague, the minister of revenue said earlier this week, we are preparing proposals to deal more effectively with firearms entering Canada illegally. In the package of proposals that the government will table before the end of the session in December dealing with firearms generally, we will deal specifically with the issue of firearms entering Canada illegally.

Before I leave the subject I must point out that border controls in terms of being careful with those taking firearms across the border in their cars are very important. A man named Johnathon Yeo was found by a coroner's jury to have done just that with very tragic consequences.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, with respect to registration the minister will know about project gun runner. Of the 17 guns purchased on the black market, only one came from a break-in. The rest were smuggled into Canada.

I have even heard it said that the minister said that 70 per cent of all criminal acts involving guns are committed with smuggled, illegal firearms.

I ask the minister again, why is he prepared to commit millions of dollars to a bogus registration program that would just harass law-abiding gun owners?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, for many years the Canadian Association of Chiefs of Police has been calling for the registration of all rifles and shotguns. It has been joined in that by the Canadian Police Association, health care workers, physicians. Hundreds of other associations across this country have been asking for registration of long arms. That is one the prospects we are considering as we assemble our proposals for gun regulation. If we do decide as a government to introduce it we will make clear the practical advantages we intend to achieve, including those identified by the police of this country.

* * *

JUSTICE

Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.): Mr. Speaker, my question is for the Minister of Justice.

Recently the minister decided to consider the case of Patrick Kelly under article 690 of the Criminal Code, which allows the minister to order a new trial when a conviction is based on false evidence.

However, as the minister knows, there has been a lot of criticism of the 690 process, that the criteria are vague, it is secret, too long and not independent.

When will the minister act to meet these criticisms and reform the 690 process?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have no doubt that the 690 process as described by the hon. member can be improved. Equally, I am certain that the procedure now in place is capable of dealing fairly and fully with all of the applications that are pending.

Let me point out to the hon. member that we have already made improvements in the process during the last several months. I refer, for example, to the fact that in the case involving Colin Thatcher, which was dealt with by reasons given some months ago, I took the trouble to spell out the principles that governed the disposition of applications under 690 to remove some of the mystery the hon. member has referred to.

(1500)

In cases that are pending I have brought in outside counsel where I felt it consistent with fairness. Finally, I am completing an inventory of all outstanding cases and establishing a timetable to get them all decided at the earliest possible date.

RAILWAY WORKERS

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, my question is for the Deputy Prime Minister and it has to do with remarks made recently by the Minister of Transport. The Deputy Prime Minister may be aware that the Prime Minister has been receiving letters asking for an apology from the Minister of Transport to railway workers.

I want to ask the Deputy Prime Minister whether the Prime Minister intends to ask the Minister of Transport to apologize to railway workers for referring to them as “a bunch of grade 8 and 9 graduates who can’t be blamed for negotiating excessive collective agreements”.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, I am sure the member opposite, who has a long history in understanding the transportation industry, will know that the work of every single person in transportation, including the work of union workers across the country, is very important to the government. It is important to the Minister of Transport. That is why he has established a committee to look at what alternatives we can find to keep productive railway workers employed.

I know that is the position of the Prime Minister also.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of members to the presence in the gallery of the Hon. Wayne Gaudet, Minister of Agriculture for Nova Scotia.

Some hon. members: Hear, hear.

* * *

[Translation]

POINT OF ORDER

SIMULTANEOUS INTERPRETATION

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I rise on a point of order to correct yesterday’s record of our proceedings with respect to an error that slipped into the simultaneous interpretation. I will take a minute or two to alert the Chair and the entire House.

At page 7181 in the French version of *Hansard*, the following sentence appears:

Le premier ministre a dit en même temps qu’on voulait procéder primordialement en coupant les dépenses, mais que, s’il fallait agir autrement,

And here are the words, Mr. Speaker:

on était prêt à le faire, parce que le but principal est d’éviter la vraie hausse de taxes qui est une augmentation des taux d’intérêt.

Routine Proceedings

[English]

The English translation of *Hansard*—I will just repeat the last words—says:

—we were prepared to do so because the main objective is to avoid the burden of higher interest rates.

That is, of course, accurate. However, the transcript of the simultaneous interpretation overheard by all members of the House yesterday, including the members of the media, said, and again I quote the words: “Elsewhere we would do so because our main target is to avoid a true increase in taxes, including RRSPs”.

Those words are not to be found in the French text. In fact it is an inaccurate simultaneous interpretation which bears bringing to the attention of all members of the House in the event that members or even the public may have received inaccurate information.

The Speaker: I would like to thank the hon. member.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I am not sure that we have fully understood the correction being requested. We would like some time to examine the nature of the changes being requested by the government whip.

The Speaker: All that is involved is a point of order. Yes, you will have the time to examine it, and if you have anything to add, I will hear you.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Hon. Alfonso Gagliano (Secretary of State (Parliamentary Affairs) and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages the government’s response to 58 petitions.

* * *

(1505)

[Translation]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mrs. Marlene Catterall (Ottawa West, Lib.): Mr. Speaker, I have the honour to present the forty-third report of the Standing Committee on Procedure and House Affairs, concerning the associate membership of committees.

Routine Proceedings

If the House agrees, I intend to move concurrence later today.

* * *

UNEMPLOYMENT INSURANCE ACT

Mr. Réginald Bélair (Cochrane—Superior, Lib.) moved for leave to introduce Bill C-286, an Act to amend the Unemployment Insurance Act (university studies after ten years of employment).

He said: Mr. Speaker, a while ago, like the great majority of my colleagues here in the House, I was confronted with the fact that only workers who qualify for unemployment insurance were eligible to go to college. In my humble opinion, I think that discriminates against those who would like to go to university to learn a new trade. That is the purpose of my bill.

[English]

It is to extend the application of section 26 of the Unemployment Insurance Act to include full time university courses in addition to college and other training courses as part of the courses or programs designed to facilitate the re-entry of a claimant into the employed labour force.

[Translation]

I hope that all my colleagues in all parties will support this bill, because it is extremely important to give those who want to re-enter the labour market a chance.

(Motions deemed adopted, bill read the first time and printed.)

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Ms. Marlene Catterall (Ottawa West, Lib.): Mr. Speaker, I think there would be unanimous consent to dispense with the reading of the 43rd report of the Standing Committee on Procedure and House Affairs concerning associate membership of committees.

If so, and the House gives its consent, I move that the 43rd report of the Standing Committee on Procedures and House Affairs presented to the House earlier this day be concurred in.

(Motion agreed to.)

* * *

[Translation]

PETITIONS

POSTAL SERVICE

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, I have four petitions today. The first one is about reopening the post office in L'Anse-au-Griffon, a village in my riding.

The petition basically asks the government to reopen this post office. It says that the current Prime Minister wrote in a letter to Rural Dignity dated August 5, 1993—when he was the Leader of the Opposition—that a Liberal government would examine the possibility of reopening some post offices. This petition was certified as admissible by the House.

RAIL SERVICE

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, the other three petitions I have concern existing rail links in the Gaspé region. The petition asks the government to impose a one-year moratorium on any rail service cut or abandonment. The population and the petitioners specifically ask the Canadian government to hold public hearings and consultations so that the people can participate in the decision-making process.

I agree with the petitions on both issues, and we await a positive response from the government.

(1510)

[English]

ASSISTED SUICIDE

Mr. Hugh Hanrahan (Edmonton—Strathcona, Ref.): Mr. Speaker, I have the privilege to present two petitions on behalf of Arlene Carlstrom and Lillian Panylyk, president of St. Nicholas Church in Edmonton.

The two petitions are signed by 189 constituents. These constituents would like to draw the attention of the House to section 241 of the Criminal Code to ensure that Parliament does not repeal or amend section 241, and to ensure that Parliament uphold the Supreme Court of Canada decision of December 30, 1993 to disallow assisted suicide.

It is my pleasure to submit these petitions and to also inform my constituents that I concur with these petitioners.

[Translation]

CONSTRUCTION OF SUBSIDIZED HOUSING

Mr. Raymond Lavigne (Verdun—Saint-Paul, BQ): Mr. Speaker, I wish to table in this House a petition signed by more than 2,000 of my constituents, who are asking the government to provide assistance so that construction work can start right away on subsidized housing in the riding of Verdun—Saint-Paul.

The disappearance of local industries has led to an unusually severe job shortage, so that residents cannot all afford decent housing.

[English]

Mr. Speaker, I agree completely with this petition which I now present to you.

ABORTION

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, under Standing Order 36 I would like to table a petition on behalf of some members of my constituency.

They ask and pray that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

[Translation]

RETIREMENT INCOME

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, pursuant to Standing Order 36, I am pleased to table today in this House a petition signed by 393 people in the riding of Verchères and elsewhere in Quebec, specifically the municipalities of Sainte-Julie, Saint-Denis, Saint-Marc-sur-Richelieu, Saint-Roch-de-Richelieu, Saint-Amable, Saint-Mathieu-de-Beloeil, Saint-Antoine-sur-Richelieu and Verchères.

Referring to the abolition of universality for the age tax credit, the petitioners feel that the current government has unfairly gone after retirement income.

The petitioners see these measures as fundamentally discriminatory at the fiscal level, since they single out people who have already contributed a great deal to the Canadian economy, so that these people cannot hope to improve their standard of living in the years to come.

The 393 petitioners therefore urge Parliament to reject any measure that would reduce retirement income. Needless to say, I agree with the analysis of the situation in this petition and strongly support my fellow citizens' request.

[English]

IMMIGRATION

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I am pleased to present several petitions bearing the names of over 5,700 petitioners from Ontario and across Canada.

The petitioners humbly pray and call on Parliament to reduce immigration to the previous level of one-half of 1 per cent of the population or about 150,000 persons per year, with the basic intake of not less than 50 per cent of the total composed of carefully selected skilled workers required by the Canadian economy, and that our refugee acceptance rate be brought in line with the average asylum destination countries.

These petitions were initiated by the Immigration Association of Canada. I support their efforts to address concerns over immigration policy.

HUMAN RIGHTS

Mr. Jim Jordan (Leeds—Grenville, Lib.): Mr. Speaker, I have two petitions from my riding of Leeds—Grenville.

Routine Proceedings

In the first petition, the signatories are petitioning against any pending legislation which would extend to homosexual couples the same privileges as are extended to heterosexual couples.

The second petition has to do with same sex relationships. They are asking that privileges not be extended to homosexual couples as is currently enjoyed by heterosexual couples.

ASSISTED SUICIDE

Mr. Joe Comuzzi (Thunder Bay—Nipigon, Lib.): Mr. Speaker, I have the honour to present a petition signed by many people in my riding of Thunder Bay—Nipigon.

The petitioners claim that the majority of Canadians respect the sanctity of the medical professions in the country, and whereas the majority of Canadians believe that physicians in Canada should be working to save lives rather than end them, they ask and humbly petition that Parliament ensure that the provisions of the Criminal Code be respected with respect to preserving life and have nothing to do with the voluntary termination of life.

(1515)

SENTENCING AND PAROLE

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, I have the privilege of presenting a petition on behalf of my constituents today.

The petitioners wish to bring to the attention of the House that section 745 of the Criminal Code allows convicted murderers to apply for a review after 15 years, even if they were sentenced to life imprisonment without parole for 25 years.

My constituents believe that this contradiction in the code should be eliminated by repealing section 745 of the Criminal Code and I could not agree more.

HUMAN RIGHTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I would like to present two petitions.

The first petition is in relation to sexual orientation. The petitioners from my riding and surrounding areas pray that Parliament not amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

HOMEMAKERS COMPENSATION

Mr. Paul Szabo (Mississauga South, Lib.): The second petition, Mr. Speaker, has to do with the family and specifically with initiatives to compensate or to recognize the value of work in the home.

Routine Proceedings

The petitioners are from northern Ontario and ask Parliament not to forget the family, particularly spouses who work in the home and care for preschool children.

RIGHTS OF THE UNBORN

Ms. Roseanne Skoke (Central Nova, Lib.): Mr. Speaker, I have the privilege to present to this honourable House three petitions from concerned constituents in my riding of Central Nova.

The first petition prays that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings. I support their stand with respect to this issue.

HUMAN RIGHTS

Ms. Roseanne Skoke (Central Nova, Lib.): In the second petition, Mr. Speaker, the petitioners pray that Parliament not amend the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the Canadian Human Rights Act to include in the prohibited grounds of discrimination the undefined phrase sexual orientation. I agree with this petition.

ASSISTED SUICIDE

Ms. Roseanne Skoke (Central Nova, Lib.): The third petition, Mr. Speaker, prays that Parliament ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia. I concur with this as well.

SENTENCING AND PAROLE

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, I have a number of petitions that I wish to present on behalf of residents of Saskatchewan.

The first one has to do with the repeal of section 745.

GUN CONTROL

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): I have another petition, Mr. Speaker, on behalf of gun owners of Saskatchewan.

HUMAN RIGHTS

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, I have a petition on behalf of a number of petitioners with regard to the human rights code.

ASSISTED SUICIDE

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, I have another petition on behalf of those opposed to assisted suicide. There are a number of petitioners who are making that request.

HUMAN RIGHTS

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, I have a petition in support of human life.

ABORTION

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): I have a petition which I support with regard to abortion.

VIA RAIL

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): Mr. Speaker, it is my pleasure to present six different petitions from the constituents of Perth—Wellington—Waterloo. One containing over 3,000 signatures deals with the continuation of VIA Rail service in my riding. Their wishes were recognized this week by the Minister of Transport.

BOVINE SOMATOTROPIN

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): Mr. Speaker, the second petition concerns BST, bovine somatotropin, a chemically produced drug that is injected in cows to make them produce milk.

HUMAN RIGHTS

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): The third petition, Mr. Speaker, deals with sexual orientation and the human rights act, and I place it on the table.

EUTHANASIA

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): Mr. Speaker, the fourth petition is on euthanasia.

ABORTION

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): The fifth petition, Mr. Speaker, deals with abortion and I place it on the table.

HOMEMAKERS COMPENSATION

Mr. John Richardson (Perth—Wellington—Waterloo, Lib.): Finally, the last petition I present today concerns the topic of compensation to homemakers, the parents who stay at home to raise their children.

ASSISTED SUICIDE

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I have three petitions all on the same topic.

(1520)

The petitioners wish to draw to the attention of the House that decriminalizing assisted suicide or legalizing euthanasia could lead to a reduction of patient-physician trust and respect, the degrading of the value of human life and the erosion of moral and ethical values and that palliative care is active and compassionate care which can relieve the pain and suffering of terminally ill persons and families without the danger of suicide.

Therefore the petitioners pray that Parliament continue to reject euthanasia and physician assisted suicide in Canada and that the present provisions of section 241 of the Criminal Code of Canada which forbid the counsel and procuring, aiding or

abetting of a person to commit suicide be enforced vigorously. They also pray that Parliament consider expanding palliative care that would be accessible to all dying persons in Canada.

I concur with and support these petitioners.

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, I would like to present two petitions, both having to do with the same topic.

The names were collected in my riding by a branch of the Ukrainian Catholic Women's League. They petition Parliament to continue to reject euthanasia and physician assisted suicide in Canada. They call for the vigorous enforcement of the present provisions of section 241 of the Criminal Code of Canada. They ask that Parliament consider expanding palliative care that would be accessible to all dying persons in Canada.

HUMAN RIGHTS

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I would like to present six petitions to the House today.

In two petitions the petitioners are asking that Parliament not amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

RIGHTS OF THE UNBORN

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, in two petitions the petitioners are praying and asking Parliament to act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

ASSISTED SUICIDE

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I present two petitions where the petitioners are praying that Parliament will ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament will make no changes in law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

RIGHTS OF THE UNBORN

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, I have a petition from members of my constituency wherein they say the majority of Canadians respect the sanctity of human life and human life at the preborn state is not protected in Canadian society. They pray that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to

Routine Proceedings

extend the same protection enjoyed by born human beings to unborn human beings.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I rise to present petitions signed by persons from Langley, Aldergrove and Matsqui, British Columbia in my riding. They ask that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

ASSISTED SUICIDE

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, these petitioners ask that Parliament ensure the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

HUMAN RIGHTS

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, these petitioners ask that Parliament not amend the human rights code, the Canadian Human Rights Act, or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I am pleased to rise in the House to present a petition from constituents in Clinton, Cache Creek, and 100 Mile House, British Columbia.

My constituents call upon the government not to amend the Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or homosexuality. They also call upon the government not to amend the Canadian Human Rights Act to include sexual orientation in the prohibited grounds of discrimination.

I concur with these petitioners.

RIGHTS OF THE UNBORN

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, pursuant to Standing Order 36 I have the honour to present to the House five petitions. The first contains the names of 1,716 constituents of Stormont—Dundas who call upon Parliament to act to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by human beings to unborn human beings.

(1525)

YOUNG OFFENDERS

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, the second petition signed by 95 residents of my riding calls upon Parliament to review and revise our laws concerning young offenders by empowering the courts to prosecute and punish young offenders by releasing their names and lowering the age limit to allow prosecution to meet the severity of the crime.

Government Orders

BLOOD DONATION

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, the third petition signed by 1,684 residents of my riding prays that Parliament requests Red Cross Canada review its policy of directed blood donation and take the steps necessary to allow individuals to dictate the use of their blood to family members as they see fit.

This petition drive was launched by Mrs. Natalie Jodoin of Cornwall when she discovered that she could not donate blood at a local hospital and direct that it be used for her daughter should the need arise during minor surgery.

HUMAN RIGHTS

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, the fourth petition signed by 46 residents of Stormont—Dundas prays that Parliament not amend the human rights code, the Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate in any way societal approval of same sex relationships or homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

ASSISTED SUICIDE

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, finally the last petition is signed by 458 residents of Stormont—Dundas who pray that Parliament ensures that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law that would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Hon. Alfonso Gagliano (Secretary of State (Parliamentary Affairs) and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that all the questions be allowed to stand.

The Deputy Speaker: Shall all the questions be allowed to stand?

Some hon. members: Agreed.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Hon. Alfonso Gagliano (Secretary of State (Parliamentary Affairs) and Deputy Leader of the Government in the House

of Commons, Lib.): Mr. Speaker, I ask that the notice of motion for the production of papers be allowed to stand.

The Deputy Speaker: Shall the notice of motion be allowed to stand?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

DEPARTMENT OF INDUSTRY ACT

The House resumed from October 18 consideration of the motion that Bill C-46, an act to establish the Department of Industry and to amend and repeal certain other acts, be read the second time and referred to a committee, and of the amendment.

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, it is certainly my pleasure to rise today to speak on Bill C-46, an act to establish the Department of Industry.

This all started with the election one year ago when Canadians felt it was important to set in place a team of people with certain ideas as presented in the red book, that would reorganize and transform the government and the way business is done in Canada.

It is not a coincidence that we have the team of players which is heading the departments today. We are the original reformers. Our friends on the opposite side call themselves the Reform Party, but the Liberal Party is the party of reform. It is our party that looks at all the resources; people, mineral, and other resources and asks: How can we do the best for our people? How can we reorganize things in a way that Canadians will enjoy the lifestyles they have had in the past and will continue to have in the future?

We started with general projects. We brought in the infrastructure program. Why did we bring in the infrastructure program? Because all the G-7 countries, those countries that are doing well put infrastructure in. I know because I was a mayor and I travelled the world. I travelled to Germany and the United States to beef up my riding of Bruce—Grey, having been the mayor of the city of Owen Sound for four terms.

My friends opposite can check my record. They can go to the library and see that I had a strategic plan and I executed it. I called it building blocks, putting in a hospital, a regional mall, a sewer treatment plant, an arena, or what have you. These are building blocks.

Government Orders

This government has reorganized itself in a way to give better government by streamlining the departments. Starting on this exercise is so important for us as a government because we are into an era not unlike what happened during the industrial revolution.

(1530)

During that time there was a lot of confrontation. I remember quite vividly watching a movie in which a gentleman brought in a steam jenny to replace jobs. His place was stoned. They called him a sorcerer. People started breaking his windows and all that because he had brought in a piece of steam equipment that would replace their jobs.

We have now moved into the technology era. The Secretary of State for Science, Research and Development and the Minister of Industry in integration programs with the Minister of Finance are reorganizing the debt. We are even working with the Department of Health. We realize that health and the economy are interchangeable.

We cannot do much without involving young people. We know the birth rate is high if mothers have good nutrition. Young people born into the world need the correct tools, the proper nutrition and fostering. People are the main resource. It starts with a person being able to dream or a person being able to think. It spins off to small businesses. I taught some young people in school who have done quite well. One young man just went to Japan. I have a lot of faith in them, but as adults we have to give them opportunity.

Within the next couple of days we will be giving opportunities to youth. Young people will be allowed to get out there and experiment with various jobs so they can be focused. We are not crowding them out as happened in the past. I have been with these young people and I understand what happens.

As adults we have learned a lot of things over the last number of years. One thing we have not found out is that we have to transfer some authority to young people. We have to give them hope. We have to let them know that they can replace us and that given the correct climate they will.

In my riding of Bruce—Grey tourism is extremely important. It is a sector that brings in foreign revenues. It allows communities to achieve a higher standard of living than they would have without tourism. The roads and infrastructure we have put in place will allow people to come to my riding. It will allow them to stay in a hotel serviced by good sewers and water. A lot of these things have to be sustainable.

In addition a lot of members in our community such as the sportsman's association who work at restocking the lakes for the fishery. Everybody is trying to help. In that climate the fishery is enhanced. There is the natural beauty that the Lord has given Canada. We have a great fishery, clean air, pure water, and a sustainable environment. People can enjoy our beautiful sunsets

and the cottage climate. Then on Labour Day they can go home, after they have deposited their dollars in our community. There is a spinoff effect of probably \$4, \$5, or \$6 for every dollar spent in the community. It provides the communities with an elevated level of life; they have a theatre and other facilities that normally would not be available.

They are also helping our country because in some cases people bring in foreign exchanges. Foreigners know that in Canada there are many things available that they do not have at home. They can come here and enjoy them, be it bird watching, sunsets, skiing or snowmobiling in the Collingwood or Bruce—Grey area. All these activities are rather unique to our area. They will all foster opportunities. The industry department will provide small businesses with a climate in which to grow and prosper.

Quite recently we struck a committee. I say to the House and to small businesses that we are serious. The banks must respect them. The banks must afford to small business persons the same kinds of opportunities they have been giving to larger businesses.

(1535)

I know in my heart and my soul, because I have studied the problem, that those small business people and the one to four people they employ are the people who will get us out of this recession. They will get people dreaming again. They will get people using their ideas and their ideals. Most of us have God given talents in certain areas that could help the country. As a government we have to prepare the climate for them to do those things.

We are now moving to a knowledge based new economy. It is going to radically change the way we compete in the open market. We have announced in our educational policies that as we reorganize the way we use UI or funding to universities we will make sure all our young people have a chance to go to school.

I have been told, because of the position we find ourselves in, that if young people want to enter the teaching profession their marks have to be in excess of 90 per cent. Lots of people who would be good teachers or would be good in whatever endeavour they wish to pursue are not getting those marks. If we empower them by putting money in their hands they are able to go to any university and have an opportunity like anybody else. Kids who are very resourceful, clever kids, come from an environment where there is a lot of money. There would not be a problem there, but I personally think it would be a much more imaginative way to approach funding for universities. Our young people are very important. We have to foster a climate where they have a chance, notwithstanding that they mature at different levels. In some cases their scores do not reflect their abilities. Some of us are late bloomers.

Government Orders

We are working on all these fronts in an integrated approach to make sure that we are coming up from the boot straps. We are going to give people hope again. We are going to make sure that they have the dignity of work. We are going to look at the climate of child care from the time a person is born. That is actually a second front in comparison to what has to happen now.

We have to kickstart the economy now with the infrastructure program. We have to get small businesses working, creating a climate of competitiveness, cutting our trade deficits between countries we are trading with and trying to export more. That is important for us. We have to bring our agriculture into a competitive position. By nature Canadians are very good at agriculture. That is our niche. That is what we do best. By putting money into research and development we can improve our wheat and the amount of milk our cattle produce. We can produce better strains of beef and products that are resistant to pests and various climatic conditions.

As we work in those areas that is the way we will get ourselves out of this recession, get Canadians working again and get our country working again.

The government is doing the right thing by reorganizing the department. The government is taking an integrated approach to the way we work with the economy. That includes looking after the debt because the debt is very important. We are not taking anybody else's policies. We are taking a balanced approach. We are not going to take \$44 billion out of the economy because it will cause a recession; there is no question about that. We will work on a balanced approach of 3 per cent of GDP. In this integrated approach we will start to move one step at a time. That slow walk will pick up to a jog and then we will be up to speed.

I am pleased to be on this side of the House and I am glad we are reorganizing this department.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I draw your attention to identical provisions which appear in three bills recently tabled, namely clause 18 in Bill C-46, clause 17 in Bill C-52 and clause 8 in Bill C-53.

In Bill C-46, the provision reads as follows:

18. (1) The Minister may, subject to any regulations that the Treasury Board may make for the purposes of this section, fix fees that the Minister considers appropriate in respect of products, services, rights, privileges, regulatory processes or approvals and the use of facilities provided by the Minister, the Department or any board or agency of the Government of Canada for which the Minister has responsibility.

(1540)

Once in effect, this clause will reduce Parliament's control over increases in government revenues. Although the process is

not new, the enactment of such measures will result in greater powers of taxation.

It is important to note that, in 1991, some very controversial amendments to the Financial Administration Act considerably increased the power of the executive branch of government to impose fees and costs through legislation.

These amendments are found in Chapter 24 of the Statutes of Canada, 1991. Although they are questionable in some respects, the clause contained in Bill C-46 is even worse. Indeed, that provision allows the minister, or an official authorized by the minister, to fix discretionary fees within the department.

Sections 19 and 19.1 of the Financial Administration Act already provide sufficient authority to the Executive without making it necessary for Parliament to once again increase its power to collect more money.

At the time, members opposite fought tooth and nail against those amendments. I guess times change.

Clause 18 in Bill C-46 allows the minister to impose fees or increase those already applicable, without having to resort to any legislative instrument that would have to be registered and published under the Statutory Instruments Act and that could be reviewed by a competent parliamentary authority such as the Standing Joint Committee for the Scrutiny of Regulations. This is due to the fact that the clause allows the minister to set the costs but not to do so by order. The words "by order" were omitted from the bills now before the House. Those words are very important in the British parliamentary tradition, as they have always transferred to the executive power, that is, the Governor General in Council, the enforcement of all legislation.

I find this process unacceptable. If ministers can increase public revenue as they see fit, it would be logical for the relevant documents to appear at least in the *Canada Gazette*, which is accessible to all Canadians.

One of the main functions of this Parliament is to ensure fair and equitable taxation. Let us try to imagine what the Auditor General of Canada must do, in preparing his annual report, to find out if taxpayers really paid what they owe the government. The question would be: how much do they owe? The rule of law, a principle treasured by our constitutional monarchy, is being superseded today by the rule of the minister. An important point is the extent of the discretionary power that the minister gives himself in this clause.

This government's usual approach is to entrust its ministers with highly discretionary powers totally inconsistent with the most basic principles of sound fiscal management. Clause 10 of Bill C-22 concerning Pearson Airport, so strongly denounced by the Official Opposition, is a good current example.

The minister's authority is not limited to setting costs or charges appropriate in respect of goods or services.

(1545)

Under Section 19(2) of the Financial Administration Act, the minister does not have to prescribe an amount up to the real costs in respect of a service provided. The use of these very subjective terms means that, from now on, the minister has the discretionary power to set costs above the real value and, secondly, that these discretionary decisions will not be subject to any kind of legal review.

I find it extraordinary that Parliament can delegate to a minister the power to decide by how much he will increase public revenue other than through taxes submitted and debated in the House of Commons.

Canadian courts, including the Supreme Court of Canada, have recognized the principle of domanial duality in administration. For those not familiar with this notion, it can be explained as follows: a truck used to move government household effects is government property, while a bridge is public property but useful to the general public. That is the distinction. That is what the courts call domanial duality.

The government could, for example, charge \$20 an hour by ministerial order for the use of its truck without advertising or enacting regulations, but it could not charge a passport applicant for the full administrative cost of issuing the passport. The cost could vary depending on whether the application was sent to officials working in a run-down building in Montreal or in luxurious quarters in Toronto.

Finally, I am troubled by the description of the items for which the minister will be authorized to impose service charges and user fees.

This concept was picked up in the Financial Administration Act and was one of the main points of the Liberal opposition when it proposed amendments in 1991 concerning the power to charge fees for rights. You will see how the Liberals argued then.

I find it wrong for Parliament to say on one hand that a citizen has a legal right, or is entitled, to receive certain benefits and on the other that it authorizes the executive to charge a fee to have this right or benefit recognized. A right is a right; it is not something that an individual has to buy from the government.

I am trying to understand this new power to ask people to pay for regulatory processes. That is the term used in the clause in question: regulatory processes. This expression is so vague as to be meaningless.

What is a regulatory process? The clause itself rules out any recourse to the regulations. Or is "règlement" used in the French sense of reaching an agreement? By giving the word

Government Orders

"règlement" this common meaning, agreement, the English version of the same clause would be meaningless, since it also uses the term "regulatory process". But what is it?

Also note the extended opportunity to collect funds through permits and licences and by other means.

In this context, it is clear that regulatory consent is similar to a licence or a permit. However, that is not the case with clause 18. The Financial Administration Act and this clause can lead to abuse.

It is plausible that a minister facing a deficit may increase his revenues by charging fees for every consent he gives; this will just lead to a new regulatory scheme to impose a basis for collecting new charges.

It is true that the power granted by clause 18 would be subject to the regulations that Treasury Board could make for this purpose.

(1550)

Since it is not certain that Treasury Board will exercise this authority or, even if it did, that it would impose restrictions on the minister's discretionary authority, it is quite logical to think that the public's concerns are justified.

The citizen cares little whether what he is paying is called a tax, a charge or a fee: it is disguised taxation. Mr. Speaker, you will agree that this new Liberal tactic of collecting public funds by all sorts of devious means is much more like highway robbery in the last century than the forthright collection of fair charges related to a particular expense. They are changing the maxim from "ignorance of the law is no excuse" to "guess right".

[English]

Mr. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I am delighted to enter into this debate. This is an important bill even though it appears, as my colleague opposite indicated, to be a purely regulatory type of bill that tends to condense a lot of the difficulties, bureaucracies and regulations that are appended to the Department of Industry.

This is an important function nonetheless. It is important because the country desperately needs a Department of Industry that is fine tuned, well honed and whose processes for decision making are adapted to the conditions of the day, conditions that require immediate action that addresses the problems as they have emerged over the course of the last 10 years.

I say the last 10 years because some of my colleagues here are more familiar with the tradition of the last administration that stretched from 1984 to only 1993. However, in the latter part of that administration we saw the devastation of the economic dynamics of this country. It is the economic dynamics of this country that a bill such as C-46 addresses today.

Government Orders

It addresses these because the directions of the previous administration allowed forces of an economic nature to pull this country apart and to weaken the dynamics that allowed even on a regional basis for some growth, for some wealth and, I dare say for my colleagues on the Reform side of the House, for some fiscal generation so that we could either maintain programs on a national basis or at least support and continue programs that we felt were of a need from a regional point of view.

Let me give some examples. I come from that part of Canada which people love to hate but which is also very important to the economic vibrancy of the entire country and whose citizens have very dedicatedly and very willingly contributed to the consolidated general revenues of this country and have also done their utmost to engender that spirit of thrift, sacrifice and risk that comes with the responsibilities of those who would live in a country dominated by an entrepreneurial spirit.

The greater metropolitan area of Toronto, an area which I know, Mr. Speaker, you are quite familiar with, used to provide close to 40 per cent of all the revenues gathered from the consolidated general revenue fund. Some of my colleagues from the Reform side, not having had the glasses to adapt them to a larger vision of the country, might not appreciate that, but it is true.

Even in such a place the devastation and inadequacies of a government imposed on the economy saw, for example, the labour force go from 2,022,000 in 1989 at the end of the boom to 1,984,000 last year. In the process we saw employment drop from 1,934,000 to a mere 1,755,000. These are statistics dated at the end of December 1993.

What is interesting about that is not only the drop in the labour force but the increase in the unemployment. Unemployment went from 81,000 in Canada's richest city in 1989 to 222,000 this last December—222,000 unemployed.

(1555)

For some of my colleagues who have a rose coloured glass view of the world, that is a population that exceeds almost all cities except the top six in population in this country. It exceeds the number of unemployed in most of the regions in this country. To make matters worse, the kind of dynamics that were unleashed by the last administration, the welfare cases rose to 672,000 in that same area and welfare payments ballooned, as one can imagine.

What we need—the Canadian public told us this in 1993—is a government that is structured such as to be able to address the needs of Canadians wherever they might choose to live in this country, and make that an absolute certainty, that it is where they choose to live.

If we are Canadians one of the hallmarks of our identity is that we have mobility and our country must be governed by a government that is willing to address not only our aspirations and our objectives and our needs, but also the development as we move along. We are not a country that pits one region against another. We need government instruments that allow us to address the needs as expressed on an ongoing basis, capable of meeting the changes that we see the world economy and our domestic economy impose on families, groupings, communities, cities, provinces and regions.

As my colleague from Bruce—Grey said a moment ago in a most eloquent fashion and a most precise fashion when he gave some specific examples of the potential that has yet to be exploited, one of the objectives of new Department of Industry, after it is structured, will be to highlight tourism.

Our Department of Industry has recognized that the current account deficit that we hold with the world cannot continue at the rate that we currently see. It is especially onerous on the tourism side because this country has enormous potential for tourism development, and yet we have very few programs that target the tourists emerging in various places around the world. For example, we do not have adequate programs to address the emerging tourism potential of western Europe or even the vastly and quickly growing tourism potential of Asia.

We see that if we are going to allow Canadians to look for a more aggressive future, one that promises fiscal security, monetary security and aspirations for our young people and for families, what we would have to do is take a look at where the jobs are being created. In some of the statistics I gave we could see that while there has been a decline in manufacturing not only in my own region of Ontario and the city of Toronto but virtually everywhere in this country unfortunately, what we have experienced at the same time is a growth in the service sector. There is no better sector than the tourism sector.

In the area of tourism we find that about 50 per cent more jobs are created in non-tourism related industries and businesses. These are not Canadian statistics, these are studies that come out of the OECD. This is an area where other countries have found similar experiences.

If we are going to build on something that is tangible, something that is there, we ought to take advantage of the natural beauty of this country, the natural resources that it offers from a tourism point of view and we ought to be able to marshal an industry that allows us to provide jobs today and tomorrow for a country that yearns for those days when it was realizing its potential. Those days can come again. We must take the appropriate measures to put the right structures and procedures into place, and this bill is one. I urge all members to support it.

Government Orders

(1600)

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, I am happy to have the opportunity to address the House on the subject of Bill C-46, the Department of Industry Act.

I would not be doing justice to my own feelings on this bill if I did not state at the outset my firm belief that this is good legislation, a measure of which the government can be proud.

Bill C-46 and other organizational legislation introduced in this session are clear evidence that the government intends to live up to its commitment first stated in the campaign that saw it elected to power to restore and renew our administrative machinery. I am convinced that Canadians will view it as a positive step that will help restore public faith in the way our country is governed.

I have been listening to the discussion on the bill with considerable interest and have noticed that a constant focus of debate by the opposition has been the topic of regional development.

Here we have a bill, as the members opposite have themselves acknowledged, that deals with a tremendously broad range of responsibilities. The department has responsibility for industry and technology, trade and commerce, science, consumer affairs, corporations and corporate securities, competition and restraint of trade, bankruptcy, patents and copyrights, packaging, telecommunication, investments, small business, tourism. I have to pause and I have not yet exhausted the list.

[*Translation*]

All these responsibilities are vital to Canada's industry, trade and economic development. They affect all Canadians in every province and region, including Quebec. I, for one, think it would be unfair to my constituents to focus on a single aspect of the bill and ignore all other very important elements.

The arguments raised by opposition members are seriously flawed. First of all, according to them, since the Constitution does not define regional development as a federal responsibility, it therefore comes under Quebec's exclusive jurisdiction. The federal government has a special responsibility to the regions of the country whose economy is growing more slowly, as provided for in Section 36(1)(b) of the Constitution Act, 1982. This section requires the federal and provincial governments to further economic development to reduce disparities in opportunities throughout the country.

The way these responsibilities are discharged has changed over the years, just as the various regional requirements have evolved. The federal government used to try to reduce regional disparities, but it now emphasizes small and medium-sized business competitiveness and regional development.

Contrary to what some critics claim, the government remains very active in Quebec regional development. The Economic and Regional Development Agreement, or ERDA, with Quebec has not been renewed yet but it only expires in December, despite the opposition's allegations. The ERDA agreements will remain in force long after they expire, in some cases in 1996 and 1998.

If we stick to the facts, no one can say that funding for Quebec regional development is drying up. Between 1989-90 and 1993-94, federal contributions to Quebec regional development rose by 15 per cent, compared to the previous five-year period, to \$1.4 billion over five years. I would like to see northern Ontario get part of that; it is not even in the same ballpark.

I admit that by making a commitment to reduce spending and to lower the deficit, the federal government was forced to cut the amount allocated to regional development. We made a special effort, however, to ensure that these cuts are spread fairly among all regions of the country.

[*English*]

That being said, the current approach to regional development in Quebec does not require the same level of funding as in the past. Business clients of FORD-Q were quite clear during recent consultations: they do not want any more grants. They want assistance in a form that helps them realize their potential and they want the government to reduce the size of our deficit.

(1605)

There is a contradictory aspect to the opposition argument on regional development in Quebec. On the one hand, the federal government is faulted for not establishing a separate department or agency for Quebec as is done with WED and ACOA. On the other hand, the federal government is criticized for wanting to ensure that all regions of Canada benefit from economic development.

I repeat, the constitutional provision to promote economic development exists so as to create a more level playing field. The field we are talking about is not only Quebec but all of Canada.

I am confident the people of Quebec will demonstrate their confidence in the federal government's plans for encouraging economic growth and job creation.

There are practical reasons FORD-Q does not have separate legislation. The main preoccupation, the main priority of the government is job creation, not creating new administrative structures. Bill C-46 is intended to consolidate, not separate. Therefore it retains existing provisions regarding regional development. As is currently the case, control of regional development in Quebec will again be transferred to the Minister of Finance by order in council.

Government Orders

I am sure that the opposition wishes, as do all members of the House, to see the Quebec economy prosper. The government is steadfastly dedicated to that objective. Bill C-46 creates an organization that will assist Quebec and all of Canada move toward that goal.

I urge the House to give it speedy passage.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

During the ringing of the bells:

The Deputy Speaker: Pursuant to Standing Order 45(5)(a) I have been requested by the chief government whip to defer the division until a later time.

[*Translation*]

Accordingly, pursuant to Standing Order 45(5)(a), the division on the question now before the House stands deferred until 5.30 p.m. today, at which time the bells to call in the members will be sounded for not more than 15 minutes.

* * *

[*English*]

**DEPARTMENT OF PUBLIC WORKS AND
GOVERNMENT SERVICES ACT**

The House resumed from October 18 consideration of the motion that Bill C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts, be read the second time and referred to a committee.

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to be able to speak on Bill C-46 which is the bill setting up the new Ministry of Industry.

Like the member for Eglinton—Lawrence, I was surprised to hear members of the opposition referring to this as merely mechanical, organizational legislation.

Bill C-46 which sets up this new department is in fact a part of the—

(1610)

The Deputy Speaker: Order. I realize that things often happen very quickly here but the member's comments thus far relate to a different bill. We are on a different matter now. Perhaps there was a misunderstanding but we are on Bill C-52.

Mr. Mills (Broadview—Greenwood): Mr. Speaker, a point of order. I wonder if you could clarify for the House how we moved from Bill C-46 to the next bill. Somehow this happened at a time when the member for Peterborough was about to speak to Bill C-46. Of course, we were interrupted by the amendment from Her Majesty's official opposition.

The Deputy Speaker: Members are always of good faith. The matter actually went through. The question was called and the vote on the amendment was deferred. Once that vote is taken we will come back to Bill C-46.

We have now moved to a different bill. Does the member for Peterborough wish to speak to the new bill?

Mr. Adams: No, Mr. Speaker.

[*Translation*]

Hon. Alfonso Gagliano (Secretary of State (Parliamentary Affairs) and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to participate in the debate on Bill C-52.

Since the House resumed sitting, we have been looking at a new structure for several federal departments. This restructuring exercise results from a wise decision made by the Prime Minister to streamline the federal administration in order to make it healthier, more efficient and, in particular, to save precious dollars for Canadian taxpayers.

Under the Conservative government, Cabinet had no less than 40 ministers, not to mention the political and bureaucratic support required, as well as the costs involved. We now have 20 departments which are more efficient and which will provide better and quicker service to taxpayers. The government is convinced that it can meet its objectives by pursuing four goals: streamlining the delivery of a number of services and programs; eliminating duplication and overlapping; defining the responsibility of each sector; and transferring some activities to other levels of government.

The bill which we are looking at today meets these objectives. Indeed, its goal is to make policies and programs more efficient, more affordable and also more accessible to our clientele, the citizens of our country. To determine, in consultation with provincial governments, who is in the best position to deliver a program or a service, and to make provision for adjustments to cope with changing priorities and situations from province to province are specific and realistic objectives designed to provide a better service to Canadians.

Government Orders

There is no doubt that, with the co-operation of the provinces, we can quickly make significant progress in this area. There is no doubt either that the review of all our programs and services in order to reduce duplication and overlapping is very important to Canadians. Every level of public administration is experiencing budgetary problems. Every government must find solutions to the growing deficit. We must spend wisely the money entrusted to us.

We must do more with less. In the past, everyone wanted their own structure, their own showcase, their own projects and their own service centres. However, we can no longer afford to support all that. Generally speaking, Bill C-52 will streamline the administrative procedures which allow us to reach agreements with the provincial governments.

(1615)

I think that the infrastructure program is a perfect example of co-operation between the various levels of government. It confirms that, by pooling our resources and projects, we serve Canadians better while also creating many jobs in the process. The infrastructure program, which was clearly presented in our red book, is ideally suited to our current needs. We all agree that there is nothing to be gained by letting a country's infrastructure deteriorate, since this reduces its efficiency and, consequently, its competitiveness.

In Quebec, about one hundred very valuable projects were supported and approved by municipal, provincial and federal authorities. In several cases, work has already begun. Consequently, it is not surprising that people were shocked when the new Quebec minister of municipal affairs announced his intention to review dozens of these projects.

A new government has the right to do things differently from its predecessor. It can certainly do so when its plans and intentions were clearly stated to voters during the election campaign. For example, during the last federal campaign, we clearly indicated which programs we were going to eliminate.

We also said that we would look at the Pearson Airport deal and would cancel that project if we felt that it was not in the best interests of Canadians. And we did just that. So, it is normal for the new Quebec government to review projects, provided it indicated its intention to do so during the election campaign.

There can be no misunderstanding on this issue, and voters clearly got the message. However, in the case of the infrastructure program, we are talking about projects which have been proposed by municipalities, reviewed at the provincial level and, once approved and recommended by the Quebec government, reviewed and accepted or rejected by the federal government. All these projects were approved according to specific rules clearly stated from the beginning. We are therefore concerned to see the new Quebec government start from scratch.

I do hope that once the new Quebec minister of municipal affairs looks at these projects—hopefully in the very near future—he will confirm them, so that the communities and municipal organizations concerned can pursue the work which had already begun regarding these very important projects.

For example, in my own riding of Saint-Léonard, residents have been asking for years that a community centre be built to provide various services. The construction of that centre has now been put on hold and I hope that the minister will give his approval as soon as possible, so that work can begin on this very important project.

Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ): Mr. Speaker, I am very pleased to speak on Bill C-52; I am especially pleased to speak on it because the riding which I represent in this House, Anjou—Rivière-des-Prairies, clearly lacks government services. I want to talk about this before getting into the main subject.

The only government buildings in my riding are marine navigation lights, a post office, an employment centre and an empty office building. That is not much. First we have the navigation lights. I think that the federal government cannot avoid this responsibility since the Rivière des Prairies flows through my riding and it must be marked with navigation lights. This is an absolute necessity. Then there is a post office in the heart of Ville d'Anjou, but having a post office in my riding is certainly not unusual since the riding of Anjou—Rivière-des-Prairies is one of the most populous in the Montreal area. In that regard, not having a post office would be inexcusable.

(1620)

As regards the need for a Canada employment centre in my riding, I think that for a better understanding of what is at stake here, I should point out to the House that the riding of Anjou—Rivière-des-Prairies, located in the eastern part of Montreal Island, is considered by many experts to be an economically depressed area: the unemployment rate is much higher than in the greater Montreal area; the number of welfare recipients is at record levels; it has the lowest average household income; and the school drop-out rate is one of the highest in Quebec. That being said, I do not think having a manpower centre in my riding is a luxury. It meets a real need among my constituents.

However, according to rumours in my riding, the centre may be moved to the Saint-Léonard riding, next door. It seems this would allow for better allocation of available resources. In fact, the real reasons are pretty obvious. First they expand the area covered by the manpower centre responsible for East Montreal. They consolidate various services in the same building, so that offices already being used are now too small or redundant. Finally, the new Department of Public Works and Government Services decides to move the offices to a new building, where it

Government Orders

can offer government services first and foremost to a riding that, incidentally, voted for the winning side. Quite a coincidence.

In fact, if the rumours I mentioned earlier are true, the new government offices will be located in one of the least disadvantaged areas of Montreal.

Of course for the time being, these are just rumours. Nevertheless, there is a precedent. I realized this when I looked at the history of politics in this riding. The first Canada Employment Centre to open its doors in this riding was inaugurated in 1984. At the time, it was an extension of the employment centre located in the present riding of Saint-Léonard. Of course, at the time, in 1984, the riding of Anjou—Rivière—des—Prairies did not exist and Ville d'Anjou was part of the riding of Anjou—Saint-Léonard. After the election in 1984, this riding was represented in the House of Commons by the present member for Saint-Léonard.

In the fall of 1988, we had an election, and Ville d'Anjou was then part of a new riding, Anjou—Rivières—des—Prairies. The riding was represented by the future minister responsible for the development of greater Montreal, and interestingly, the employment centre in my riding became a full-fledged centre from that very moment. Since it was then too small, the employment centre's offices were moved, this time to the riding of Anjou—Rivières—des—Prairies.

In 1993, another election. Voters in Anjou—Rivière—des—Prairies elected a member of the Bloc Québécois to represent them, as did many Quebecers during this last election, and hence current rumours that the employment centre is going to be relocated.

To end these rumours, the Minister of Public Works and Government Services need only have answered my question to him about the activities of his whole department in my riding, as several Bloc members asked him about theirs. The letters we received suggested that it was impossible for financial and accounting reasons to explain what is going on in the ridings.

Given that, you will understand my disappointment with the vote on the amendment moved by a fellow Bloc member for a committee to monitor this department. You will agree with me that setting up a public monitoring commission with the mandate of scrutinizing the contracts let by the Department of Public Works and Government Services would be the best way to ensure the openness that the Liberal Party promised us so much in its famous red book that everyone quotes abundantly.

We find such openness nowhere in any of the departments we address. I shall take a few current examples since they are very recent.

(1625)

We have been trying to find out how many family trusts there are, how many billions are involved and for how long this money will not be taxed. We are not getting any answers. No one can give us exact figures.

There is also the Canadian Security Intelligence Service. Some very serious allegations are being made that it has infiltrated a political party, specifically the Reform Party. This service's activities are subject to review by an independent committee, but when that committee's members appear before a House committee, the only reply they will make to our questions is that they have become accustomed to not giving a definite yes or no as an answer. This is not transparency.

Let us look at the events surrounding the Pearson airport affair. A bill to deprivatize Pearson was introduced, and of course the people who invested money in the airport will be making claims. The bill provides that these claims will be heard in camera by the minister responsible, rather than here in this House, or before the Canadian people. This is not what I would call transparency.

An ethics committee was struck to keep an eye on lobbyists. Rumour has it that this whole business is unsavoury. And to whom does the committee report? Instead of reporting to this House, it reports to the minister.

The Communications Security Establishment, which is allegedly involved in spying activities on a large scale throughout Canada and perhaps internationally, has been mentioned today, and indeed with increasing frequency for a few days now. Eighteen hundred people are involved in its operations, and although difficult to estimate, its budget seems to be in the range of two hundred and fifty or three hundred million dollars.

This brings us to another subject, the inquiry conducted by the Keable Commission which published some extremely important information. I may recall that the commission—I will read the first paragraph of the inquiry—started its proceedings on March 8, 1976. The commission reported as follows: Former RCMP officer Robert Samson was summoned to testify behind closed doors at his trial on charges of placing a bomb at the home of Samuel Dobrin. He revealed that in 1972, members of the three main police corps operating in Quebec searched the premises of the Agence de presse libre du Québec without a warrant. This unlawful search was part of a police operation under the code name "Bricole".

Government Orders

Subsequently, the Keable Commission was to question all the witnesses who appeared in this case, and the commission's initial terms of reference were gradually expanded as it discovered more and more facts.

At one point, the people conducting the inquiry tried to obtain specific figures and information from the Royal Canadian Mounted Police, and when the RCMP refused, they went to court. The Supreme Court ruled in favour of the Royal Canadian Mounted Police, and I would like to read to you what the members of the Keable Commission thought of this ruling. The following appears in Chapter 3, paragraph 3: "The Supreme Court's judgment recognizes the right of the Solicitor General of Canada to evoke, without further explanation, the interests of national security as grounds for refusing to produce documents relevant to a commission's inquiry. In so doing, the Supreme Court reinforces what Chief Justice Jules Deschênes of the Superior Court referred to, in a detailed study of section 41(2) of the Federal Court Act, as the absolute privilege which shields the executive from the judiciary. Of all the countries whose jurisprudence in this area was examined by Justice Deschênes, including England, Australia, New Zealand and the United States, Canada is the only country that repeatedly favours the doctrine of absolute privilege".

In other words, there are citizens in this country who are above the law, against whom no legal recourse is possible.

This is what transparency means, and unfortunately, Bill C-52 does not provide the controls we proposed. They are not in this bill, and we will therefore vote against this legislation.

(1630)

[*English*]

Mr. George S. Rideout (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, it is a pleasure to talk about the legislation presently before the House and to look at the amalgamation of different government agencies into consolidated departments, particularly this one of public works and government services. The amalgamation of most of the federal government's common services into one portfolio is a sound step toward improved efficiency and better service delivery of government programs and services.

The first and most obvious opportunity is the capacity of a centralized body to reduce wasteful duplication with consequent savings to the taxpayers. This is already apparent within the Department of Public Works and Government Services. It will become even more so over the next four years as the overall staff requirements are reduced by close to 30 per cent.

This consolidation of operations will bring annual savings of hundreds of millions of dollars and make a real contribution to streamlining government operations and contributing to deficit reduction.

Cost effectiveness can only be one of the reasons why amalgamation of the government's common services makes good sense. It also provides a single focal point to the scores of government departments and agencies that depend on public works and government service for services. It creates an environment in which Public Works and Government Services Canada is better able to understand the whole range of its clients' needs and deal with them on a comprehensive basis. Similarly it provides a single operational point of contact for the tens of thousands of companies and individuals that do business with government every year.

By standardizing policies and procedures and by developing more streamline procurement systems, Public Works and Government Services Canada can make it more fair, more simple and less costly for these people to do business with the government. Finally, the consolidation of our common services creates a really impressive body of specialized expertise on a wide variety of matters relating to government services and government administration.

One of these centres of expertise that has come into the department through the amalgamation is the government's translation bureau. Few people are fully aware of the wide range of services and enormous volume of output that this organization provides to Parliament and to government on a continuing basis. With a staff of some 1,200 employees the translation bureau looks after translation and interpretation services for Parliament and government departments, agencies and commissions, as well as acts as the prime authority for the standardized terminology throughout government.

Besides its basic responsibilities relating to Canada's two official languages, the bureau provides translation services in more than 150 languages as well as interpretation services for some 40 languages and dialects including sign language. The translation bureau is also an important user of services provided by the private sector in this field, issuing in a typical year more than 8,000 contracts for outside work. On average the bureau translates over 300 million words annually. To give some idea of the scope of this accomplishment, it represents the contents of about 4,000 books each of 250 pages in length. If you have heard my French, Mr. Speaker, you would realize how important good translation is.

The bureau also translates more than 100,000 weather bulletins a year through its Météo system, a computer assisted translation system. It provides about 20,000 person days of interpretive services. On top of all this the bureau responds to an estimated 150,000 telephone inquiries each year from client departments, suppliers and the general public seeking information regarding correct terminology.

The move of the translation bureau under the umbrella of Public Works and Government Services Canada was and is a logical and sensible move. The bureau provides an important common service to departments and agencies and to the public. It does extensive procurement for services with the private

Government Orders

sector. In other words, it shares the same characteristics as the other common service elements of the department and will benefit from being integrated with them.

Another of the important but sometimes overlooked common services that Public Works and Government Services provides for the government is that of the receiver general. This responsibility which was transferred to the minister from the former Department of Supply and Services Act covers a multitude of central financial and banking functions vital to government operations.

(1635)

The duty of the receiver general includes the issuance of payments in response to inquiries, settlement and redemption of payments, performance of other treasury operations such as receipt processing, payment of banking fees relating to inflows and outflows from the consolidated revenue fund, maintaining the general ledger and preparing the financial statements of the government.

The receiver general is basically responsible for all public moneys received and disbursed by the government and for all balances held on deposit in the Bank of Canada and with other financial institutions. The receiver general must also maintain the official accounting records of the government and provide extensive analysis and reporting on the government's transactions and positions as may be required by Treasury Board, the finance department or others.

The volume of transactions generated by these responsibilities is enormous. Each year the receiver general must process some 30 million deposits and over 200 million payments. With this volume of work the function of the receiver general is one that can benefit from the application of new technologies now available to speed service, deliver and reduce the cost of delivery.

There has been considerable progress on this front. For example, of the 200 million payments made annually 30 per cent are now made by direct deposit and this percentage is growing each year. Over the last three years the department reports that some 133 million paper cheques have been converted to direct deposits. This conversion has resulted in initial savings of some \$41 million in postage and banking fees, and annual savings are now in the order of \$18 million. I am sure members of the Reform Party will be more than delighted at this progress and will be supportive of what we are doing here.

The cost cutting measures already taken by Public Works and Government Services Canada over the past year demonstrate the wisdom of consolidating the department's common services

into a single department. The bill will give the department the legislative base it needs to continue to accelerate its efforts to provide better and less costly common services.

Mrs. Jean Payne (St. John's West, Lib.): Mr. Speaker, I am pleased to speak to the bill today.

The basic mandate of the Department of Public Works and Government Services is "to provide cost effective and efficient delivery of common services to government departments and agencies". This seemingly simple statement of responsibilities in fact represents an enormous challenge, given that the department must deliver a vast range of diverse products and services to more than 150 federal departments and agencies with physical locations scattered all across Canada.

The department bears much of the responsibility for fulfilling our government's directive that the administration of its operations must be made more efficient and that waste and duplication must be rooted out throughout the service.

As the primary provider of common services for the government it must take a lead role in meeting the government's goals in that respect. I think this is a good argument for the amalgamation and centralization of common services for which the department was formed, and for the bill which will give legislative force to its operations.

In pursuit of its mandate Public Works and Government Services must try to achieve greater levels of both standardization and flexibility in its operations. Standardization in such areas as communications systems, procurement processes and so forth can make a real and positive contribution to reducing administrative costs throughout government. In its service to client departments, Public Works and Government Services must also strive to be as flexible as possible so as to address the real needs and to respond quickly and effectively to them.

One of the techniques used by the department to give it flexibility of action, which has been carried forward from previous legislation, is the use of revolving funds. A revolving fund is essentially a revenue spending authority. It is a standing authority like a line of credit which given to the organization enables it to use its revenues to pay all or a portion of its expenditures.

The objective is that all revenues will equal all expenditures over time. It is the continuous authority to draw on the consolidated revenue fund up to a specified limit, as opposed to an annual appropriation of cash. Revolving funds are particularly useful in facilitating large scale, multi-year projects, the type of projects Public Works and Government Services Canada frequently undertakes in the service of its clients.

Government Orders

(1640)

Bill C-52 provides for the transfer of six such revolving funds from their existing legislation with no change in their terms and conditions. These include architectural, engineering and reality services; consulting and audit Canada; the Canada Communication Group; government telecommunications and informatics services; optional services; and the defence production revolving fund.

In addition the bill establishes one new revolving fund for the disposition of real property. The new real property disposition revolving fund is being established to permit the repayment of expenditures made in the disposal of real property from the proceeds. At present parliamentary appropriations are used to fund these expenditures.

As members are aware, the new department and one of its predecessors, Public Works Canada, have been quite active over the past few years in disposing of unwanted and unneeded federal property which represented an unnecessary cost to the Canadian taxpayer. The establishment of the revolving fund will streamline and simplify the administration of this process in the future.

The Minister of Public Works and Government Services was recently made aware of certain practices within the Canada Communication Group in which the revolving fund was used to carry over funding from one fiscal year to another.

The minister responded quickly to deal with this problem. Working in conjunction with Treasury Board the minister took a number of steps to rectify the situation, including identifying and confirming the exact amount of funds that had been deferred for each department, invoicing departments for expenditures already made against these funds in the current year, immediately taking steps to return these funds to the consolidated revenue fund as a refund of expenditures for prior years, conducting a refund of all the revolving funds in the department, and instituting a series of processes and systems to improve management control over them.

The speed and decisiveness with which the minister responded to this problem attests to the government's absolute determination to govern with integrity and to take every possible measure to restore public confidence in the way in which government conducts its business. It also provides a good example of the value of amalgamating the government's common services within one portfolio.

In dealing with the situation the minister was not only able to correct the particular problem that had occurred in one area but also to take steps to ensure that similar problems could not arise in other similar operations within his department.

The new Department of Public Works and Government Services has demonstrated in its first year of operation that it is as valid and viable operation. It has already saved taxpayers'

money by the elimination of duplication. It provides one-stop shopping for its client departments and a central focal point for suppliers and contractors to government. It has controlled a valuable body of specialized expertise in government administration and improved the government's ability to serve Canadians efficiently and effectively.

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, as stated in the red book our challenge is and always will be to do more with what we have. Governments everywhere are striving to maintain and to improve service levels to growing populations and to public demands that we do more and be efficient, more open and responsive in the delivery of services in communication with our citizens.

At the same time governments face equally challenging tasks of making their operations more cost effective, reducing expenditures and easing the financial burden that must be shouldered by the people. This is a universal challenge and one that must be met by this government and by all levels of government in Canada, the United States, Japan, Europe, and indeed the world.

The experience of the past decade indicates that one of the most effective ways of meeting the seemingly conflicting goals of better service at lower cost is through the development and application of advanced technology to the operation of government. The Department of Public Works and Government Services has made considerable progress in applying automated systems in delivery programs and services.

A new and advanced communications technology has helped to become more efficient in all aspects of communication within government, within communications and with the Canadian public. The technologies in this field are evolving rapidly. It is vitally important that the federal government keep pace with change, make maximum use of emerging technologies and make our operations more efficient and more cost effective. For this reason I believe the changes embodied in the creation of the Department of Public Works and Government Services represent that positive step.

(1645)

I refer specifically to the decision to merge the government telecommunications agency, formerly the department of communications, with those portions of former public works and supply and services that dealt with informatics to a new a stronger unit known as government telecommunications and informatics service, or GTIS for short.

An amalgamation of the units will eliminate some duplication of function and will result in cost savings. More important, it creates a comprehensive centre of knowledge and expertise on all aspects of advanced telecommunications and informatics technology. Further, it recognizes the trend in the industrial sector toward convergence of computing and communications technologies.

Government Orders

By locating the agency within the Department of Public Works and Government Services at the very heart of government, it will be in a stronger and more central position. This will benefit the government chief informatics officer, the scores of federal departments and agencies for which PWGSC provides common administrative services, and its home department.

The new GTIS provides information management and information technology to assist in the automation of government administration and provides the common infrastructure for program delivery. GTIS is committed to constructing an information management and information technology infrastructure to support both central responsibilities such as the Receiver General and common services such as procurement and realty management.

It also is the functional and technical authority within the Department of Public Works and Government Services for information management and information technology architecture, standards, policies, practices and guidelines. Generally GTIS is working to develop open and standards based government-wide information management and information technology architecture and infrastructure.

The importance of applying these new technologies to government operations cannot be underestimated. To take just one example, the electronic procurement and settlement system which is being designed by PWGSC will when it has government-wide application offer annual cost saving methods of several hundred million dollars to government and suppliers.

This system, known as EPS, unites the traditionally separate functions of procurement and finance into a single process. EPS will link client departments, suppliers and central common settlement systems allowing them to do business electronically. It will achieve improved service and reduction in related overhead costs. It will put control of procurement in the hands of users without burdening them with the details of process. By next year it is expected that widespread use of EPS by suppliers and departments throughout government will begin.

EPS is a flexible system and one that is workable. The electronic procurement settlement system is but one example of the many applications designed to streamline the operations of government that are being designed with PWGSC and within the government telecommunications and informatics service. Others include the new public service compensation system, the standard payment system, the common departmental financial system, and the government message handling service.

The amalgamation of government expertise and capabilities in this important field through the creation of the government telecommunications and informatics service, GTIS, makes eminent good sense. It will continue to pay off down the road in the form of more effective service delivery and lower administrative costs throughout government. It is one more reason to support this measure to give legislative force to the Department of Public Works and Government Services.

(1650)

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of the adjournment is as follows: the hon. member for Kamouraska—Rivière-du-Loup—Manpower training.

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I am happy to rise in the debate on Bill C-52, the public works and government services act.

Less government, less cost, a more responsive attitude: This is the message Canadians are giving us with respect to our government operations.

I conducted a social policy forum in my riding just last Sunday. It was held at Durham College in Oshawa. Many speakers gave me their views on how to change our social programs. This is an important part of our democracy in ensuring that the people who are affected by policies are involved in them. While this forum did not deal specifically with the structure of government, speaker after speaker expressed their views of the need for a smaller and more efficient government that would interact with the public in a manner that would restore meaning to the phrase civil servant.

Many of our civil servants are in fact caring and responsible hard working people who work diligently in the best interests of Canadians. Sustained salary freezes and a moratorium on hiring has created despondency in the ranks of the civil service. The concept of upward mobility seems to have been roadblocked.

Now is the time for new and innovative changes which not only reduce the cost of government operations but most important deliver services more efficiently and more responsibly to the public. Often people are treated to telephone answering machines with messages never returned, or overworked line people who after their 90th unemployment insurance case seem uncaring and unsympathetic.

We must do better. We must rethink our whole attitude toward public sector employment. We must involve employees and the public in the evolution of a new system which will still meet the demands of all Canadians.

Government Orders

We must be prepared to experiment in the public sector in order to achieve a more efficient system. When we say experiment, we mean just that, being prepared to start on a test basis certain pilot projects which will then in turn be monitored to see how they can be extended to the public at large.

I know members would like me to give an example of such a system. We have all been dealing with trying to struggle with a harmonized consumption tax system. The duplication between the provinces and the federal government along with the burden to small and medium sized business has been mentioned many times in this House. In addition, two collection authorities duplicate the work of the government side on this transaction. Indeed in the case of the federal government, it results in over 7 per cent of the funds collected. Currently the harmonization of these taxes has eluded both jurisdictions.

Here is the start of a solution: Why not form an agency for consumption tax collection? This agency would have transferred to it the necessary staff and equipment to collect existing federal tax. The agency would then be set free from the government. The federal government would then become its client.

We could work out a formula for the receipt of tax based on the quantum of moneys collected as well as a bonus for the satisfaction of the general public. The agency would then sell its collection services to the provincial governments, offering to collect their taxes as well. Members will note that there will be no change in tax authorities or who gets what money. It seems to me this would eliminate some of the distress which now exists between jurisdictions. At the same time it would afford for a more efficient collection system.

From this initiative it would not take long for such an agency to suggest to the provinces and the federal government an effective way to only collect the tax once rather than requiring the duplication which now exists.

This is just one illustration of how government could change in order to meet the objectives of Canadians which is for an efficient and effective government, working better and smarter.

Bill C-54 follows this vein by consolidating certain departments of public works and creating a new procurement policy. What is in it for the taxpayers? A reduction of \$180 million after five years in operation. A reduction in jobs from 18,000 to 14,000. In addition, due to the last budget, a further reduction of \$30 million. These are no small accomplishments, even though members in the opposition would have us believe otherwise.

(1655)

I would now like to turn my attention to an important new aspect of the procurement policy as outlined in the bill. It relates to contingency fees.

Before coming to the House today I looked up the definition of contingency fees: A future event or circumstance regarded as likely or as influence on present action. This means someone profiting by the success of securing government business. This is a concept of reward not consistent with the public's demand to move toward more integrity in our system. This is the sort of thing that should be abolished and should also be abolished in general lobbying with the federal government.

Since last May all the department's contracts contain a clause requiring bidders to certify they have not hired a lobbyist to solicit award of the contract, where any part of the lobbyist's payment depends directly or indirectly on a client obtaining the contract, or a contingency fee. This is a very good thing.

The minister has also moved quickly to make major improvements in the way contracting for advertising and public opinion research had been handled by the previous government. Previously, there were no effective guidelines for the purchase of these important and sensitive services which left the door open for widespread abuse and political patronage.

For the first time ever, new guidelines have been developed and promulgated with the approval and backing of cabinet. They have brought the procurement of advertising and public opinion research into line with the thrust and policies governing all procurements, namely fairness, openness and transparency.

These guidelines ensure that all contracts awarded for these services advance the policy interests of the government. They ensure that they reflect the government's determination to restore public confidence in the system and the way it conducts the public's business.

By increasing the use of the open bidding system, by introducing the lobbyist clause and by developing new strict guidelines dealing with advertising and public opinion research, the minister has demonstrated his commitment to building a fair and open approach to government procurement.

The Prime Minister has made it clear that restoring public confidence in the integrity of government is a matter of high priority. Dealing fairly and honestly with the thousands of Canadian individuals and companies who do business with the government can go a long way toward achieving that goal.

Passage of the Department of Public Works and Government Services Act will ensure there is a central point of responsibility within government to ensure that the principles and policies governing government procurement are enforced, monitored and adhered to.

[*Translation*]

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

Government Orders

The Deputy Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

And the division bells having rung:

The Deputy Speaker: Pursuant to Standing Order 45(5)(a) I have been requested by the chief government whip to defer the division until a later time.

Accordingly, pursuant to Standing Order 45(5)(a), the division on the question now before the House stands deferred until 5.30 p.m., at which time the bells to call in the members will be sounded for not more than fifteen minutes.

* * *

(1700)

DEPARTMENT OF CANADIAN HERITAGE ACT

The House resumed from Tuesday, October 18, consideration of the motion that Bill C-53, an act to establish the Department of Canadian Heritage and to amend and repeal certain other acts, be read the second time and referred to a committee; and of the amendment.

The Deputy Speaker: When we stopped the last time, the Parliamentary Secretary to the Minister of Fisheries and Oceans had the floor, but since he is not in his seat, I recognize the hon. member for Drummond.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, the government is introducing for second reading Bill C-53, an Act to establish the Department of Canadian Heritage and to amend and repeal certain other Acts.

The purpose of this bill is to give legal form to proposals of the previous Conservative government to merge several departments. This exercise is presented as a political and economic measure, that of reducing the size of the Cabinet.

At first glance, one might agree with the economic arguments for this operation. By merging a number of governmental responsibilities and activities, with a view to streamlining operations, we could achieve some savings. However, to do that, the government would have had to limit itself to the mere merging, in one single department, of services scattered in

different departments. The government would have had to take this opportunity to do the necessary house cleaning and to streamline its operations while looking for duplication of responsibilities with the provinces.

It did not do that. In this bill, much praised for its economic virtues, streamlining takes a back seat compared to the reaffirmed will to occupy fields of jurisdiction which constitutionally belong to the provinces.

In the area of culture, in particular, the government had a good opportunity to satisfy its stated economic interest while giving Quebec something it had been claiming for years under the Constitution. Unfortunately, it does nothing of the kind, and instead, maintains duplication and overlapping with programs the objectives of which are short-circuiting those of similar provincial programs.

All this at a time when neither Quebec society nor Canadian society can afford such counterproductive and expensive interventions. This operation, which could have been economically rational, is anything but. It perpetuates one of the economic flaws of federalism through continued spending in a field of jurisdiction which is not federal.

With respect to this bill, had the government not wanted to listen to economic reason, it could at least have listened to its own Constitution. In 1867, the Canadian Constitution gave authority to the provinces in the areas of communications and cultural matters. The Constitutional Act of 1867 gave the provinces jurisdiction over all private and local matters and recognized Quebec civil law. Education, which is closely connected with culture, was recognized as a provincial field of jurisdiction.

Section 40 of the Constitution, which was unilaterally patriated in 1982, states that when an amendment is made regarding education or other cultural matters, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

In fact, the constitutional acts are clear and give the provinces exclusive legislative powers over cultural matters. Had it not been for the spending power of the federal government, we would not be witnessing today this futile fight, the main victim of which is the specific cultural identity of Quebec.

With this bill, once again, the federal government fails to recognize the cultural reality of Quebec as a distinct society having, as its main characteristic, its language, which it inherited from one of the two founding nations of Canada.

Instead of recognizing Quebec's cultural reality and taking appropriate action, this bill reflects a pan-Canadian cultural identity based on the theory of a bilingual and multicultural society. The federal government is feeding utopian views which pose a real threat to Quebec from a cultural and linguistic point of view. Bilingualism, in particular, is utopian.

Government Orders

(1705)

Every report, every study has come to the same conclusion: the use of French in Canada has not improved, quite the opposite. As a journalist, Michel Vastel, so rightly put it, the use of French in everyday life never spread even here in Ottawa, the capital of an officially bilingual country. Twenty-five years after the Official Languages Act was passed, we are still waiting for French to take its place in the sun, beyond mere use in legislation, whether it be in day care centres, at school board meetings, in movie theatres, in hospitals, or in banks.

Sixteen years after moving here, in an article published in the magazine *L'Actualité*, Michel Vastel sums up his experience of bilingualism in the nation's capital, by stating: "In Ottawa, only in public buildings will you find the illusion that the two languages are equal. Beyond this facade, Ottawa is like any small, unilingual city in Ontario. Here, people leave French at home".

This is just one testimony among many that will certainly leave many of my colleagues sceptical. Unfortunately, all the reports tabled by the Commissioner of Official Languages are packed full of such examples which tend to indicate, if one were to read between the lines, that outside our main institutions, bilingualism is still sheer utopianism.

The province of Quebec has realized that bilingualism does not help to preserve and promote its cultural identity. However, Quebec still provides, in many areas, exemplary services to its English-speaking minority. As a French society completely surrounded by the English culture, Quebec has the duty and the historical responsibility to preserve its cultural identity, its distinct identity.

Why not stop beating around the bush and provide the province of Quebec with what the Fathers of Confederation set aside for this province in 1867? Why does the federal government show such sterile and costly stubbornness when it comes to historical demands unanimously approved by every successive Quebec government for decades now, regardless of their political allegiance? For what economic or social reason has the government refused, during constitutional negotiations and again today in this bill, to give Quebec complete jurisdiction over cultural matters?

Mr. Speaker, will you let me finish my speech? It will take me perhaps five more minutes.

The Deputy Speaker: Colleagues, does the hon. member have the unanimous consent of the House to continue for five more minutes?

Some hon. members: Agreed.

Mrs. Picard: These are the questions that Quebecers ask themselves and which they will soon be able to answer, among others, during a referendum on Quebec's political future.

In the meantime, the government could have made the best of it and done something significant to prove its good faith concerning what it calls national reconciliation. For all provinces and especially Quebec, jurisdiction over cultural matters is of the utmost importance. Their numerous demands in that sense have always been rejected. For sure, the goal here is not only to put an end to the waste generated by overlap, but also to ensure cultural survival and development. And judging by this bill, the government apparently failed to understand this.

Last week, the finance minister said that we were in hock and that we could not go on like this. According to him, the economic situation of this country is unbearable. One reason for this unbearable situation remains that the Canadian government uses its spending power indiscriminately in areas under provincial jurisdiction. It insists on controlling everything whatever the cost. Well, the cost is unbearable. This is what we have been saying in this House, but to no avail.

(1710)

With the government threatening to cut social programs by several billion dollars, what is even more unbearable is that the Canadian government has clearly indicated in Bill C-53 that it wishes to impinge on yet another provincial jurisdiction and to ignore every primary rule of productivity and overspend. This is why this bill also appears unbearable to me.

[English]

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, it is a privilege for me to speak on this bill on the reorganization of the Department of Canadian Heritage.

This department has many extraordinary, important responsibilities but the one I would like to speak about to the House today relates to its responsibility for multiculturalism.

As the House knows, the Department of Canadian Heritage will be responsible for the promotion of greater understanding of human rights, fundamental freedoms and related values as well as multiculturalism.

It seems to me that when we are speaking about this topic we owe it to ourselves to look at it from the point of view of our ridings, which includes our neighbours and our friends, and also our country and the importance which this subject has for the development of Canada. I would like to look at it from both those perspectives.

I have the privilege to represent the riding of Rosedale which includes some of the most complex areas of downtown Toronto. In St. Jamestown, which is part of my riding consisting of about 10,000 people, we estimate there are some 57 language groups represented. Some wonderful communities are there, including the Filipino community. I belong to a group called the *Circulo Ilongo* which is a group of Filipinos who come from a certain part of the Philippines.

Government Orders

I have learned a great deal about Filipino values and about Filipino food and about Filipino love for one another and their values and the strength they are bringing to my community of Rosedale and to my neighbourhood that I never would have known anything about had I not had the privilege of associating myself with them as their elected representative. I am proud to say to the member for Winnipeg North who is here with us today as a representative of the Filipino community "Mabuhai", welcome and love from the members of the Filipino community. He represents a great contribution that the Filipino community is making to our society.

We have a Tamil community in my riding and there we have located the Tamil resources centre. This centre, located in Toronto, contains the largest collection of Tamil language literature outside of India in the world. In Toronto today we are publishing three books in Tamil. I could go on.

The question is does one see this as a threat, or does one see this evolution in our society as a challenge and an opportunity?

There are two very diverse opinions. I have listened to the speeches in this House on this subject. I listened to the member for Wild Rose who, it seemed to me, considered this as really a threat to Canadian development. I had an exchange the other day with the member for Calgary South who seemed to have the same attitude and who attacked the heritage languages program of the department of heritage.

I listened to the member for Saint-Denis who lives in a complex urban riding in Montreal and who cited the president of the Royal Bank who said that it is precisely this complex, rich cultural linguistic grouping that represents the strength of Canada as we go into the 21st century, that represents the pool of human capital that will enable us to participate in an ever enclosed and more integrated global village in which we live.

I much prefer the perception of the president of the Royal Bank and my colleague from Saint-Denis because it represents the reality of Canadian cultural experience. It represents Canadian values, those of tolerance and acceptance. It represents Canadian interests in terms of how we are going to deal with the future of the world and it represents the way the world is evolving.

One of the members across the way called out that it represents the Liberals. It does represent the Liberals. It represents Liberal values. I am proud to speak for these values and proud to speak for a party that represents those values and insists on them. I am proud to be a member of a party that recognizes the way the world is evolving.

(1715)

Members opposite can laugh. Are they not watching the way the world is evolving? Do they not know what is happening

around them? I have talked to their representatives on the trade committee. I have spoken to other members of the Reform Party. They know what is happening in globalization. Their members came with us when we travelled across the country with our international trade committee. We heard in Vancouver, Calgary and the Northwest Territories, where many Reform members come from, about the tremendous import and export opportunities that Canadians have.

We are living in an age of movement of goods, services and people across all jurisdictions and boundaries. As Canadians we have to be able to meet the demands of markets and complex areas of services. We must have knowledge of those markets. We have to be able to get into them. How do we get into those markets if we do not have the language skills and a knowledge of the culture of those markets in which we want to participate?

We have heard much about China in the House in the last while and for good reason. Many people estimate that by the year 2025 China will be the largest single economic factor in the world. As the former Prime Minister of Singapore, Mr. Lee Kuan Yew said about China: "It is not possible to pretend that this is just another big player. This is the biggest player in the history of man".

Napoleon said, when China comes on the scene: "Quand la Chine s'éveillera, le monde tremblera". This is true. Again, is this a danger or is it an opportunity for us? It is an opportunity for us. The third largest language group in Canada is Chinese. In Toronto alone there are 350,000 people of Chinese origin and in Vancouver there are more.

This month alone in Toronto we had four trade delegations from China led by senior representatives of the Government of China. All were spearheaded by relations that were established by people in our communities who speak the Chinese language, know the Chinese culture, are Canadian citizens and proud of it.

One of the proudest days of my life was a while ago when I talked to a colleague of mine, a person I consider to be a great friend who lives in downtown Toronto. He is Vietnamese. He told me the story of how he came to Canada 20 years ago as a Vietnamese refugee and how he barely survived. Today he has a prosperous business in downtown Toronto.

He told me of going to the Vietnamese embassy a while ago. He is Vietnamese of Chinese origin and so he speaks Chinese as well. He told me very proudly: "I went to the Vietnamese embassy, not cap in hand as a Vietnamese refugee but as a Canadian citizen who speaks Vietnamese and Chinese. I believe I can build a bridge between this society and the Asian society which is an important power of the future".

Government Orders

Those are the values to which this multiculturalism department addresses itself. The member opposite from the Bloc seems to consider this an invasion into the jurisdiction of Quebec. Quebec citizens do not consider it that. They consider it an opportunity to participate in an evolving, extraordinary world.

We are a bicultural, bilingual, bijuridical society that has become multicultural. By multiculturalism I do not mean dance groups and festivals. I mean the creation of a society where other traditions, values, languages and cultures are respected within the Canadian mosaic and in which those cultures may flourish alongside and strengthen our own.

As I said earlier in this speech, my riding of Rosedale has as many as 57 different language groups represented. All these groups have rich cultural experiences to offer Canada and through Canada to the world. In that sense Canada may be, as has been said by others, the world's first non-nation country.

We are not a nation in the tribal sense of 19th century nations but rather a country which in many ways reflects the global society of which we are a part. Many other older states are now evolving in this direction.

We in this party and in this government are anxious to create instruments of government which reflect this new national and global reality. This bill moves us toward that important goal. I am proud to be a part of it and proud to support it.

(1720)

Mr. Hugh Hanrahan (Edmonton—Strathcona, Ref.): Mr. Speaker, I rise today in the House to discuss Bill C-53, an act to establish the Department of Canadian Heritage.

As a new member of the Standing Committee on Canadian Heritage, I have been looking forward to this time when I can stand before my colleagues in the House and have the opportunity to hold the government and particularly this department accountable for its actions and decisions.

Bill C-53 is a prime example of what is wrong with the country. It lacks leadership and direction. This was a perfect opportunity for the government to show Canadians that it truly does care about the future of Canada, not just in the short term but in a future which our children's children can enjoy.

Bill C-53 was an opportunity for the government to take the lead and make some hard decisions regarding funding practices. We are, as everyone knows, in rough waters. Canada is currently barely treading water. Our debt and deficit are reaching astronomical levels. For that reason federal spending must be controlled and ultimately reduced.

We are spending \$110 million more each and every day than we are currently collecting in revenues. To make matters even worse, we are continually funding programs and activities that must be seen as low national priorities when the debt is considered. These would include multiculturalism, official languages and amateur sports.

In fact, in a survey conducted in 1991 Canadians were asked whether they agreed or disagreed that the government should stop funding multiculturalism and make these projects self-financed by multicultural organizations themselves. Over two-thirds of all respondents agreed and in fact 45 per cent of them strongly agreed that multiculturalism should be funded by multicultural organizations rather than the federal government.

Another area of contention is official languages. The Reform Party would eliminate the unnecessary federal funding and the divisive official language policy and would instead implement a policy of territorial bilingualism, maintaining official languages in key institutions such as Parliament, the Supreme Court and in federal institutions where demand is sufficient to warrant cost effective minority language services.

A final illustration of the program which I will describe as low national priority in the Department of Canadian Heritage is amateur sports. However, I want to make it clear that this list of three, multiculturalism, bilingualism and amateur sports is by far not inclusive.

There are presently 88 sports organizations that are solely funded by the federal government. This amounts to approximately \$45 million plus an additional \$12 million through areas such as major games hosting, athletic assistance programs and applied sports research. The overall consensus by these same 88 sport organizations is that there are insufficient funds available and that the current funds are spread too thinly among a large number of sports.

The federal government cannot be all things to all sports and the issue of core sports must be addressed. The concept of core sports financing should be supported in the short term with the criteria for eligibility of the core program becoming more and more selective until such time that the federal government no longer funds amateur sports.

The Reform Party has a commitment to balance the federal budget in three years and therefore the time of priority spending must begin. Therefore, the elimination of amateur sports funding over a three-year period would enable them sufficient time to find funding in the private sector. We feel that more emphasis should be placed on community based involvement regarding funding through such areas as corporate sponsorships, membership fees and volunteers.

Government Orders

(1725)

Canada has also created a bureaucratic, top-heavy sports bureaucracy. It ensures that the majority of funding which we as a government are allocating is not going where it was intended, to the athletes. It is for these reasons that the only role for the state in amateur sports is the provision of sports facilities which would be accessible to all Canadians.

Bill C-53 attempts to give Canadians the illusion that the government is streamlining its activities. We in the Reform Party live in the real world and see that the bill is not streamlined but rather an ocean of overlap and confusion.

To illustrate my point, between the departments of heritage and industry there are overlaps in such areas as the Broadcasting Act, the National Telecommunications Power and Procedures Act, Telesat Canada Act, Radio Communication Act, Canadian Radio and Telecommunications Commissions Act, and the Copyright Act.

It is incomprehensible to me that we need such an overlap and duplication in areas where for the most part government has no business becoming involved in the first place. The level of separation and degree of responsibility created through Bill C-46, an act to establish the Department of Industry, and Bill C-53, an act to establish Canadian heritage lack clarity.

On the one hand we have Canadian heritage which ultimately oversees overall regulations for the CRTC and the Department of Industry becoming more and more entangled in the overall direction of industries involved in the information highway and technological industries.

The questions that must be asked are: Why is the Department of Industry interfering in the natural progression and expansion of the private sector by over-regulation? Why is the department of heritage interfering with the natural progression and expansion of the private sector by over-regulation?

The answers to these questions are unclear. Perhaps it is because the government sees an opening where it can generate more revenues in the form of some sort of taxation, or perhaps it just enjoys over-regulating certain industries.

Both of these explanations are plausible. It is my obligation as a Reform member of Parliament not just to criticize but to be supportive where warranted and to always present an alternative.

I would like to tell my hon. colleagues that both over-regulation and overtaxation stifle business growth so stay out of the private sector as much as possible.

From my research and dealings with the information highway every expert I have talked to has told me the same thing, that the government is for the most part one or two years behind the private sector and their involvement only impedes the growth

and productivity of firms involved. I reiterate we must stay out of the private sector.

Specifically, looking at Bill C-53 the government has in its ultimate wisdom left the cable industry in heritage while transferring the telecommunications industry to the industry committee. Have the Liberals read the CRTC telecommunications decision 94-19 which deregulates the telecommunications industry which, in short, opens competition to local telephone markets and means the cable companies will now be able to compete with phone companies for local home and business service. If comments coming from the chairman of the CRTC, Mr. Keith Spicer, are any indication there will be more deregulation in both cable and telecommunications industries.

Yet these two similar industries are now under two different ministers. I feel therefore I have to give the Liberals credit here as they are truly looking as if they know what they are doing, even though nobody on this side of the House, or the business sector, or the Canadian public knows what they are doing or why they are doing it.

What the Liberals have to understand is that less government will ultimately mean more freedom and more prosperity for all Canadians.

(1730)

We as parliamentarians have an obligation not only to our constituents but to all Canadians. We must start to make the right decisions which will enable our country to lower our deficit.

It is for these reasons that I am opposed to Bill C-53. It does nothing to reduce government spending or waste, government mismanagement or incompetence, government overlap or duplication. It does not set an example for other ministries nor does it have the direction needed to lead this country.

* * *

*[Translation]***DEPARTMENT OF INDUSTRY ACT**

The House resumed consideration of the motion that Bill C-46, an act to establish the Department of Industry and to amend and repeal certain other acts, be read the second time and referred to a committee; and of the amendment.

The Deputy Chairman: It being 5.30 p.m., pursuant to Standing Order 45(5)(a) the House will now proceed to the taking of the deferred division on the amendment at second reading of Bill C-46, an act to establish the Department of Industry and to amend and repeal certain other acts.

Call in the members.

(The House divided on the motion, which was negated on the following division:)

Government Orders

(Division No. 92)

YEAS

Members

Bachand
Bergeron
Brien
Canuel
Crête
Daviault
Dubé
Dumas
Gagnon (Québec)
Guay
Jacob
Landry
Laurin
Lebel
Leroux (Richmond—Wolfe)
Loubier
Mercier
Nunez
Picard (Drummond)
Pomerleau
St-Laurent
Tremblay (Rosemont)

Bellehumeur
Bouchard
Bélisle
Caron
Dalphond—Guiral
Debien
Duceppe
Fillion
Gauthier (Roberval)
Guimond
Lalonde
Langlois
Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)
Leroux (Shefford)
Marchand
Ménard
Paré
Plamondon
Rocheleau
Tremblay (Rimouski—Témiscouata)
Venne—44

NAYS

Members

Ablonczy
Alcock
Althouse
Assad
Augustine
Barnes
Bellemare
Berger
Bhaduria
Boudria
Bridgman
Brown (Oakville—Milton)
Calder
Cannis
Cauchon
Cohen
Collins
Crawford
de Jong
Dhaliwal
Discepola
Duncan
Easter
English
Finestone
Flis
Forseth
Fry
Gagliano
Gallaway
Gilmour
Gouk
Gray (Windsor West)
Guarnieri
Hanrahan
Harper (Simcoe Centre)
Hayes
Hickey
Hill (Prince George—Peace River)
Hopkins
Ianno
Jackson
Kirkby
Kraft Sloan
LeBlanc (Cape/Cap Breton Highlands—Canso)
Lincoln
Malhi
Marleau
Massé
McClelland (Edmonton Southwest)
McGuire
Meredith
Mills (Broadview—Greenwood)
Mitchell
Murray
Nunziata

Adams
Allmand
Arseneault
Assadourian
Bakopanos
Beaumier
Benoit
Bertrand
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Calgary Southeast)
Bélair
Campbell
Catterall
Clancy
Collenette
Copp
Culbert
DeVillers
Dingwall
Dromisky
Dupuy
Eggleton
Epp
Finlay
Fontana
Frazer
Gaffney
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gauthier (Ottawa—Vanier)
Godfrey
Graham
Grubel
Hanger
Harb
Harris
Hermanson
Hill (MacLeod)
Hoeppner
Hubbard
Irwin
Johnston
Knutson
Lavigne (Verdun—Saint-Paul)
Lee
MacLaren (Etobicoke North)
Maloney
Martin (Esquimalt—Juan de Fuca)
Mayfield
McCormick
McTeague
Milliken
Mills (Red Deer)
Morrison
Nault
O'Brien

O'Reilly
Patri
Penson
Peters
Phinney
Pillitteri
Ramsay
Regan
Ringma
Rompkey
Scott (Fredericton—York—Sunbury)
Shepherd
Silye
Skoke
Speller
Steckle
Stinson
Szabo
Telegdi
Thalheimer
Ur
Vanclief
Volpe
Wells
White (North Vancouver)
Zed—163

Parrish
Payne
Peric
Peterson
Pickard (Essex—Kent)
Proud
Reed
Rideout
Robichaud
Schmidt
Serré
Sheridan
Simmons
Solberg
St. Denis
Stewart (Brant)
Strahl
Taylor
Terrana
Torsney
Valeri
Verran
Wappel
White (Fraser Valley West)
Williams

PAIRED MEMBERS

Nil/aucun

(1800)

[English]

The Deputy Speaker: I declare the amendment lost.

Mr. Boudria: Mr. Speaker, I think you would find unanimous consent to proceed immediately with the vote on the main motion on second reading of Bill C-46.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

The Deputy Speaker: The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

*Government Orders**And more than five members having risen:*

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 93)***YEAS**

Members

Adams	Alcock
Allmand	Arseneault
Assad	Assadourian
Augustine	Baker
Bakopanos	Barnes
Beaumier	Bellemare
Berger	Bertrand
Bhaduria	Bonin
Boudria	Brown (Oakville—Milton)
Bélair	Calder
Campbell	Cannis
Catterall	Cauchon
Clancy	Cohen
Collenette	Collins
Copps	Crawford
Culbert	DeVillers
Dhaliwal	Dingwall
Discepola	Dromisky
Dupuy	Easter
Eggleton	English
Finestone	Finlay
Flis	Fontana
Fry	Gaffney
Gagliano	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Gauthier (Ottawa—Vanier)
Godfrey	Graham
Gray (Windsor West)	Guarnieri
Harb	Hickey
Hopkins	Hubbard
Ianno	Irwin
Jackson	Kirkby
Knutson	Kraft Sloan
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap Breton Highlands—Canso)
Lee	Lincoln
MacDonald	MacLaren (Etobicoke North)
Malhi	Maloney
Marleau	Massé
McCormick	McGuire
McTeague	Milliken
Mills (Broadview—Greenwood)	Mitchell
Murray	Nault
Nunziata	O'Brien
O'Reilly	Parrish
Patry	Payne
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Proud	Reed
Regan	Rideout
Robichaud	Rompkey
Scott (Fredericton—York—Sunbury)	Serré
Shepherd	Sheridan
Skoke	Speller
St. Denis	Steckle
Stewart (Brant)	Szabo
Telegdi	Terrana
Thalheimer	Torsney
Ur	Valeri
Vanclief	Verran
Volpe	Wappel
Wells	Zed—122

NAYS

Members

Ablonczy	Althouse
Bachand	Bellehumeur
Benoit	Bergeron
Bouchard	Breitkreuz (Yorkton—Melville)
Bridgman	Brien
Brown (Calgary Southeast)	Bélisle
Canuel	Caron
Crête	Dalphond—Guiral
Daviault	Debien
de Jong	Dubé
Duceppe	Dumas
Duncan	Epp
Fillion	Forseth
Frazer	Gagnon (Québec)
Gauthier (Roberval)	Gilmour
Gouk	Grubel
Guay	Guimond
Hanger	Hanrahan
Harper (Simcoe Centre)	Harris
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Johnston	Lalonde
Landry	Langlois
Laurin	Lavigne (Beauharnois—Salaberry)
Lebel	Leblanc (Longueuil)
Leroux (Richmond—Wolfe)	Leroux (Sheffield)
Loubier	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest)	Mercier
Meredith	Mills (Red Deer)
Morrison	Ménard
Nunez	Paré
Penson	Picard (Drummond)
Plamondon	Pomerleau
Ramsay	Ringma
Rocheleau	Schmidt
Silye	Solberg
St-Laurent	Stinson
Strahl	Taylor
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Venne	White (Fraser Valley West)
White (North Vancouver)	Williams—86

PAIRED MEMBERS

Nil/aucun

(1805)

The Deputy Speaker: I declare the motion carried.

(Bill read the second time and referred to a committee.)

* * *

**DEPARTMENT OF PUBLIC WORKS AND
GOVERNMENT SERVICES ACT**

The House resumed consideration of the motion that Bill C-52, an act to establish the Department of Public Works and Government Services, be read the second time and referred to a committee.

The Deputy Speaker: Pursuant to Standing Order 45(5)(a), the House will now proceed to the taking of a deferred division on the motion of Mr. Dingwall, second reading stage of Bill

C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts.

Mr. Boudria: On a point of order, Mr. Speaker. I wonder if you would seek unanimous consent to apply the vote just taken on the main motion on Bill C-46 to the motion on Bill C-52.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

[*Editor's Note: See List Under Division No. 93*]

The Deputy Speaker: Accordingly, the bill stands referred to the Standing Committee on Government Operations.

It being 6.12 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

CRIMINAL CODE

The House resumed from October 19 consideration of the motion that Bill C-226, an act to amend the Criminal Code, be read the second time and referred to a committee.

The Deputy Speaker: The hon. parliamentary secretary had six minutes remaining when the House adjourned last time.

[*Translation*]

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General, Lib.): Mr. Speaker, I am pleased to continue my remarks regarding Bill C-226, an Act to amend the Criminal Code.

[*English*]

There is no doubt that the creation of section 745 was unique in the criminal law of this country. However, this section was included in the first reading of the original bill in 1976 and it was fully reviewed and discussed by the justice and legal affairs committee before it was finally debated and passed by Parliament.

Rather than the original proposal to have three judges to hear a case, Parliament amended the bill so that a jury would decide the case instead and this was done specifically to increase public participation in the process.

There was even a press release at the time which highlighted this provision in the proposed legislation. Clearly there was debate and communication in the public arena and efforts were made to make the resulting judicial review hearings as public as possible.

Private Members' Business

Let me review briefly how the provision works because there are many misconceptions about the process. An offender whose parole ineligibility period exceeds 15 years may apply for a judicial review hearing after at least 15 years have been served. Provided the criteria are met a superior court judge in the province in which the offender was convicted empanels a jury to hear the application.

In making a decision on the application the jury considers the character of the applicant, the applicant's conduct while serving his or her sentence, the nature of the offence for which the applicant was convicted and such other matters as the presiding judge deems to be relevant.

[*Translation*]

Some people who are against section 745 hearings suggest that the judicial review process is equivalent to automatic parole, but this is not so.

First of all, I would like to say that even though it is true that 36 applicants out of 47, or 77 per cent, have obtained favourable decisions to date, the fact is that juries are free to reduce or maintain the period of ineligibility for parole.

Several juries, particularly in Ontario and in Alberta, have not allowed some offenders to apply for parole. Moreover, a decision in favour of the applicant does not mean that he will automatically be granted parole.

As noted by the Supreme Court, section 745 simply allows the offender who obtains a favourable decision to submit an application to the National Parole Board. There is no guarantee that parole will be granted.

Therefore, based on information they are given, jury members, our fellow Canadians, choose to allow some offenders to apply for parole.

The jury does not have the mandate to determine the length of the sentence or the manner in which it must be served. An offender who has received a life sentence will serve his sentence for the rest of his life, whether or not his period of ineligibility for parole has been reduced.

Parole does not mean the end of the sentence, but rather the beginning of the "community phase" of the sentence. In short, a life sentence never ends, it stays in effect throughout the offender's life.

[*English*]

Another misconception is that all or even most offenders convicted of murder will apply for a judicial review hearing. This has not proven to be the case. At the moment 128 offenders are eligible to apply for a judicial review but only 71 have actually made an application.

Private Members' Business

(1815)

One argument frequently put forward to discredit section 745 is that families of victims are left out of the process and their rights are ignored. I would emphasize that judicial review is a public process. Although judges have not admitted victim impact statements as evidence so far, this government has introduced legislation in the form of Bill C-41 which would permit the introduction of victim impact statements as a matter of course in these hearings. When passed, this amendment would give victims a greater role and achieve a better balance in the process.

In conclusion, I would urge my colleagues to contemplate seriously what the courts have said in relation to this provision. For example in *Regina v. Vaillancourt*, the court concluded that section 745 hearings strike a balance between the considerations of leniency for the well-behaved convict in the serving of his sentence and the community interests in repudiation and deterrence. The Supreme Court has affirmed that the purpose of a section 745 hearing is to call attention to changes in the applicant's situation which might justifiably impose a less harsh penalty.

While cynics such as the opposition Reform Party members may say that offenders cannot change, the Canadian Sentencing Commission noted that some offenders, and I quote: "genuinely repent or make changes in their lives which alter their risk to the public or alter the public's interest in seeing them so severely punished".

[*Translation*]

Obviously, the courts and the Canadian Sentencing Commission think it is both fair and justified to have a section that provides for a review of sentences, since human beings can change and rehabilitate.

The clearest message of all probably comes from jurors, who are ordinary citizens like you and me, Mr. Speaker. To this day, 36 juries have determined that the parole ineligibility period should be reduced for some applicants. Is this not clear evidence that this section is both fair and desirable?

[*English*]

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, it is an honour for me to rise in this House today and speak in favour of Bill C-226, an act to amend the Criminal Code. We are debating this evening the repeal of a section of the Criminal Code that has raised outrage from coast to coast across Canada.

Section 745 allows early release of convicted murderers. This section of the code sends a confusing message to Canadians. It sends a message that the federal government does not believe that murder is a very serious offence. It sends a message to judges that their sentences are not taken seriously any more. It sends a message to victims of violence that their pain is just not

as important any more. It sends a message to criminals that their crimes will be tolerated. It sends a message to all Canadians that their streets and playgrounds will not be as safe.

Unfortunately a family in my riding has had personal experience with section 745 of the Criminal Code. I want to share with all members of the House the experience of Joanne Kaplinski whose brother was brutally murdered.

On January 29, 1978 her brother Ken Kaplinski was working as a night clerk at the Continental Inn in Barrie. He was a hard working law-abiding citizen working to support himself and his little boy John who was then only three years old.

The Continental Inn was robbed that evening of approximately \$2,000. Joanne's brother was taken by car some two hours north of Barrie and was shot twice in the head at close range, execution style. His decomposed body was found in a snowbank some two months later. Subsequently two men, Edward Sales and Allan Kinsella, were each convicted of first degree murder and sentenced to life imprisonment with no parole for 25 years.

But on January 29, Ken's survivors received a life sentence of their own. They became members of a very exclusive club to which no one wants to belong. The initiation fee is the death of a loved one by violence. Membership dues are extracted from the members each anniversary of the death of their loved one, each birthday that cannot be celebrated, each Christmas their loved one cannot come home for, and each and every day as survivors of such violence.

(1820)

The Kaplinski family endured two months of not knowing the whereabouts of Ken. They endured the police investigations, the public rumours, the media intrusions loaded with wild speculation and accusations. They endured the identification of his personal effects and the anxious wait for forensic identification of his body. They somehow survived the funeral and the clean-up of the remnants of their brother's life. They raised his young son. In sum, they have spent some 16 years coping with the aftermath of these two killers' actions.

They got on with their lives, or rather got on with picking up the pieces of their shattered lives. Never would they see the world through the same eyes again. Evil was no longer some abstract concept; it became real and tangible. Their profound despair came from being forced to look into the abyss of human cruelty and selfishness.

This past December they were once again forced to revisit that pain, to relive the nightmare of 1978. All their pain and horror was resurrected by the section 745 application of one of the murderers, Allan Kinsella. They thought that after the original trial the men responsible for taking Ken's life in such a cruel and brutal fashion were being made to pay for their actions by forfeiting at least 25 years of their lives under the conditions of incarceration. They simply could not believe that release after serving only 15 years was an option. For Kinsella to have early

parole seemed to them to make a mockery of the original sentence handed down by the trial judge.

The public perception of lack of truth in sentencing serves to further erode the public's confidence in the justice system. They feel duped by the delays and doublespeak of the bureaucrats. By making available section 745 the judicial system is sending out a very clear message to society that murder indeed will be tolerated. It conveys a very sad statement about the value of our lives, yours and mine, as Canadian citizens.

Fortunately for Canadian society and the Kaplinski family, justice was served in the Kinsella hearing. The jury rendered a decision to deny the application for a reduction in parole eligibility.

However, the story does not have a happy ending. The family will again be required to revisit their pain when the co-convicted advances his application. They may never cancel their membership in the victims club, a club where membership indeed has no privileges.

Joanne Kaplinski may not have had to endure a finding in favour of Allan Kinsella, but this is the exception and not the rule in most of these hearings. As of the end of March of this year, 43 reviews have been held under section 745 and only 11 of these convicts have been denied a reduction in sentence. In the majority of hearings, 31 in total, the criminal has received partial or full parole. This is totally unacceptable in the eyes of most Canadians.

Our criminal justice system is overloaded with cases and burdened with high costs. The Kinsella hearing cost taxpayers over \$100,000 and there are 600 more convicts waiting in line for their turn at a potential cost of some \$60 million. Why would we even consider revisiting the final conviction of the worst kinds of criminals when there are so many more important cases to try?

This country has a serious debt problem. There is no justification for spending our limited resources on such questionable reviews. Let us get the sentence right the first time, at the conclusion of the original trial and put the offender away for the full sentence with no exceptions.

Many of the proponents of section 745 like to talk about how good it is that victims of violence will be able to read an impact statement at the judicial review. They mention the fairness that this implies. In their view this balances victims' rights with those assigned to the convicted.

The truth is that currently there are no legal requirements for the crown to notify the victim's family so they may testify at these hearings. The judge may decide not to allow such statements. Even if such statements are allowed, what about the

Private Members' Business

victims of the violence? What about the pain they must relive and the public scrutiny they must endure? Many victims may be fearful of the convicted and refuse to testify, and with good reason considering the recent case of Allan Kinsella and the testimony of Joanne Kaplinski.

(1825)

Now, as many members of the House will be aware, one of Ken Kaplinski's murderers has escaped from a so-called medium security prison near Kingston. As a result the Kaplinski family lives in terror. Joanne Kaplinski is now under 24-hour police supervision because she had the courage to stand up as a victim at the section 745 trial of Allan Kinsella, a trial that should never have taken place.

Many of the supporters of section 745 have talked about the value of offering inmates faint hope. They believe convicts will be better behaved and work toward rehabilitation. We should not be providing incentives for prisoners to behave, this should be expected. Rehabilitation of prisoners is of secondary importance to deterrence and punishment. These arguments in favour of offering faint hope are just plain wrong.

We have an immediate example in the case of Allan Kinsella. This brutal murderer should never have been given the time of day let alone an expensive court hearing and the right to intrude on the lives of his victims once again.

There is no fairness in the system for the victims of violence. Sentencing should be certain and should be determined by the original judge in the original trial.

The justice minister stated in this House yesterday that an amendment would be made to section 745 so that the courts would have to hear from the families of the victims. What if these families are too frightened or pained to testify? What if this is interpreted by the courts as non-interest by the victims and a point in favour of early release? This amendment would offer no guarantees to a public concerned about its safety.

There are three principles that are fundamental to sentencing: deterrence, punishment and the protection of society. All of them may be violated by section 745 of the code. Deterrence is lessened by section 745 because a potential criminal knows his crime may not receive the otherwise full punishment available. Punishment may of course be violated because murderers who have been given a full sentence may get away with only serving three-fifths of it. Protection of society is lessened as more criminals are freed to commit more crimes and serve less time.

For the sake of Joanne Kaplinski, for the sake of her family and indeed for all victims of this most brutal violence, let us put a stop to this madness and remove section 745.

Private Members' Business

Clearly there is a problem with the criminal system in this country. The criminal system needs the justice put back in it. This was an election issue and I was elected on a very specific platform. The Reform Party introduced a comprehensive policy on criminal justice during the 1993 election. It states very clearly where we stand on section 745.

We support a criminal justice system that places the punishment of crime and the protection of law-abiding citizens above all other objectives. We also state very specifically that we support amendments to the criminal law which ensure greater certainty in sentencing.

I will close by asking all members to think of the Kaplinski family and indeed all other families who have lost loved ones to such senseless and vicious killers. Support Bill C-226 and remove section 745.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I am pleased to participate in the debate on Bill C-226, tabled by the hon. member for York South—Weston.

I have to admit that, when first asked if I wanted to discuss this issue, I almost decided to resort to demagogic comments such as: A criminal is the victim of his own action. All sorts of ideas like that are expressed and, unfortunately, too often by parties in this House, including the Reform Party, which I certainly respect. However, these comments sometime distort the reality.

I have met a few individuals who did truly regrettable things, including murder. Some of them never repented; they wilfully committed their crime. Even after a rather long time in jail, they had not learned anything. I think they would have been capable of committing the same crime again. Yes, there are such individuals.

(1830)

We also have in mind the recent example of people who committed unfortunate acts. We know famous elected officials who ruined their careers by mere shoplifting, like the one who took a jacket from a department store.

That is why I have always said that the brain is the weakest organ in the human body. The brain sometimes betrays its owner.

Recently, in the Gaspé region, a father threw himself off a bridge with his three children. If this man had survived, I think he would have been the unhappiest of men. This unexplainable act is still a mystery.

When dealing with a mistake made without forethought and often unintentionally, our society must not act out of revenge in handing down sentences and guarding prisoners. It is not up to society to avenge victims.

Society benefits from the incarceration system, which removes dangerous offenders from its midst. However, it eventually realizes that these people are rehabilitated—as we often realize from the outset that rehabilitation is possible by reading pre-sentence reports, etc. As soon as offenders start serving their sentences, correctional officers have a pretty good idea if they will eventually be able to reintegrate society.

Jailing people also entails social costs, major repercussions on their immediate families, not to mention purely financial costs. Unfortunately, there have been reports lately that our prisons are overcrowded.

I believe that section 745 of the Criminal Code, which this bill seeks to strike down, has its purpose in the sense that, in certain cases, it provides for the re-evaluation, after the fact, of the state of mind of individuals who committed crimes and allows for an assessment of the advisability of their release. There is nothing mandatory in section 745. The jury hearing the application is not obliged to release the inmate. This review can only take place 15 years after sentencing. Then, people who know right from wrong and can weigh the pros and cons, may recommend that the individual be released.

I believe that in a society like ours, we must be able to afford acts of mercy of this kind since, as I mentioned before, sometimes people who committed crimes were not in their right minds at the time, a situation which can change after a while.

Therefore, in my opinion, it would be mean and would not benefit society. It could even be costly. When people are truly repentant, when they acknowledge their wrongdoings, take appropriate actions to solve their problems while in prison, and get positive results, keeping them in prison would be an act of revenge on the part of society.

A society which acts out of revenge is often ill-inspired and ill-advised. Revenge is a very poor adviser.

(1835)

I know that there are heinous crimes. The Reform Party never fails to mention a few during Question Period. It is like an endless round of quotes from reporters on the police beat: "In Winnipeg, between 42nd and 32nd Avenue, at 2.25 a.m., So-and-so stabbed and killed Ms. Someone, as she left the hospital where she worked. She was wearing hushpuppies". And so on.

We hear this time and time again, and every time the Reform Party asks for stiffer or longer sentences. There is truth in what they say. Society must not leave crime unpunished and violence should not rule our society. I heard the hon. member for York South—Weston during the referendum debate. I was not a member then, I was not even in politics, but I heard him speak heinously of Quebec. That was at the time of the Charlottetown and Meech Lake agreements and the hon. member was probably driven by his well-known fiery spirit. I can understand that, but in Quebec we were hurt.

Private Members' Business

We do not bear a grudge against the hon. member who introduced this bill. We understand that this fiery spirit of his and boundless love for this beautiful country can lead to the fits of anger he is known for.

I read in the papers, yesterday, that the hon. member was himself the target of violence, and that he had to seek help and protection from the authorities, and I feel for him. I said to myself: a man of his intelligence must realize how violence feels—parliamentary violence, or verbal or political violence or whatever—we could even talk about ecological violence, for instance. Violence in any form, no matter who the perpetrator, is always bad, and I am sure the hon. member for York South—Weston realizes that now, which probably explains why, since last year, he has become extremely civil in his dealings with his colleagues in the Bloc.

I think the hon. member has seen the light. He is aware that society can and must exercise a measure of clemency at some point. If society does not believe in rehabilitation, why did we get rid of capital punishment?

I am somewhat baffled by all these considerations. The section they want to abolish was used by 40 people in the past 28 years. I have seen no statistics to show that these people became repeaters or abused their freedom.

For all these reasons, and considering the small number of cases that have come before the courts since this section came into effect, I am inclined to vote against this bill.

[*English*]

Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.): Mr. Speaker, I rise in this debate to strongly oppose Bill C-226. As has been mentioned the bill would remove the 15-year review with respect to parole eligibility for convicted murderers. I want to make clear that the provision we are talking about does not deal with the reduction of sentence. It deals with a change in the parole eligibility date, that is the date at which an individual offender can go before the parole board and request parole or release on to the street.

We are talking about a provision which can change the parole eligibility date between 15 years and 25 years. It is not a reduction of sentence, because the sentence for murder is a life sentence and a life sentence cannot be changed by any provision in the Criminal Code.

(1840)

Prior to 1976 when capital punishment was on the books in a very limited way and the sentence for murder was life, the parole eligibility date was 10 years. When it was set at 10 years there were very few tragedies. As a matter of fact the average date of release on parole was not 10 years, although that was the eligibility date. It was more or less 15 years. The average date

for people who were paroled was near 15 years. A good number of people who were eligible to go before the parole board at 10 years were never released; they spent their entire lives in prison under a life sentence.

The suggestion that parole eligibility dates mean automatic parole is nonsense, misleads the public and misleads the House.

With the abolition of capital punishment in 1976 once again the sentence for murder was fixed at life. The parole eligibility was set at 10 years for second degree murder and 25 years for first degree murder but with the provision that an offender could seek review of the parole eligibility date at 15 years. Once again I repeat the sentence remained a life sentence.

I hear people talking in this debate, in the press and so on about a 25-year sentence being reduced to 15 years. That is not the case. By the way, no one is automatically released at either 15 or at 25 years. Offenders are paroled by the parole board and not by the provision of section 745. They are subject to conditions of parole, must report to a parole officer and can be returned to prison to continue a life sentence if they commit not only a minor offence but if they break the conditions of parole. I will deal with that in a minute.

A person on parole is serving his sentence on the street, outside the institution, rather than serving it inside the institution. Under the section 745 process the offender must apply to the court in the province where the offence was committed for a review of his parole eligibility date. If the parole eligibility date was 25 years, the offender can ask the court to reduce it to at least 15 years. It can be set at any time between 15 and 25 years. The matter goes to a jury and the jury can only make a decision to reduce the eligibility date with a two-thirds majority; it is not a simple majority.

If the jury reduces the parole eligibility date by a two-thirds vote the person is not released as suggested by the Reform member who spoke a few minutes before me. When the date arrives, if it is 17 years, the individual offender must go to the parole board to prove that he is no longer a danger to the public and has been rehabilitated. If he cannot prove that he is not paroled. It is never automatic. It is not automatic with the section 745 process and it is not automatic before the parole board.

Furthermore the provision is not a loophole, nor was it ever hidden. It is a very specific provision written into law and set out very clearly. When members of Parliament voted on the measure in 1976 they knew exactly what it was and so did the press. It was not hidden. It was in the bill like any other measure. It can be read in the law right now. It is not a gap or a crack in the law. It was provided for intentionally. It was Liberal Party policy put forward by a Liberal government and supported by the majority in the Liberal Party and by the majority in the House. It is consistent with long time Liberal policy.

Private Members' Business

Why is it there? It was put there because we in the Liberal Party believe that a reasonable parole eligibility provision is an incentive to reform. It gives hope. It provides for correction. It provides for redemption. It provides for an opportunity to start over again. It is also a control mechanism. When there are reasonable parole provisions people who work in the penitentiary or the institution can expect that prisoners will attempt to behave well. There are carrots or sticks and parole is a type of carrot which is an incentive to good behaviour and to reform.

(1845)

In addition, if the person is really reformed and no longer a danger to the public, that person after 15 years can be put back on the street to earn his or her living, to support his or her family and to pay taxes rather than being paid for by the state while in prison, while the family is being supported by welfare. I am talking about a person who is no longer a danger to the public, who is no longer a risk and who is deemed to be rehabilitated by the parole board.

This is a Liberal Party policy and always has been. I can understand members of the Liberal Party wanting to change it if it did not work, if there was some massive failure in the 745 provision, but that is not the case. Since 1976 when this provision was brought in, 128 people have been eligible to apply under section 745.

Only 71 people have applied. The others perhaps felt they would not be accepted and did not even bother applying. As of March 31, of the 71 that have applied, 43 cases have been heard by courts with judge and jury. Of those 43, 19 were granted full reduction from 25 years to 15, 13 were granted a partial reduction, which means somewhere between 25 and 15, and 11 were denied any reduction whatsoever.

My colleague from the Reform Party did not mention that those persons that were granted a reduction in parole eligibility date were not released from prison. They had to go to the parole board when the eligibility date came up to apply for parole. What happened to them? After a change in their parole eligibility date, 30 of those cases finally went to the parole board. Of those only 11 were granted full parole; 6 were granted day parole; 2 were granted temporary absence and 11 were denied any kind of parole.

Through this provision, of the 128 eligible since 1976, only 2 have been returned to prison. One was returned, not for committing an offence, but for breaking the conditions of parole while out on the street. This person was put back in to serve a life sentence because the conditions of parole were broken. The other was put back in for an armed robbery offence.

It means that out of 128 eligible people, one person was returned to prison for committing another offence. That is not a failure of the provision. Kinsella was mentioned in the examples that were given. Kinsella was turned down by the system.

I have heard reference to Clifford Olson as if he was going to be accepted for parole. Of course Clifford Olson will have the right to go to the court in 15 years and ask for parole eligibility to be reduced, but he will never get it. He would have to go before the parole board.

I ask my colleagues to look at the profiles of the cases of those who have been released and those who have been turned down. They would realize that it is a red herring to suggest that Clifford Olson would be released under this provision. Charles Manson in the United States has gone to the parole board in that country six times because he was eligible. He has been turned down every time. He is not reformed, he is not rehabilitated and he is still a danger to the public. It is not automatic. We are simply talking about parole eligibility date.

The Liberal Party definition of justice is not the Reform Party definition of an eye for an eye and a tooth for a tooth. It is not revenge. That is not our definition of justice. We believe the purpose of the criminal justice system is to protect the public, including the public who work in prisons: the teachers; the correctional officers; all the people that must work in prison. They deserve protection too. That is the purpose of the criminal justice system. We believe that one of the best ways of protecting the public is by rehabilitation through treatment, through correction.

Once people are rehabilitated and no longer a danger to the public it is ridiculous to keep them in prison forever, when they can be on the street doing good. One of the persons released under this provision won the medal for the best volunteer in Montreal a few years ago. That person came out of prison and established a reputation as an outstanding volunteer in the community.

My time is up, but I want to say that the bill being presented by my colleague is not a Liberal bill. It is more of a Reform Party policy rather than a Liberal policy and it should be defeated.

(1850)

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.):
Mr. Speaker, it is a pleasure to speak on Bill C-226 today.

This is the type of legislation for which Canadians from all parts of the country have been calling. This is the second hour of debate on the bill and much of what has been said related also to the death penalty. I am not going to be addressing that issue. It remains part of the background of everything that we say. I am not speaking in clichés.

Unfortunately I was not able to be in the House during the first hour of debate. However I did read *Hansard* to check what the other members of Parliament had to say about this bill. I was particularly outraged by what the Bloc Québécois members said. I will quote from *Hansard* directly: "For a person who has received a life sentence the parole system is the light at the end of the tunnel. I do not think that the victims' relatives will suffer after 20 years. They certainly have suffered and everybody

Private Members' Business

deplores that fact. However, we do not have to always give in to the people who shout the loudest”.

This statement is absolutely appalling. If the speaker had ever experienced the murder of a close friend or a relative I doubt that he would be speaking so casually. I do not think that the sentiments of that member represent mainstream Canadian values.

On February 24, 1976 the Solicitor General of Canada introduced Bill C-84. This bill defined two categories of murder: first and second degree. As well Bill C-84 abolished the death penalty.

According to section 231 of the Criminal Code, first degree murder is that which is planned and deliberate, the murder of police officers or prison guards acting in the course of their duties; or murder committed during hijacking, sexual assault or kidnapping.

When Bill C-84 was introduced Jim Fleming, then Parliamentary Secretary to the Minister of Communications, said that it was most important to give criminals a glimmer of hope. He said that some incentive has to be left when such a terrible penalty is imposed on the most serious of all criminals. Incentive for what? My observation is incentive to con the system.

Last week I received a fax from a citizen in Mississauga, Ontario who wrote of the horrendous story involving the murder of RCMP Constable Brian King in 1978. The writer is a nephew of Mr. King. I understand that the member for York South—Weston had previously mentioned this story in his speech, but I think it is too important not to mention it again.

Constable Brian King was an RCMP officer in Saskatchewan and was on that fateful night to be the trophy of two men who were full of hate, determined to stalk, capture and kill a cop. They wanted their friends to see how powerful they were. The two successfully distracted Brian, overpowered him, seized his service revolver, secured him with handcuffs, threatened him at gunpoint and eventually went on to murder him with two rounds into the skull. This was no crime of passion. This was cold, calculated, premeditated murder.

They were both sentenced to life imprisonment with no eligibility for parole for 25 years. When the two men were sentenced one commented: “What’s 25 years?”. Twenty-five years is not a deterrent.

Under section 745 these two same murderers were eligible for an early review. Constable King’s family now has to suffer through months of reliving the memories and the grief as well as the fear that these convicted cop killers will be out, possibly to kill again.

The Bloc member who said that the families will get over it in 20 years has not read a letter like this nor has he spoken with any

person who has gone through such a trauma. What kind of representation is that?

There is more to section 745 than just the simple direction of it. The entire parole system is in disrepute with Canadians. My office has received letters concerning the operation of the parole system. In almost every case the comments are that the parole board does not do what it is supposed to do. However, the mission statement of the National Parole Board paints a rather nice rosy picture. It states:

The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release and pardon decisions and clemency recommendations. The board, by facilitating the timely reintegration of offenders as law-abiding citizens, contributes to the protection of society.

On October 6 the new chairman of the parole board appeared before the Standing Committee on Justice and Legal Affairs. At that time I asked him whether he could give me a written job description of exactly what the chairman does. Unfortunately at the time he was not aware of any written documentation on this but stated that he would get back to me with some information.

I received a letter from Mr. Gibbs this past Monday but no full job description that could be used for performance evaluation was included. Instead this was what was written: “Further to my recent appearance before the Standing Committee on Justice and Legal Affairs on October 6 and your request to be provided with a copy of the chairman’s job description, I wish to report that such a document has never been produced. I can assure you however that although no written mandate has been provided, my role is well defined in law and policy and my expectations very clear”.

(1855)

After reading this and understanding the climate of unaccountability that this represents, I know exactly why Canadians are upset that they are paying top level bureaucrats six figure salaries to state that they only know by word of mouth what their job entails. It is a matter of trust. It is a matter of public accountability.

Let me talk briefly about the success rate of our great parole system. From April 1978 to March 1988 there were 17,444 cases of offenders released. As of March 1993, 73.6 per cent successfully completed their terms of supervision.

Some might look at that and say that is an excellent result. I do not. The remaining 26.4 per cent were split between two categories: 2,494 cases violated their conditions of parole and 2,111 cases violated parole because of committing a new criminal offence. All in all, this is a rather poor success rate.

This past summer Allan Kinsella, a convicted murderer, asked the court for release after serving 15 years of his life sentence. His appeal for a section 745 hearing was denied. Because of that Kinsella got mad from this procedure and then with another inmate escaped last week. Police are still searching for these two men who are considered to be dangerous.

Private Members' Business

Let me recap these events. First, Kinsella commits a murder and is sentenced to life imprisonment without parole for 25 years. Second, at 15 years into Kinsella's sentence section 745 of the Criminal Code kicks in. Third, December 13, 1993 the section 745 review is denied. Fourth, in July Kinsella is transferred to the Bath institution in spite of the fact that the assistant attorney general for Ontario sent letters to the Solicitor General warning that Kinsella was dangerous and unsuitable for transfer and that there was a good chance he would attempt to escape. Fifth, on October 19 Kinsella and another inmate escaped and are now considered dangerous.

I should not be having to give this example because if section 745 had not even been put into place and had the Solicitor General of Canada been doing his job, Kinsella would now be locked up in Kingston Penitentiary, a maximum security prison for dangerous offenders, exactly what Kinsella is and always has been.

The Minister of Justice has stated in the House that the government's position is crystal clear. Let me quote from *Hansard*: "We introduced an amendment to section 745 to provide plainly that whenever an application is brought under this section that the court is obligated to hear from the families of the victims".

I say including the victim in a process may be good but it is not good if a murderer gets out on early parole. I would really question whether Liberal backbenchers across the way know what the minister is really saying. People are fighting for life to mean life and not to make a statement at a parole hearing that might have little effect on keeping a prisoner in prison.

My question to the justice minister yesterday certainly revealed that the government is completely out of sync with what Canadians want on this measure.

People are in prison for a reason. In the case of murder they took someone else's life and for that they should serve life. Section 745 brings disrepute to the operation of the justice system and its presence in the Criminal Code has implications beyond the technicalities of the section.

I call on the members of this House, the people have spoken and now it is time for the people's representatives to speak and vote for this bill regardless of what the justice minister says.

Ms. Bonnie Brown (Oakville—Milton, Lib.): Mr. Speaker, I am pleased to join in the debate on Bill C-226 which seeks to repeal section 745 of the Criminal Code.

In 1976 Parliament restructured the law of homicide. At that time Bill C-84 essentially brought into being the current regime for murder. It reclassified murder according to degrees, first and second degree murder, and provided a mandatory minimum life

sentence. For first degree murder parole may not be considered for 25 years. For second degree murder that period is generally reduced to between 10 and 25 years as imposed by a judge.

Bill C-84 at that time also created the application for judicial review which has become section 745 of the Criminal Code. That section provides that a person who has been convicted of high treason, first degree murder or second degree murder with a parole eligibility date beyond 15 years to apply to the appropriate chief justice in the province where the conviction took place for a reduction in the offender's parole ineligibility period. The application may only be made after the offender has served at least 15 years.

(1900)

Some hon. members and others would have people believe that this provision was hidden away in the bill and was sneaked through Parliament without parliamentary scrutiny. Nothing could be further from the truth.

The solicitor general of the day who sponsored the bill called attention to the proposal during second reading debate. During the deliberations of the House of Commons Standing Committee on Justice and Legal Affairs, to which the bill was referred, the provision was again closely examined.

Indeed during the committee hearings the provision was amended. The amendment was subsequently endorsed by the House of Commons and by the Senate. At second reading of Bill C-84, the solicitor general of the day explained that the proposal provided a built in additional incentive to motivate the inmate to rehabilitate himself or herself and provide a protection for prison guards.

Section 745 of the Criminal Code provides these same benefits today. The very fact of having section 745 in the Criminal Code can serve as an incentive for an inmate to attempt to change his or her ways. As many murderers are ultimately released on parole, it behoves us to do all we can to encourage these persons to rehabilitate themselves. The interests of public protection are better served having section 745 in place than by repealing it as the bill seeks to do.

We should also keep in mind the enormous economic and social costs of detaining inmates for prolonged periods of imprisonment. Moreover, to repeal this section would make the life of prison guards that much more difficult in managing murderers serving life sentences, people without hope within the walls of our penitentiaries. I am one of those Canadians who feels that prison guards perform an important and difficult task for the benefit of the rest of us and that they deserve our protection and our support. Accordingly section 745 should remain in the Criminal Code.

Private Members' Business

Originally Bill C-84 proposed that the offender would have the right to apply to a chief justice for judicial review. The chief justice would then appoint three judges to consider the application. An amendment was moved at committee to have the proposed three judges replaced by judge and jury, in which two-thirds of the jury must agree on the decision to retain or reduce the parole ineligibility period.

According to the procedure which still exists today the public's interest is expressed by the persons acting as a jury in these proceedings. The change was made to ensure that sufficient public input would be brought to bear in these hearings. The change was a good change because it ensures that the community's view of the matter will prevail over the system professionals. It was a change that made sense and it is not surprising that it received parliamentary support.

Even today the decision to retain or reduce the offender's parole ineligibility period at section 745 hearings rests with the jury. Jury members are drawn from the province in which the conviction took place. They represent that community.

In making its decision the jury shall consider the character of the applicant, the applicant's conduct while serving his or her sentence, the nature of the offence for which the applicant was convicted, and such other matters as the presiding judge deems relevant in the circumstances. The jury is thus not bound to agree to the applicant's request. It makes its decision in light of information brought forward at the hearing.

I believe these hearings can be very difficult for the families of victims. Part of the reason for this is that in the past victims' families have been frustrated by being denied any participation. In many cases they could not make representations or be heard at all.

The present Minister of Justice in Bill C-41, the sentencing bill introduced in the House last June, addresses the issue. That bill proposes to amend section 745 of the Criminal Code to ensure that if an offender applies for early parole eligibility, the court will be obliged to admit into evidence information from the victim's family. This evidence will be considered by the jury in deciding to retain or reduce the period of parole ineligibility. This proposed change would help victims' families. It does not force them to testify. It makes their evidence admissible.

(1905)

It is worth noting that there are a number of other proposals in Bill C-41 which deal effectively with other concerns of victims. I would like to make one thing very clear. Because an offender is allowed to apply for early parole this in no way means that it will be granted. The jury has the absolute power to say no to an offender who applies for a reduced ineligibility period. A reduction or immediate termination of the offender's parole ineligibility period is not guaranteed. Further, if the jury

decides to reduce or terminate this period, the offender's actual release on parole is not guaranteed.

Discussions of section 745 bring out a tide of emotions on all fronts. Victims' families and victim action groups must have a strong voice in our criminal justice system. Their experience and perspective offer very specific and valuable input. With the victim impact statement they are given the opportunity to have their voices heard. We need to establish a balanced approach toward every aspect of our criminal justice system, and I think section 745 provides that balance.

With this in mind it is important in this debate to say a few words about conditional release and to discuss the important role that the National Parole Board plays in the overall process. As well, ongoing initiatives by the government to strengthen the National Parole Board merit our attention.

The decision whether to grant parole to an offender is the responsibility and the decision of the National Parole Board. The granting of parole is not guaranteed to an offender who has been successful before the court in having his or her parole ineligibility period reduced or terminated at a section 745 hearing.

Understandably the National Parole Board has a difficult job to do but it is equipped to do it. National Parole Board members come from diverse background and from all regions of the country. They take their jobs seriously. Board members are assisted in their decision making by a set of criteria developed by the board to assess an offender's chances of obeying the law if released on parole. They are also assisted by information provided to them by Correctional Service Canada, the RCMP and other police services throughout the country.

I am thoroughly in support of the government's steps to strengthen the National Parole Board. The appointment process is currently under review to make certain that appointments to the board are on the basis of competence. As part of this process openings for full time board members will be advertised in the *Canada Gazette*. The qualifications of applicants will be carefully examined with board members chosen on the basis of merit, competence and integrity.

As hon. members will know, last June the Solicitor General tabled Bill C-45. Among other things the bill proposes that a mechanism be created to permit the discipline or removal from office of National Parole Board members in specified circumstances. This measure was introduced to increase accountability.

The board itself remains committed to ongoing training for board members. The training programs are geared to improving sensitivity in decision making and to increasing responsiveness to community needs. All new members, for example, undergo an intensive orientation program.

Adjournment Debate

To conclude, I believe that section 745 hearings serve a useful purpose. Mechanisms are in place to ensure adequate public protection. The Minister of Justice has introduced Bill C-41—

The Deputy Speaker: Order, please. The member's time has expired unless there is unanimous consent. There are two or three minutes left in the debate. Does the member wish to seek unanimous consent to continue?

Ms. Brown (Oakville—Milton): Yes.

The Deputy Speaker: The hon. member is requesting unanimous consent to continue with her remarks. Is there unanimous consent?

Some hon. members: Agreed.

Ms. Brown (Oakville—Milton): Bill C-41 proposes to codify the right of victims' families to make their views known in these hearings. The Minister of Justice will also continue to monitor the operation of the section to determine if any other improvements need to be made. In addition, initiatives are under way to strengthen the composition and the workings of the National Parole Board.

(1910)

As you can see from my remarks this evening, Mr. Speaker, there are several reasons for which I cannot support Bill C-226.

The Deputy Speaker: I wonder if the hon. member for Prince George—Bulkley Valley wishes to start his speech.

Since he wishes to take the floor next time we will call it 7.12 p.m. and the member will have the floor next time the matter is before the House.

The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 93 the order is dropped to the bottom of the order of precedence on the Order Paper.

ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

MANPOWER TRAINING

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, yesterday, I had the opportunity to ask a question with regard to manpower training and I could feel the minister does not really understand the situation in Quebec. Therefore, I would like to take this opportunity to give more information so

that people understand the basis for the consensus existing in Quebec on the issue of claiming jurisdiction over manpower training.

You know there is, in Quebec, an agency called Forum sur l'emploi. It is a forum for stakeholders from every field of endeavour, such as social sciences, economics, or culture, and they all came to the same conclusion: "Quebec forms a specific region in the economic, cultural and social terms. It is a natural unit and, if we want to implement a dynamic employment policy, if we want Quebecers to make the best possible use of their human resources, we must have control over all the development programs related to manpower training".

This is all the easier because both the Canadian Constitution and the British North America Act state that education comes under provincial jurisdiction. Therefore, the issue of manpower training as we now call it, including the reform of social security programs and continued training, should also belong to Quebec. Quebec would then have all the necessary tools for its development.

We must remember it was only in the 1942 Constitution that unemployment insurance was turned over to the federal government. Before that, provinces also had jurisdiction in that area. So the Fathers of Confederation really meant for anything related to training and manpower, or just simply training, to be a provincial responsibility, in particular because of Quebec's French identity.

That is why I am asking the government why it does not agree to that totally logical request, which has met with unanimous approval in Quebec, and allow the province to have control over the development of its human resources, which are, and which will increasingly be, the source of all development.

By making the fullest use of our potential, we will build a society better suited to adapt quickly to all aspects of competition on the global market. There is always, in the background, the special situation of Quebec, the only place in America where you find a majority of francophones, which implies different practices, in particular regarding population mobility.

As regards mobility we cannot apply the same policies, objectives and national standards to Quebec as we do to the rest of Canada. That is why I am asking the government to explain its lack of understanding of the Quebec fact and to tell us why it does not accept our request, which is made not only by the Bloc Québécois but by all stakeholders in Quebec.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I was very interested to hear what the hon. member for Kamouraska—Rivière-du-Loup had to say, and, of course, he conforms to the separatist rhetoric. I agree that the Constitution provides for the rights of the provinces in certain jurisdictions.

Adjournment Debate

In this particular case, the federal government has made it very clear where the difference lies between the two jurisdictions in Canada.

[*English*]

One of the elements of the federal government's agenda is in fact the rebuilding of Canada's social security system. Creating jobs and growth requires the modernization of our social labour market and learning programs. One of the key principles of the reform that has been proposed is to provide greater clarity, as I indicated, in the roles of the federal and provincial governments.

[*Translation*]

The federal government has taken a major step towards a new partnership on labour market programs. The federal government's main objective is to improve services for Canadians, to make those services more effective and to eliminate any duplication and wasteful spending.

[*English*]

As a result, in June of this year the Minister of Human Resources Development invited interested provinces and territories to assume increased responsibilities in the labour market sector. The federal offer entails implementation of a three year interim labour market agreement with each province which could be put in place immediately. The federal-provincial discussions are currently under way across this country.

[*Translation*]

However, we are still waiting for a reply from the Government of Quebec. The federal offer includes:

[*English*]

Provincial planning of \$480 million worth of federal labour market programs in Quebec, about 60 per cent of the federal labour market program budget; provincial management of federal purchase of institutional training, valued at \$140 million in the case of Quebec; provincial planning and implementation of a network of single window offices that would put together under one roof the programs and services of both levels of government; and provincial management of certain other federal programs such as co-operative education, stay in school programs and Canada employment centres for students, valued at \$12 million in Quebec.

With regard to the estimates of massive wastage, although the federal government has heard a number of such claims over recent years, there has never been any serious analysis to support these kinds of numbers. These huge claims have no basis in fact.

I invite the hon. member to consider the federal proposal and urge the Government of Quebec to support it.

[*Translation*]

The Deputy Speaker: It being 7.18 p.m., this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.18 p.m.)

TABLE OF CONTENTS

Wednesday, October 26, 1994

STATEMENTS BY MEMBERS

Registered Retirement Savings Plans

Mr. Peric	7223
Mr. Nunez	7223

Gun control

Mr. Speaker (Lethbridge)	7223
--------------------------------	------

Cycling for a Miracle

Mrs. Terrana	7223
--------------------	------

Small Business Week

Mr. Mitchell	7224
--------------------	------

Contracting Out

Mr. Marchand	7224
--------------------	------

Israel and Jordan Peace Plan

Mr. Mills (Red Deer)	7224
----------------------------	------

Shirley Carr

Mr. Pillitteri	7224
----------------------	------

Juanita Lester

Mrs. Payne	7225
------------------	------

Small Business Week

Ms. Torsney	7225
-------------------	------

4-H Program

Mr. Taylor 7225

Social Program Reform

Mr. Fillion 7225

Criminal Justice System

Mr. White (Fraser Valley West) 7226

Youth Service Canada

Mr. Bevilacqua 7226

Youth Service Canada

Ms. Cohen 7226

Government Policies

Mr. Culbert 7226

ORAL QUESTION PERIOD

Manpower Training

Mr. Bouchard 7226

Mr. Axworthy (Winnipeg South Centre) 7227

Mr. Bouchard 7227

Mr. Axworthy (Winnipeg South Centre) 7227

Mr. Bouchard 7227

Mr. Axworthy (Winnipeg South Centre) 7227

Mr. Dubé 7227

Mr. Axworthy (Winnipeg South Centre) 7228

Mr. Dubé 7228

Mr. Axworthy (Winnipeg South Centre) 7228

Penitentiaries

Mr. Manning 7228

Mr. Gray 7228

Mr. Manning	7228
Mr. Gray	7228
Mr. Manning	7229
Mr. Gray	7229

Communications Security Establishment

Mr. Langlois	7229
Mr. Collenette	7229
Mr. Langlois	7229
Mr. Collenette	7229

Young Offenders Act

Mr. Forseth	7229
Mr. Rock	7229
Mr. Forseth	7229
Mr. Rock	7230

Privacy

Mr. de Savoye	7230
Mr. Manley	7230
Mr. de Savoye	7230
Mr. Manley	7230

Museum of Nature

Mrs. Brown (Calgary Southeast)	7230
Mr. Massé	7230
Mrs. Brown (Calgary Southeast)	7231
Mr. Massé	7231

Collège militaire royal de Saint-Jean

Mr. Bachand	7231
Mr. Massé	7231
Mr. Bachand	7231
Mr. Massé	7231

Fort York

Mr. Ianno	7231
-----------------	------

Mr. Dupuy 7232

Royal Commission on Aboriginal Peoples

Mr. Harris 7232

Mr. Irwin 7232

Mr. Harris 7232

Mr. Irwin 7232

Fisheries

Mr. Bernier (Gaspé) 7232

Mr. Robichaud 7233

Mr. Bernier (Gaspé) 7233

Mr. Robichaud 7233

Indian Affairs

Mr. Duncan 7233

Mr. Dupuy 7233

Mr. Duncan 7233

Mr. Rideout 7233

Firearm Acquisition Certificate

Mr. Assadourian 7233

Mr. Rock 7233

Customs Brokers

Mr. Lebel 7233

Ms. Marleau 7234

Mr. Lebel 7234

Ms. Marleau 7234

Gun Control

Mr. Abbott 7234

Mr. Rock 7234

Mr. Abbott 7234

Mr. Rock 7234

Justice

Mr. Allmand 7234

Mr. Rock 7234

Railway Workers

Mr. Blaikie 7235

Ms. Copps 7235

Presence in Gallery

The Speaker 7235

Point of Order

Simultaneous Interpretation

Mr. Boudria 7235

Mr. Gauthier (Roberval) 7235

ROUTINE PROCEEDINGS

Government Response to Petitions

Mr. Gagliano 7235

Committees of the House

Procedure and House Affairs

Ms. Catterall 7235

Unemployment Insurance Act

Bill C-286. Motions for introduction and first reading deemed adopted 7236

Mr. Bélair 7236

Committees of the House

Procedure and House Affairs

Motion for concurrence in 43rd report 7236

Ms. Catterall 7236

(Motion agreed to.) 7236

Petitions

Postal Service

Mr. Bernier (Gaspé) 7236

Rail Service	
Mr. Bernier (Gaspé)	7236
Assisted Suicide	
Mr. Hanrahan	7236
Construction of Subsidized Housing	
Mr. Lavigne (Verdun—Saint—Paul)	7236
Abortion	
Mr. Jackson	7237
Retirement Income	
Mr. Bergeron	7237
Immigration	
Mr. Hanger	7237
Human Rights	
Mr. Jordan	7237
Assisted Suicide	
Mr. Comuzzi	7237
Sentencing and parole	
Mr. Strahl	7237
Human rights	
Mr. Szabo	7237
Homemakers compensation	
Mr. Szabo	7237
Rights of the unborn	
Ms. Skoke	7238
Human rights	
Ms. Skoke	7238
Assisted suicide	
Ms. Skoke	7238

Sentencing and parole

Mr. Collins 7238

Gun control

Mr. Collins 7238

Human rights

Mr. Collins 7238

Assisted suicide

Mr. Collins 7238

Human rights

Mr. Collins 7238

Abortion

Mr. Collins 7238

Via Rail

Mr. Richardson 7238

Bovine somatotropin

Mr. Richardson 7238

Human rights

Mr. Richardson 7238

Euthanasia

Mr. Richardson 7238

Abortion

Mr. Richardson 7238

Homemakers compensation

Mr. Richardson 7238

Assisted suicide

Mr. Breitkreuz (Yorkton—Melville) 7238

Mr. Blaikie 7239

Human rights	
Ms. Meredith	7239
Rights of the unborn	
Ms. Meredith	7239
Assisted suicide	
Ms. Meredith	7239
Rights of the unborn	
Mr. Abbott	7239
Mr. White (Fraser Valley West)	7239
Assisted suicide	
Mr. White (Fraser Valley West)	7239
Human rights	
Mr. White (Fraser Valley West)	7239
Mr. Mayfield	7239
Rights of the unborn	
Mr. Kilger	7239
Young offenders	
Mr. Kilger	7239
Blood donation	
Mr. Kilger	7240
Human rights	
Mr. Kilger	7240
Assisted suicide	
Mr. Kilger	7240
Questions on the Order Paper	
Mr. Gagliano	7240
Questions Passed as Orders for Returns	
Mr. Gagliano	7240

GOVERNMENT ORDERS

Department of Industry Act

Bill C-46. Consideration resumed of motion for second reading; and the amendment.	7240
Mr. Jackson	7240
Mr. Lebel	7242
Mr. Volpe	7243
Mr. Serré	7245
Division deferred	7246

Department of Public Works and Government Services Act

Bill C-52. Consideration resumed of motion for second reading	7246
Mr. Adams	7246
Mr. Gagliano	7246
Mr. Pomerleau	7247
Mr. Rideout	7249
Mrs. Payne	7250
Mr. Collins	7251
Mr. Shepherd	7252
Division on motion deferred	7254

Department of Canadian Heritage Act

Bill C-53. Consideration resumed of motion for second reading	7254
Mrs. Picard	7254
Mr. Graham	7255
Mr. Hanrahan	7257

Department of Industry Act

Bill C-46. Consideration resumed of motion and of amendment	7258
Amendment negatived on division: Yeas, 44; Nays, 163	7258
Motion agreed to on division: Yeas, 122; Nays, 86	7260

Department of Public Works and Government Services Act

Bill C-52. Consideration resumed of motion for second reading	7261
---	------

PRIVATE MEMBERS' BUSINESS

Criminal Code

Bill C-226. Consideration resumed of motion for second reading	7261
--	------

Mr. Gagnon (Bonaventure—Îles-de-la-Madeleine)	7261
Mr. Harper (Simcoe Centre)	7262
Mr. Lebel	7264
Mr. Allmand	7265
Mr. Forseth	7266
Ms. Brown (Oakville—Milton)	7268

ADJOURNMENT PROCEEDINGS

Manpower training

Mr. Crête	7270
Mr. Milliken	7270

Appendix