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**Friday, February 24, 1995**

**Speaker: The Honourable Gilbert Parent**

# HOUSE OF COMMONS

Friday, February 24, 1995

The House met at 10 a.m.

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*Prayers*

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## GOVERNMENT ORDERS

[*English*]

### ELECTORAL BOUNDARIES READJUSTMENT ACT, 1995

**Hon. Alfonso Gagliano (for Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.)** moved that Bill C-69, an act to provide for the establishment of electoral boundaries commissions and the readjustment of electoral boundaries, be read the second time and referred to a committee.

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am pleased to rise in support of second reading of this bill.

Under the procedures the House adopted a little over a year ago, we changed the rules with respect to the drafting of bills. As I indicated in my speech on the concurrence in the report of the Standing Committee on Procedure and House Affairs on February 9, this bill has been drafted by the committee and has now been introduced by the government in response to the committee's recommendation which was adopted by the House.

The order of the House constituted a direction to the government to bring in this bill. The bill is in substantially the same form as what the committee recommended. There have been some minor changes in technical aspects of the language and one earth shattering change that brings the bill into force on royal assent rather than on the date of proclamation. That I am sure has not upset anyone. It is a very minor technical change and one that the committee considered but opted for what it thought was the more convenient. It turns out that the government felt the other was more convenient and made the appropriate change in the bill.

I am looking forward to the study of this bill in the committee on procedure and House affairs.

[*Translation*]

At our meeting this week, the Leader of the Opposition indicated that the Bloc Québécois would like an opportunity to speak during second reading of this bill. We accept their request and hope that today's speech will mean a saving in time later on during consideration of the bill.

This is why we are allowing the debate today, although the Standing Orders do not provide for debate at the second reading of a bill, as a general rule.

[*English*]

I am happy to have agreed to the debate today. I look forward to the speech of the hon. member from the Bloc who will be speaking on this matter. I recommend the bill to the House as I did on February 9. As I said everything that I think could be said about this good bill on that date I see no need to prolong my remarks today. I support the bill and invite the House to do the same.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, it is an honour for me to speak on behalf of the official opposition, the Bloc Québécois, a sovereigntist party in Ottawa, on a matter of such importance as Bill C-69 entitled an Act to provide for the establishment of electoral boundaries commissions and the readjustment of electoral boundaries.

Why is it an honour for me to speak at this stage? Because, once again, and I invite the government to listen carefully, I have the opportunity to defend the interests of Quebec, so long overlooked by the system.

(1010)

Furthermore, I have another opportunity to express one of Quebec's traditional demands in this House. I have another opportunity to criticize the big guns in the system and attack the positions held by those across the floor for whom Lord Durham's report would still appear to be bedtime reading. The strategy, of course, has changed. The federal government has become more sophisticated. Things are more subtle now. Gone are the days of the great exploits to assimilate Quebecers.

The approach now is to chip away at Quebec's rights and political weight whenever possible in order to better mix Quebecers in with the masses in English Canada. Bill C-69 is a fine example of this. I must say, though, that this bill is not all bad, on the contrary.

*Government Orders*

I am delighted by the amendments proposed to improve the mechanism for readjusting electoral boundaries. The main amendments are as follows. Changes to the electoral map following a decennial census will be adjusted five years later in order to avoid too much upheaval in electoral districts. Electoral districts may vary by some 25 per cent from the provincial quota. This is fine.

The provincial commissions will be required to get public input before starting their work. This is fine too. The provincial commissions will have to consider community of interest, the size of each district and foreseeable geographic changes in determining electoral boundaries. Finally, the provincial commissions will have to produce three draft maps and hold new hearings, as required.

These proposals are acceptable, perhaps even necessary if we do not wish to be faced with aberrations again, as with the planned new districts. Without dwelling too much on details, I would like to cite the example of the riding of Berthier—Montcalm which I have the honour of representing. During the last thirty years, this riding has been called successively Berthier—Maskinongé, Berthier—Maskinongé—Lanaudière, and finally the present designation of Berthier—Montcalm. If the proposed electoral division or redistribution plan had gone ahead, I do not know what new designation the devisors of the system would have come up with. If things went as planned, the riding would hardly have been recognizable.

Regional county municipalities would have been divided, natural business and service communities split up; one municipality would have been attached to a neighbouring riding with which it had no affinity, with absolutely no regard for the region's history, all in the interest of numerical consistency and uniform representation. In fact, it was the very epitome of Canadian federalism.

Several members of this House opposed this readjustment of electoral boundaries and rightly so. We were not dealing with apples and oranges. On the contrary, the very essence of the riding and its historical baggage were at issue here. Thus, it was necessary to be realistic, practical while at the same time ensuring that the member of Parliament could be efficient in his work. Unfortunately, legal provisions applicable in this regard did not allow for this rational redistribution.

The report prepared by the Standing Committee on Procedure and House Affairs included a number of elements and proposals for improving the representativeness and boundaries of electoral ridings. This is why the Bloc Québécois was in favour of the preparation of this report. Many ideas were put forward, specifically the official opposition's proposal to include in this legislation a mechanism allowing Quebec to keep 25 per cent of the seats in the House of Commons. Clearly, we could not in good

faith vote against a traditional demand made by Quebec. The Bloc Québécois regarded this as a fundamental element of this report and that is why we supported it.

However, the government is as usual systematically refusing to examine Canada's duality. It is postponing studying another traditional demand of the people of Quebec and is doing absolutely nothing to try to find a solution to the demand made. The bill resulting from this report includes only a tiny portion of its proposals. Indeed, Bill C-69 does not mandate a parliamentary committee with finding a solution to the problem of the erosion of Quebec's representation in the House of Commons. Worse still, Bill C-69 does not provide any guarantee whatsoever that the decline in the number of Quebec members in the House of Commons would be stopped. On the contrary, this bill maintains the formula set out in section 51 of the British North America Act, which weakens Quebec's influence within federal institutions.

(1015)

Until Quebec decides on its future, and undoubtedly, it will vote in favour of sovereignty, you will understand that it is of the utmost importance that it maintain adequate representation within those institutions.

History has proven that despite the senatorial clause and the grandfathering clause, for the 127 years since it was founded, Quebec has been and still is the only province to have a smaller number of members of Parliament than it should get under representation by population.

Ontario, in contrast, was granted several extra seats at the beginning of the century. This eloquently demonstrates once again the double standard, and two occasions where the federal government has shown favouritism towards English Canada. Why should this surprise us; the tower of Pisa also always leans to the same side.

In this bill, the House fails to acknowledge that there are two founding peoples. The central government has been trying to forget this fact for 127 years too. Must I remind the House that Quebec is home to one of Canada's two founding peoples; Quebec is the cornerstone of French culture in the Americas; Quebec has its own separate culture; Quebec is the only French society surrounded by a sea of English; Quebec deserves and has legitimate claim to 25 per cent of all of the seats in the House of Commons.

**Mr. Boudria:** Is that what you think of francophones outside of Quebec.

**Mr. Bellehumeur:** In fact, this last request is not new. I know that I am probably frustrating members opposite by confronting them with the truth this morning—

*Government Orders*

**Mr. Boudria:** You are right, francophones outside of Quebec are frustrated, because of what you are saying.

**Mr. Bellehumeur:** Nevertheless, I would ask the hon. member to listen to me a while longer.

**Mr. Boudria:** Once again, you are abandoning them.

**Mr. Bellehumeur:** Just listen, Mr. Whip.

In fact, this is not a new demand, it is one that we have always made. But, once again, I am only repeating to the members of the House of Commons what the Bloc Québécois has pointed out time and time again within these walls and what politicians from Quebec, even some of the most timid Liberals in your ranks, have been clamouring for too long.

The government would like the official opposition to vote for the bill, even though it all but ignores Quebec's demand.

No, members of the Bloc Québécois will not help the government disregard one of Quebec's legitimate demands. We are here to defend Quebec's interests, and in the interests of Quebec, we must vote against this bill.

**Mr. Boudria:** But you voted for it in committee.

**Mr. Milliken:** This is unbelievable.

**Mr. Bellehumeur:** I can already hear government members mention in this House that the only way to guarantee Quebec a minimum of 25 per cent of the seats in the House of Commons is to amend the Constitution. At best, this amendment would be subject to the rule of the seven provinces or 50 per cent of the population or, at worst, to the rule of unanimity.

This is a smokescreen and a constitutional disinformation campaign.

In 1985—and I would urge the people across the way to listen—the principle of proportionate representation in the House of Commons stated in section 42(1)(a) of the British North America Act was altered indirectly and very subtly through a simple act of Parliament.

**An hon. member:** We did no such thing. This is nonsense.

**Mr. Bellehumeur:** Through a simple act of Parliament.

By guaranteeing some provinces a minimum of seats on the grounds that a province cannot lose seats, they altered the principle of proportionate representation in 1985 by passing this simple act of Parliament. Was this act challenged? Yes, Mr. Speaker. Was it invalidated? No, Mr. Speaker.

In the case of *Campbell v. Canada* (1988) 49 DLR, 4th edition, page 321—they can write this down as good reading material—the British Columbia Court of Appeal pointed out that the protection of representation despite the decline in a province's

population does not affect the principle of proportionate representation and therefore does not require amending section 41(1)(a) of the British North America Act.

**Mr. Boudria:** That is clear.

**Mr. Bellehumeur:** We have a double standard, Mr. Speaker. That, too, is clear. One law for English Canada's demands and another for Quebec. That, too, is clear. But you will not hear that from the people across the way.

(1020)

With that precedent, the government will tell me once again that it could not guarantee Quebec a maximum of 25 per cent of the seats in the House of Commons under Bill C-69? No, the Quebec people are not fooled and will soon render judgment.

Therefore, Mr. Speaker, please note that the official opposition, proud defender of Quebec, cannot support a bill which does not provide any way to counter Quebec's loss of political weight in this House.

Bloc Québécois members refuse to accept the gradual erosion of the power held by those representing one of Confederation's two founding peoples.

Mr. Speaker, do not ask us to go against our demands or vote against the interests of the Quebec nation. As you can understand, we will vote against this bill. I invite those who say that the bill is consistent with the report to read both the report and the bill. They will see that there is a difference.

I understand their wanting to close their eyes, their unwillingness to give Quebec its fair share of seats in this Parliament. I understand that their only goal is the assimilation of Quebec, pure and simple. What better way than to start with the House of Commons, so that francophones and Quebec cannot defend their interests in this House. That is why we will vote against this bill.

[English]

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Mr. Speaker, it is a bit of a surprise to be debating Bill C-69 this morning, but it gives me another opportunity to outline some of the problems and dangers contained in the redistribution bill.

The bill is the government's justification for wasting about \$5 million of taxpayers' money in the previous readjustment process that has to be repeated now because we are reimplementing it. The government feels that the changes introduced in the legislation are excuses for the more than \$5 million wasted by scrapping 11 months of work by the redistribution commissions.

The government is keen to get the bill passed as soon as possible so that the new boundary rules will be in place in time for the next election. That is the way it should be. It realizes that

*Government Orders*

its unprecedented suspension of the democratic process might have caused the next election to be contested under the old boundaries based on the 1981 census. This would have put government members in a very tenuous constitutional position, not to mention having faces as red as their infamous book.

The entire debacle that began with Bill C-28 and continues with Bill C-69 has put the Liberals on very shaky ground when it comes to a politically neutral election process. The government obviously feels that Bill C-69 excuses its tampering with the electoral process. Bill C-69 fails to live up to all these claims.

Also very interestingly my friends in the Bloc have finally come to the realization that there are some problems with Bill C-69. I say finally because all through the meetings of the procedure and House affairs committee members of the Bloc seemed happy with the direction and contents of the draft bill proposed by the committee. The draft bill had been introduced by the government as Bill C-69. The Bloc presented no dissenting opinion to the Liberal report presented to the House.

On November 22, when Reform members indicated that a minority report or a dissenting report would be included, the Bloc Quebecois declined the opportunity to dissent to what the government was pushing through and voted for every clause of the bill that now appears as Bill C-69. That party was instrumental in defending the need for a 25 per cent variance. I find it peculiar that the Bloc would all of a sudden push for an unusual debate at this stage of the process. I have to wonder why it favoured the report and everything in it at committee but is now rushing to oppose the bill at this point. It seems to be a rather odd position to be taking.

It is clear the crux of the Bloc's concern over Bill C-69 is the matter of guaranteeing Quebec 25 per cent of the seats of the House of Commons regardless of population. This is obviously an undemocratic position. The make-up of the House has always been based on the principle that all Canadian citizens are equal. Equality of voting power is fundamental to Canadian democracy. I do not understand why any party would advocate giving some Canadians more political power than others. The words and actions of Bloc members on Bill C-69 betray their true motives and values.

(1025)

To demonstrate how unviable that kind of approach is, one need look no further than my province of Saskatchewan. In the early 1920s Saskatchewan was Canada's third most populous province. At that time Saskatchewan had 21 seats out of a total of 225 in the House. If we were demanding to have our historical proportion of seats today, Saskatchewan would need 28 seats in Parliament as a result of the upcoming redistribution rather than the 14 we now hold.

In order for Saskatchewan to have more than its fair share of seats in the Commons, other provinces must get less than their fair share. I wonder which provinces would currently be willing to give up seats for Saskatchewan. Fourteen extra ridings have to be found, so more than one province would have to share the burden.

Would the extra seats come from Ontario which already has many ridings with well over 100,000 population? How about B.C., the province with the fastest growing population and the one most in need of the greater share of seats in the House? What about Quebec? Would our friends in the Bloc be willing to give up some seats in Parliament so that Saskatchewan could reclaim its historical share of seats in the House? I think not.

Is Quebec more special than Saskatchewan? I think not. Is Quebec superior to Saskatchewan? I think not. Is Quebec inferior to Saskatchewan? Does it need more seats to get representation in the House? I think not. Quebec is equal partners with all provinces in Confederation and the laws of the land must indicate that principle.

The reason that Saskatchewan does not have 28 seats is that population patterns have changed. It is a fundamental part of Canadian reality that other parts of the country have grown more rapidly than Saskatchewan. As a result our share of seats in the House have gone down. People in Saskatchewan accept this because it is sensible and fair. If population patterns change again our share may go up.

Why is the Bloc asking for the allotment of seats to the House of Commons on any other basis than population? To entrench such a principle in law would be dangerous. It would also create ill will, resentment and all kinds of representation problems we already see today. Provisions like the senatorial clause and creating provincial floors have led us to some of the dilemmas we face in the House and the problems created in the Senate.

As we can see, the idea of claiming a certain proportion of seats regardless of population creates many inequities. It is unfair, discriminatory and lacks common sense. I do not buy the argument that more seats in Parliament are necessary to preserve Quebec's language and culture. Quebec has a rich history and has special cultural values and traditions. I am glad it is part of Canada. The people who can do the most to foster the French language and culture in Quebec are the people in the Government of Quebec.

If the provincial Government of Quebec were given the authority and responsibility for language and culture with no interference from Ottawa, the threat or perceived threat to that culture would disappear. That would be a much more constructive way to solve the cultural issue. Taking representation and therefore political power away from other provinces would lead to resentment and ill will from the other provinces of Canada, not to mention that more MPs by themselves would not have much of an impact on cultural considerations.

*Government Orders*

Guaranteeing Quebec or any other province a certain proportion of seats would only add to the problem of the size of the House. Not dealing with the growth in membership in the House is a major flaw in Bill C-69. My Reform colleagues and I have spoken often about the need to reduce or cap the size of the Commons. We have demonstrated how the number of MPs can be capped and reduced. It is clear that the Liberals have no interest in limiting the size and cost of this place.

After only one short year the Liberals are showing their true colours. They like big government, big cabinets and big spending. I have no problem with the appointment of a new Minister of Labour. I am sure she is a very fine person and very capable, but there was no corresponding demotion from cabinet when she was appointed. The pretence of frugality is slipping away from the government. First the cabinet grew by the appointment of the Secretary of State for Parliamentary Affairs and now has increased even further with the new Minister of Labour.

(1030)

The Liberals are increasing the size of cabinet while cutting the civil service. They are increasing the size of the House while not properly reducing the MP pension plan. They will increase taxes while cutting frontline services to Canadians.

The old spectres of Liberal elitism and political self-interest are reigning supreme at the expense of rank and file Canadians. Liberal elitism and favouritism can manifest itself again with the inclusion of a schedule of special ridings as provided for in this bill.

The bill makes reference to the schedule but offers no guidelines or rules as to how one is to be created. It simply states that ridings can be added to the schedule by an act of Parliament. This means the government alone can decide who gets on the list and who does not. It is possible for the Liberals to place virtually all their ridings on this schedule. Every sitting MP and every party organization would like to contest elections with boundaries they have already won with.

Establishing a loosely defined schedule of ridings exempt from the rules of redistribution, rules that are designed to ensure fairness and neutrality, makes the possibility for gerrymandering endless. The way the provisions for the schedule are worded in this bill, the government would have complete control to play politics with boundary redistribution.

Imagine what former Prime Minister Brian Mulroney could have done with this kind of provision. Constituencies would have been scheduled all over the map. Our constituency redistribution system would have been taken no more seriously than appointments to the Senate.

The current Prime Minister can now do the same should this pass without the necessary amendments. He will have the power to create special Liberal safe seats all across the country. In no time we would see ridings like Labrador or perhaps Prince Albert—Churchill River in Saskatchewan being scheduled. The irony is that if the Prime Minister pushes his Liberal arrogance this far, there will be no such thing as a Liberal safe seat.

Bill C-69 fails to place a limit on the number of scheduled ridings. When the Liberals get carried away with their new powers under this bill and schedule too many ridings in the same province, they will discover they have created all kinds of headaches for the boundary commissioners. In many cases the presence of scheduled ridings will make effective redistribution impossible, as more fixed lines will severely limit the options available to the cartographers.

I suspect that Parliament would have the legal power to remove a riding from the schedule, but politically it would be extremely difficult to do so, especially for the Liberal government.

What would happen if a northern riding that was on the schedule had a large increase in population? Populations in Canada move significantly over time. Who would have predicted the dramatic growth of the west at the time of Confederation? The political leaders at the time did not. This is obvious from the way they allocated seats to the Senate.

Population shifts could happen today even to scheduled ridings. Take for example the riding of Skeena in B.C. It is a large northern riding and a likely candidate for scheduling, apart from the fact that it is not a Liberal riding and the Liberals have complete control over the process.

Within the riding of Skeena is the Windy Craggy mineral reserve estimated to be worth between \$10 billion and \$40 billion. If this mineral reserve is developed, tens of thousands of highly skilled, high paying jobs could be created. However, the provincial government decided that jobs are bad and decided instead to turn the whole thing into a park.

If that unfortunate decision is reversed and those jobs are allowed to flourish, the riding of Skeena could have a population that tops 200,000. However if the riding has been scheduled, redistribution would not occur. The member for Skeena would be the busiest man on the Hill, having the largest population to serve and one of the biggest chunks of Canadian geography. This whole concept of the schedule has not been properly thought out and should be removed from the bill.

With the overly generous 25 per cent variance there should be no need for a schedule anyway. I have heard some of the Liberal members say the same thing, but when it comes time to actually do what they believe, they wimp out. They do the politically convenient thing. They go along with inequities and a variance of plus or minus 25 per cent.

*Government Orders*

This plus or minus 25 per cent allows ridings to be set up with a 50 per cent differential in population. This is at the beginning of the redistribution process. If there are population changes that occur during the period before the next redistribution, the discrepancy gets far more severe.

(1035)

Surely this 25 per cent variance gives enough flexibility to accommodate any so-called special cases. We should not need scheduling. Of course without the schedule, the government will not be able to do quite as much manipulating of the electoral map.

The mention of special cases reveals another flaw in the bill. In creating this bill the procedure and House affairs committee heard from a list of rural members complaining that their ridings were too large. Even the member for Kingston and the Islands knows that several of his colleagues told him that they were afraid that the redistribution process was going to get out of hand and that their ridings would become larger than they could manage. They asked that the rural ridings be kept to a manageable geographic size, even if it meant staying below the provincial quotient.

However, the member for Mississauga West pointed out that many urban ridings experience rapid growth and should therefore be kept closer below the quotient to allow for this growth. The inherent contradiction in this bill becomes clear. How can both the rural and the urban ridings of a province be kept below the average? It just does not work.

The member for Mississauga West in this House during the concurrence debate said to me: "I must thank the member for pointing out something I had hoped would sneak by rural members". Those are the words in *Hansard*. "Would sneak by rural members. He knows I was hoping it would sneak by". That is found at page 9396.

The Liberals are again talking out of both sides of their mouths. They cannot have it both ways, but they are trying to do that in Bill C-69.

Does the government not realize that if all the rural ridings are kept at or below the quotient and all the urban ridings are kept at or below the quotient, that there is no one left to balance things out by being above the quotient? There is no one left. It is impossible.

Given enough time every member in this House will be able to find a reason why some special consideration should be given to his or her particular constituency. Our committee heard from many of them. The only reasonable thing to do is to apply the same rules to everyone. Otherwise we will end up with a set of rules that are effectively meaningless and useless.

The suspension of the redistribution process initiated by C-18 was a very serious breach of political non-interference. The

government tried to cover its tracks by shrouding that action in a review of the system. Bill C-69 failed in its attempt to represent fundamental improvements to redistribution.

I call on all members of this House, on all sides to reconsider their support for this bill. I know that for the wrong reasons the Bloc members have changed their position on the bill. I reiterate, it was for the wrong reasons, but there are a number of correct reasons why this bill should be opposed.

I know that many members have an interest in fairness and equality in our electoral system. This bill creates and perpetuates some grave inequities. I would ask them to defeat this bill or at least help in providing some constructive amendments needed to save this legislation.

In order to come up with a good bill we need to clarify the issue of schedules. We need to tighten up the allowance variance to protect the voting powers of Canadians. We desperately need to address the growth in this House.

It was interesting yesterday when we had a visit by the President of the United States. We had a picture of what would happen in this House if we let unrestrained growth continue. These curtains would have to be removed, seats would have to be placed in the middle of the floor. That is where we will be in just a matter of a few decades.

Certainly there is no need to have to knock out walls in the House of Commons because we cannot deal with the problem of growth in the House for a country of 30 million people. Surely we can respect the wishes of Canadians for less government, smaller government, rather than for unbridled expansion of the House of Commons.

Without these improvements, no member who has an interest in fairness or common sense should support Bill C-69.

[Translation]

**The Deputy Speaker:** Pursuant to standing order 68(7) and to the order made Wednesday, February 22, 1995, the motion is deemed to have been adopted on division.

Therefore, the bill is referred the Standing Committee on Procedure and House Affairs.

(Motion deemed adopted, bill read the second time and referred to a committee.)

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(1040)

[English]

**YOUNG OFFENDERS ACT**

The House resumed from February 22 consideration of the motion that Bill C-37, an act to amend the Young Offenders Act and the Criminal Code, be read the third time and passed.

*Government Orders*

**Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.):** Mr. Speaker, it is my privilege to rise in the House today to speak on behalf of my constituents regarding the proposed changes to the Young Offenders Act, Bill C-37.

In my riding of Port Moody—Coquitlam a rally of over 5,000 Canadians took place on September 25, 1994 to publicly demand changes to this act. This rally reflects the national demand for change to a justice system that caters to the rights of the criminal, young or old, rather than the security of society. A few brief weeks ago over 2,000 more concerned Canadians near my area marched for changes to the justice system on behalf of Melanie Carpenter.

The Minister of Justice has stated that such public outcries are an emotional response to media headlines. How wrong he is. These are the responses of people who have had enough and now realize they are not alone in their hurt and anger.

Yes, there is a shocking, tangible anger against the system. The rallying cry of the Jesse Cadmans, the Graham Nivens, the Melanie Carpenters, all tragic victims of this system, has served as the catalyst for a too long silent and threatened majority. Their concerns are real and widespread. And they, the people of Canada, must be heard.

Today I wish to speak directly for my constituents. I cannot do less. In August last year with requests pouring in, my office sponsored a meeting to respond to demands to organize a public rally following the senseless and tragic death of Graham Niven. We arranged for a room to accommodate 20 and then 50 people. That night over 300 people came to volunteer to make something happen.

Led by a core dedicated committee of about a dozen committed individuals, literally hundreds of community volunteers organized and successfully ran the rally one month later. Their message echoes the concerns of Canadians across this land.

Young offenders should be held individually responsible for harm done by their acts. They should know that they face certain consequences for breaking the laws of this land. Police officers must be given back the mandate to enforce laws designed to protect our communities. Parents must be given the authority over and the responsibility for the actions of their children. It is only thus that the very real fears of youth, women, parents and seniors, all citizens, of this rising violent attitude in our streets and in our schools can be adequately addressed.

The current Young Offenders Act has a statement of principle which recognizes that young people should have a special guarantee of their rights and freedoms. This has been interpreted by the courts to mean that any treatment of a young offender requires their consent. This same misled interpretation would

still apply unless specifically addressed in this new legislation. Let me share with you some real life examples.

A Richmond court worker, a frontline worker, wrote that Bill C-37 does not go far enough. He said: "Young offenders are laughing at us and rubbing our noses in a system which leaves them unaccountable for their actions". It is not uncommon to see young offenders laugh at their sentence and wink at their buddies in the public area of the courtroom. He said that it was time that we stop giving them something to be proud of and instead give them something to think about.

The system is not tough enough and this only encourages recidivism. The statistics speak for themselves in that approximately 75 per cent of 12 and 13 year olds are first time offenders. This decreases to 58 per cent of 14 and 15 year olds and falls further to 50 per cent of 16 and 17 year olds. The study declared that those youths who did reoffend usually had far more than one prior conviction. These young offenders are obviously not deterred from continuing to violate the law. The present experience with the law and the court system obviously does not serve the offender or society. Canadian families pay the price for this failure.

Share for a moment the grief of a Langley, B.C. couple whose 17-year old son was shot and killed by a 16-year old who had just been released from custody. They wrote in their letter to me: "Ours is a lifetime loss of a young man with a brilliant future. We will never forget him or the atrocity".

Diane Sowden, a mother of a 14-year old young offender in my riding, shared her frustration with the judicial system at the rally. Her daughter at the age of 13 left home because she resented a 9.30 p.m. curfew. The police informed the parents they were powerless to do anything.

The girl was assigned to two group homes and three foster homes but she refused to stay at them because they also had rules. Diane reported that there was no curfew, no order to go to school, and no order to reside with the caregivers, completely against their request as parents. The story goes on to include pimps, drugs, schoolyard solicitation for child prostitution, heroin addiction, ignored parole violations and nothing anyone could do about it.

(1045)

"We wanted stricter consequences for her actions, rather than no consequences", said Diane. "We as her parents want some say in what is happening to our daughter". Presently this 14-year old girl works the streets and the Young Offenders Act will respect her right to continue down this path of self-destruction.

We have accomplished nothing giving young people so many rights that the consequences of their actions are no longer relevant. The interests of young offenders are not best served



*Government Orders*

when they cannot be required to respect the authority of law or even the authority of their parents.

Unless there is proven reason, parents should both know and have a say in their children's treatment and those children should have no choice but to face the consequence in treatment, reparation and penalty for their illegal actions.

Let me share with the House the experience of Erma and Dennis Vietorisz. Erma addressed the rally in September as a teacher and a parent who has seen the consequence of rising violence in her school and the community. She wrote me again on December 29, 1994 about an attack on her son and a friend the month before, after the rally: "There was no provocation, no argument, nor any reason for a brutal attack on these two young people. After being taken to the hospital, our son was told he had a broken jaw and had to undergo emergency surgery and spend six weeks with his jaw wired shut. His friend had six stitches to his eye. Meanwhile the attackers had gotten away without consequence. Why? Because the police said there was very little they could do to protect our son from retaliation if charges were laid. The police could not detain the attacker after they arrested him as the courts would release him back on to the street to await trial even though he was very violent in his behaviour. All the police could do to protect our son was to put a restraining order on the attacker which would only help our son if he was attacked again".

After much deliberation and consideration the parents decided not to lay charges because the judicial system could not protect him. They decided not to subject themselves to the very real possibility of more violence. The attacker had nothing to fear from a system that is powerless to restrain him from inflicting fear and violence on others.

Erma recently received a letter from Premier Harcourt of B.C. who criticized her for not giving the judicial system a chance. What mockery. On the one hand we have a brazen offender who has, and will likely continue to accumulate a history of violence. On the other we have a judicial system with a mandate from the government that puts fear into the heart of the victim and not the offender.

Bill C-37 further entrenches this deplorable pattern. According to the latest studies published in January 1995 by the forum of correctional research, youth crime is on the rise. In 1986, 179,000 youths were arrested by police and 113,000 were charged. In 1992, 211,000 and some were arrested by the police and 140,000 were charged. Violent offences have increased from 9,275 in 1986 to 20,033 in 1991. That is over a 100 per cent increase in just five years.

Take these statistics in light of the fears of victims and their families such as the Vietorisz. Take these statistics in light of the pat on the head that first, second and third offences get or the total lack of consequences or recorded incidence of crime for all those under 12 years of age in the present system. There is an epidemic out there that our justice experts refuse to recognize.

I have received over 13,000 letters and faxes and over 15,000 signatures on petitions from concerned Canadians calling for real change to the Young Offenders Act.

Like Mrs. Sandy Mahoney of Maple Ridge, B.C. whose 14-year old daughter had to move to Ontario to live with her grandmother because she was constantly beat up at school, constantly harassed by what the authority and school officials called gang members. It is very clear that young criminals are not afraid of any authority, is what she said.

Another woman, Marian Jutila from Coquitlam states: "As a community we demand you immediately follow through and begin revamping our Young Offenders Act".

Many seniors have written to me, those who fear to leave their homes and also many who fear that violence will actually break through the walls of those homes. Perhaps the most compelling was the cry at the end of one letter that concluded with a handwritten note: "You must help us".

(1050)

In conclusion, let me read the words of 17-year old Jamie Lipp, a dear friend of Jessie Cadman who was killed by a young offender. Jamie spoke at the rally: "What kind of society do we live in where young people are not held accountable for their crimes? What kind of society do we live in where we must fear for our lives within a few blocks of our homes? What kind of society do we live in when there is no respect for life?"

Bill C-37 does nothing to reflect the concerns of those who have spoken up with such clarity and sincerity. I cannot in good conscience support such a bill. We need a legislative overhaul which demands accountability for the sake of society and the young offender, that teaches respect for authority and the rights and lives of others, and that reverses the trend of fear and intimidation experienced within our community.

Today I implore the Minister of Justice to listen to these Canadians. They have something to say that he must hear.

**Mr. Ron MacDonald (Dartmouth, Lib.):** Mr. Speaker, I have listened with some interest to the speech of my hon. colleague.

She is from British Columbia. She would find from coast to coast and down on the Atlantic coast where I am from that there are similar sentiments with respect to safety in the community and a desire to ensure that the legislative tools we have at our

*Government Orders*

disposal such as the Young Offenders Act, are balanced. That balance periodically must be reviewed.

At least the bill is a step in the right direction. What I hear from my community is that there is a legitimate concern. Individuals want to feel safe in their community. However, Canadians are also very tolerant individuals and they are not harsh in how they deal with individuals that somehow find themselves at the opposite end of the law.

As a member of Parliament I have seen over the last few years a marked change in the way Canadians view the criminal justice system, the fairness of the system and whether they believe that the rights of the accused have priority over the rights of the abused. Many times this is the case.

Dealing specifically with the Young Offenders Act, some measures in this bill are supportable by most reasonable thinking people. Certainly the move to transfer 16 and 17 year olds who are accused of very serious crimes like first or second degree murder and other crimes like attempted murder, manslaughter, aggravated assault and aggravated sexual assault to adult court is very positive.

The people I represent understand that wherever possible we have to have a system that takes young people who happen to find themselves on the wrong side of the law and wherever possible work to rehabilitate them. We do not want just incarceration for the sake of vengeance. What we truly seek is rehabilitation.

There must be a recognition that there are some cases—I stress that it is the minority of cases with young offenders—where we have individuals who are 16 or 17, dangerous offenders, repeat offenders, who have carried out the most despicable and unspeakable crimes that are still protected by the act. They are protected as a young offender when their crimes are severe enough to be treated more seriously by the criminal justice system.

The move to adult court as a requirement under this bill, with the provision that the offender or the prosecutor or the counsel for the accused can argue before the court that the offender should not be transferred, is a proper one.

I also agree with the increased sentences for first and second degree murder. Canadians want to make sure that individuals who are convicted of these most serious crimes do not find themselves being convicted and sentenced and in a few years back out on the street, perhaps to commit such crimes again.

I also support with some qualification the provisions in the bill that deal with access to youth records, particularly for repeat offenders, and particularly for young offenders who seem to have a goal in life of continuing to wreak havoc in their communities.

It is essential in certain conditions, and these conditions are outlined quite well in the bill, that law enforcements officers and peace officers have access to those records during the course of investigations when dealing with serious crimes. It is also essential that the courts, in the case of young offenders who have a long criminal record under the Young Offenders Act and are once again before the courts as a result of further violations of criminal law, have access to these records. However, this section does not go far enough. I have to agree with my colleague opposite.

(1055)

I live in a community of approximately 70,000 people. By and large it is a law-abiding community. People feel relatively safe travelling the streets. I have three children. The oldest will be 11 in a few weeks. I have an eight-year old and I have a three-year old. I want to see my children grow up in a safe community. I get concerned when I hear on the street—and I can never figure out whether it is simply hearsay—that there are some violent young offenders who go through the system who actually abuse the system and who use the protection under the act to remain anonymous.

At the school my daughter attends, if there is a 14, 15 or 16 year old who has been convicted under the act of a crime with violence or aggravated sexual assault who has been known to carry a weapon, the rights of the people of the community to live safely far outweigh the right of that young offender to anonymity for the crimes he or she has committed.

**Some hon. members:** Hear, hear.

**Mr. MacDonald:** I am worried, Mr. Speaker. Members of the Reform party are actually applauding me. I may have to rethink my position.

Canadians as a caring and just people have to understand that the accused has rights but there must be a recognition in law of the right of individuals to have safe communities.

I would like to see the government look at this provision. Maybe when this bill is studied further the government will assent to look at some exceptional circumstances where the rights of the community to safety override the right of the young offender convicted of a heinous crime, of a violent crime, to anonymity.

There is one other thing that is not in this bill which I have to raise because it deals basically with young people. It deals with offences against young people. I have spoken in the House before on this. An epidemic is going through the country of criminals who are committing perhaps the worst crime possible in our society today: adults who lure young women and in some cases young men into prostitution.

*S. O. 31*

I say it is an epidemic. It is an epidemic which has not been spoken about loud enough or long enough in Parliament or in provincial legislatures. We are literally seeing some of our young children being lifted off the streets and forced into prostitution.

When we deal with the crimes of young offenders, the government must give priority to dealing with crimes against young people as well. I urge the Minister of Justice to quickly bring in new laws and new regulations to deal with this most serious crime. We need strict punishment and maximum sentences for those convicted of living off the avails of juvenile prostitution.

**The Deputy Speaker:** If the hon. member for Dartmouth wishes to continue, he will have another two minutes when we resume Government Orders.

It being eleven o'clock we will now proceed to Statements by Members.

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## STATEMENTS BY MEMBERS

[English]

### MODEL PARLIAMENT

**Mr. John O'Reilly (Victoria—Haliburton, Lib.):** Mr. Speaker, it is with pleasure that I pay tribute to the young men and women who participated in the annual Queen's University model Parliament in this place from January 19 to 21 of this year.

In particular I would like to congratulate Mr. Sacha Bhatia, a student at Queen's University and a constituent of mine who sat in this very chair as the member of Parliament for Victoria—Haliburton during the model Parliament.

It is also important to thank the various members of Parliament who participated in the weekend: the Speaker of the House, the hon. member for Kingston and the Islands, the hon. member for York South and the hon. member for Lanark—Carleton, to name a few, as well as the table officers, security guards and others who made this model Parliament very successful.

It is my understanding that the students enjoyed a fine weekend, heard an excellent speech from the throne, debated bills and participated in committee work.

Being in my constituency at the time I did manage to watch the proceedings on C-PAC along with many other constituents and noticed what a fine job these students were doing.

[Translation]

### FRENCH-LANGUAGE SCHOOL BOARDS

**Mrs. Madeleine Dalphond-Guiral (Laval-Centre, BQ):** Mr. Speaker, *Le Droit* reports this morning that the Ontario education minister is about to announce the establishment of 15 new French-language school boards.

While this is certainly good news, one would hope that Franco-Ontarians will soon have not only all the school boards they need, but also adequate funding in order to end current discriminatory practices.

The group for the development of French Ontario pointed out rightly that the degree of illiteracy among Franco-Ontarians is shamefully high; at 31 per cent, it is comparable to that of third world countries. That is the practical result of a century of linguistic and educational oppression.

It is time for a change. This is a right, not a privilege.

\* \* \*

[English]

### CHEMAINUS

**Mr. Bob Ringma (Nanaimo—Cowichan, Ref.):** Mr. Speaker, in 1980 the little Vancouver Island town of Chemainus was suffering economic hardship. The community's major industry had suffered a severe blow with a slumping lumber trade and the plant closure of MacMillan-Bloedel's 120-year old sawmill.

However, since those dark days the town has become an inspiration for all Canadian communities because of its bootstrap tourism project. Chemainus is now known as the little town that did for its outdoor murals that have seen tourism become a multi-million industry. Four hundred thousand tourists from around the world flocked to Chemainus last year to see its 32 murals.

Recently the architect of the Chemainus murals, Karl Schutz, was in London where he accepted the prestigious British Airways Tourism for Tomorrow Award for the America's, beating out 120 others.

I congratulate Mr. Schutz and all the enterprising citizens of Chemainus, which is now the mural capital of Canada if not the world.

\* \* \*

### CARIBOU

**Hon. Audrey McLaughlin (Yukon, NDP):** Mr. Speaker, the governments of United States and Canada have for a number of years supported the protection of the Arctic national wildlife refuge in Alaska.

However, a recent Alaskan legislature motion to allow oil and gas exploration in what are often called the 1002 lands puts in

jeopardy that resolve. The Canadian government and the Prime Minister are on record as saying that they support the proposal to keep the Arctic national wildlife refuge safe from oil and gas exploration.

The wildlife refuge is a calving ground for the Porcupine Caribou herd which provides food for the people of northern Yukon and the U.S. The herd is an important national treasure. It is an international treasure. I have encouraged the Prime Minister to raise this issue with President Clinton during this visit to Ottawa.

Both the Prime Minister and the president are on record as saying they are in favour of no exploration on the 1002 lands. Again I encourage and urge the Prime Minister and the president to reconfirm this policy during this visit.

\* \* \*

### HEALTH

**Mr. John Richardson (Perth—Wellington—Waterloo, Lib.):** Mr. Speaker, today I rise to comment on the growing threat of infectious diseases and emerging infections.

Our civilization is at a crossroads where diseases once thought to be a menace of the past are once again becoming a health threat.

The emergence of diseases such as tuberculosis is creating concern on the public health front. The federal government along with its provincial counterparts must remain sufficiently prepared to combat this threat.

Although Canada is also at a debt and deficit crossroads, there is a great need to maintain the laboratory centre for disease control and encourage provinces to enhance public health surveillance.

To adequately evaluate and monitor vaccine issues such as new vaccine submissions, safety and efficiency, we must ensure that there is sufficient knowledgeable staff and physician expertise at the health protection branch of Health Canada.

The same problem exists for Canada's blood supply. We must be constantly alert in monitoring problems in the supply of this, our most precious resource.

I urge the federal government and its provincial counterparts to remain committed to the fight against infectious diseases and emerging infections.

\* \* \*

[Translation]

### REFERENDUM ON QUEBEC SOVEREIGNTY

**Mr. Raymond Lavigne (Verdun—Saint-Paul, Lib.):** Mr. Speaker, in the past few days, contradictions and divisions within the separatist camp in Quebec have increased at an alarming rate.

S. O. 31

(1105)

The only thing separatist mouthpieces seem to agree on is the fact that their strategy is not working. The clever referendum process which was supposed to drive Quebecers to mobilize and unite in favour of sovereignty is not producing the expected results.

Instead of continuing to look for gimmicks, Premier Parizeau should hold without further delay a referendum on an unequivocal question about Quebec separation and let the people decide.

\* \* \*

[English]

### JOHN OLIVER SECONDARY SCHOOL

**Mr. Harbance Singh Dhaliwal (Vancouver South, Lib.):** Mr. Speaker, I stand today to congratulate the students of John Oliver secondary school, a school I once attended, located in my riding.

The students of John Oliver have shown exemplary initiative and leadership through their active participation in the greater Vancouver crime stoppers program. These students have found a responsible and constructive way to take a proactive approach to dealing with the intimidation and harassment that can occur in our schools. By taking preventative measures they are reducing the incidence of crime in their environment and making their schools a safer place.

I commend the students of John Oliver and encourage students across British Columbia to follow their lead. I believe we should learn from our youth. What better example than the leadership shown by these students on crime prevention?

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[Translation]

### AIR TRANSPORTATION

**Mr. Jean Landry (Lotbinière, BQ):** Mr. Speaker, today the U.S. President and the Prime Minister will sign the Open Sky Treaty. That agreement will significantly change the rules governing air transportation between Canada and the United States. It will open an important market for our air carriers. However, they will have to face increased competition.

Air Canada will face more competition in a market where it is currently the only Canadian carrier. The Open Sky Treaty will allow Canadian International to further consolidate its operations with American Airlines, and to provide stiff competition to Air Canada.

For reasons of fairness, the Minister of Transport must reconsider his decision and allow Air Canada to get full access to Hong Kong, the main landing point in Asia. The Bloc Quebecois will not put up with questionable political decisions which adversely affect the only world class carrier based in Quebec.

*S. O. 31*

[English]

### HIRAM WALKER

**Mr. Werner Schmidt (Okanagan Centre, Ref.):** Mr. Speaker, I regret to inform the House of another casualty of excessive taxation. The Hiram Walker distillery in my riding which employs 137 people and has been in operation since 1970 will close its doors on June 16, nearly 24 years to the day since it opened.

The company cites the declining sales due to what it calls outrageously high and punitive taxes levied by both the federal and provincial governments. I could not agree more.

Hiram Walker is a producer and marketer of Canadian Club, the world's leading premium Canadian whiskey. Hiram Walker and Sons Ltd. is the Canadian business unit of the world's second largest beverage alcohol company. When companies are forced to close facilities as a result of excessive levels of taxation there is definitely a problem.

Our distillers are unable to compete with their American counterparts because of these tax levels. That means lost jobs. When is this—

**The Deputy Speaker:** The hon. member for Lincoln.

\* \* \*

### THE BUDGET

**Mr. Tony Valeri (Lincoln, Lib.):** Mr. Speaker, this Monday our government will be tabling its second budget. It is an opportunity to restore fiscal soundness and integrity to the Canadian economy. However, it is equally important that this not occur at the expense of the middle class who already pay a disproportionate share of taxes and on whose backs much of the Canadian debt rests.

Our party's history is one of providing Canadians with hope and opportunity. Unless we begin to reign in our debt and deficit, hope and opportunity will be lost. This must be unacceptable to all members of Parliament.

The ultimate goal is to eliminate the deficit entirely. Three per cent of GDP by 1996-97 is an interim target and a very important one. It is a red book commitment and it will be met. In restoring soundness to our economy we will be able to continue one of the proudest legacies of the Liberal Party, to preserve social security, a system that would be the envy of the world—

**The Deputy Speaker:** The hon. member for Hamilton Mountain.

\* \* \*

### THE BUDGET

**Ms. Beth Phinney (Hamilton Mountain, Lib.):** Mr. Speaker, as we approach budget day I would like to convey the concerns

of the residents of Hamilton Mountain. While my constituents appreciate that this year's budget must be a tough one, they feel that it should not be at the expense of the most vulnerable members of our society.

(1110)

Eliminating the deficit must not be done on the backs of seniors on fixed incomes, the unemployed and lower income Canadians. It is time that all Canadians paid their share.

On behalf of my constituents I would ask the Minister of Finance to close tax loopholes before cutting social programs. The residents of my riding are very aware of the pressing need to reduce and eventually eliminate the deficit. There must be fairness in accomplishing this goal. If all Canadians share fairly the burden of deficit reduction, I am sure there will be great support for our efforts to put the country's finances in order.

\* \* \*

[Translation]

### RIDING OF OTTAWA—VANIER

**Mr. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, I rise in this august House for the first time and I do so for two reasons.

First, I want to thank the Ottawa—Vanier constituents who gave me their support during the February 13 byelection, thus granting me the privilege of representing them in the House of Commons. I am very grateful to them for doing so and I will do my best to meet and even exceed their expectations.

[English]

The second reason is to encourage the ministry to consider an additional measure to assist communities throughout the land, particularly in the national capital region which will be seriously affected by the implementation of the program review.

The suggestion is simply that the commercialization of any public service position be conditional on that position being retained in its community of origin for at least five years. This would allow the affected individual time to adjust to his or her new work environment without having to worry about being forced to move to another part of the country.

I am very pleased that the President of the Treasury Board has agreed to seriously consider this suggestion.

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[Translation]

### FREE TRADE AGREEMENT

**Mr. Stéphane Bergeron (Verchères, BQ):** Mr. Speaker, not so long ago the Liberals were adamantly opposed to the Free Trade Agreement with the United States.

“I think you sold us out!” said their leader to Prime Minister Mulroney, during the 1988 election campaign debate. Back then, the Liberals were capitalizing on their opposition to free trade to score points in the rest of the country.

The fact that the Liberal Prime Minister is now extolling the virtues of that agreement to the U.S. President is most hypocritical, particularly since he himself made a trip to Washington, in 1991, to beg our American neighbours to renegotiate the treaty.

Let us not forget that, while the Liberals were criticizing the Americans in the process, Quebecers, who, by contrast, are open to the world, played a major role in the outcome of the 1988 federal election, which would later result in the signing of the agreement.

It might be appropriate to remind President Clinton that if, today, we can all dream of a great common market from Tierra del Fuego to Baffin's Land, it is mainly thanks to Quebec and to Quebecers.

\* \* \*

[English]

#### INDIAN AFFAIRS

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, on Wednesday in Question Period the minister of Indian affairs stated that the Nisga'a of northwest B.C. won a Supreme Court decision in 1973 awarding them aboriginal land title. This is incorrect. The Nisga'a lost their 1973 appeal.

The latest word is the Delgamuukw case of 1991. This aboriginal land title case was dismissed by the Supreme Court of B.C. and subsequently by the Court of Appeal. The minister's premise is wrong.

My question was whether the intent of Nisga'a offer was to treaty protect a commercial fishery. The public deserves an answer, which the minister did not provide.

Between March 3 and 13, B.C. Reform MPs are holding a series of town hall meetings across the province to raise public awareness and understanding of the implications of current B.C. treaty negotiations.

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#### RICHARD WEBER AND MISHA MALAKHOV

**Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.):** Mr. Speaker, I would like to take a few moments today to recognize two very courageous individuals: Mr. Richard Weber of Chelsea, Quebec, which is in my riding, and Mr. Misha Malakhov of Ryazan, Russia. These two courageous adventurers have been preparing for years for their return journey to conquer the 1,500 kilometres of the Arctic Ocean. They are attempting to ski to the North Pole and return without any outside assistance.

#### S. O. 31

They are carrying all the supplies necessary for their survival for four months.

These two explorers are presently in the freezing wilderness of the Arctic. The ongoing challenge of man to surpass himself is alive and well in these two fellows. I really envy their courage and quest for adventure.

The long journey that these two daring adventurers are accomplishing is also a great example of international collaboration. A Canadian and a Russian working together toward the same goal is a great event to witness.

Finally, I would like to extend my best wishes to Mr. Weber and Mr. Malakhov.

\* \* \*

(1115)

#### ATLANTIC CANADA

**Mr. John Murphy (Annapolis Valley—Hants, Lib.):** Mr. Speaker, our government recognizes that the future of Atlantic Canada lies in its ability to diversify and expand its economic base. Our government continues to support this tradition through the Atlantic Canada Opportunities Agency.

At ACOA the approach to local development lies in working with small businesses and communities to diversify and strengthen their economies. As a result 65,000 jobs have been created over the last seven years, and for every dollar put into small business through ACOA \$4.20 comes back.

In my riding of Annapolis Valley—Hants, ACOA's commitment has produced many excellent examples of small business growth that has led to the creation of long term jobs.

Atlantic Canadians are not enslaved or bound by psychological depression as the Reform Party claims. Instead we are seizing new opportunities. Through ACOA our government is playing an important role in promoting regional economic growth.

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#### TAXATION

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, in readiness for the forthcoming federal budget angry Canadians have put forward a strong message of no new taxes and no tax increases. They mock a government that is proving incapable of making the necessary and difficult decisions associated with spending reductions.

Taxpayers rightfully point the finger at government excesses: bloated MPs' pensions; waste, fraud and abuse in the bureaucracy; continued funding of special interest groups; and, the holy of holies, the CBC gorging itself annually on a \$1.1 billion subsidy.

Canadians across the country are demanding that our spend crazy government get its act together to bring some sense to our

*Oral Questions*

overtaxed economy. Canadian taxpayers believe it is time they were given a break considering they now spend more in taxes than they do for lodging and food.

What are we getting in return? No one is sure. Our taxes keep going up; government services are in decline; and our debt is doubling every 10 years.

Heaven help the faint-hearted politicians who are not listening and believe that Canadians are much too passive to roll up their sleeves and take to the streets. There is nothing more in their faces than thousands of Canadians sending Liberal tax spenders a message: We have had enough. We have nothing more left to give.

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## ORAL QUESTIONS

[*Translation*]

### FEDERAL PUBLIC SERVICE

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the President of the Treasury Board acted with extreme arrogance in his dealings with the largest public service union, which represents more than 70 per cent of federal government employees, when he rejected out of hand a counterproposal for downsizing the number of federal employees on a mutually acceptable basis.

How does the President of the Treasury Board justify rejecting union proposals only a few hours after they were received, unless his mind was already made up and he never really intended to co-operate with the union to achieve his downsizing objectives?

[*English*]

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, we have been in discussion and negotiation with the unions for several months. Various propositions including the ones that the Public Service Alliance has now formalized in writing have been considered over that period of time.

Quite simply they are not a way of achieving our goal. In terms of being able to get our deficit down to 3 per cent and the downsizing that is required from that, we need to target the different positions based on the programs and services we would be reducing.

Their proposition would not work in that regard and that is why I was not able to accept it.

[*Translation*]

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, usually, there is room for negotiating when one's approach is not predetermined.

Although the public service must be downsized and everyone agrees on the principle, would the minister agree that his unilateral decision will result in savage job cuts and that, as a

result, he will be directly responsible for the inevitable disruption of services to the public that will ensue as a result of his unspeakable strategy?

[*English*]

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, I do not accept that there will be disruption to the public. I believe we will provide good quality services. We have good professional public servants who will continue to provide those services.

However we have to shrink the size of government. We have to downsize to live within our means. We cannot afford to have all these positions.

When we were discussing with the unions there was a great deal of acceptance of what we put forward. Fifteen of the sixteen unions agreed to the proposition that we put on the table. It was one; it was the alliance that did not agree with it.

(1120)

I think the proposition is a good one because it treats our employees fairly and reasonably. It says at the same time that if we do not have work for them we obviously cannot pay them.

[*Translation*]

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the government has failed to reach an agreement with the largest public service union, which represents over 70 per cent of all government employees. The government has come down on the side of confrontation, by rejecting the union's proposal out of hand, without bothering to negotiate, which is particularly offensive. This will lead to a showdown between the government and its employees.

I would ask the President of the Treasury Board whether he agrees that this showdown, a direct consequence of his refusal to negotiate, may well turn into a major confrontation in which all parties stand to lose: public servants will lose their jobs, the public its services and the government its credibility with its employees and the public?

[*English*]

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, I do not accept the proposition that there will be a major confrontation.

I think the employees of the federal government, as indeed all people across the country, understand that the government has to get its fiscal house in order and that we have to cut government spending to do that.

Our employees expect it and we will treat them fairly and reasonably. We have gone through months and months of negotiations with the unions and examined all these propositions. It had wide acceptance from their bargaining agents except for the alliance.

*Oral Questions*

We will continue to work with them in this downsizing effort to ensure that it is carried out in an efficient, effective manner and that we are fair both to the people who are leaving and to the people who will stay and continue to provide good services to the people of Canada.

\* \* \*

[Translation]

### PROGRAM FOR OLDER WORKER ADJUSTMENT

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, my question is for the Minister of Labour.

The minister will no doubt recall that her former provincial Liberal colleague, André Bourbeau, had repeatedly asked the federal government to ease the criteria of the program for older worker adjustment in order to reduce the number of older Montreal workers unfairly excluded from this program.

Does the minister acknowledge, as her former colleague did, that the rules of the POWA are too restrictive and that the program fails to satisfactorily meet the needs of older workers who have been laid off?

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, I have not yet been made aware of this matter by my colleagues. I would ask to take this question under consideration, if I may.

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, the minister was surely aware of this matter when she was a minister in Quebec.

Given that the government of Quebec has pushed for a number of years for changes to the rules of the program, given the strong consensus in Quebec on this matter and given that the minister is now directly responsible for this program, is she prepared to make a commitment today, in this House? Will she undertake to table within a few days amendments to the program, in keeping with the recommendations of the Government of Quebec, which it has been making since 1991, as she should know?

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, I will of course seriously examine this question as I will deal with all matters of concern to the provinces. Quebec, like other provinces, I imagine, must be very concerned by this question of older workers. I can tell the members of this House that, yes, I will examine this question closely and I will get back to the House on this issue.

[English]

### PENSIONS OF MEMBERS

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, the government's weak-kneed attempt at MP pension reform is a slap in the face to every taxpayer in the country.

Despite the government's rhetoric this is still a gold plated pension plan for senior politicians. For example, under the old plan the Deputy Prime Minister would receive a base pension of \$48,300 a year and collect \$3.3 million by age 75 if she retired in 1997. Under the new plan the Deputy Prime Minister will receive a base pension of \$48,300 and still receive \$2.7 million by age 75 if she retired in 1997.

(1125)

I have a question for the President of the Treasury Board. How can the government ask taxpayers to tighten their belts in the budget on Monday night when senior ministers continue to feast at the MP pension trough?

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, we are reducing the cost of pensions to taxpayers by some 33 per cent. We are cutting over and above the commitments we made in the election campaign.

We said that we would end double dipping, and we have ended that. We said that we would put in a minimum age, and we have put in a minimum age of 55. On top of that we have also reduced the benefit level to save taxpayers 33 per cent of the cost of that pension plan or some \$3.3 million annually.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, the public will hardly be impressed by a 33 per cent reduction in a plan that is four to five times richer than any other plan in the country.

The fact is that the minister had to abandon real MP pension reform under pressure from senior colleagues who wanted to preserve most of the excessive features of the old plan. We now have a two-tier MP pension plan. One for the fat pack and one for the rest: trough regular and trough light.

Will the minister eliminate this two-tier system in favour of a plan that applies equally to all members of the House?

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, the entire preamble to the question is wrong. In fact the question is wrong too because there is not a two-tier system. It is a single tier system; it is a single plan.

Furthermore it is not four to five times richer. That is absolute nonsense. Second, there was no pressure with respect to senior



*Oral Questions*

colleagues. There were attempts to find a plan that would serve the needs of members of Parliament but at the same time reduce the cost to the taxpayer and to take a leadership role with respect to the forthcoming budget.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, the only commendable feature of the revamped scheme is that it will allow MPs who put principles ahead of pork to opt out. My colleagues and I are opting out of this obscene plan. I trust we will be joined by the Minister of Finance, by the Minister of Fisheries and Oceans, by the Minister of Citizenship and Immigration, by the Minister of Human Resources Development and by the Deputy Prime Minister.

Who will be the first to follow the Reform Party's lead and renounce their gold plated MP pension plan? Will the minister answer the question now by rising to his or her feet?

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, not too many members of the House end up getting a pension plan because the average years of service are less than the vesting years of six. I can tell the House that in the case of third party members none of them would make it to the six-year vesting period anyway.

They like to talk about the private sector, but in the private sector individuals do not get an opportunity to opt in or opt out. They are told that this is the plan and because of the actuarial integrity of the plan people are required to be a part of it. The Prime Minister has indicated to members of the third party that they will have the opportunity to opt out, and indeed they can.

When it comes to the overall compensation package for members of the House, we are lowering that compensation package. We are taking a leadership position by cutting the pension by 33 per cent.

\* \* \*

[Translation]

**LABOUR RELATIONS**

**Mr. Bernard St-Laurent (Manicouagan, BQ):** Mr. Speaker, my question is for the Minister of Labour. The workers at Ogilvie Mills Limited, in Montreal, have been on strike for close to nine months now. In the meantime, the employer has been using scabs, with complete impunity.

Considering that she was elected in Quebec, where the use of scabs has been illegal for almost 17 years now, will the minister pledge to table antiscab legislation and, if so, when?

(1130)

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, I am following very closely the situation at Ogilvie

Mills Limited and the plight of its workers. I do hope that these workers will reach an agreement with the employer.

As regards the use of scabs, my predecessor said in this House that the government was examining the issue. We are looking at the Canada Labour Code as a whole, to see how it could be improved, and that includes the issue of replacement workers. We are consulting with both corporate employers and workers' representatives to discuss the issue.

Consequently, the issue is currently being examined and we hope to come up with a satisfactory solution.

**Mr. Bernard St-Laurent (Manicouagan, BQ):** Mr. Speaker, the minister's predecessor spent almost 15 months examining the issue and the problem still remains unsolved.

Does the minister realize that Ogilvie Mills workers cannot wait for a new incumbent to start the whole process from scratch? The minister must settle the issue quickly, in the days to come. We are asking for a deadline, for a date.

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, let us be realistic and not ask that the issue be settled in the next few days. As the hon. member said, this is a complex situation which has an impact on the Canada Labour Code. The situation at Ogilvie Mills affects workers, but such problems exist everywhere in Canada. We have to look at the impact on businesses and employers. It is indeed a complex situation and, as with any complex issue, we must take the necessary time to find a good solution to the problem.

\* \* \*

[English]

**MEMBERS OF PARLIAMENT PENSIONS**

**Mr. Stephen Harper (Calgary West, Ref.):** Mr. Speaker, my question is for the President of the Treasury Board.

A few moments ago he disputed the fact that the MP pension plan is far more generous than a private sector plan. Will he confirm that his plan has the following elements: a 4 per cent benefit rate that is double the rate of a very good private sector plan; full inflation protection that is unheard of in the private sector; age of receipt at 55 with full benefit that is also unheard of in the private sector; and on top of that, by lowering the MPs' own contribution rate from 11 per cent to 9 per cent, he slipped in an increase in take home pay for MPs?

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, talking about take home pay, there is no increase in salary. However, the folks in the third party would be taking home an awful lot more because they plan to opt out.

*Oral Questions*

We need to look at this matter in the context of a total compensation package. The consultant who was hired by the previous government and reported on the question of compensation said that in fact compensation for members of Parliament is lower than that in the private sector.

If we take it in that context and on top of that take into consideration that we are lowering the pension, members of Parliament are taking a compensation cut. The member's leader was four to five times and now he has gone down to two times. In the private sector it is very common to have additional supplementary plans over and above what is provided for under the Income Tax Act.

In terms of the inflation index, members of Parliament pay 1 per cent of their salary per year for that inflation index which does not even kick in until age 60.

The plan is not how that party is trying to characterize it. Let us again bear in mind that we are reducing the compensation package. We are reducing the size of the plan by 33 per cent.

**Mr. Stephen Harper (Calgary West, Ref.):** Mr. Speaker, Reformers will be taking a cut in their disposable income because Reformers and those Liberals who follow our lead will be taking care of their own retirement instead of having it paid for by the Government of Canada.

[Translation]

My supplementary question is for the same minister. How can the minister ask Canadians to make sacrifices when the Liberal government gets a handsome pension at least three times more generous than private sector pensions? How can he justify this?

(1135)

[English]

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, Reform members cannot seem to get their numbers right. They go from four to five to two to three. They cannot get them right because they do not have them right to start with.

**Mr. Harper (Calgary West):** What is the number?

**Mr. Eggleton:** The number that does work here and which is true is that this plan is being cut by 33 per cent. That provides leadership in terms of the cuts in budgets that have to be made to get to our deficit target of 3 per cent of GDP.

\* \* \*

[Translation]

#### FIREARMS REGISTRATION LEGISLATION

**Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ):** Mr. Speaker, the Minister of Justice stated Monday that he was certain that the legislation regarding the firearms registration would be enforced Canada-wide, even on aboriginal territory.

Will the minister give us concrete evidence that the government has reached an agreement with aboriginal groups and that his claims are backed up by substance, so that we can take him seriously when he states that the new gun controls will be enforced not only elsewhere in Canada, but also on aboriginal territories?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the government does not need to enter into special contracts with native groups or individuals. There is one law for this country, and this applies for the gun control legislation.

**Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ):** Mr. Speaker, how can the Minister of Justice be so optimistic when we all know very well that even census takers for Statistics Canada are unable to get the job done on aboriginal territories?

How would the minister have us believe that registering firearms and their owners will be easier than registering citizens, which is not being done at present?

[English]

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I do confess to being an optimist by nature, something which I have discovered is an asset in this line of work.

I can assure the hon. member the government is entirely confident that the firearms legislation, once enacted, will not only be effective but will be complied with throughout the country.

\* \* \*

#### IMMIGRATION

**Mr. Randy White (Fraser Valley West, Ref.):** Mr. Speaker, I would love to keep on the pension questions but I have a question for the minister of immigration arising from an issue in his own department.

Daljit Powar assaulted his wife for years. He defrauded the UI system. Since 1985 he has had two aggravated assaults, one while he was out on bail. He was ordered deported in 1986. He appealed and won. He broke the conditions. He has drug charges. There have been more beatings, once to his child. Finally, there was another deportation order in 1989. Out he went and that is good.

Now that we have finally kicked this fellow out of the country, why has the refugee board made a decision overriding the immigration deportation order and is now allowing him back into Canada?

**Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, as I have mentioned before, it is difficult for parliamentarians to speak about the facts in an ongoing case.

*Oral Questions*

We are speaking about a case that is before a quasi-judicial independent tribunal. We do not discuss matters when they are before judicial courts. I am not sure we should be getting into the intricate details while the case is ongoing.

Suffice it to say, I am equally concerned about a number of cases that cause a certain degree of frustration and consternation for Canadians. That is one of the principal reasons this government has moved quickly to try to address the systematic features that could certainly be righted and could eliminate more abuse. This is one of the reasons we have Bill C-44.

Why do Reform members relish talking about individual cases and at the same time refuse legislation to improve the system which would minimize the very cases they bring forward in this House of Commons day after day?

(1140)

**Mr. Randy White (Fraser Valley West, Ref.):** Mr. Speaker, the minister has said to me before in this House that these are isolated cases. There have been three in my own riding. Where else do we talk about these issues if not here?

If we talk about where there is room to cut in budgets, this fellow has been ordered to pay \$4,000 back to UIC after he picked up that amount of money while he was in jail. Want to look for places to cut in the budget?

This man failed to comply with the conditions laid down the last time his deportation appeal was successful. Who is going to be responsible when he comes back in? Will it be the minister or the refugee board? Or would it really be most logical and likely that the minister could now overturn this and just not let him back in at all?

**Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I am not saying we should not debate the issues here. There is a difference between discussing the responsibilities that we have as legislators and parliamentarians and not interfering with, as those on that side of the House talk to us about, independent tribunals.

Let us talk about responsibility. Bill C-44 would permit the government of the day to forbid individuals like the hon. member talks about from returning to Canada. We would not have to go through an inquiry process to get them out. It would enable a government to stop a refugee hearing and move it into an immigration inquiry. It would allow us as a government pending this legislation to forbid individuals based on national security from entering the refugee process.

I flip the question around. Who are being irresponsible by rejecting Bill C-44 and then beating their chests about individual cases?

[Translation]

**HEPATITIS C**

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, my question is for the Minister of Health.

Last spring, the minister said she was waiting for the Red Cross recommendations before deciding if steps would be taken to contact every person who contracted hepatitis C prior to 1992, after receiving blood products. The Red Cross has already submitted its recommendations.

Since the Red Cross has already submitted its recommendations, will the Minister of Health finally tell us whether she will systematically contact individuals infected with hepatitis C before more people are contaminated?

**Hon. Diane Marleau (Minister of Health, Lib.):** Mr. Speaker, I have already described in this House the procedure for contacting those concerned, as requested by the hon. member.

As you know, we have a multilevel system in which responsibilities are divided among several partners, such as provincial governments and hospitals. There are several steps to follow and we will certainly continue to work with all those involved to ensure the best response possible.

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, does the minister realize that she is in the process of repeating with the hepatitis C problem the same mistakes that were made with contaminated blood and that her inability to make decisions is likely to have serious consequences for those infected and their families?

[English]

**Hon. Diane Marleau (Minister of Health, Lib.):** Mr. Speaker, this minister takes her responsibilities extremely seriously.

I have been working very hard with all of the partners involved to make sure we take all action necessary to ensure the safety of the blood system and the safety of blood products. I am working with our provincial counterparts as well as many other partners to make sure everyone takes their responsibilities very seriously, as I know they do.

I wish the hon. member from the opposing party would be more responsible herself instead of spreading misinformation among the people of Canada and scaring them.

We have very difficult decisions to take and very difficult actions have been taken. I would like those members to congratulate us on the many steps we have taken.

*Oral Questions*

(1145)

**PARLIAMENT HILL**

**Mr. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, my question is for the spokesperson for the Board of Internal Economy.

As promised in last year's budget the cost of operating Parliament Hill has been reduced by millions of dollars. Can the spokesperson tell us what measures the Board of Internal Economy will take to reduce the cost of food services on Parliament Hill?

**Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, I am pleased to announce that the Board of Internal Economy has approved a business plan for the food services branch which will lead to savings of some \$1.7 million per year.

Three cafeterias will be shut down and replaced with more cost effective alternatives. Staff will be reduced and re-deployed. Prices will be increased and menus diversified.

This initiative, along with other measures of the Gagliano plan, will save some \$6 million per year for the taxpayers of Canada.

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**RAILWAYS**

**Mr. Werner Schmidt (Okanagan Centre, Ref.):** Mr. Speaker, next week 35,000 railway workers are legally entitled to strike. This country will hardly have time to recover from an inadequate budget, let alone the massive shutdown of vital rail services. The cabinet's economic policy committee has already approved proposed legislation for anti-scab legislation.

Will the Minister of Labour fight against this proposal? Will she refuse to take sides and will she find an effective, impartial means of resolving this dispute through such a mechanism as binding, final selection offer arbitration?

*[Translation]*

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, after the conciliation officer tabled his report, I understood from what the parties said that they were prepared to resume negotiations. I think that the hon. member from the Reform Party should realize that the best thing would be for both sides to agree to negotiate a settlement between themselves. Together, the parties are quite capable of resolving their problems. So, let us not talk about a catastrophe before it occurs.

The parties are presently in a very good position to sit together and figure out the best way of settling their differences. I urge both sides to go back to the negotiation table and find this solution and I hope that they will do so.

*[English]*

**Mr. Werner Schmidt (Okanagan Centre, Ref.):** Mr. Speaker, we all agree that the parties should find a solution. The minister's responsibility is to prevent a catastrophe. She has had time now to consider whether the government is going to take steps to prevent the shutdown. The clock is ticking.

Will the minister state unequivocally that there will not be anti-scab legislation on the table, that she will not support a proposal that will cause irreparable harm to our economy if there is a strike and that she is not going to be a participant in the lynching that will take place?

*[Translation]*

**Hon. Lucienne Robillard (Minister of Labour, Lib.):** Mr. Speaker, it is clearly too early to talk about any legislation. This is a matter for the parties involved, who are best able to settle their differences together.

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**JOB CREATION**

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, my question is for the Minister of Human Resources Development. According to the latest report from Quebec's ministry of income security, the number of welfare recipients has gone up again. There are now more than 797,000 people on welfare. Although massive layoffs are announced in several sectors elsewhere in Canada, the government is clearly content to rely on the economic recovery to create jobs.

Given the significant increase in the number of welfare recipients and the fact that the results of job creation programs are well below the figures quoted by the Prime Minister, does the government realize that it cannot just sit back and let the economy do the work and that it must put in place an active employment policy to provide the jobs so badly needed by Canadians and Quebecers?

(1150)

*[English]*

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, I would remind the hon. member that the government initiated a very active job creation program last year in its budget. As a result we have had the best job creation record of any country in the G-7, over 433,000 jobs.

The hon. member should know that because in her own constituency the unemployment rate has dropped almost 3 per cent during that one-year period.

I do not take any satisfaction in that as I still think more needs to be done. That is why we very much wish that the Bloc Quebecois, rather than constantly rising to defend the status

*Oral Questions*

quo, would join us in a serious effort to reform our programs of training and employment so we can help people get back to work because that is where the jobs will be.

[Translation]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, it is important to know that, between 1985 and 1988, just as we were coming out of the crisis, there were over 60,000 more jobs on average than under this government, notwithstanding the increase in population. I can only conclude that the government does not care about the unemployment problem.

How can the minister explain the fact that his government is not handling the economic crisis nearly as well as the previous government did in the middle of the 1980s? Will the government finally get rid of its wait-and-see attitude, which is no longer enough?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, as we have said several times, a budget will be presented on Monday which will be a very definitive answer by the government to the broad crisis.

If the hon. member looks at the past record, one of the errors of omission of our predecessors is that they did not come to grips with economic reality. They did not take the decisions that were necessary to stabilize or to restructure the economy and put us in a position where we could compete effectively and create jobs in a global economy.

We have undertaken initiatives in trade. We are taking initiatives in social reform. We are taking initiatives in the whole area of developing small business programs. It is not simply a matter of reacting to rhetoric, but actually coming to grips with the hard decision.

Again, I would invite the hon. member to join us in that very important enterprise.

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**HEALTH**

**Ms. Margaret Bridgman (Surrey North, Ref.):** Mr. Speaker, Kingston penitentiary is in the midst of a tuberculosis outbreak. It is reported that 25 per cent of the inmates and six prison guards have tested positive for TB.

The president of the Union of Solicitor General's employees, Lynn Ray, has said that this crisis should never have happened and that Kingston officials have known for months about a possible TB outbreak.

Would the Solicitor General please explain why no action was taken earlier to prevent this situation.

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr.

Speaker, Correctional Services of Canada has an active program to deal with the situation. It is working with Health Canada and other medical authorities. Its view is that it currently has the situation under control.

**Ms. Margaret Bridgman (Surrey North, Ref.):** Mr. Speaker, this outbreak of tuberculosis shows how ill-equipped Canadian prison systems are in dealing with communicable diseases.

I ask the Solicitor General if he agrees with the corrections' spokesman in Saskatoon who suggested that it might be time to considering mandatory testing.

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, this is always something that could be looked into. In Kingston there has been an active testing program. In fact, so far the people who have shown positive in the testing have not been found to have active TB as such. Prison officials are working closely with Health Canada officials to make sure that active TB cases do not occur.

I appreciate the interest of my hon. friend in this important subject.

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**EMPLOYMENT**

**Mr. Andy Scott (Fredericton—York—Sunbury, Lib.):** Mr. Speaker, my question is for the Minister of Human Resources Development.

A year ago the minister launched, together with the provinces, a series of strategic initiatives across Canada to test innovative ways of helping Canadians get back to work.

Given the tight fiscal environment, governments and Canadians generally will be turning more often to creative solutions and wanting to make sure that these solutions are working.

Could the minister report today on the impact of these initiatives on job creation in Canada.

(1155)

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, it is a question that follows in part the question raised by the hon. member for Mercier. We have now negotiated with the provinces over 15 different strategic initiatives that have provided opportunities for over 30,000 Canadians to find innovative ways to go back to work.

For example, in Prince Edward Island, 2,000 Canadians who have mental disabilities are now being integrated back into the community and into the workforce. In the member's own province of New Brunswick we have been able to supply through the New Brunswick job core opportunities for over 1,000 older workers to get back into the workforce.

*Oral Questions*

I would like to quote a letter I received from a gentleman who is working with a boy's club who said: "I have waited 50 years for a job like this. I really enjoy working with kids. It is the best thing that has ever happened to me. It is a real blessing". That is the kind of innovation we want to show in getting people back to work.

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**VIOLENCE AGAINST WOMEN**

**Hon. Audrey McLaughlin (Yukon, NDP):** Mr. Speaker, my question is for the Minister of Justice.

I am sure that the Minister of Justice shares my concern about the issue of violence against women. I am not as convinced that the minister sees addressing this problem both legislatively and in program funding must be a central theme, not simply peripheral to other considerations.

While I know that the minister is going to introduce amendments to the Criminal Code on the so-called drunkenness defence, I want to ask the minister if he will recognize that it is not the drunkenness defence or the use of drugs that should be used as a defence in violence against women but that violence itself?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I fully agree with the hon. member that the drunkenness defence is only one aspect of the challenge facing government and Canadians; namely, to deal more effectively with the problem of violence by men against women.

May I say, in response to the question that has been asked, that this preoccupation affects virtually everything that the Department of Justice does in relation to the criminal justice system. Trying to assess and anticipate the impact on women of laws that we propose, trying to co-ordinate the effort with other ministries and other levels of government to provide services to victims of violence, trying through education and other proactive social means to eradicate the causes of such violent behaviour, trying to improve education for young men and boys, so that they may have a healthier view of themselves and the other gender so that—

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[*Translation*]**CULTURAL SOVEREIGNTY**

**Mr. Gaston Leroux (Richmond—Wolfe, BQ):** Mr. Speaker, the Canadian Conference of the Arts stated that it obtained a confidential document originated by the U.S. administration, describing a strategy that may be detrimental to the cultural sovereignty of Canada and several other countries.

Could the Parliamentary Secretary to the Minister of Canadian Heritage tell us whether the minister has been in touch with the U.S. authorities and could she indicate the origin of this document?

[*English*]

**Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage, Lib.):** Mr. Speaker, I will take the question under advisement.

[*Translation*]

The hon. member will receive a reply as soon as possible.

\* \* \*

[*English*]**GUN CONTROL**

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, I wonder if the buck stops with the justice minister. Last week when asked how a national gun registry would reduce crime he could not or would not answer. Instead he listed off a group of bureaucrats and organizations which he claims support his measures.

Is it not his responsibility to explain how a national gun registry will improve public safety and reduce violent crime? Does the buck not stop with him?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, it is entirely appropriate that I should have been in the midst of answering a question about violence against women immediately before having been asked about the registration of firearms.

The hon. member need only refer to the speeches I have made in the House as recently as last week on the subject to see the direct and demonstrable link between the registration of firearms and the reduction of violence, particularly violence against women.

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**TOURISM**

**Mr. Derek Wells (South Shore, Lib.):** Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Industry.

I have active tourism committees in my riding of South Shore in Nova Scotia. They would like an update on the progress of the Canadian Tourism Commission and how the commission will help them in their job of promoting tourism.

(1200)

**Mr. Dennis J. Mills (Parliamentary Secretary to Minister of Industry, Lib.):** Mr. Speaker, I would like to thank the member for this very important question.

As members will know, this is one area within this government where we have not only held our budget but have increased

*Routine Proceedings*

our budget because we believe that tourism marketing is one area through which we can put a lot of Canadians back to work in very short order.

To facilitate that the Prime Minister announced in early January the Canadian tourism commission. The Minister of Industry announced all the appointed members February 1 and that commission is now receiving proposals from the private sector from tourism operators.

It will consider those private sector marketing plans along with those funds. They in turn will be matched with the tourism commission's funds. Hopefully through that kind of joint venture and leveraged attempt we can—

**The Speaker:** The hon. member for Nanaimo—Cowichan, one question.

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**EDUCATION**

**Mr. Bob Ringma (Nanaimo—Cowichan, Ref.):** Mr. Speaker, each year the federal government gives provincial education departments millions of dollars to subsidize French classes.

Much of this money is used by school boards as a source of general revenue rather than French language education. For example, a recent report by the Carleton Board of Education states the income from these grants supports the system as a whole and is not specifically directed to the immersion program.

Can the Minister of Canadian Heritage or his secretary of state explain why his government is permitting money intended for French immersion to be used for general administration costs by school boards from coast to coast?

**Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage, Lib.):** Mr. Speaker, I will have to take the question under advisement.

\* \* \*

[Translation]

**CHILD CARE**

**Mrs. Christiane Gagnon (Quebec, BQ):** Mr. Speaker, my question is directed to the Minister of Human Resources Development.

In its red book, the Liberal government promised to create 150,000 new child care spaces as soon as economic growth exceeded 3 per cent, at a rate of 50,000 spaces annually, a commitment that was reiterated by the Minister of Human Resources Development in his reform proposals. Last February, the Minister of Finance provided for a \$120 million envelope for 1995–96 and another \$240 million for 1996–97 to finance these new child care spaces.

Since there is every indication that this year, economic growth will exceed 3 per cent, is the government still prepared to act on its commitment, while of course respecting current provincial responsibility for child care?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, we have already started discussions with the provinces.

My deputy met with his counterparts in January. We hope to have a follow-up meeting in the spring. We have also started direct negotiations with representatives of the First Nations peoples to provide 6,000 spaces for them.

It is simply a matter of having to work in co-operation with both our aboriginal peoples and provincial jurisdictions.

**ROUTINE PROCEEDINGS**

[English]

**HEALTH**

**Hon. Diane Marleau (Minister of Health, Lib.):** Mr. Speaker, pursuant to Standing Order 32(2), I am pleased to table in both official languages an interim report entitled “Commission of Inquiry on the Blood System in Canada” prepared by Mr. Justice Horace Krever.

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**INTERPARLIAMENTARY DELEGATIONS**

**The Deputy Speaker:** Pursuant to Standing Order 34, I have the honour to present to the House in both official languages the report of the meeting of the Standing Committee of the Conference of Commonwealth Speakers, presiding officers, held from January 5 to 7, 1995 in Kuala Lumpur, Malaysia.

[Translation]

**Mr. Boudria:** Mr. Speaker, on a point of order. Last Wednesday, I said in the House that the Board of Internal Economy had approved the purchase of ten kits on Bill C-68 for each member of Parliament. In fact, the quantity approved by the board was five copies per member of Parliament.

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[English]

**COMMITTEES OF THE HOUSE****FINANCE**

**Mr. Jim Peterson (Willowdale, Lib.):** Mr. Speaker, on behalf of all of the very hard working members from all parties of the finance committee, I have the honour to present to this House its 12th report.

*Routine Proceedings*

[Translation]

This is about family trusts.

(1205)

**Mr. René Laurin (Joliette, BQ):** Mr. Speaker, some of my colleagues on the finance committee who attended the committee's sittings wish to thank all the groups and experts who came to testify before the committee. Since today, they are away on business in their constituencies, I will express our party's dissenting opinion.

After several attempts to reach a consensus, the Bloc Québécois had to reject the majority report tabled by the finance committee.

The official opposition is not against the principle of family trusts as such. However, the Bloc Québécois cannot endorse the conclusions of the committee that favour maintaining Bill C-92, which allows wealthy Canadian families to use family trusts as a tax shelter. According to the experts who testified before the committee, the tax revenues forgone as a result of Bill C-92 would be in the hundreds of millions of dollars.

The Bloc Québécois was also surprised at the complete reversal of the position taken by the Liberal Party of Canada which, when it was in the opposition, vigorously condemned Bill C-92. Today, by tabling this report, the Liberals put their seal of approval on the deferral of capital gains tax for the next twenty or thirty years and have thus refused to abolish the tax privileges of the wealthy.

In concluding, I would like to say that, for these reasons, the Bloc Québécois demands, in its dissenting opinion, that the family trust system be amended so as to tax the capital gains of these family trusts.

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**EXPLOSIVES ACT**

**Hon. Allan Rock (For the Minister of Natural Resources, Lib.):** moved for leave to introduce Bill C-71, an act to amend the Explosives Act.

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

\* \* \*

[English]

**CRIMINAL CODE**

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.)** moved for leave to introduce Bill C-72, an act to amend the Criminal Code (self-induced intoxication).

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

[Translation]

**ADM AGRI-INDUSTRIES LTD. OPERATIONS ACT**

**Mr. Clifford Lincoln (Parliamentary Secretary to Deputy Prime Minister and Minister of the Environment, Lib.):** moved for leave to introduce Bill C-310, an act to provide resumption of operations of Archer Daniel Midland Ltd.

He said: Mr. Speaker, I would like to provide a few details on this bill.

There is a labour dispute between ADM Agri-Industries Ltd. and the Ogilvie Mills Ltd employees union affecting some 150 production employees. The parties are negotiating a new collective agreement to replace the one which expired on January 31, 1992.

A conciliator and then a mediator were appointed to help the parties resolve their differences. Unfortunately, little progress has been made up to now. The union declared a legal general strike on June 6, 1994. The strike begun eight months ago is continuing. The employer has continued its activities with the help of replacement workers.

(1210)

I am therefore proposing a bill to provide for the appointment of an arbitrator to resolve this dispute, and, within 30 days, or longer, with the approval of the minister, the arbitrator should determine the issues on which the parties agreed, make an arbitration award on unresolved issues and prepare a memorandum of understanding for a return to work.

The bill contains provisions to require the parties to accept the memorandum of agreement for the return to work and the resumption of operations. It also contains sanctions in the form of fines, in the event the act is contravened. The act would come into force the day after royal assent.

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

\* \* \*

[English]

**UNITED STATES SUGAR IMPORT RESTRICTIONS RETALIATION ACT**

**Mr. Paul Zed (Fundy—Royal, Lib.)** moved for leave to introduce Bill C-311, an act to require the Minister for International Trade to retaliate against import restrictions introduced by the United States of America on Canadian refined sugar and sugar containing products.

He said: Mr. Speaker, the name of this act is known as the United States Sugar Import Restrictions Retaliation Act.



*Routine Proceedings*

In 1994 Canada and the United States and over 100 countries signed a new GATT agreement aimed at reducing trade barriers and increasing market access over time. However, in the face of this global trade liberalization the United States preserved its own protectionist, high priced sugar program and took the opportunity to further reduce Canada's access for sugar and sugar containing products.

On January 1, 1995 Canada's exports of refined sugar and sugar containing products were forcibly reduced to a trickle. The sugar industry estimates that this will result in a \$90 million loss in export trade accompanied by substantial job losses in Canada's refining and food processing industries.

Imports from the United States are unrestricted and continue to rise as Canadian tariffs on U.S. sugar and sugar containing products decline under NAFTA.

This is one way free trade and will result in millions of dollars of lost revenue, countless job losses and the reallocation of plants producing sugar containing products to the United States.

In conclusion, our Prime Minister yesterday quoted that the Americans are our best friends whether we like it or not. Let us resolve this issue quickly as friends.

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

\* \* \*

[*Translation*]

**ADM AGRI-INDUSTRIES LTD. OPERATIONS ACT**

**Mr. Nick Discepola (Vaudreuil, Lib.)** moved for leave to introduce Bill C-312, an act to provide for the resumption of operations at ADM Agri-Industries Ltd.

He said: Mr. Speaker, I would also like to table a bill regarding the resumption of operations of the company ADM Agri-Industries Ltd. As was already said, the employees of this company have been negotiating their collective agreement since it expired on January 31, 1992. The employees have been on strike now for eight months.

Despite the efforts of conciliators and mediators to put an end to this strike, it has dragged on and the employer has kept operations running by hiring outside help. Therefore, I am tabling this bill, which provides for a mediator-arbitrator to settle the conflict and which provides that employees will go back to work under the terms of a memorandum of agreement, drafted by the mediator-arbitrator.

The bill contains provisions obliging the two parties to respect the memorandum of agreement and to try to settle the current conflict. It also contains sanctions in the form of fines, if the legislation is not respected.

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

\* \* \*

(1215)

**ADM AGRI-INDUSTRIES LTD. OPERATIONS ACT**

**Mr. Raymond Lavigne (Verdun—Saint-Paul, Lib.)** moved for leave to introduce Bill C-313, an act to provide for the resumption and continuance of the operations at ADM Agri-Industries Ltd.

He said: Mr. Speaker, I wish to introduce a bill providing for the resumption and continuance of operations at ADM Agri-Industries Ltd., commonly referred to as Ogilvie Mills.

As you know, 150 employees have been on strike for eight months. This bill would require the two parties to negotiate and go back to work. One of the two parties would have to determine working conditions under this plan. As you know, many people with dependent children are now on strike, despite having to earn a living. This bill should solve these problems.

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

\* \* \*

**PETITIONS****SOCIAL HOUSING**

**Mr. Jean-Paul Marchand (Québec—Est, BQ):** Mr. Speaker, I wish to table in this House a petition signed by some 40 people, in addition to another petition containing about 15,500 signatures, which I sent directly to the office of the minister responsible for social housing this morning.

These petitions are signed by social housing tenants from all parts of Quebec. They were given to me by the Quebec federation of low-rent housing tenants and by the citizens' committee of Saint-Sauveur, Quebec. These petitions include the signatures of 500 residents of Saint-Hyacinthe that were sent to me by my colleague from Saint-Hyacinthe—Bagot.

The petitioners wish to draw the attention of Parliament to their current precarious situation and their inability to afford the 20 per cent rent increase contemplated by the government. This increase will affect 110,000 Quebec households who live in social housing units and earn an average annual income of \$10,000. That translates into an annual rent increase of \$500 per household, which is totally unacceptable.

The petitioners urge Parliament to renounce any measures to save money that would impoverish tenants.

I totally and wholeheartedly support this petition and urge the government to take appropriate action.

[English]

JUSTICE

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, I rise before the House once again to present petition number 15 in the course of action undertaken on behalf of constituents who wish to halt the early release from prison of Robert Paul Thompson.

April 11 is the date set for the parole hearing. My colleague from Surrey—White Rock—South Langley shall be in attendance with me at this hearing.

The petitioners I represent are concerned about making our streets safer for our citizens. They are opposed to the current practice of early release of violent offenders prior to serving the full extent of their sentences.

The petitioners pray that our streets shall be made safer for law-abiding citizens and the families of the victims of convicted murderers.

GOVERNMENT EXPENDITURES

**Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.):** Mr. Speaker, it is my pleasure today to present three petitions to the House.

The first petition is signed by 150 of my constituents who are praying and requesting that Parliament reduce government spending rather than increase taxes.

The second petition is signed by 55 members of my constituency. The petitioners are praying and requesting that Parliament reduce government spending instead of increasing taxes and implement a taxpayer protection act to limit federal government spending.

(1220)

HUMAN RIGHTS

**Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.):** Mr. Speaker, the third petition is signed by members of my constituency who are praying and requesting that Parliament oppose any amendments to the Canadian Human Rights Act or the Canadian Charter of Rights and Freedoms that provide for the inclusion of the phrase sexual orientation.

[Translation]

CRIMES OF A SEXUAL NATURE

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Mr. Speaker, I have the pleasure of presenting five petitions on behalf of residents of Carleton—Gloucester.

[English]

The first petition is signed by 60 residents of my riding and deals with the Canadian Supreme Court decision that freed an alcoholic who raped an elderly disabled woman.

*Routine Proceedings*

The petitioners call upon Parliament to enact legislation to review the Supreme Court ruling file 23435 rendered September 30, 1994 and to enact legislation to address the repercussion of this ruling.

RIGHTS OF THE UNBORN

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Mr. Speaker, my second petition is signed by 40 of my constituents. It calls on Parliament to extend the same protection to the unborn child enjoyed by born human beings by amending the Criminal Code.

HUMAN RIGHTS

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Mr. Speaker, the third petition is signed by 149 people. They are asking Parliament not to amend the human rights code, the Canadian Human Rights Act and the Charter of Rights and Freedoms in a way that would tend to indicate societal approval of same sex relationships.

ASSISTED SUICIDE

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Mr. Speaker, I have two petitions signed by 71 constituents that call for Parliament to ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be retained without change and enforced in order that Parliament not sanction or allow the aiding or abetting of suicide or euthanasia.

[Translation]

YOUNG OFFENDERS ACT

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Finally, Mr. Speaker, the last petition was signed by 25 of my constituents who are asking that Parliament amend the Young Offenders Act to allow the courts to punish more severely those who are convicted of crimes with violence.

[English]

TAXATION

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, I have the honour to present three petitions on behalf of my constituents from Okanagan—Similkameen—Merritt.

The first one contains 73 signatures. The petitioners are requesting that Parliament oppose any attempt to alter our ability to provide for a secure retirement by way of taxation of assets or income from RRSPs and pension plans.

The second and third petitions contain a total of 225 signatures and deal with the same subject matter. They are calling on Parliament to reduce the federal deficit by reducing government spending and to refrain from any form of increased taxation.

I agree with my petitioners.

*Routine Proceedings*

**Mr. Jack Frazer (Saanich—Gulf Islands, Ref.):** Mr. Speaker, pursuant to Standing Order 36, it is my duty and honour to rise in the House to present a petition, duly certified by the clerk of petitions, on behalf of 120 constituents of Saanich—Gulf Islands and surrounding area.

The petitioners humbly pray and request that Parliament reduce government spending instead of increasing taxes and implement a taxpayer protection act to limit federal spending.

## HUMAN RIGHTS

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, I wish to present a petition on behalf of some constituents of Simcoe Centre, requesting that the Government of Canada not amend the Human Rights Act to include the phrase sexual orientation.

The petitioners fear such an inclusion would indicate societal approval of homosexual behaviour. The petitioners believe the government should not legitimize this behaviour against the clear wishes of the majority.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the following questions will be answered today: Nos. 104 and 110.

[Text]

Question No. 104—**Mr. Hermanson:**

Is there, or has there ever been an audit of the Canadian Wheat Board accounts and if so, (a) by whom, (b) are the audits publicly available, (c) how much money is owed to the CWB by foreign governments and (d) how much of that debt has been written off as uncollectable?

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** (a) The Canadian Wheat Board accounts are audited by an independent external auditor, Deloitte and Touche, Chartered Accountants. In addition, management of the Canadian Wheat Board is responsible for having good internal controls and formal policies and procedures to ensure the integrity and reliability of accounting and financial reporting. Management continually evaluates policies and procedures to ensure they meet the needs of the board and comply with current Canadian accounting standards. An internal audit group independently assesses the effectiveness of internal controls and recommends improvements.

(b) Audit results are published each year in the annual report of the Canadian Wheat Board which is tabled in Parliament and publicly available.

(c) As of 30 September 1994, the Canadian Wheat Board accounts receivable due from foreign customers totals \$6.901 billion.

(d) The Canadian Wheat Board has not written off receivables from foreign governments. The Canadian government has, however, agreed, along with other creditor countries to implement multilateral, Paris club, debt relief initiatives for Poland and Egypt. Zambia and Ethiopia received much smaller debt relief packages. The Polish debt relief package was created to assist that country in its transition to a democratic state in pursuit of market oriented reforms. The Egyptian debt relief agreement was made to enable Egypt to recover from the aftereffects of the gulf war. In neither case was the debt relief granted because the debt was considered to be uncollectible.

About \$522 million will be drawn down in this fiscal year from the allowances of the Government of Canada for general contingencies which were created in 1990. Further drawdowns will be made in fiscal year 1995–96 to complete debt relief operations for Poland and Egypt.

Poland's debt to Canadian government agencies has been reduced by about \$216 million. After debt reduction, Egypt's debts will be reduced by \$279 million. Egypt and Poland are servicing the remainder of their debts punctually.

Question No. 110—**Ms. Beaumier:**

With respect to reports by non-governmental organizations that Vietnamese refugees interned in Southeast Asian camps are being subjected to inhumane treatment by host governments, (a) is the government investigating these reports and (b) what action does the government plan to take with respect to these alleged human rights violations?

**Hon. André Ouellet (Minister of Foreign Affairs, Lib.):** The specific non-governmental report cited by the member in this question is Amnesty International Calls for Action to Protect Asylum-Seekers, AI Index ASA 19/WU 03/94.

Although cognizant of allegations of human rights abuses in Hong Kong refugee camps, the government was not aware of this specific report prior to the member's question.

As an active supporter of the comprehensive plan of action, CPA, on indochinese refugees, Canada recognizes that persons who are not refugees should return to their countries of origin. The group under discussion was determined by authorities not to be refugees. At the same time, the Government of Canada prefers that humane methods be used to ensure the safe repatriation of these individuals.

The Government of Canada recognizes that the protection of refugees and asylum seekers falls under the mandate of the United Nations high commissioner for refugees, UNHCR, and will continue to work with the UNCHR to bring the CPA to a successful conclusion.

[English]

**The Deputy Speaker:** The questions as enumerated by the parliamentary secretary have been answered.

\* \* \*

### STARRED QUESTIONS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, would you be so kind as to call Starred Question No. 86.

[Text]

\*Question No. 86—**Mr. Deshaies:**

Regarding service, supply and leasing contracts awarded by Public Works and Government Services Canada, (a) how many such contracts have been awarded in Abitibi since October 25, 1993, (b) what amounts are involved, (c) to whom were these contracts awarded?

**Hon. David Dingwall (Minister of Public Works and Government Services and Minister for the Atlantic Canada Opportunities Agency, Lib.):** The information requested is not available in an existing document and it cannot be produced within the department's routine operations. The manual and electronic data banks of the four distinct organizations which existed prior to the merger forming the department of Public Works and Government Services have not as of yet been integrated or updated. To compile information which represents the contracting activities of the entire department, an in-depth search would have to be conducted throughout the many sectors of the department and their data banks.

The department does not currently have the capability within its routine operations to produce accurate statistical information for all of its contracting activities within electoral boundaries.

The department is presently considering the various options available to it to update and integrate its various information holdings.

As an alternative approach to providing contracting information to members of Parliament, efforts have been made to facilitate access to the open bidding service, OBS. The OBS is a user-pay electronic bulletin board which publicly advertises contract opportunities, notices of planned sole-source contracts, as well as notices of contract awards. Through the OBS, contract histories are also available, allowing subscribers to find information on OBS contracts that have been awarded in the past, to whom, and for what amount.

In addition, PWGSC's publication, "Government Business Opportunities", GBO, is published three times a week and provides similar information on federal government procurement. The GBO is available to members of Parliament free of charge through the federal government depository services program.

### Routine Proceedings

Please note that this type of information for the whole province of Quebec is available in the answer to question Q-93 tabled this day.

[English]

**Mr. Milliken:** Due to the length of the answer I ask that it be printed in *Hansard* as if read.

\* \* \*

### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, if Question Nos. 21, 85, 93 and 124 could be made Orders for Return, the returns would be tabled immediately.

I want to say with respect to Question No. 21 that it is a long outstanding question on the Order Paper. I am pleased the answer has been completed and I know the hon. member will find it quite marvellous.

(1225)

With respect to Question No. 93, we have had a lot of bleating and whining in the last few days from the hon. member for Quebec East. I am pleased to table the answer to the question. This is the French version. I have an English version that is of similar size. I am only tabling one copy in the House to avoid having six boxes here today.

The hon. member says that it has taken a long time to answer this question. He is correct. Over 1,000 pages of material have been gathered painstakingly by the department. When I assured him the other day that public servants were working on this matter I was correct. I know now that he will see I was correct and I hope he has a nice weekend reading the answer.

**The Deputy Speaker:** Is it the pleasure of the House that Questions Nos. 21, 85, 93 and 124 be deemed to have been made Orders for Return?

**Some hon. members:** Agreed.

[Text]

Question No. 21—**Mr. Harper:**

What are the Departmental and Ministerial guidelines that the Minister of Transport uses in the determination of awarding a specific international air route to a specific Canadian airline?

(Return tabled.)

Question No. 85—**Mr. Cummins:**

In regard to Dr. Paul LeBlond, Joe Scimger, Dr. Dick Routledge and David Brander-Smith (members of the Independent Review Board inquiring into the government's management and enforcement effort on the Fraser River), (a) what departmental advisory committees (including the Pacific Salmon Commission) do these individuals sit on or have sat on since 1980, (b) what work, papers, reports, or the like have been or are being undertaken by these individuals, their firms, or their respective university departments on behalf of federal departments, and their agencies (including the Pacific Salmon Commission) since 1980, (c) what submissions or proposals have been submitted by these individuals, their firms, or their university departments in 1993 or 1994 to government departments, and their agencies (including the Pacific Salmon Commission) that have been approved, turned down, deferred, or have yet to be fully considered, (d) what is the amount of payment that

*Government Orders*

these individuals, their firms, or their university departments have received from the Federal Crown, and its agencies (including the Pacific Salmon Commission) since 1980, (e) what remuneration will these individuals receive for their participation on the Independent Review Board?

(Return tabled.)

**Question No. 93—Mr. Marchand:**

What contracts for services, supplies and leasing have been awarded by Public Works and Government Services since October 25, 1993, in all federal constituencies in Quebec, and what federal government properties are located in those same constituencies?

(Return tabled.)

**Question No. 124—Mr. Hermanson:**

With regard to regional ministerial offices, for every year since 1988, (a) what is the number of regional offices, (b) where are these offices located and (c) for each office (i) what was the date of opening, (ii) what was the date of closure (if applicable), (iii) how many persons are/were employed by each office, (iv) what is/was the budget of each office, (v) what proportion of that budget was spent, (vi) what percentage of these funds were spent on office administration, salaries, capital costs, outside contracts and hospitality, and (vii) what are the guidelines under which these expenditures are made?

(Return tabled.)

[English]

**Mr. Milliken:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Deputy Speaker:** Shall the remaining questions stand?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[Translation]

### YOUNG OFFENDERS ACT

The House resumed consideration of the motion. That Bill C-37, an act to amend the Young Offenders Act and the Criminal Code, be read the third time and passed.

**Mrs. Christiane Gagnon (Quebec, BQ):** Mr. Speaker, I welcome this opportunity to speak once more against the bill before us, Bill C-37.

I am sad to see that the government keeps wanting us to pass yet another bill tinted with a social policy that goes against the wishes and reality of the people of Quebec as well as the interests of the people of Canada.

On this issue as on many others, we, in Quebec, do not regard or live the juvenile delinquency problem the same way as

English Canada does. As I said eight months ago, the rate of juvenile delinquency in Quebec is the second lowest in Canada, after Prince Edward Island. In Quebec, the detention rate for young offenders is the lowest in Canada.

When you put these two facts together, you can see that a more systematic and lengthy detention, as proposed in the bill, has no bearing on the rate of juvenile delinquency. That is what we found out in Quebec.

In Quebec, we believe that where the real problems with the judicial handling of young offenders lie is with undue delays before sentencing and a settlement rate of 29 per cent at best for problems related to crime. This means that 71 per cent of young offenders get the idea they can do it again with complete impunity.

In Quebec, we also believe that the first thing to do is to deal with the social roots of violence. We believe in eradicating poverty affecting women and their children. In Quebec, we believe in making easier the access of women and their children to shelters, so that they can escape family violence. In Quebec, we believe in improving access to social housing so that young people can be brought up in a healthy environment. In Quebec, this is the approach generally favoured.

These points quite naturally demonstrate that Quebec society is opposed to any change to the existing legislation, because, if used wisely, it can achieve different results depending on the situation. Unfortunately, it is not the Quebec approach that the federal government wants to impose on us. The quick fix the government would have us adopt is a heavy-handed approach.

This government is inconsistency personified. For instance, it blithely reneges on its campaign promise that it would not reduce transfer payments to the provinces, payments which help to improve the quality of life of the neediest in our society, including women and children, while it insists on keeping those with more devious public appeal.

How do we reconcile statements by the minister that there has been no increase in violent crime in Canada with Bill C-37? The answer is simple: this bill fits nicely into the latter categories: the promises the party has to keep if it is to maintain its standing in the polls.

This is outrageous, and this so-called social policy should be seen for what it really is: a campaign promise based not on reality but on myth, a campaign promise whose impact will be extremely harmful, and finally, a campaign promise that smacks of the extreme right wing.

*Government Orders*

(1230)

We condemn this clumsy attempt by the government to make political gains at the expense of minors. This is not the Quebec way. The end, the means and the probable results are equally unacceptable.

It is common knowledge that increased sentencing and the incarceration of young offenders in prisons for adults are the easy way out and are more likely to provide opportunities for the homosexual exploitation of young people than for rehabilitation and for training these people to be responsible citizens. It is also common knowledge that the amount of time spent in custody is not a factor in treatment and social reintegration, and that five years are ample, since the impact on young people is different.

Two experiments conducted in the United States, which were similar to those proposed by the Minister of Justice, produced negative results.

I would now like to discuss the position of the victims who are supposed to benefit as a result of amendments to the legislation, and I am referring to women. I have already pointed out that a number of women's groups do not support the proposed amendments.

During the six months elapsed since the second reading of this bill, the government has failed to convince women that the proposed changes will help reduce violence against women. Women know perfectly well that young boys, who constitute the vast majority of offenders affected by the legislation, do not represent a threat to women, although the legislation is also supposed to be a way to reduce violence against women. I may refer hon. members to the findings of a wide ranging survey by Statistics Canada on violence against women, published in November 1993. According to the survey, one woman out of two was a victim of violence and, in the vast majority of cases, the aggressor was known to the victim.

In this instance, aggressor refers to the spouse or ex-spouse, not an unknown adolescent. We must look at the facts. Women who fall prey to violence are the targets of someone with whom they are having or have had an intimate relationship. In discussing the problem of violence against women, a possible role of a juvenile delinquent does not even come to mind.

Other important players, by virtue of their position in society, have also spoken out against this government bill. Think for example of religious communities whose apostolic mandate permits them to evaluate social policies from a global perspective. Moreover, the Church Council on Justice and Corrections argues that these presumably draconian measures do not provide a legitimate solution to juvenile delinquency. The "law and order" approach seems to calm public fears for the time being, but it does not address the true problems of juvenile crime. What

is worse, it fosters false hopes given the ad hoc and simplistic nature of the legislation.

I would like to point out that this view is shared by the Canadian Conference of Catholic Bishops, the Quakers, the Mennonite Central Committee of Canada, the United Church of Canada and the Oblate Community of Manitoba.

There is also the scientific community whose research on dealing with juvenile delinquency does not in any way support the conclusions reached by the justice minister.

This would be the result of the proposed amendments. They would help neither the victims nor the young persons. They do not in any way address the problems with which young Canadians are grappling.

Above all, no consideration whatsoever is given to the specific nature of Quebec. What a great example of federalism. This bill, conceived purely with elections in mind, will unfortunately harm individuals who in fact need the government's help, that is the victims and young persons. Instead of giving women's organizations the necessary funding to help deal with the effects of violence, it would imprison the most vulnerable in our society, our young people. Another opportunity wasted.

[English]

**Mr. Bob Ringma (Nanaimo—Cowichan, Ref.):** Mr. Speaker, I am pleased to rise in the House today to address Bill C-37, an act to amend the Young Offenders Act.

This is an issue about which my constituents feel very strongly. That is probably true across Canada. Not a day goes by without my office receiving a letter on this subject. Two weeks ago I presented a petition with 16,300 names calling on Parliament to revise this act in a more meaningful way.

(1235)

The organizer of the petition is a constituent of mine, Mr. Bernard Castet. Mr. Castet became involved in this issue after his young son, André, was brutally and senselessly beaten and killed by two youths.

It is hard enough for a parent to handle the loss of a child but Mr. Castet's grief was further compounded by the fact that these two young offenders would be tried in youth court for this vicious and unprovoked attack.

It is a sad reality of the current act that Mr. Castet had to go to court to fight the system in an effort to have the two youths raised to adult court where, if found guilty, they could receive the type of sentence that would match the crime. After months of hearings, the court has now ruled that these two accused killers will be tried as adults. However if the government had accepted Reform's amendments to the bill, others like Mr. Castet would not have to go through this same trauma.

*Government Orders*

One such amendment called for any young offender charged with murder, attempted murder, manslaughter, aggravated sexual assault and aggravated assault to be tried in adult court. This is also the substance of Mr. Castet's petition.

The Reform Party, along with Mr. Castet and the more than 16,300 people who signed that petition, believe such an amendment would be a positive step, not only in terms of meting out punishment to fit the crime, but also as a deterrent factor. Admittedly the justice committee did put forward a compromise amendment but it is still less than what the public demands and desires.

Reform also called for a lowering of the age definition by two years from 12 to 17 years inclusive to 10 to 15 years. Most people, except the government, seem to agree that if a person is old enough to get a driver's licence and have many other societal responsibilities, that person is old enough to be accountable for his or her actions in adult court. Such a change in age limits would also prevent young offenders from slipping through the cracks of the current legislation.

Mr. Castet and his 16,300 petitioners also agree with the Reform Party that the extra privacy provisions of the Young Offenders Act are inappropriate for violent or repeat young offenders. In these cases, the publishing of names would make protection of the community the number one priority.

Reform also supports amendments to make parents more accountable for the actions of their children. This accountability would take the form of compensating victims for property crimes if it can be demonstrated that there was not a reasonable effort to exercise parental control.

While Reform members advocate such things as stiffer penalties for serious crimes, we are not looking to lock up all young offenders nor do we believe that even the most hardened young offender is beyond rehabilitation. A further Reform amendment posed just such an approach, calling for rehabilitation opportunities to be emphasized in a disciplined environment.

I would like to take a minute to address another item that I have brought up in the House before. I would like the House to consider seriously the whole matter of the punishment of young offenders.

Looking at the situation facing us today, young offenders are put away but they lose none of their rights. They can go with their hair whatever length they want. They have colour TV. They have all the rights in the world. There is no sense of punishment or discipline. A movement was started in the United States called boot camps. I approve of the thrust of this movement because it disciplines young offenders. They cannot go into a punishment facility with their own agenda. If they are found guilty of something they have to follow the agenda of the boot camp.

(1240)

I have stood here before and spoken of my experience in the past, not as an inmate of a Canadian army detention barracks but as an observer of one. The basic thing about a detention barracks was that the inmate obeyed every rule immediately. After having served his minimal time he swore that he would never go back to that facility again. He was not abused. He was not beaten. He was simply made to toe the line. This works.

The other big benefit of this scheme where inmates are disciplined and made to follow our agenda and not their own agenda is that it is cost effective. Young offenders or anyone else for that matter, even an older offender, can be put in such a facility and in 30 days they are ready to obey the rules of society. It will have an effect that 60 days or 90 days or half a year of doing what they want in a youth facility will not have.

I will wind down that portion of my pitch to the House in pleading with all members to please let us take a look at the effectiveness of such discipline on young offenders particularly, but on others as well.

In conclusion, in carefully reviewing the bill I fully appreciate the efforts the Minister of Justice has made to try and satisfy the various special interest groups which make up the Liberal Party. It is a formidable task. However, in doing so the minister has put forward yet another piece of middle of the road legislation which has become the trademark of all Liberal governments.

Unfortunately the vast majority of Canadians want decisive action on this issue, not this watered down liberalism. On behalf of Mr. Castet and his late son André, I urge the government to hop off the fence and make the necessary changes to this important legislation.

If I have two minutes left I am going to once again return to my pitch and plead with the public as well as the members of the House to consider running boot camps or military style detention camps. For a minimum period of incarceration these camps will have a disciplinary effect for life on the people subject to that sort of punishment. It does not inflict physical harm. It simply says: "You obey the rules of this establishment. You do not have rules of your own". In so doing, it brings them around to saying: "Yes. Maybe I had better pay attention and listen to what society is telling me".

[Translation]

**Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ):** Mr. Speaker, it is of course my pleasure to take my turn to speak on Bill C-37. As my colleagues already mentioned several times, the Bloc Québécois finds this bill totally unacceptable for many reasons. The short time I have been allotted only allows me to gloss over the four main reasons.

As I said, there are four major reasons why we do not accept this bill. Firstly, the bill's methodology is incoherent; secondly, in many respects, it is poorly designed and is very ambiguous;

*Government Orders*

thirdly, it imposes on Quebec nation wide legislation, although we already have the best system in this area in Canada; fourthly, it is doubtful the bill will be effective.

(1245)

This bill is incoherent. I hope that my hon. colleague will listen, and he will see what I mean. The minister is proposing important changes to the act that the committee will be carefully studying later on. Obviously, the time to do a study is before and not after the changes are made. This is a classic case of putting the cart before the horse. Furthermore, the Quebec Bar Association's paper, from which I will read a few passages, fully agrees with this analysis.

The bar association stated that, regarding this issue, it could only deplore the decision to start by amending the law, and then to backtrack and carefully study the legislation and juvenile delinquency. In addition to acknowledging Quebec's success in the area, starting at the other end would have made it easier to identify the specific mechanisms needed for the system to work well and the preliminary study of juvenile delinquency would have allowed to take stock of the outcome of the 1992 changes. This bill has already been amended. No one has evaluated the consequences, yet, we are getting ready to once again amend it and to do studies after the fact.

And the bar association ended by saying that it had reached the inevitable conclusion that Bill C-37, currently under consideration, should be withdrawn. It acknowledged that this was politically out of the question and that the minister had doubtless already made a public commitment. It proposed that the minister at least suspend consideration and first study the situation of crime among young people and look at the overall structure of the Young Offenders Act and then only return to the legislative amendments.

There is another reason we find this awkward and highly ambiguous bill unacceptable. We have cited many ambiguities here in the House in the past few days, since we started discussing the bill. I would like to draw attention to some of them, in passing, before going on to other points.

Clause 1 of Bill C-37 introduces statements of principles into the act to the effect that crime prevention is essential to the protection of society and that a multidisciplinary approach is required to put an end to the problem.

Clause 15 of the bill provides that custody is not a substitute for appropriate child protection or health measures. It also provides that the courts should consider other alternatives before contemplating custody. Such statements are entirely in keeping with the Bloc's statements, of course. However, the bill does not speak about the actual alternatives. The bill talks of alternative solutions, but no effective measures are provided to carry them out.

Another argument is as follows. One of the major points of this bill is the amendment to arrangements for transfer to an adult court. Under the current system, youth court is supposed to bear society's interests in mind, notably public protection and social reintegration of the young person; at the same time, it must ascertain whether these two objectives can be reconciled while retaining jurisdiction over young persons. Otherwise, the young person must be transferred to adult court.

Clauses 3 and 8 of Bill C-37 introduce amendments providing for 16 or 17 year olds charged with criminal offences involving serious bodily harm to be automatically transferred to adult court. These criminal offences are first or second degree murder, attempt to commit murder, manslaughter, aggravated sexual assault and assault. Bill C-37 stipulates that a young person sent directly to adult court could nevertheless ask a youth court judge to hear his case.

(1250)

In cases of 16 or 17 year olds charged with serious bodily harm, the burden of proof is thus reversed in regard to transfer to adult court. This young person would in fact have to convince the youth court that it is suited to judge his case. Under present provisions, the crown must convince the judge to transfer the young person to adult court.

Thus this serves to create a hierarchy of age groups in respect of the courts. However, while the legislation does not distinguish between 12 to 15 year olds and 16 and 17 year olds, these amendments will change the way they are dealt with for offences involving serious bodily harm. Certain lawyers might argue that this represents a violation of the right to equality before the law granted under section 15 of the Canadian Charter of Rights and Freedoms.

On the other hand, subclause 13(3) of the same bill provides that maximum sentences imposed for first and second degree murder be increased from five years to ten and seven years respectively. In cases of first degree murder, the maximum period of custody is six years to be served continuously and seven years for second degree murder, with four years served continuously.

These harsher sentences are not justified given that homicide rates have dropped since the 1970s. Furthermore, it seems that 16 and 17 year olds are responsible for the vast majority, or about 60 per cent, of murders committed by teenagers. The bill provides that they will be transferred to adult court and tried according to adult rules. The impact of these increased sentences will not be as significant as one would think at first. Everything seems to indicate that the burden will fall mostly on the shoulders of 12 to 15 year olds, something which is not justified by crime statistics.



*Government Orders*

Finally, the act was amended before in 1992, as was pointed out earlier, to increase sentences to five years in murder cases. Since statistics are not up to date, there is no way to check the effect of the 1992 amendment at the present time. How can another amendment be justified at this stage? Why not wait to find out the impact of the 1992 amendment before taking more repressive measures? That is what the bar association is wondering.

Finally, this is a Canada-wide piece of legislation, which would force Quebec to adopt procedures when Quebec already has its own rather remarkable ways of doing things. I would like to, once again, quote some of the comments made by the bar association: "It is important to note that Quebec did not address the problems in the same way as the rest of Canada. As a result, the problems are rarely experienced in Quebec and it would therefore be more appropriate to preserve the overall status quo than to modify a proven system. On the other hand, we must conclude that the same results could be achieved in the rest of Canada with adequate material resources".

The bar association recognizes that one of the major flaws in this bill is the lack of resources that we are willing to allocate to our young people's social reintegration. I would also like to mention what a colleague from the Liberal Party, the hon. member for London West, said recently. I think she is absolutely right. She said: "If I were a youth in trouble with the law today, I would much rather be in Quebec than anywhere else in Canada. Quebec takes a much more progressive interpretation of the Young Offenders Act. More diversions tactics are used to prevent young people from being tried. I think that we can and must follow its lead".

But it is not the case here. The federal government is not following the lead of Quebec, but rather trying to impose upon Quebec an unduly punitive legislation under the circumstances, since, as we know and as my hon. colleague from Quebec just mentioned, Quebec is the province who achieves the best results while using the least repression.

Finally, one can very seriously doubt the effectiveness of this legislation because nothing, at present, indicates that crime is reduced in inverse proportion to the length of sentences. I will conclude on this. At the same time, and many of our colleagues raised this point, the public is being hugely sensitized to crime nowadays.

(1255)

Just take the United States, the best example of a place where you find both maximum repression and maximum crime. We do not think that the present circumstances justify a stiffening of legislation to solve what is more than anything else a profound

social problem that requires a multidisciplinary approach. And in this respect, Quebec's lead should be followed.

[English]

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, it is a pleasure today to speak to something as important as Bill C-37, an act to amend the Young Offenders Act and Criminal Code.

This bill is in response to the increasing tide of violent crime. It especially is in response to the cries for justice from a public that is fed up with being terrorized by criminals, youth and adult alike, and seeing a judicial system inadequate to protect them and their property. It also responds to the cries from police who find the system which has been set out to deal with convicted criminals to be completely inadequate.

The frustration has been so extreme that some individuals in my riding who have been harassed by youth criminals have even suggested corporal punishment as a disincentive. Given some of the situations these people have been in, I cannot say I disagree with them.

I agree with this bill's initiative and will support it. However, I and my party believe the bill does not go far enough. In my speech I will deal with the principles of the bill and put forth some constructive criticisms and additions that I hope the minister will consider.

I agree with the increased penalties particularly for violent offences such as first degree and second degree murder and also the movement of 16 and 17 year olds to adult court at the discretion of the judges for violent offences.

I would agree with the principle of discouraging lengthening incarcerations in secure custody for non-violent offenders as I do not think it will serve the offender nor will it serve society well. However, we must also ask ourselves what this will be replaced with. Nowhere in this bill do I see this addressed.

One of the greatest problems in youth criminal behaviour is not only the violence but also the non-violent criminal acts which encompass a much larger number of criminal behaviour. Many youths who commit these acts for example, break and enter and auto theft, often repeat them many times over. They are convicted, penalized, incarcerated and released, only to repeat the sad cycle of breaking the law once again. The public and the police are understandably frustrated.

Justice must be served in a number of functions. The first one is the protection of society. The second one is the rehabilitation of the criminal. The third is the restitution to society and the victim. There should also be a disincentive to offend. The justice system has failed in many cases on all three fronts. All you need to do, as I said before, is to speak to those individuals who work in the system to know this is so.

We in the Reform Party have suggested that the convicted must pay back to the victim or society in some substantive fashion, for example by way of work or money. Also, to effect rehabilitation part of the penalty must be obligatory; the youth

must engage in school or a training program to provide him or her with the skills needed to be a productive member of society. This can similarly be applied to counselling and psychiatric services that the courts feel the offender must take. The offender must also be an active and willing participant in this, for not to do this would defeat the whole purpose of rehabilitation.

Relating to the rehabilitation of the young offender or lack thereof, many of these youths offend and reoffend. We must ask ourselves why this is so. Part of the reason is that tragically many of them themselves find that secure custody is a better environment than the one they come from.

This was graphically illustrated to me by a patient I saw not too many years ago. This young man of 15 stood in front of me prior to his release and pleaded with me to stay in the maximum security youth detention centre. He said: "Dr. Martin, if you let me go, I will go out and reoffend". That broke my heart. It was tragic. It brought to my mind that there was something desperately in need in our system if we had a young offender who had to say that. These young people need to be removed from the environment they find themselves and sent far away from the city to perhaps a setting in a rural area away from the drugs, the alcohol, the sexual abuse and the violence they are subjected to.

(1300)

A change in environment is absolutely imperative for their rehabilitation. Also important is the length of time they are subjected to this change. They must be away from these destructive environments for a long period of time. I cannot emphasize that enough. It requires a long period of time to effect a change in behaviour and undo the damage of the many years of destructive influence they have been subjected to during their formative years. Repeat young offenders need stable, disciplined and constructive environments not for months but for a year or preferably longer.

Some may consider this suggestion harsh, but the idea is to get them into an secure and safe environment of normalcy where they can start to address the psychological and behavioural reasons they commit crimes. This cannot be done in the destructive environment in which many offenders find themselves, regardless how many dollars are spent on social workers and counselling. It will not work.

We will not change much by putting these individuals either into halfway houses or community rehabilitation centres for a few months, the reason being that they are in close proximity to the same environment they were in before. Therefore they are subjected to the same stresses that bred criminal behaviour in the first place that we see manifested in society.

### *Government Orders*

Also the Reform Party has suggested that parents who wilfully abrogate responsibility for their children must also be held accountable. This could be in the form of fines imposed on parents.

Finally I address the penalty for violent crime. I agree with the lengthening of sentences. I suggest to the minister that another aspect is not addressed in the bill. Youth and adults who commit violent offences and are deemed to likely reoffend at the end of their sentences should continue to be held in custody until such time as they do not pose a threat to innocent people.

The rationale behind this idea comes from our belief that the rights and protection of victims in society are of the greatest importance with regard to justice. In the past I believe the rights of the victim have been violated and in our perception the rights of the convicted have been held at a higher level than those of the innocent.

The bill talks about the consideration of victim impact statements along those lines prior to sentencing. Rather than making them a consideration they should be made obligatory. It should be the right of the victim to give an impact statement at the time of sentencing.

I will address the prevention of crime. I do not have the answer but I would like to give a few insights having worked in the system both as a guard and as a physician. As we have all agreed the causes of crime are multifaceted. As I have said before many youths who commit crimes tragically come from horrendous family situations, often broken families, and are subject to the improper or inadequate parenting, sexual or physical abuse and alcohol and drug abuse often rampant in their history. Many children are born into these tragic situations and develop personality and psychological traits and behaviours that can lead to criminal behaviour.

The number of individuals subjected to such a tragic environment are increasing. Thus the number of people who suffer psychological dislocations as children that are manifested in criminal behaviour as adults will also increase. This will result in an increase in social costs in many areas, only one of which is criminal behaviour.

We should address the contributing factors that produce criminal behaviour. Children must be taught early at the beginning of their school years about appropriate behaviour, self-respect, respect for others, personal responsibility, what drugs, alcohol and sexual abuse are about, in addition to their *a, b, c's*. It must happen at a very early age, at the age of five or six.

(1305)

The parents could also be brought into the classroom so that they too could learn the value of important parenting and those lessons they may not have been subjected to as children. As

*Government Orders*

individuals we must learn these things if we are collectively to have a safe, responsible and law-abiding society.

If we are to address the antecedent issues to youth crime it will serve not only current youth offenders but will hopefully prevent those who normally take the path to criminal behaviour from doing so. It is an advantage to them and for the protection of society.

[*Translation*]

**Mrs. Madeleine Dalphond-Guiral (Laval-Centre, BQ):** Mr. Speaker, in June 1994, the Minister of Justice proposed the second reading of Bill C-37 and its referral to a committee for review.

The standing committee on justice recently made 28 amendments which do not significantly change the original piece of legislation. Indeed, the repressive nature of the bill remains intact and the current version once again overlooks the issue of social reintegration and rehabilitation of young offenders.

Today, Bill C-37 still only meets one objective: to silence Liberal hard-liners and to try to please those of the Reform Party.

The bill is very simple; yet, its scope will greatly change the government's view of the issue of juvenile delinquency and the way to deal with it.

Indeed, this legislation significantly changes the statement of principle governing the current law by stating the following, and I quote: "the protection of society, which is a primary objective of the criminal law applicable to youth, is best served by rehabilitation, wherever possible, of young persons".

Bill C-37 also provides harsher sentences for young offenders, as well as an automatic appearance before an adult court for 16 and 17 year olds who commit serious crimes.

Finally, Bill C-37 proposes a major change to the current legislation by specifying that the professionals involved will be allowed to exchange information on young offenders, and that the records of these young offenders will be retained by police authorities for a period of ten years in the case of serious crimes and three years for other offences.

In 1984, the Juvenile Delinquents Act was replaced by the Young Offenders Act, which then applied exclusively to young people aged 12 to 17.

Its purpose was to make young offenders accountable for their criminal behaviour, even though their degree of responsibility may differ largely from that of adults. A responsibility was also put on society in the sense that, while the population has the right to be protected from acts which threaten its safety, crime prevention does remain an important social responsibility.

As a result, young offenders had the right to equitable treatment, since their youth and degree of maturity required particular assistance of a sort not available from the justice system for adults.

In this spirit, the 1984 act prohibited the media from divulging the identity of an accused young person or that of witnesses called to appear. The ban did not last long. In 1986 the act was amended to allow the disclosure of the identity of a young person sought in connection with, charged with or found guilty of an offence and considered to be a threat to public security.

In 1992 the Conservative government again amended the Young Offenders Act, increasing the sentence for murder from 3 to 5 years. Also introduced at this time was the principle that a young offender could be tried before an adult court if measures to ensure public safety were inadequate.

There is no doubt that this bill will mean harsher sentences for young persons and an important shift in the act's declaration of principle.

(1310)

In actual fact, the harshness of sentences for serious crimes or offences will be reflected in an increase in the number of years of detention. Thus, in the case of first degree murder, the sentence will be increased from 5 to 10 years, and in the case of second degree murder, it will be increased from 5 to 7 years, during which time these young persons will not be eligible for parole.

A number of specialists and other parties interested in the field of juvenile delinquency have observed that the severity of sentences for serious crimes plays a very small role in deterring young offenders.

A number of studies, need I remind you, have shown clearly that individuals who commit serious crime are unable to contemplate the consequences of what they have done or of what they are about to do. Generally speaking, there are three categories of young delinquents involved in serious crime. The first category comprises those whose psychological state or mental health is fragile. With the help of appropriate rehabilitation programs, the young people in this category have every chance of recovering and finding their place in society.

The second category comprises young delinquents who commit misdemeanours, and, under unforeseen circumstances, do the irreparable and commit murder or some other serious crime.

Finally, the third category comprises 16 and 17 year olds guilty of serious crime, because their delinquent past has led them to where they are. This is juvenile delinquency at its most serious. These young people are referred to adult court, because prevention and rehabilitation have failed.

*Government Orders*

It must be said that the majority of young offenders are in the first two categories.

A number of studies would tend to indicate that the rate of homicide among young people has hardly increased in recent years. A document published by the Department of Justice in May 1994 reveals that, in recent years, the number of people under the age of 18 suspected of homicide has been considerably lower than in the 1970s. Between 1974 and 1979, police had an average of 60 homicide suspects under 18 years of age annually, whereas, between 1986 and 1992, the average was only 46.

The public appears more sensitive to violence among young people, however. It really seems that people overestimate the incidence of acts of serious violence. Consider for example a survey carried out in 1992 indicating that "Canadians believed that violent crimes accounted for 30 per cent of all crimes committed".

In reality, only 10 per cent of crimes are violent. Reality is often distorted by the media which for obvious reasons often stress sensational crimes, thus leading the public to believe that the rate of violent crime has risen sharply.

In the opinion of the official opposition, the repressive measures contained in the present bill are far from being justifiable in all cases of juvenile delinquency. All the more so since the present legislation already includes measures to punish offenders guilty of serious offences.

The statement of principle proposed by the justice minister in Bill C-37 leaves the door wide open for repressing crime rather than preventing it. How else does one explain that this bill does not contain a single new provision in respect of prevention, rehabilitation or reintegration.

In Quebec and certain provinces in Canada, such as Ontario, the approach to young offenders focuses on prevention, rehabilitation and reintegration. Several studies including the Boscombe study have demonstrated the advantages of this approach.

It is true that several provinces in Canada do not have sufficient structures and resources at their disposal to proceed this way. So one might think that repression is the easiest option to choose.

(1315)

Over the last few months, everyone in the judicial sector has criticized this bill because it ignores the issue of rehabilitation and reintegration. Juvenile delinquency cannot be looked at in isolation from a strictly judicial point of view; other much deeper factors that cause delinquent behaviour in young people must be taken into consideration.

Juvenile delinquency as we now see it is like a mirror held up to society. Without facing this reality, we cannot stem delinquency at its root.

Mr. Speaker, I would like to ask you the following question: Does Canadian society have the right to choose the simplistic solution of punishment, and to pass this off as the fulfilment of its responsibilities in this matter?

The official opposition thinks not, and I am certain that this is not what Canada wants.

[English]

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, I appreciate the opportunity to speak on this bill. I have had a lot of feedback from my riding that people are very dissatisfied with the way the Young Offenders Act works at present. I know from the feedback I am getting that they are also dissatisfied that the provisions of the bill do not go nearly far enough.

I conducted an electronic referendum on the Young Offenders Act, the first of its type, certainly in North America, during last year. I would like to cover a few of its results which fortify the belief that this bill does not go far enough.

I would like to cover a bit of the background on the Young Offenders Act so we know what we are talking about. The Young Offenders Act, Bill C-61 at the time, was passed in 1984, replacing the 76-year old Juvenile Delinquents Act of 1908. It had been around for a long time and it was generally recognized to be out of date and overly rigid.

Shortly after its passage the Young Offenders Act was also found to be somewhat rigid in certain aspects. Therefore, in 1986 Bill C-106 was passed, making changes to the sections of the Young Offenders Act dealing with the short term incarceration of juveniles awaiting preliminary hearings, the compilation and disclosure of criminal records of young offenders, and some other aspects of the law. Sentencing rules for first and second degree murder were toughened in 1992 by Bill C-12.

The government of the day carried out a poll in 1991 when it had made some changes to the Young Offenders Act in early 1990. The poll question asked: "The federal government has recently introduced legislation which would increase the sentences received by young offenders, 18 years or younger who commit crimes like murder. Do you approve or disagree with this legislation?" The results were remarkable. Eighty-eight to 90 per cent of the people polled felt that the sentences were not nearly tough enough.

I still see the same sort of result coming today from the referendum that I held in my riding. In answer to the question of whether there should be automatic transfer to adult court for serious crimes such as murder, over 95 per cent of the 5,500 people who responded said yes. To the question of whether there

*Government Orders*

should be a special category in the Young Offenders Act for repeat and dangerous offenders, 97 per cent answered yes. There is a sense in the community that people are not safe under the present Young Offenders Act.

My office is in a building that has a McDonald's on the bottom floor, and often a crowd of young people gather there on the weekends. Sometimes graffiti, urine and other things appear over the weekend. I have spoken to the RCMP about it, as have many people who live in the area. The police seem to be very limited in their ability to deal with the situation.

The residents who live in the area are very upset that nothing gets done. They see the police arrive to try to break up minor fights and so on and they hear these young offenders telling the police to f-off and get out of there. It has reached the stage that if the average person on the street witnesses a youth crime and tries to do something about it by calling the police, the whole exercise will turn out to be totally unsatisfactory for everyone involved; for the person who reported it, for the police, and for the people who had the damage done to their property. The only person who seems to get off scot free is this young offender who gets released right away and does not seem to have to pay any penalty for what he or she did.

(1320)

In a semi-famous case that was printed in our local newspaper, I recently had the mother of a young offender come to my office. Shortly after arriving she burst into tears. She could hardly tell me the story. She had a son who was a young offender. He was a repeat offender. She had pleaded with judges. She had pleaded with people to get tough on this young guy and give him a sentence.

Unfortunately it seemed this kid was constantly given another chance. His crimes progressively got worse. Finally he was picked up on a series of break and enter charges and minor assault. The mother decided this time she would not bail him out; she would not do anything to get him out. She begged that he be put in jail. Of course a lawyer was engaged to defend the young man when he appeared in the courts. He was let out right away.

The first thing he did was to set fire to his family home. That same evening he burned down the family home because his mother had stood up and said something has to be done about this young man. The next day he was back in our local area serving pizzas as usual.

It is a pretty bad situation to have that going on in our society. The people in my riding certainly feel this bill is not going to address those sorts of problems.

I go back to the referendum that was held in my riding. It was one of the biggest samples ever taken on this issue. Over 7,000 votes were cast. We provided a very comprehensive household-

er. I know I cannot use props in the House so I cannot hold it up for everyone to see.

We set out the background of the Young Offenders Act in the householder and gave both sides of the argument. We quoted from a speech that the Minister of Justice made in a debate on March 17, 1994:

—the act substantially has been a success and that in principle it is the right approach. I am certain improvements are needed but I am equally certain this process will result in a confirmation of the enlightened approach which the Young Offenders Act contemplates.

That is not what the Canadian Association of Chiefs of Police think. In its 1994 response to the Department of Justice report "Toward Safer Communities" we get the quote: "It is our view that the Young Offenders Act requires amendment in many areas and a piecemeal approach will prove ineffective. A comprehensive approach, which includes not only legislative change but also functional changes, is fundamental to addressing the problems of troubled youth".

I have a quotation from the working paper on the victims of violence with respect to the Young Offenders Act. It was also included in my householder: "Instead of becoming more responsible for their behaviour, young offenders are hiding behind the act. Society's right to protection from illegal behaviour has been eroded to the point that nothing short of a major shake-up of the Young Offenders Act will regain its confidence". That is absolutely true.

I have mentioned before in the House that I have gone into the schools in my area and we have discussed the Young Offenders Act. I have asked the young people there what they think of the Young Offenders Act. They think it is a sham. Many of the young people in the schools are afraid of it because it does not protect them from the gang violence that occurs in society.

I said to one young class: "Are you sure you are not just making this judgment that the Young Offenders Act is not working based on the hysteria in the community, that really you do not know what is in it and you are just making an emotional judgment?" Those hands went up again. About 35 out of 37 students in the class said: "No, it is not an emotional decision. We know what happens with the Young Offenders Act. We know how these gang members get off. We want something done about it".

Within the referendum that was held in my riding we had a separate electronic referendum for students. They too confirmed by over 95 per cent that they wanted the Young Offenders Act dramatically revised.

(1325)

I do not think there is any question that the rate of youths charged with violent crimes per 100,000 population has increased dramatically since 1986. The rate of youths charged

with violent crimes has increased by an average of 14 per cent annually.

During this time the rate of adults charged with violent crimes increased only an average of 7 per cent. Therefore youth crime of a violent nature has really accelerated away from those that are happening at the adult level. This has to be because there is no deterrent in the present Young Offenders Act. Young people can do practically anything they want.

I am extremely disappointed that this bill does not give us what we really need to make a difference. I hope that eventually the minister will see the light, change his mind and bring in some tough provisions.

Besides all that, the Deputy Prime Minister promised to resign if the GST was not gone in one year and she still has not done it.

**Mr. Darrel Stinson (Okanagan—Shuswap, Ref.):** Mr. Speaker, recently I received a letter from one of my constituents, Mr. Brian Gregory of Enderby, B.C. Although I have never met Mr. Gregory, I would like to quote from his letter. He says in part:

As time passes, it appears that more and more people are developing a lack of respect for the law and even outright indignation— If laws are unfair or unjust, then it is up to you, the lawmakers, to change the laws. This brings me to the main purpose of my letter: the criminal justice system.

The terrible tragedies recently involving Rodney Bell, Mindy Tran, and now, Melanie Carpenter, have exposed a weak, tattered criminal justice system.

Last night, my wife and I sat down and brainstormed a list of changes that we think would improve our criminal justice system.

Here is our list of changes which we'd like you to consider bringing to the attention of Parliament.

1. The law-abiding citizens must be protected at all costs.
2. An environment must be created where people regain respect and trust for the law. Justice must prevail.
3. The Charter of Rights and Freedoms should not apply to any criminal (including white collar) who is incarcerated. A separate set of minimum rights for criminals should be legislated.
4. Young offenders should attend adult court and their identities must not be hidden. Teenagers who are old enough to perform criminal acts are old enough to attend adult court and do "adult time". I do believe, however, they should be segregated from adults in separate prisons. These kids are old enough to know right from wrong.
5. Prisons should be located in remote areas.
6. Sentences for violent crimes must be increased and there should be no early release for "good behaviour".
7. Life sentences must mean life with no parole.
8. The law requiring mandatory release after serving two-thirds of a sentence must be rescinded.
9. If a prisoner refuses rehabilitation counselling, he should not be released even if he serves his entire sentence.

### *Government Orders*

10. The public has the right to know if a violent offender lives in their neighbourhood.

11. Work camps should be reinstated so that criminals could put something back into society.

12. While I am not a big proponent of capital punishment, this may be necessary for violent repeat offenders or serial killers. An alternative would be life sentences with no parole.

As we have seen recently, the human element of the justice system makes it too risky that an innocent person will be put to death.

Mr. Gregory went on to write that these are the views of an average, middle class Canadian citizen. However, I am convinced that most Canadians share similar viewpoints:

Please do not be influenced by a few elite academics who say that the crime rate is decreasing. One preventable murder is one too many. Let us bring common sense and justice back to our justice system.

My staff phoned Mr. Gregory at 7 a.m. B.C. time this morning to ask if I could quote his letter today. His wife said that she was sure he would be tickled to have me do that. I was tickled to get such down to earth letter on the complex subject of the reforms that ordinary Canadians want to see enacted by Parliament so that law-abiding citizens will once again feel safe in their homes and in their communities.

By contrast, the puny little baby steps that are proposed by Bill C-37 do not begin to answer the need people have to see our young people regain respect for the law.

The Young Offenders Act today does just the opposite. It makes young people look at the law as if it were a joke.

In November many of us attended the justice for Joshua rally. We met here on November 3, which would have been Joshua's fifth birthday except that he died September 15 from head injuries received when a 16-year old in a stolen car fled police at high speed and rammed a van driven by Joshua's grandmother. The young offender was sentenced to one year in closed custody for criminal negligence causing death, one year in open custody, served at the same time, one year of probation and a five year driving prohibition.

In Ottawa-Hull some 10,000 motor vehicles per year are stolen, mostly by young offenders. Many of them will try to get away from police, thereby threatening public safety. Even in my own relatively law-abiding riding of Okanagan—Shuswap last year nearly 200 motor vehicles were stolen in the Vernon area, and more than 50 motor vehicles were stolen in Salmon Arm.

At the justice for Joshua rally Ottawa talk show host Steve Madely claimed that 20 per cent of young offenders have reoffended five times or more. For young victims like Joshua, there is no second chance.

*Private Members' Business*

Canadians are fed up with going easy on young offenders and especially violent offenders. Repeatedly they have called on us as law makers to put the justice back into our criminal justice system. Instead, Bill C-37 will not permit 10 and 11 year old offenders to be charged at an age when there is still hope of setting them straight.

**The Deputy Speaker:** My apologies to the hon. member but the time is 1.30 p.m. and we must proceed to private members' hour.

**PRIVATE MEMBERS' BUSINESS**

[English]

**PROPERTY RIGHTS**

**Mr. Mike Scott (Skeena, Ref.)** moved:

That, in the opinion of this House, the government should initiate an amendment to section 7 of the Constitution Act, 1982, to recognize the right of the individual to enjoyment of property and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

He said: Mr. Speaker, it gives me a great deal of pleasure to rise in the Chamber to move that in the opinion of this House the government should initiate an amendment to section 7 of the Constitution Act, 1982, to recognize the right of the individual to enjoyment of property and the right not to be deprived thereof except in accordance with the principles of fundamental justice. Nothing is more important to a system of government than this.

In rising in this Chamber today I am following many people of greater stature and ability than myself who have fought for this most fundamental right. I follow, however unworthily, in the footsteps of those who have made the glorious revolution. I follow in the footsteps of those who confronted King John and compelled him to sign the Magna Carta. I follow in the footsteps of those who for 1,000 years or more have worked and when necessary have fought and died to ensure that governments serve the rights of their citizens rather than oppress them.

I intend to continue the fight for property rights, the core of our ancient liberties. Since this is not how most people understand the concept of property rights, I have three primary purposes in my remarks today. First, I would like to begin by explaining what property rights really are. Second, I would like to outline why they are central to the problem of good government. Then I would like to explain how my motion would address that problem.

Property rights begin with the concept of self-ownership. It is vital to stress this point because when people hear the term property they generally think of real property: houses, boats, mansions and yachts. They generally think not just of real

property, but of real property of a luxurious nature. They think of property rights as protecting the rich, or as protecting the existing order of things. This is fundamentally and entirely wrong.

The essence of property rights is the concept of self-ownership, of the individual's conscience and the individual's judgment as inviolable, even sacred. People have the right to make their own decisions. That is my most fundamental belief.

(1335)

Our property is ourselves, our labour, our imagination and our courage. The right to control one's own actions is what property rights is all about. Only by extension is property material.

In a universe of material things and in a universe in which time passes, a respect for self-ownership of others must mean a respect for the things they make or modify. Property does mean things too, but fundamentally, the right to own property is a right to own oneself, to make one's own decisions, to trade voluntarily with others, to labour freely and for oneself and not for others as a slave.

It is therefore profoundly mistaken to believe that property rights favour the rich. Take half of a rich man's things and he will still be well off, but take half of a poor man's or a middle class man's things away and what hope do they have of one day being comfortable?

It is also unsound to say that one can be free without ownership of the things one makes with one's labour. It is unsound to contrast mere material things with higher matters such as love. However bright the eye of a beloved child, food, clothing and shelter are essential to that child, but they are not the end of that child's material needs. It is not a case of satisfying material needs and then moving to a higher plateau. Toys, games, books and the very arms with which a parent hugs a child are all material. No parent who cannot make a thing and keep it or trade it for another, whether simple food or a book of poetry can express their love effectively and freely.

The right of self-ownership is fundamental. It must imply the right to control the material things that one owns, makes or alters. However, its origin is in self-ownership: the ownership of ourselves, our labour and our imagination.

Those who deny the right to own property, deny not the right of the exploiter to hoard, but the right of the ordinary citizen to live according to his or her own lights. That right is fundamental to human dignity.

That brings me to my second point, the problem of good government. However sound the right of self-ownership may be in abstract theory, it is threatened in practice from two directions.

*Private Members' Business*

People may be subject to force and fraud from within their own community. Their rights may be insecure either in theory or in practice, if theft is legal or if it is unpunished. If that is the case, nothing we may do to make the world a better place as we understand it can persist. Whatever is achieved is snatched away. Then whatever a person may dream will be only a dream. It will never be realized.

People may be subjected to force and fraud from outside. Whatever system of rights they possess, an attack from outside may overwhelm that system and leave them raped and murdered in their burning houses. Whatever they have achieved may be taken away this way also.

Therefore people combine into societies and create governments. Through them they seek to define a system of rights and enforce it internally and also protect the system as a whole from attack from the outside. Sometimes they fail and if they do the results are clearly catastrophic. A government too weak to protect the lives, liberty and property of its citizens is unbearable, but the usual problem is quite the reverse.

Through most of human history the problem has been that governments wield too much power. The usual result of having a government too weak to protect people's rights is to have it displaced by one strong enough to do it, but unwilling to.

The historical problem is that governments have had the ability to protect citizens but not the will. Instead, they themselves have taken these rights away. What they have done is to treat citizens as means and not ends. They declare some higher purpose and then force citizens to seek to fulfil it, whatever it may be.

In most parts of the world the problem of government quite simply has never been solved. The Romans considered it. "Quis custodiet custodientes?" they asked. Who shall guard the guardians? But they did not solve it.

In the Anglo-American tradition it was solved, if imperfectly. The solution was partly theoretical and partly practical, but the larger and more impersonal societies and governments became the more important, the theory was. In Britain the Anglo-Saxon councils seemed somehow to have solved the problem of government, to give chiefs and leaders some power but not too much. They could defend rights but not take them away.

(1340)

After the Norman conquest it seemed that government had triumphed over society, but it had not. At swordpoint at Runnymede, civil society told King John he would sign the Magna Carta or he would die and it told him he would abide by it or he would die.

When the Stuarts sought to shake free of it the people revolted. Charles I lost his head over it, literally. When Oliver Cromwell sought to use power to engage in social engineering, the people withdrew their consent to be governed. Shortly after his death the Commonwealth was abolished.

The monarchy was brought back under strictly limited terms after James II showed he would not keep the bargain. The glorious revolution brought William and Mary to the throne but also the 1689 Bill of Rights. Again the right of the citizen to be free from his or her own government triumphed.

Governments, however, have a real tendency to encroach. The guardians must be guarded. It was that which led to the revolt in the 13 colonies in the 1770s. It was the danger of another revolt that led to the Durham report urging self-government in this country. For most of our history the common law and its protection of the right to own property withstood any attempt to undermine it.

Unfortunately what wise men create clever men can undo. And so it was here. The Right Hon. Pierre Elliot Trudeau neither fully understood nor cared much about the notion of citizens as ends rather than means, nor did he understand or sympathize with the British parliamentary tradition and the supremacy of common law.

In 1982, quite casually, he traded away our most fundamental right in a slick and clever political calculation, but he should not have done it. Since 1982 things have gone downhill very fast in this country. Since 1982 we have somehow had the idea that government is the master and the citizen is the servant.

Mr. Trudeau felt very clever because he had reached agreement with the premiers to have the Constitution repatriated. However, when one level of government agrees with another to abolish citizens' protection against government, a protection 1,000 years old or more, it is not good and it is not wise. Therefore, I want this House to take steps to restore it to the Constitution.

The Canadian people were denied a chance to vote on property rights in 1982 when the Constitution was repatriated. Nobody asked them. They were denied it again in 1992 when the right to own property was deliberately omitted from the Charlottetown accord, against the wishes of the Canadian people I might add. They have been denied it here because hon. members opposite have denied the House a chance to vote on this motion, to stand up and be counted with the Commons or with bad King John. However, it is time we restored it.

What I am proposing is very precise, that the Charter of Rights and Freedoms should be amended to include the following:



*Private Members' Business*

The federal government shall take no property from any citizen, in whole or in part, through eminent domain, regulation, or any other way, except for public use, through due process and with just and timely compensation.

This does not encroach on provincial jurisdiction. It only binds the federal government. It does not paralyse public policy. It only holds it to a reasonable standard of serving the public and not abusing it. It does not forbid takings. It only insists that they must be done in a legitimate way and for a legitimate purpose.

What it does do is admit the existence of the paradox of government and to seek to apply the solution of wise men to the problems created by those who were merely clever. It seeks to restore government to its proper function: protecting the rights of citizens, not usurping them, not taking them away.

The most important of these rights is the right to own property. That right is the right to own oneself, to be a free person and not a slave. I therefore urge this House to express itself in favour of the entrenchment of the right to own private property in the Constitution.

Many of my colleagues will have an opportunity to speak to this motion today but many others will not. It is an additional unfortunate consequence of being denied votable status that the time for debate is drastically restricted.

(1345)

Those of my colleagues who would like to speak but cannot have therefore asked me to read into the record a statement of their support. On behalf of the members for Calgary Northeast, Lethbridge, Mission—Coquitlam, Prince George—Peace River, Port Moody—Coquitlam, Prince George—Bulkley Valley, Vegreville and Wetaskiwin, I would like to conclude with this statement:

“Mr. Speaker, hon. colleagues and fellow Canadians, we believe the right to own property and not to be deprived thereof, except for public use, through due process and with just compensation is at the core of Canadians’ ancient liberties as free people. Each of us would like to be able to rise in the Chamber today to voice our support for the entrenchment of that right in the Constitution. In case we do not have that opportunity today, we have asked our colleague, the member for Skeena, to place this statement of our support for this measure into the record”.

I hope that all members of whatever party in this House will share and endorse that sentiment. This is most emphatically not a partisan issue but a matter of fundamental justice and human rights.

**Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.):** Mr. Speaker, I appreciate the opportunity to speak to this motion. I

want to thank the hon. member opposite for bringing this issue to the fore.

He seeks to initiate an amendment to section 7 of the great Canadian Charter of Rights to recognize the right of the individual to the enjoyment of property and the right not to be deprived thereof, except in accordance with the principles of fundamental justice, a right which exists.

I caution the member to recall—he seems to be quite the student of history—that there was another great revolution against the crown of Britain, the American revolution. As a result of that, it also has a constitution. It is a constitution that has created a tremendous problem in its courts with the issue of the entrenchment of property rights.

We have had a pleasant visit this week from the President of the United States. Perhaps it is timely to raise this issue today, even as he departs from our country.

It is probably a good idea to look at what happened down south when we look at the question of the entrenchment of property rights. As I understand it, the courts in the United States have extended property rights beyond traditional forms of property such as land or housing to include such things as social security benefits, drivers’ licences and employment with the government; entitlements, I think they are called. These are considered to be forms of property in the United States to which constitutional property rights protections apply.

This is an interesting notion, particularly when one contrasts this with what I think is the traditional view of the Reform Party. If the reform Party in its infancy can have any tradition, surely it is its opposition to the Charter of Rights and Freedoms and its opposition to what it thinks is government involvement in the activities of ordinary citizens.

I would suggest that an amendment to section 7 conflicts with those fundamental beliefs it purports to have. Certainly the American experience raises questions about how Canadian courts would interpret a property rights amendment if such rights were added to the charter.

One wonders what the impact would be. The impact would be an unwarranted interference in the property rights of Canadians. Our American neighbours also had some unfortunate experience with constitutional property rights during the first half of this century. This was under what became known as the doctrine of substantive due process. Under this doctrine the American courts, the United States Supreme Court included, struck down some important social legislation such as laws regulating the maximum hours of work, laws regulating minimum wage and child labour laws.

*Private Members' Business*

(1350)

Child labour laws were struck down because they were seen to be violations of the employer's property rights, or should I say the slave owner's property rights.

The United States Supreme Court ultimately repudiated this approach in the 1930s. Nevertheless the American courts have continued to apply American constitutional protections in a variety of areas.

Canadian courts would be free to follow their own approach to constitutional rights issues and have done so even where provisions in our Constitution and our charter are similar to American constitutional provisions.

Given that we share so much in common with the United States in terms of our legal foundations, I would suggest to the members opposite that it would be well worth studying the American experience.

Undoubtedly this effort would be repaid in the greater understanding that we would develop about the meaning of property rights and their potential impact on our system.

The more one delves into this matter, the more one realizes that it is not easy and it is not clear. Nevertheless, the Reform Party typically puts forward the quick fix, the simple solution to a problem that exists primarily in its mind.

We should start with the simple and basic idea of the right to own and enjoy property. Your home, your property should not arbitrarily be interfered with. How could anyone dispute that?

When we start to examine the concept of property and when we start to see its actual and possible scope, when we begin to understand the range and the extent of laws that regulate or affect property, when we begin to understand all of these concepts, we need to take a step back and look at this in a concerted fashion.

It is one thing to talk about this in general and abstract terms but it is quite another thing when we consider the entrenchment of these kinds of rights in our constitution, an action that would result in power to the courts to review a whole range of laws which in some way may affect ownership or use of property.

Entrenching property rights in the Constitution would require the approval of the majority of the provinces. Given that the Constitution already gives the provinces jurisdiction over property and civil rights within their boundaries, I would assume they would have a rather prominent interest in this and certainly a real and valid one. Given that their agreement would be required for any change to the Constitution, I would argue that this is not the sort of step that could or should be accomplished through unilateral measures.

Students of the Constitution will tell members that this may be the kind of measure that a province could opt out of under the amending formulas set out in section 38 of the Constitution Act of 1982.

The parliamentary record from the debates leading up to the patriation of the Constitution and since that time indicates that some provinces have had concerns about constitutional changes that would constrain their ability to regulate property.

I do not know where the provinces stand on this issue at the present time but I am fairly certain that it is not a priority for them. The party opposite should know very well that reopening the Constitution is not a priority for the vast majority of Canadians at this time.

We have evolved elaborate laws regulating and protecting the ownership and enjoyment of property. Real and personal property laws regulate acquisition and disposition of all kinds of property and they regulate in some cases how property is managed or the use to which it is put.

The point of these laws is not, as the member opposite suggests, to burden individuals, but rather to ensure that these transactions occur in an orderly and fair fashion and to guard against mistakes or fraud in the purchase, sale and management of property.

In Quebec the civil code provides for the disposition of real and personal property and in other provinces statutes and common law deal with the same issues.

These common law rules can be traced back hundreds of years in English law. While we are on that, they can be traced back farther than the Magna Carta.

(1355)

I cannot stand on this side of the House and not comment on my friend's argument concerning the glorious revolution. I would suggest that the glorious revolution and the Reform Party cannot be seen to be synonymous. The Magna Carta, which really is a predecessor and a direct line to our own charter, provided basic fundamental rights.

The Reform Party today stands in the House and seeks by this amendment to narrow those rights. The present charter for Canada was a part of and proof of the glorious revolution; the glorious revolution in Canada being the revolution that entrenched for us forever basic human rights and other basic civil liberties, my friend says the most important of which is the right to own property.

There are other views on which of these rights is more important. One of those rights is clearly the right of the citizen to live freely in this country.

The glorious revolution, an amendment to entrench property rights in the Constitution. I say that is an attempt by those who

*Private Members' Business*

support it to limit the rights of Canadians and to prevent Canadians through their government from protecting themselves.

[*Translation*]

**Mr. Bernard St-Laurent (Manicouagan, BQ):** Mr. Speaker, amending the Canadian charter of rights and freedoms so as to include the right to enjoyment of property is not a new idea. The entrenchment of a property right was an objective of the former Liberal government of 1968. Indeed, the Prime Minister of the time, Mr. Pierre Elliott Trudeau, who had also been a Minister of Justice, proposed the adoption of a charter designed to ensure the constitutional protection of certain rights including, of course, the right to enjoyment of property.

As you know, that motion was rejected. In 1978, some provinces squarely opposed the idea, which was included in a bill on constitutional reform, Bill C-60. As I recall, those provinces included Manitoba and Prince Edward Island.

In 1980, the federal government proposed a new measure to guarantee the right to enjoyment of property. Again, the provinces strongly opposed the idea. Consequently, I have to tell the hon. member that, if he hopes to see section 7 of the Constitution Act, 1982, amended so as to include such a right, he has a very difficult task ahead of him. To give you an idea of how difficult this would be, assuming it can be done, it is important to look at the technical aspects of the issue for a moment.

First, since the charter is part of the Constitution, it can only be changed by way of an amendment to the Constitution itself. This first requires resolutions from the Senate and the House of Commons, something which is not easily obtained, and, second, resolutions from the legislative assemblies of at least two thirds of the provinces, the latter representing at least 50 per cent of the Canadian population. That also is not going to be easy to get.

This latter condition implies that Ontario or Quebec will have to be one of the provinces that support a draft amendment, since together, they represent more than 50 per cent of the population. Furthermore, the Constitution Act, 1982 provides under section 38(2), I believe, that the resolution must be adopted by a majority of the members of a legislative assembly, as opposed to a majority of the members present at the time of voting, if the proposed amendment derogates from the legislative powers, the proprietary rights or any other rights or privileges of the legislature or government of a province. That would be the case here if the Charter were amended to include property rights. As the hon. member can see, his motion is practically dead in the water.

(1400)

So far, judgments up to the Supreme Court, have failed to establish that property rights should be protected under the 1982

Charter. This was even ruled out in the *Irwin Toys Ltd.* judgment, an important decision supported by a majority on the Supreme Court, which stated that the intentional exclusion of property rights from section 7 and its replacement by the "security of the person" had a twofold effect. First, one can conclude that on the whole, economic rights, generally designated by the term "property rights", are not covered by section 7. However, that does not mean that no rights with economic overtones could not be covered by the term "security of the person".

In other words, there are some serious reservations because of the potential negative impact. Many groups have expressed their concerns about the possible entrenchment of property rights in the Constitution. I will mention some of their concerns as well as some of their priorities.

Aboriginal people are, for instance, apprehensive about the potential impact on their land claims and property rights. Nowadays this is a sensitive issue, and land claims are sacrosanct. The unions are worried about a conflict between the rights of workers and the rights of those who own the resources. Environmental groups wonder about the legislative impact if property rights were entrenched in the Constitution, rights that are entirely legitimate.

The provinces should be concerned that entrenchment of property rights would allow the courts to obstruct the application of laws that protect important community interests, including legislation on planning and land use, ownership of moveable goods and real estate, and even legislation on health and safety.

Entrenchment would have clearly unpredictable and even absurd consequences for municipal by-laws on zoning, environmental regulations and spousal property rights in the case of marriage breakdown.

Take, for example, the case of a man and a woman who separate, who get a divorce. The family patrimony act, a provincial statute, provides that in case of marriage dissolution, the house shall be sold and the proceeds of sale divided between the ex-spouses. In the event that the Constitution is amended to include the right to property, as is being proposed by my Reform colleague, that would mean that the ex-spouse who bought the house could contest the provincial legislation under the Canadian Charter simply by saying that his or her right to enjoyment of property is being interfered with. The other spouse would thus be completely deprived of his rights under the provincial legislation. There would be no solution to the dispute. The lack of sense of such an amendment is therefore readily apparent.

The entrenchment of the right to property in the Canadian Charter is also dangerous and represents an intrusion of the federal government into an area of jurisdiction reserved exclusively for the provinces under section 92(13) of the Constitution

Act, 1867, which states that only the provinces may make laws regarding property and civil rights in each province.

Furthermore, how will the courts interpret the right to property, since in Quebec, the civil law governs this right and the courts interpret it from a civil law point of view, while in the other provinces a common law interpretation is used?

(1405)

In conclusion, I would like to point out that no one can say that this right is less respected in Canada than elsewhere in the world. It is clear that, for the official opposition, the real interest in such an amendment probably stems from considerations of a completely different sort. It is clear that the addition of such a right to legislation transcending the powers of the federal and provincial governments, such as the Charter of Rights, and entrenching enduring values for regulating the life of society constitutes, for the federal government, a powerful means of once again interfering in an exclusively provincial area of jurisdiction.

**The Acting Speaker (Mr. Bellemare):** As no government member wishes to speak, I now go to the Reform Party.

The members of the Reform Party have asked me if there is consent to split the ten minute period between the member for Yorkton—Melville and the member for Nanaimo—Cowichan, allowing each five minutes.

Is there unanimous consent?

**Some hon. members:** Agreed.

[English]

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, it is unusual to find champions of property rights who are active in politics.

A lot of people reacted to the Reform Party with surprise and with a sense that we did not belong in federal politics. There is a real sense in which they were right, though not for the reason that they believed. We are not typical politicians. It is that we really do not like big government. That is why we are here. We think we have to be here. It is not just because we want to be.

I have been trying to understand why Canadians are in such a bad mood these days and why government seems to be at the centre of all their complaints. I believe it is because of the issue before us today.

The right to own property means the right to live unmolested by government. I listened very carefully to the arguments of the member from Windsor, but the objections are those that are typical of the Liberal Party that believes in more big government. I listened carefully to the argument the Bloc presented, that this was a provincial matter.

Who will protect the people of Canada from more big federal government? Will it be the provinces? I think there is a real

### *Private Members' Business*

contradiction in what Bloc members are saying about their own policies and their own beliefs. In a democracy government is not them; it is us. It is not the government molesting us. It is one another through government.

We have decided we can vote ourselves free money and we can. The more we try to beat wealth out of one another and tolerance and all other virtues, the more angry we get not just with government but with one another. Democracy is the practice of voting for public authorities. That is a way of keeping government under control, not a way of legitimizing any action it may take.

The right to own and use private property means the right to live unmolested by government. It really is not the government taking our hard earned tax dollars, our property; it is all of us molesting and taking property from each other through government.

Government is not benevolent. Government is force. The more wealth we try to get from each other through government, the more angry we get not just with government but with each other. We have trouble seeing what the lack of property rights has caused us and society. Too many of us believe that democracy gives the government the ultimate authority to take away our fundamental rights and our property. However this is just using democracy as an excuse. What we have in Canada is not a true democracy. We vote every four or five years to elect another bunch of tax and spend specialists who disregard our fundamental right to own and use our own property.

(1410)

That is not what democracy is. Democracy is supposed to be a way of keeping government under control, not a way of legitimizing the confiscation of private property without due process of law and without fair and timely compensation. Voting should be a way of preventing government from taking our property. Instead we have become addicted to using it as a tool to take one another's wealth. That is socialism.

This is what I think is wrong with Canada and no amount of voting can fix it. For example, if private property rights were in our Constitution, the justice minister could not implement his gun control laws and we would all be better off. Unless we hold a referendum to include the right of private property in the Constitution we have little hope of getting true democracy in Canada. We need true democracy in our country and we need it desperately.

We in the House need to amend the Constitution or hold a referendum on the subject of putting the right to own property into the Constitution.

The member for Skeena has asked me to read a statement into the record in support of the motion. The principle and policy is our blue book policy and that would therefore include all

*Private Members' Business*

Reform MPs. Hopefully the government will consider carefully what we have presented in our reasoned argument.

**Mr. Bob Ringma (Nanaimo—Cowichan, Ref.):** Mr. Speaker, I like to think Canadians live in a democratic and just society. I like to believe Canada is a country which respects the rule of law.

However when I look at our Constitution including the Charter of Rights and Freedoms I become concerned. Property rights constitute the most fundamental of rights: the right to keep what we earn, to acquire what we need through fair exchange and to enjoy those freedoms while respecting the rights of others.

Thomas Bethell wrote in *Property and Justice*: "There is a close relationship between the operation of a private property system and the idea of justice itself". As Canadians we believe we have an inherent right to justice. That means if a criminal steals something we expect to be compensated and we expect the criminal to be punished. If neither happens we are morally outraged.

It is our fundamental belief in justice that has motivated many Canadians to demand stiffer penalties for criminals, to demand more accountability of government spending of their tax dollars, and to demand the retrenchment of their property rights.

In a just society the weak do not have to fear the strong or the corrupt because they know their rights will be respected and the rule of law will protect them. In a just society the state will defend individual property rights from those who would take them. One reason for the state having a police force is to prevent criminals from violating the rights of other citizens.

Likewise when the state arbitrarily confiscates private property without regard to the rule of law justice has failed. Our justice system is built on the concept of private ownership, on the premise that when someone takes something from another they have broken a fundamental law of our society. This is because our possessions are privately owned, not commonly owned. Property can generally be state owned, privately owned or commonly owned. In Canada we like to think we have private ownership, but how can we guarantee it without constitutional protection?

A system of common ownership is by its very nature unjust. Anyone can take the fruits of our labours but it is not called stealing. It is called redistribution because everyone in the community owns whatever is produced. This ultimately leads to a society where justice means from each according to his ability and to each according to their need. Have we heard that one before? Inevitably under this system the needy are merely the greedy and the honest workers are the destitute.

(1415)

In a society where the state claims ownership or control over property and arbitrarily denies its citizens the right to use and enjoy their property then it has broken its covenant with the people.

Individual liberty and freedom is lost and a state that does not respect the rule of law is a tyranny. Sometimes Canadians have a hard time defining what it is to be Canadian but I do not think communal or state ownership of property fits with that definition.

There is something wrong when Canadians have a fundamental belief in property rights and yet nowhere is that right expressly protected. Why does the government not recognize this right?

There is something wrong when a minister can arbitrarily impose his personal beliefs on society and enact legislation to deprive law-abiding citizens of their property because he does not like guns. This means that Canadians are being governed by people who do not believe in basic property rights. This is not comforting.

In support of M-301 I would sleep better at night knowing that my property rights were protected. I therefore wholly support this motion.

**The Deputy Speaker:** We would normally pass to the other side of the floor but the member I see rising has already spoken and may not speak again. Accordingly, the hon. member for Kindersley—Lloydminster will divide his time with unanimous consent among three members.

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Mr. Speaker, I would like consent to divide my time with the member for Vancouver North and the member for Saanich—Gulf Islands.

**The Deputy Speaker:** Do we have unanimous consent for the members to do that?

**Some hon. members:** Agreed.

**The Deputy Speaker:** There are three and a third minutes for the hon. member.

**Mr. Hermanson:** Mr. Speaker, I am sure you will have your stop watch out.

I am very pleased to express my support for property rights in Canada. The issue of property rights is an important one for all Canadians. It is not merely an issue for the wealthy or for those with business interests.

It is not an issue that can be labelled left or right. It is about personal freedom which is fundamental to free societies. It is a tragedy that a mature democracy like Canada has excluded the right to own property from its constitutional and legal tradition. I will explain how the issue of property rights, or rather a lack of them, adversely affects prairie farmers.

*Private Members' Business*

The effect of inadequate property provisions in our legal system means that these farmers do not really own all the commodities they produce. To own something means that one can choose how one uses one's property so long as it does not harm others.

Wheat is not a hazardous substance, therefore the farmer should be able to sell his grain to anyone he pleases by the marketing mechanisms he or she with colleagues choose at whatever price the buyer and seller mutually agree to.

Moreover, the farmer would have the choice of the means of transportation and the route taken to ship the wheat. After all, it is his grain, is it not? In the prairies wheat does not belong to the farmer. It is not his because he cannot sell it freely. He is told who he will sell the grain to. He is told what the price will be and he is told how he must ship the grain. Because of the lack of property rights in Canada, farmers do not own the wheat they produce with their own labour. By implication, the farmer does not own his own labour and therefore he does not own himself.

The farmer is reduced to being an agent of the state, paid for his efforts whatever the government decides to pay him for the produce. If property rights were honoured, all farmers would have the choice whether they wanted to market collectively. I am sure many farmers would make that choice. That is fine as long as it is the farmer's free choice and not one mandated by government.

It is said all that a man owns is himself and his labour. Because of that he then owns the fruit of his labour. By introducing property rights into the Canadian legal tradition we would be freeing farmers to make their own choices about how to meet their own needs using their own resources and the fruits of their own labour. Property rights legislation would give each farmer the authority to make his or own decision as to how to meet those needs.

I would urge all members of this House, particularly members from farm communities, to support the principle of property rights in Canada.

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, members of this House will know that I often use New Zealand as an example in some of my speeches on economic affairs.

I do so not because I believe that everything that New Zealand has done is right but because I believe that we have a lot to learn from looking at the experience of others who have also faced similar problems.

(1420)

There are lessons to be learned from history about property rights. We need to take a look at the experiences of others in assessing whether property rights should be in our charter.

We have plenty of recorded history at our disposal. For example, we know the histories of ancient Rome, Greece, China, Egypt and Mesopotamia. We know what happened in classical times, medieval times, the industrial revolution and even modern times. Everything is documented. We know plenty about Britain, Canada, Australia, New Zealand, Russia, the United States and Cambodia. By studying the historical records of these places and times we can quickly see which government did not respect property rights and which did. We can see that those that did not respect property rights ended up with their people living in misery and poverty.

Perhaps it starts innocently enough. A government promises to regulate the economy for the common good, to redistribute the wealth more fairly, to make the rich pay their fair share and to close the loopholes. I have the feeling that I have heard these words before, a naive assumption that the government knows best and the average citizen needs to be protected from himself.

History is full of examples. Whether headed by a madman like Stalin or Hitler or by well meaning dreamers like Nehru and Nyerere, they always fail. Along the way they produce conflicts instead of peace, famine instead of plenty, poverty instead of prosperity. Instead of more and better rights than those we hold in a line from the Magna Carta, they deliver fewer and worse rights. Instead of delivering the gilded cage they deliver only the cage.

I challenge members to name one society that respected property rights where the people are not better off. I also challenge them to name one society where the government did not respect property rights where they are not worse off. The more protected the right to property, the better the living conditions and the better the societal order.

History also teaches us that when property rights are protected so are personal rights. Along with the loss of property rights comes the loss of personal rights, loss of freedom of speech and loss of decency in society. Property rights are the foundation of a decent society. They are the most important human right.

It amazes me that we have a Constitution and a Charter of Rights and Freedoms that guarantee the lengthy avoidance of deportation by known criminals who have come into Canada as bogus refugees but do not guarantee property rights to law-abiding citizens.

It amazes me that we have a Constitution and a Charter of Rights and Freedoms that permit crimes to be committed under a defence of drunkenness but do not protect the property rights of law-abiding citizens. Canadians are supposed to feel good about their Constitution. No wonder they are disgusted with it.

The motion put forward by the Reform Party member for Skeena is an excellent one which the government would do well to acknowledge and act upon.

*Private Members' Business*

In addition to all of that, the Deputy Prime Minister said she would resign if the GST had not gone in one year and she still has not done it.

**Mr. Jack Frazer (Saanich—Gulf Islands, Ref.):** Mr. Speaker, I am very pleased to be able to speak to Motion 301 by my colleague from Skeena.

At issue here is the case for including property rights in the Canadian Constitution. During the three years I worked in Tanzania I saw the transition from a government with a strong, ideological belief in socialism where everybody owns everything and nobody owns anything to a society which accepted that it is human nature for people to want a plot of land or a piece of equipment or a business to call their very own.

That desire had also been there but it had been subjugated by the government and it was only when the change was made that pride and productivity began to improve.

(1425)

As Canadians we enjoy the right to property but at the moment this right is at the pleasure of our government. Our only property rights are to be found in common case law developed over centuries and recognized by our courts.

At present, federal or provincial courts can arbitrarily take these rights away, setting their own value and overriding the right of the individual to establish what he or she considers to be fair and equitable compensation.

The establishment of property right is long over due and both federal and provincial governments should take prompt action to entrench them.

Traditionally democracies have been based on four fundamental rights: life, liberty, security of the person and the right to have and hold property. Property rights go back to the Magna Carta. The United Nations universal declaration of human rights in 1948 included property rights.

Property rights were included in section 1(a) of the Canadian Bill of Rights in 1960. The 1981 original draft of the Canadian Charter of Rights and Freedoms included property rights but they were deleted in political bargaining.

Perhaps particularly meaningful to my liberal colleagues across the floor, the Right Hon. Prime Minister Pierre Elliott Trudeau wrote in 1983: "I reiterate the full support of my government for the passage of a parliamentary resolution to entrench property rights in our Constitution".

At least 24 countries including the U.S., Australia, Italy, Germany, Sweden and Finland have protected property rights within their constitution.

No reasonable person would question the right of a government to appropriate property needed for the common good of society, but the rights of that person to be justly compensated for the deprivation should be clearly stated and protected. Entrenching property rights in the Constitution would obligate any authority expropriating property to be accountable to the citizens of our country. As a fundamental right, property should be afforded the same constitutional protection as our right to life, liberty and security of the person.

The government should provide this protection and when the necessities of the common good override this personal right, provisions should be made to ensure fundamental justice is assured.

Let us hope that there will be no lack of political will to provide this basic human right for our citizens.

**Mr. Scott (Skeena):** Mr. Speaker, on a point of order, I ask the unanimous consent of this House to make this important motion votable.

**Some hon. members:** No.

**The Deputy Speaker:** The member has asked the question. There have been negatives indicated. I understand the hon. member has a second point of order.

**Mr. Scott (Skeena)** Mr. Speaker, I then ask the unanimous consent of this House to refer this important motion to the Standing Committee on Human Rights and the Status of Disabled Persons for further consideration.

**Some hon. members:** No.

**The Deputy Speaker:** The indication has been that there is not unanimous consent to the second request by the member.

**Ms. Marlene Catterall (Ottawa West, Lib.):** Mr. Speaker, I wanted to raise a couple of points because in the few minutes I have been listening to this debate I have never heard such drivel of such total lack of logic, devious reasoning, and any lack of understanding of a people governing themselves as a community who believe that together we can have a life that is better than the dog eat dog survival of the fittest mode where only the individual and the one with the strongest fangs or the longest rifle survives.

I have heard a suggestion that not having property rights in the Constitution leads to misery and poverty. I have not heard one example of a country which I could challenge where having property rights in the Constitution leads to wealth and joy.

On the contrary, the United Nations has twice deemed this a country, which has never had property rights in its Constitution,

*Private Members' Business*

the most blessed country in the world in which to live based on quality of life and standard of living. That alone I think belies some of the arguments we have heard in this House today.

The least we owe Canadians when we use the time of this House is logic, reason and truth. There has been a fair bit of that lacking in this debate.

**The Deputy Speaker:** The time provided for the consideration of Private Members' Business has now expired. Accordingly, the order is dropped from the Order Paper.

It being 2.30 p.m., the House adjourned until 11 a.m. on Monday, February 27.

(The House adjourned at 2.30 p.m.)

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**APPENDIX**

**Address**

**of**

**Mr. William J. Clinton,**

**President of the United States of America**

**to**

**both Houses of Parliament**

**in the**

**House of Commons Chamber, Ottawa**

**on**

**Thursday, February 23, 1995**

*Address*

**APPENDIX**

Address  
of

Mr. William J. Clinton,  
President of the United States of America  
to  
both Houses of Parliament  
in the  
House of Commons Chamber, Ottawa  
on  
Thursday, February 23, 1995

(1505)

[*English*]

*Mr. and Mrs. William J. Clinton were welcomed by the Right Honourable Jean Chrétien, Prime Minister of Canada, by the Honourable Gildas Molgat, Speaker of the Senate and by the Honourable Gilbert Parent, Speaker of the House of Commons.*

**Hon. Gilbert Parent (Speaker of the House of Commons):** My colleagues, I call this meeting to order.

Mr. President, it is a great privilege for Canadians to have you address this joint session of the Senate and the House of Commons. We are honoured to have you with us today.

I now call upon the right hon. Prime Minister Jean Chrétien to introduce our distinguished guest.

(1510)

**Right Hon. Jean Chrétien (Prime Minister):** Mr. President, it is an honour to welcome you to Parliament on behalf of all Canadians. Before speaking a word in this Chamber, I must say you have already given eloquent proof of the friendship between our two nations by agreeing to visit Ottawa in February.

I would like to tell you, Mr. President, that something very unusual occurred yesterday in this House. By unanimous vote of all members of the House of Commons it was resolved that, very rare in the month of February, we were to have a good spring day for you today.

Mr. President, the cold weather outside that we normally have may be typically Canadian, but so is the warm welcome for you inside today. It is a warmth that we reserve only for our closest friends.

**Some hon. members:** Hear, hear.

**Mr. Chrétien:** A great deal has been written and said about the friendship between our two countries. It has not always been

an easy friendship which is normal considering one friend is a relatively small nation and the other is the most powerful nation in the world. As one member of this House put it three decades ago, the Americans are our best friends, whether we like it or not.

**Some hon. members:** Oh, oh.

**Mr. Chrétien:** Our relationship has grown and evolved through the years. Today, like any mature, healthy friendship, it is a friendship between equals. As friends and neighbours, we are able to separate business and friendship when we must. In the vast majority of cases, we are able to work together, as we always have, toward common goals.

The fact is, Mr. President, that both our administrations were elected on a platform of jobs and growth. We have both focused on a job and growth agenda in office. In each country our agenda has been working with strong, steady and lasting economic recoveries in Canada and the U.S.

[*Translation*]

You can listen to the translation now, Mr. President.

[*English*]

That is the way we do things in Canada, you know.

**Some hon. members:** Oh, oh.

(1515)

[*Translation*]

**Mr. Chrétien:** Our economies have strong links. More trade goes on between our two nations than any other two nations in the world—almost a billion dollars a day, every day. If one country does well, the other benefits. And if both economies are going strong, there is no stopping us. Jobs in British Columbia mean jobs in Washington State. Jobs in Ontario mean jobs in Michigan. Jobs in Quebec mean jobs in New York State.

But our shared goals go beyond our immediate relationship. Both our administrations understand that increased and liberalized trade everywhere means jobs and growth in our countries.

You and I were together in Jakarta in November, when the Asia Pacific countries committed to a free trade zone by the year 2010. And at the conference you chaired in Miami in December, where all the countries of the hemisphere agreed on a Free Trade Area of the Americas by the year 2005.

I want to salute you, Mr. President, for the role you have played in realizing this new vision. And you have not confined this vision to economic matters. You took decisive action in leading the restoration of democracy in Haiti. And you have played a key role in the remarkable breakthroughs in the peace process in the Middle East.

*Address**[English]*

Mr. President, you have understood the forces shaping the modern global economy. You have worked to ensure a new unity and optimism in the hemisphere. You have worked to bring people and countries together. These are all goals that this House and the people across Canada share with you. We are committed to working with the United States and other nations to achieve them.

My recent travels to Asia and Latin America have reminded me that it is more important than ever to have a strong U.S. role in the world. The upheavals of the post-cold war world mean that the United States can and must play a bigger leadership role than ever.

Our own government has outlined our new foreign policy direction. We want to continue Canada's long tradition of promoting global peace and security. We all learned long ago that isolation is much more costly and dangerous than international co-operation.

Mr. President, you may not know it, but among your predecessors who have addressed the Parliament of Canada during your lifetime are Harry Truman, Dwight Eisenhower, Richard Nixon and Ronald Reagan. They all had one thing in common. They were all elected for a second term.

**Some hon. members:** Hear, hear.

**Mr. Chrétien:** Now, that might not seem like such a remarkable coincidence. But look at the recent presidents who have not addressed the Canadian Parliament: Gerald Ford, Jimmy Carter and George Bush.

*[Translation]*

I will, however, refrain from drawing any conclusions from that, Mr. President.

As you know, Canada adheres strictly to a policy of non-interference and non-intervention.

*[English]*

Any way you look at it, Mr. President, we are delighted that you have accepted our invitation.

Mr. Speaker, honoured members, senators and dear guests, I give you our friend and neighbour, the President of the United States of America, William J. Clinton.

**Some hon. members:** Hear, hear.

(1520)

**Mr. William J. Clinton (President of the United States):** Mr. Prime Minister, Mrs. Chrétien, Mr. Speaker of the Senate,

Mr. Speaker of the House of Commons, hon. senators and members of the House of Commons, distinguished members of the diplomatic corps, ladies and gentlemen; I have pondered for some time the differences between the Canadian political system and the American one. When the Prime Minister pointed out the unanimous resolution you passed yesterday, I realized that in one respect clearly you are superior. We do not control the weather in Washington, D.C. and I am grateful that you do.

**Some hon. members:** Oh, oh.

**Mr. Clinton:** I also thank the Prime Minister for his history lesson. I have never believed in the iron laws of history so much as I do now.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** I thank the Prime Minister and all of you for welcoming me to this magnificent capital city. The Prime Minister first came to this Chamber to represent the people of Canada when President Kennedy was in the White House. I resent that because when President Kennedy was in the White House I was in junior high school. Now the Prime Minister has less grey hair than I do. And he does, in spite of that fact that since that time he has occupied nearly every seat in his nation's cabinet. The first time I met him I wondered why this fellow could not hold down a job.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** I can tell you this, we in the United States know that his service to this nation over so many years has earned him the gratitude and the respect of the Canadian people. It also has earned the gratitude and the respect of the people of the United States.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** I know it is traditional for American presidents when they address this body to speak of their affection for their ties to the Canadian people. On behalf of the United States let me stay with that tradition and say *l'amitié solide*, but let me say to you that it is a big part of our lives.

I remember so well more than a decade ago when Hillary and I with our then very young daughter came to Canada to celebrate the New Year. We started in Montreal and drove to Chateau Montebello. Along the way we drove around Ottawa and watched all those wonderful people skating along the canal. I come from a southern state. I could not imagine that anybody could ever get on skates and stand in any body of water for very long. I can see that Hillary has had in the back of her mind all this long time how much she would like to be skating along this canal. I think tomorrow Mrs. Chrétien is going to give her her wish. We will be looking forward to that.

*Address*

My wife has visited Toronto and we had a wonderful, wonderful family vacation in western Canada in Victoria and Vancouver back in 1990. It was one of the best times that all of us have ever had together anywhere.

We are deeply indebted to your culture. Our daughter's name was inspired by Canadian songwriter Joni Mitchell's wonderful song "Chelsea Morning".

All of you know that in the spring of 1993, the first time I left the United States as president, I came to Vancouver for the summit with President Yeltsin. Both of us at that time were under some significant amount of stress as we tried to reaffirm our relationship and solidify democracy in Russia. I can say without any equivocation, the reception we received from the people of Canada as well as from the government and the Prime Minister made it very, very easy for us to have a successful meeting. For that we are very grateful.

(1525)

I come here today to reaffirm the ties that bind the United States and Canada in a new age of great promise and challenge: a time of rapid change when both opportunity and uncertainty live side by side in my country and in yours; a time when people are being lifted up by new possibilities and held down by old demons all across the world.

I came here because I believe that our nations together must seize the opportunities and meet the challenges of this new age. We must, I say again, do this together.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** From the oil from Alberta that fires factories in the United States to silicon chips from California that power your computers, we are living proof of the value of partnerships and co-operation.

Technologies produced in your nation saves lives in our hospitals, while food from our farms line your supermarkets. Our horizons have broadened because we have listened in the United States to the CBC.

Our culture is much richer because of the contributions of writers like Robertson Davies, who Hillary had the pleasure of meeting last week after reading him for years, and Margaret Atwood; also, the wonderful photography of Yousuf Karsh, whose famous picture of Churchill I just saw. He took some pictures of Hillary and me that are not so distinguished, but I love them anyway.

As a musician, I have to thank you especially for Oscar Peterson, a man I consider to be the greatest jazz pianist of our time.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Ours is the world's most remarkable relationship. The Prime Minister said, "whether we like it or not". I can tell you that on most days I like it very, very much.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** We have to strengthen that relationship. We have to strengthen it for our own benefit through trade and commerce and travel. We have to strengthen it because it is our job to help to spread the benefits of democracy and freedom and prosperity and peace beyond our shores.

We are neighbours by the grace of nature. We are allies and friends by choice. There are those in both our nations who say we can no longer afford to, and perhaps we no longer even need to, exercise our leadership in the world. When so many of our people are having their own problems, it is easy to listen to that assertion. But it is wrong.

We are two nations blessed with great resources and great histories. We have great responsibilities. Our countries were built, after all, by men and women who fled the tyranny and the intolerance of the old world for the new.

We are the nations of pioneers, people who were armed with the confidence they needed to strike out on their own and to have the talents that God gave them shape their dreams in a new and different land.

Culture and tradition, to be sure, distinguish us from one another in many ways that all of us are still learning about every day. But we share core values and that is more important: a devotion to hard work, an ardent belief in democracy, a commitment to giving each and every citizen the right to live up to his or her God-given potential in an understanding of what we owe to the world for the gifts we have been given.

These common values have nourished the partnership that has become a model for new democracies all around the world. They can look at us and see just how much stronger the bonds between nations can be when their governments answered the citizens' desires for freedom and democracy and enterprise, and when they work together to build each other up instead of working overtime to tear each other down.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Of course we have our differences. Some of them are complex enough to tear your hair out over. But we have approached them directly and in good faith, as true friends must. We in the United States come more and more every day to respect and to understand that we can learn from what is different about your nation and its many peoples.

(1530)

Canada has shown the world how to balance freedom with compassion and tradition with innovation in your efforts to provide health care to all your citizens, to treat your senior

*Address*

citizens with the dignity and respect they deserve, and to take on tough issues like the move afoot to outlaw automatic weapons designed for killing and not hunting.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** I might say, since you applauded so, that you were doing it in a nation of people who respect the right to hunt and understand the difference between law and order and sportsmanship.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Those of us who have travelled here appreciate especially the reverence you have shown for the bounty of God's nature from the Laurentians to the Rockies. In a world darkened by ethnic conflicts that literally tear nations apart, Canada has stood for all of us as a model of how people of different cultures can live and work together in peace, prosperity and understanding.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** The United States, as may of my predecessors have said, has enjoyed its excellent relationships with a strong and united Canada but we recognize, just as the Prime Minister said with regard to your relationships to us a moment ago, that your political future is of course entirely for you to decide. That is what a democracy is all about.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Now I will tell you something about our political system. If you want to know why my State of the Union Address took so long, it is because I evenly divided the things that would make the Democrats clap and the Republicans clap, and we doubled the length of the speech in common enthusiasm.

I ask all of you to remember that we do look to you and to remember what our great President of the post-war era, Harry Truman, said when he came here in 1947: "Canada's eminent position today", he said, "is a tribute to the patience, tolerance and strength of character of her people. Canada's notable achievement of national unity and progress through accommodation, moderation and forbearance can be studied with profit by sister nations". Those words ring every bit as true today as they did then.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** For generations now our countries have joined together in efforts to make the world more secure and more prosperous. We have reached out together to defend our values and our interests in World War I, on the beaches of Normandy and in Korea. Together we helped to summon the United Nations into existence. Together we stood fast against communist tyranny and prevailed in the cold war. Together we stood shoulder to shoulder against aggression in the gulf war. Now our nations have stepped forward to help Haiti emerge from repression and

restore its democracy. I thank the Prime Minister for what he said about that. When it was not popular anywhere in the world to worry about poor, beleaguered, abandoned Haiti, Canada was truly a friend of Haiti.

(1535)

**Some hon. members:** Hear, hear.

**Mr. Clinton:** In one international forum after another we stand side by side to shape a safer and a better world. Whether it is at the World Population Conference pushing together for an indefinite extension of NNPT in any number of ways we are working together.

We know that for Canada this history of action is a matter of deep tradition and personal conviction. The tradition runs from Lester Pearson to Jean Chrétien. It says that we must be engaged in the affairs of the world.

You have always shown the wisdom of reaching out instead of retreating, of rising to new responsibilities instead of retrenching. Your tradition of engagement continues to this day and, believe you me, it earns respect all around the world from people of all races, ethnic groups and political systems.

In places like Cyprus and the Sinai, Canadian troops have played an invaluable role in preventing more violence in those critical hot spots. Today your 2,000 peacekeepers in the former Yugoslavia are courageously fulfilling their mission in the midst of one of the most intractable, difficult problems in our lifetime.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** For a half century the United States has shared your philosophy of action and consistent exercise of leadership abroad. I am determined, notwithstanding all the cross-currents in our country, that we shall preserve that commitment.

These times may be turbulent, but we have an historic opportunity to increase security and prosperity for our own people and for people all around the world. I want you to know that I intend to do everything in my power to keep our country constructively involved in the problems that we must face if we are going to guarantee that our children will live in a peaceful, sane and free world.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Imagine what the Persian Gulf would look like today if we had not risen to the challenge of Iraqi aggression. Imagine what tariffs and barriers would plague the world trading system if we had not worked so hard together over such a long period of time from the end of World War II to the events which the Prime Minister described, to the NAFTA, to the GATT, to the Asia-Pacific co-operation, to the Summit of the Americas that was held in Miami in December. Imagine how different it would have been. Imagine how much worse the horrible tragedy in Rwanda would have been if we had not been there to try to

*Address*

provide essential help in those refugee camps to keep people alive.

We cannot let anyone or anything break this great tradition of our nations. In our partnership we will find the key to protecting our people and increasing their prosperity and the power to reach beyond our shores in the name of democracy and freedom not only because it is right but because it is our interest to do so.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** Just before we came down here the Prime Minister and I agreed again that if we are to going meet these new challenges in the 21st century we must adapt the institutions that helped us to win the cold war so that they can serve us as well in the 21st century. We have to do that.

Some have evolved with the changing world. Some have clearly already discarded their old missions and assumed new roles. We have also seen at the end of the east-west conflict the advent of 24-hour financial markets, sudden environmental disasters, the rise of international terrorism, and the resurgence of ancient ethnic hatreds. All these things have placed new demands on these institutions that the statesmen of 50 years ago simply did not imagine.

(1540)

The 21st century will leave behind those who sit back and think that automatically these problems will be solved. We simply have to face these challenges and ask ourselves what we have to change and how we are going to do it.

For example, to meet the security needs of the future we must work together to see that NATO, the most successful military alliance in all of history, adapts to this new era. That means we must make certain that the inevitable process of NATO expansion proceeds smoothly, gradually and openly. There should be no surprises to anyone about what we are about. We will work so that the conditions, the timing and the military implications of NATO expansion will be widely known and clearly understood in advance.

To parallel the enlargement of NATO we have to develop close and strong ties with Russia. I have worked hard for that and so has the Prime Minister. We must continue working together at the United Nations where our nations have together taken the lead in efforts to reform our peacekeeping operations, to control costs, to improve information gathering, and to make sure we have the right kind of command and control system before the young people who put on our uniforms are put in harm's way.

We have to continue also to work at reforming international economic institutions. We have already made some great strides in reshaping the global economy with the passage of GATT,

which is the most comprehensive trade agreement in history. The work is only beginning.

At the upcoming G-7 summit in Halifax, which we are very much looking forward to, we will be working to ensure that our international trading institutions advance the cause of trade liberalization in ways that produce tangible gains for the people of the countries involved.

We also have to re-examine the institutions that were created at the time of Bretton-Woods, the IMF and the World Bank, to make sure they are going to be able to master the new and increasingly complex generation of transnational problems that face us, problems like explosive population growth and environmental degradation, problems like those that we have been facing together in Mexico and throughout Latin America and the recent financial crisis.

Real progress in all these areas will depend not only on our willingness to be involved but our willingness to lead as partners. Together Canada and the United States are striving to seize all the advantages the new global economy has to offer.

We know that trade produces high wage jobs, the kinds of jobs that give our people the opportunity to care for their families, to educate their children and to leave the next generation better off than they were, a dream that has been called into question in many advanced economies in the last few years.

The success of NAFTA, which is generating new jobs and creating new markets from Monterrey to Medicine Hat, is the proof. As the Prime Minister has said so well, we in NAFTA are on our way to becoming the four amigos. That phrase will go down in history; I wish I had thought of it.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** We will soon start our consultations with Chile for accession to NAFTA and it will be a very good partner. The addition of that thriving economy will only continue to increase the benefits for all of us.

I want to take another moment here to thank Canada for its recent support and help in the financial crisis in Mexico. You understood what we had on the line, that more than Mexico was involved, that jobs and trade and future and our support for democracy and stability throughout Latin America were at issue. You understood it and we are grateful. Because we stood shoulder to shoulder we have a chance to preserve this remarkable explosion of democracy that we saw at the Summit of the Americas, and we should continue to do that.

**Some hon. members:** Hear, hear.

**Mr. Clinton:** I want to say a word, if I might, about the environment. As we expand trade we have to remember we must defend that which we have inherited and enhance it if we can.

*Address*

(1545)

The natural riches of this continent we share are staggering. We have co-operated to such great effect on our continent in the past: our air quality agreement is solving the acid rain problem; the Great Lakes are on the road to recovery; the eagles have returned to Lake Erie. Now we have to build on those accomplishments.

With the NAFTA Environmental Commission located in Montreal, your country will play a key role in ensuring that we protect the extraordinary bounty that has been given to us for our children and our grandchildren. NAFTA is only one of several fronts on which we can work together to both increase our prosperity and protect our environment. But we must do both.

Our nations are building on the progress of last year's Summit of the Americas as well. It will create a free trade area embracing the entire hemisphere. Across the Pacific, as the Prime Minister said, we have paved the way for new markets and for free trade among the dynamic economies in the Asian-Pacific area. That was a very important thing for us to do because those nations are growing very fast and we do not want this world to break up into geographical trading blocks in ways that would shrink the potential of the people of Canada and the United States for decades to come.

All these efforts will only enhance what is now the world's greatest trading relationship; yours and ours. Every day people, ideas and goods stream cross our border. Bilateral trade now is more than a billion Canadian dollars every day—I learned to say that—and about \$270 billion United States dollars last year. It is by far the world's largest bilateral relationship. Our trade with each other has become an essential pillar in the architecture of both our economies.

Today 4.5 million Americans have jobs that involve trade between our two countries. Those are the concrete benefits of our partnership. Between 1988 and 1994, trade between our nations rose about 60 per cent. Last year alone it increased by 15 per cent. But the statistics do not give the human reality behind the flourishing exchange of goods and ideas. Our trade is creating real jobs for real people.

In Boscawen, New Hampshire, for example, a small company called Secure Care Products produces monitoring systems for patients in nursing homes. Recently Secure Care began exporting its products to Canada. Sales are already growing fast and the company expects them to triple this year. And so Secure Care is hiring people like Susan Southwick, the granddaughter of a Quebecer, the mother of two and now the company's 26th employee, giving Susan and her husband a shot at the dream which Canadian and Americans share. That is what this partnership is all about.

Much further away from you in Greensboro, North Carolina, another small company called Createc Forestry Systems is

showing how our trade helps people turn their hopes into realities. Founded by a man named Albert Jenks in his family's kitchen, Createc makes hand-held computers that track lumber mill inventories. Those computers help managers assess their needs better, so fewer trees are cut unnecessarily.

A few years ago Createc began to export to Canada, and now those sales accounts have risen to nearly 20 per cent of their total business. That means a more secure future for the company, for Mr. Jenks, for his son Patrick, who works with his father in the family business. It shows how our trade can increase our prosperity and protect the environment as well.

Your companies are thriving in our markets, bringing tangible benefits to Canadians. Whether it is repairing the engines of some of the U.S. air force's largest planes or manufacturing software to manage our natural resources or building some of the Olympic village for Atlanta's 1996 games, Canadian firms are a strong presence in the United States. Their successes there help your people to turn their hopes into facts and their dreams into reality.

The example of our biggest industry shows another side of this remarkable story. Working together, U.S. and Canadian companies have integrated North America's auto industry and staged one of the most remarkable comebacks in all the history of the industrial revolution. We have drawn on each other's strengths, and today our companies work so closely that we do not speak any longer of U.S. or Canadian content in these vehicles, but of North American content, whether it is a Chrysler Minivan made in Windsor or a Chrysler Jeep made in Detroit. I think that was the ambassador from Michigan—I mean from the United States—clapping down there.

(1550)

Productivity and employment have risen to such a point that when I visited Detroit last fall the biggest complaint I heard from the auto workers in a state that was given up as being lost economically a decade ago was that they were working too much overtime. Where I come from that is known as a high class problem. The auto industry now provides more than one million jobs in our countries.

To reinforce our commitment to NAFTA and to dramatically expand an important market tomorrow, our nations will sign an agreement to open the skies between our two nations. This agreement, which allows for a dramatic expansion of U.S. and Canadian service to each other's nations, will create thousands of new jobs and billions of dollars of economic activities in our cities, yours and mine.

We have reached a fair solution that will make life easier for travellers on both sides of the border, that will profit both Canadian and U.S. airline carriers, that will increase the mutual travel and interconnections of our people. That we have done so amicably provides yet another model of how neighbouring nations can settle their differences.



*Address*

Friendship and engagement. Canada and the United States have shown the best there is in partnerships between nations: all the great potential that awaits all the free peoples of this earth if they can join in common cause. We are, as the monument at the St. Lawrence Seaway declares, two nations whose frontiers are the frontiers of friendship, whose ways are the ways of freedom, whose works are the works of peace.

Every day we see the enormous benefits this partnership gives to us in jobs, prosperity and the great creative energy that our interchanges bring. We have only seen the beginning. For the Susan Southwicks who want a chance to build better lives and the companies like Createc that are trying to build solid businesses that will last, this partnership holds a great promise with all the vast horizons of our great continent.

Together we have turned our energies toward improving the world around us for nearly a century. Today, more than ever, let us reaffirm and renew that great tradition. Let us engage and confront the great challenges of the end of this century and the beginning of the next. We must sustain our efforts. We must enhance our efforts. We must maintain our partnership. We must make it stronger.

This is our task and our mission. Together we will be equal to it. A border separates our peoples, but there are no boundaries to our common dreams.

Thank you and God bless you all.

**Some hon. members:** Hear, hear.

**Hon. Gildas Molgat (Speaker of the Senate):** Mr. President and Mrs. Clinton, monsieur le premier ministre et madame Chrétien, monsieur le Président de la Chambre des communes, Your Excellencies, membres distingués du Sénat et de la Chambre des communes, mesdames et messieurs.

(1555)

Mr. President, it is my pleasant task to thank you but no words that I could express could thank you better than the applause and the standing ovations which you received this afternoon.

We are all honoured, Mr. President and Mrs. Clinton, by your presence and we welcome the many American friends who have joined you in this voyage to Canada.

We appreciate your warm expressions of friendship and assure you that we hold you and your great nation in great esteem, our valued neighbours.

Many statesmen from across the world have addressed both Houses of Parliament in the past, but none have been more welcome than the American presidents and all have spoken eloquently, as you have today, of the close friendship between our two nations.

Mr. President, you referred earlier today at lunch time to the words of President Kennedy when he addressed our Parliament in May of 1961. I will repeat part of his comments which you mentioned: "Geography has made us neighbours. History has made us friends. Economics has made us partners and necessity has made us allies. Those whom nature has so joined together let no man put asunder. What unites us is far greater than what divides us".

[*Translation*]

Mr. President, the world has changed a great deal since 1961, but his remarks hold just as true today.

[*English*]

Mr. President, while history and nature have joined us together for many purposes, they have also made our two countries very different. It is therefore very important that we not take each other for granted.

It is important that our leaders and the members of their respective cabinets meet on a regular basis to co-ordinate policy and hopefully to iron out difficulties and disagreements before they arise.

Mr. President, we are happy to have you with us. We thank you for your inspiring words. We hope you will return.

**Some hon. members:** Hear, hear.

**Mr. Speaker Parent:** Mr. President and my colleagues. Mr. President, when you were in my chambers a little earlier I was explaining to you how we got the name to be Speaker. For about a year now, although I have been Speaker, they have not allowed me to speak in this, our own House of Commons.

Mr. President, your words and your presence in this Chamber underscore the profound friendship that our peoples have developed over many generations. Our relationship does stem from the fact that we are neighbours but its strength, Mr. President, derives from the fact that we share more than a common boundary. The 49th parallel is not so much a line that divides us as a place where two great nations come together.

Canada and the United States were built by immigrants, men and women who shared similar aspirations, a spirit of adventure and a sense of freedom, of equality, of democracy. When these immigrants came here they were met by our aboriginal people, whom we must never forget.

**Some hon. members:** Hear, hear.

**Mr. Speaker Parent:** Our common values are embodied in our institutions, and while Congress and Parliament may be similar, they are a study in contrast because they reflect our distinct traditions and national characters. However, Mr. President, they are built with the same mortar, democratic values and liberal values that form our common heritage.

*Address*

(1600)

Proximity also has its rewards. Like many Canadians I had the chance to attend American universities and many Americans have studied here in Canada. You may be interested in knowing, Mr. President, that five of our parliamentarians were born in the United States.

[*Translation*]

Our friendship is not based so much on our personal interests as on the values and ideas shared by our two countries. Throughout this century, we have worked together to promote these values. Our soldiers fought side by side and many of them died defending them.

Fifty years ago, we paid an enormous price in human lives to help bring peace to Europe. Together, Canadians and Americans helped create the United Nations and establish an international order dedicated to peace and democracy.

[*English*]

Our international co-operation has taken many forms. Together we have been liberators and we have been peacekeepers.

We have liberalized world trade, promoted human rights and fostered the rule of law.

Mr. President, very gently I remind you that 15 years ago a Canadian diplomat sheltered and secured the freedom of American citizens in danger. On that occasion we were reminded that we can and we will count on each other when it really matters because our friendship is so sacred.

**Some hon. members:** Hear, hear.

**Mr. Speaker Parent:** The men and women before you in this Chamber, Mr. President, are the face of Canada and they are the expression of our democracy. Yes, Mr. President, you do us great honour by speaking to Canadians in this Chamber.

As Speaker of the House of Commons may I offer a renewed expression of our respect and warm affection for you, for Mrs. Clinton and for all of our American friends.

Thank you, Mr. President.

I now adjourn this meeting.

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# CONTENTS

Friday, February 24, 1995

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## GOVERNMENT ORDERS

### **Electoral Boundaries Readjustment Act, 1995**

Bill C-69. Motion for second reading .....	9987
Mr. Gagliano .....	9987
Mr. Milliken .....	9987
Mr. Bellehumeur .....	9987
Mr. Hermanson .....	9989
(Motion deemed adopted, bill read the second time and referred to a committee.) .	9992

### **Young Offenders Act**

Bill C-37. Consideration resumed of motion for third reading .....	9992
Mrs. Hayes .....	9993
Mr. MacDonald .....	9994

## STATEMENTS BY MEMBERS

### **Model Parliament**

Mr. O'Reilly .....	9996
--------------------	------

### **French-language School Boards**

Mrs. Dalphond-Guiral .....	9996
----------------------------	------

### **Chemainus**

Mr. Ringma .....	9996
------------------	------

### **Caribou**

Ms. McLaughlin .....	9996
----------------------	------

### **Health**

Mr. Richardson .....	9997
----------------------	------

**Referendum on Quebec Sovereignty**

Mr. Lavigne (Verdun—Saint-Paul) ..... 9997

**John Oliver Secondary School**

Mr. Dhaliwal ..... 9997

**Air Transportation**

Mr. Landry ..... 9997

**Hiram Walker**

Mr. Schmidt ..... 9998

**The Budget**

Mr. Valeri ..... 9998

**The Budget**

Ms. Phinney ..... 9998

**Riding of Ottawa—Vanier**

Mr. Bélanger ..... 9998

**Free Trade Agreement**

Mr. Bergeron ..... 9998

**Indian Affairs**

Mr. Duncan ..... 9999

**Richard Weber and Misha Malakhov**

Mr. Bertrand ..... 9999

**Atlantic Canada**

Mr. Murphy ..... 9999

**Taxation**

Mrs. Brown (Calgary Southeast) ..... 9999

**ORAL QUESTIONS****Federal Public Service**

Mr. Gauthier (Roberval) ..... 10000

Mr. Eggleton .....	10000
Mr. Gauthier (Roberval) .....	10000
Mr. Eggleton .....	10000
Mr. Gauthier (Roberval) .....	10000
Mr. Eggleton .....	10000

**Program for Older Worker Adjustment**

Mr. Bellehumeur .....	10001
Mrs. Robillard .....	10001
Mr. Bellehumeur .....	10001
Mrs. Robillard .....	10001

**Pensions of Members**

Mr. Manning .....	10001
Mr. Eggleton .....	10001
Mr. Manning .....	10001
Mr. Eggleton .....	10001
Mr. Manning .....	10002
Mr. Eggleton .....	10002

**Labour Relations**

Mr. St-Laurent .....	10002
Mrs. Robillard .....	10002
Mr. St-Laurent .....	10002
Mrs. Robillard .....	10002

**Members of Parliament Pensions**

Mr. Harper (Calgary West) .....	10002
Mr. Eggleton .....	10002
Mr. Harper (Calgary West) .....	10003
Mr. Eggleton .....	10003

**Firearms Registration Legislation**

Mr. Pomerleau .....	10003
Mr. Rock .....	10003
Mr. Pomerleau .....	10003
Mr. Rock .....	10003

**Immigration**

Mr. White (Fraser Valley West) .....	10003
--------------------------------------	-------

Mr. Marchi .....	10003
Mr. White (Fraser Valley West) .....	10004
Mr. Marchi .....	10004
<b>Hepatitis C</b>	
Mrs. Picard .....	10004
Ms. Marleau .....	10004
Mrs. Picard .....	10004
Ms. Marleau .....	10004
<b>Parliament Hill</b>	
Mr. Regan .....	10005
Mr. Boudria .....	10005
<b>Railways</b>	
Mr. Schmidt .....	10005
Mrs. Robillard .....	10005
Mr. Schmidt .....	10005
Mrs. Robillard .....	10005
<b>Job Creation</b>	
Mrs. Lalonde .....	10005
Mr. Axworthy (Winnipeg South Centre) .....	10005
Mrs. Lalonde .....	10006
Mr. Axworthy (Winnipeg South Centre) .....	10006
<b>Health</b>	
Ms. Bridgman .....	10006
Mr. Gray .....	10006
Ms. Bridgman .....	10006
Mr. Gray .....	10006
<b>Employment</b>	
Mr. Scott (Fredericton—York—Sunbury) .....	10006
Mr. Axworthy (Winnipeg South Centre) .....	10006
<b>Violence against Women</b>	
Ms. McLaughlin .....	10007

Mr. Rock .....	10007
<b>Cultural Sovereignty</b>	
Mr. Leroux (Richmond—Wolfe) .....	10007
Ms. Guarnieri .....	10007
<b>Gun Control</b>	
Mr. Breitkreuz (Yorkton—Melville) .....	10007
Mr. Rock .....	10007
<b>Tourism</b>	
Mr. Wells .....	10007
Mr. Mills (Broadview—Greenwood) .....	10007
<b>Education</b>	
Mr. Ringma .....	10008
Ms. Guarnieri .....	10008
<b>Child Care</b>	
Mrs. Gagnon (Québec) .....	10008
Mr. Axworthy (Winnipeg South Centre) .....	10008

## **ROUTINE PROCEEDINGS**

<b>Health</b>	
Ms. Marleau .....	10008
<b>Interparliamentary Delegations</b>	
The Deputy Speaker .....	10008
<b>Committees of the House</b>	
<b>Finance</b>	
Mr. Peterson .....	10008
Mr. Laurin .....	10009
<b>Explosives Act</b>	
Bill C-71. Motions for introduction and first reading deemed adopted .....	10009

Mr. Rock .....	10009
<b>Criminal Code</b>	
Bill C-72. Motions for introduction and first reading deemed adopted. ....	10009
Mr. Rock .....	10009
<b>ADM Agri-Industries Ltd. Operations Act</b>	
Bill C-310. Motions for introduction and first reading deemed adopted .....	10009
Mr. Lincoln .....	10009
<b>United States Sugar Import Restrictions Retaliation Act</b>	
Bill C-311. Motions for introduction and first reading deemed adopted .....	10009
Mr. Zed .....	10009
<b>ADM Agri-Industries Ltd. Operations Act</b>	
Bill C-312. Motions for introduction and first reading agreed to. ....	10010
Mr. Discepola .....	10010
<b>ADM Agri-Industries Ltd. Operations Act</b>	
Bill C-313. Motions for introduction and first reading deemed adopted .....	10010
Mr. Lavigne (Verdun—Saint-Paul) .....	10010
<b>Petitions</b>	
<b>Social Housing</b>	
Mr. Marchand .....	10010
<b>Justice</b>	
Mrs. Brown (Calgary Southeast) .....	10011
<b>Government Expenditures</b>	
Ms. Meredith .....	10011
<b>Human Rights</b>	
Ms. Meredith .....	10011
<b>Crimes of a Sexual Nature</b>	
Mr. Bellemare .....	10011



<b>Rights of the Unborn</b>	
Mr. Bellemare .....	10011
<b>Human Rights</b>	
Mr. Bellemare .....	10011
<b>Assisted Suicide</b>	
Mr. Bellemare .....	10011
<b>Young Offenders Act</b>	
Mr. Bellemare .....	10011
<b>Taxation</b>	
Mr. Hart .....	10011
Mr. Frazer .....	10012
<b>Human Rights</b>	
Mr. Harper (Simcoe Centre) .....	10012
<b>Questions on the Order Paper</b>	
Mr. Milliken .....	10012
<b>Starred Questions</b>	
Mr. Milliken .....	10013
<b>Questions Passed as Orders for Returns</b>	
Mr. Milliken .....	10013

## **GOVERNMENT ORDERS**

<b>Young Offenders Act</b>	
Bill C-37. Consideration resumed of motion for third reading .....	10014
Mrs. Gagnon (Québec) .....	10014
Mr. Ringma .....	10015
Mr. Pomerleau .....	10016
Mr. Martin (Esquimalt—Juan de Fuca) .....	10018
Mrs. Dalphond—Guiral .....	10020
Mr. White (North Vancouver) .....	10021

Mr. Stinson .....	10023
-------------------	-------

## **PRIVATE MEMBERS' BUSINESS**

### **Property Rights**

Motion .....	10024
Mr. Scott (Skeena) .....	10024
Ms. Cohen .....	10026
Mr. St-Laurent .....	10028
Mr. Breitkreuz (Yorkton—Melville) .....	10029
Mr. Ringma .....	10030
Mr. Hermanson .....	10030
Mr. White (North Vancouver) .....	10031
Mr. Frazer .....	10032
Ms. Catterall .....	10032

### **Appendix**