



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, November 22, 1995**

**Speaker: The Honourable Gilbert Parent**

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## HOUSE OF COMMONS

Wednesday, November 22, 1995

The House met at 2 p.m.

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*Prayers*

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**The Speaker:** We are beginning a new tradition today which has been decided in committee and by order of the House. I shall now recognize the hon. member for Beaver River to lead the House in the singing of the national anthem.

*[Editor's Note: Whereupon members sang the national anthem.]*

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### STATEMENTS BY MEMBERS

*[English]*

#### THE LATE GARY HERREMA

**Mr. Alex Shepherd (Durham, Lib.):** Mr. Speaker, it is with sorrow that I report on the passing on Monday of Gary Herrema, chair of the regional municipality of Durham.

Mr. Herrema, who was a long time resident and farm operator in Uxbridge, was first elected in 1969 as councillor for what was then Scott township. As a testament to his leadership abilities, Gary Herrema became Durham regional chair in 1980 and remained in that position until his death just this last Monday.

Durham, for the edification of the House, represents 425,000 people.

I am proud to note that not only was Gary Herrema a Liberal candidate in the 1984 federal election, he was also an active and long time supporter of his community, of Parliament and of Canada.

Today Durham residents and their fellow Canadians are saddened by the loss of Gary Herrema. On their behalf, I convey my heartfelt sympathy to his wife, Helen, and to his family.

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#### GUN CONTROL

**Mr. Gary Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, the senators held hearings in western Canada on

Bill C-68, giving many Canadians the only chance they had to be heard.

The senators heard testimony from retired town councillor Jim Barker in Dauphin, Manitoba. He estimated that by the year 2003 the town of Dauphin will have to hire two more RCMP constables and two police clerks to handle the additional workload to implement the Liberal government's flawed firearm registration scheme.

Barker testified: "The ratepayers of this town will have to budget a minimum expenditure increase of \$200,000 per year. It is interesting to note that if these costs are at or near average, then the total cost to the lower levels of government in Canada for firearms registration would be around \$540 million per year".

This new evidence had never been heard by Parliament before and justified the senators' decision to take their hearings on the road. Why is it that senators in Ontario, Quebec and Atlantic Canada did not give their citizens the same opportunity to be heard as voters in the west?

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#### HIGHWAY 104

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, thanks to the hon. member of the Conservative Party from Sherbrooke who wrote to the auditor general, the death valley diversion in Nova Scotia became a national issue.

In turn, the auditor general is very critical of the government for diverting \$26 million from a federal-provincial agreement for work on a dangerous stretch of the Trans-Canada Highway to a tourist trail in the riding of the minister of public works.

The auditor general noted in his report that "the agreement assigns a duty of project review and approval but in this case, such a review was pre-empted by ministers who presented the matter as a fait accompli to officials who, in the circumstances, could only implement the decision".

Although they were forced to reverse their decision in August, upgrades to death valley will still be paid for by toll fees.

The public works minister, agreeing with the leader of the third party, once said the province was showing real leadership by making people pay user fees for their highways. The people of Nova Scotia and my party certainly do not feel that way.

*S. O. 31*

## HUMAN RIGHTS

**Ms. Colleen Beaumier (Brampton, Lib.):** Mr. Speaker, Canada has a long tradition of active involvement within the UN field of human rights. This tradition started with the late John Humphrey, one of the architects of the international bill of rights and the first director of the UN human rights division.

Canada continues to play a prominent role in promoting universal human rights and in strengthening international human rights mechanisms.

Since the establishment of the UN High Commissioner for Human Rights in 1993, Canada has sought to integrate the activities of the high commissioner and other human rights institutions into the UN's political, security and developmental activities and into the early warning and preventive work of the organization. This is an indication of Canada's overall emphasis on addressing root causes of instability which is consistent with the vision UN Secretary-General Boutros Boutros-Ghali outlined in his "Agenda for Peace".

As we welcome the UN Secretary-General to our nation's capital, let us reaffirm Canada's commitment to promote human rights in the community of nations and to strengthen the United Nations.

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## LINCOLN AND WELLAND REGIMENT

**Mr. Walt Lastewka (St. Catharines, Lib.):** Mr. Speaker, members of the Lincoln and Welland Regiment from St. Catharines have recently received two additional and long overdue battle honours from World War II.

The medals are in honour of the exceptional conduct and courage of the members of the Lincoln and Welland Regiment while part of the 10th Infantry Brigade of the Canadian 4th Armoured Division during battles in Kustan Canal and Bad-Zwisch, Germany in April 1945.

Colonel Don Muir, a major in command of a rifle battalion during both battles, noted that fighting was very intense in those last weeks of the war. Roy Adams, the regiment's president and also a veteran of those battles noted that his only regret is that many of the men who helped them earn these honours have passed away.

I would just like to say how proud I am and all Canadians are of our veterans. Their dedication, discipline and sacrifice made an allied victory possible in the second world war.

Congratulations to the Lincoln and Welland Regiment on this well earned, overdue honour.

## AGRICULTURE

**Mr. Allan Kerpan (Moose Jaw—Lake Centre, Ref.):** Mr. Speaker, western Canadian farmers are frustrated by the manner in which the WGTA payout is being handled. The lack of direction in providing formulas for sharing of the payment by landowner and tenant producer has caused confusion, tension and in many cases bitterness at the farm gate. Farmers who have financial agreements with the Farm Credit Corporation are particularly upset with its handling of the WGTA payout.

The minister instructed the FCC in March 1995 to pass along the benefit to producers. That benefit has mysteriously shrunk over the last eight months to a whopping 25 per cent of the benefit. Their questionable rationale was that holding back 75 per cent of the benefit would result in lower lease and sale agreements. The fact is the Farm Credit Corporation lease agreements and buyback asking prices have actually increased by as much as 20 per cent.

• (1405)

Farmers are demanding that the agriculture minister and the Farm Credit Corporation honour their original commitment to the producers of prairie grain.

\* \* \*

[Translation]

## CANADIAN BROADCASTING CORPORATION

**Mr. Jean-Guy Chrétien (Frontenac, BQ):** Mr. Speaker, the Prime Minister's thinly disguised threats to the CBC, which he accuses of not fulfilling its mandate as a promoter of Canadian unity, are an attack on the freedom of the press.

It is therefore not surprising that the Fédération professionnelle des journalistes du Québec has launched a petition aimed at preserving the independence of this crown corporation. The FPJQ feels that the Prime Minister has questioned the corporation's independence from the government.

For the Bloc members, there is nothing ambiguous about the message between the lines of what has been said by the Prime Minister, the Deputy Prime Minister and the minister of fisheries: the CBC is vulnerable to government pressure.

Now one wonders whether the scope of the budget cuts is not a form of reprisal by the Prime Minister, who has never accepted the change in the CBC's mandate and sees it as nothing more than a propaganda organ.

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## LEADER OF THE BLOC QUEBECOIS

**Mrs. Eleni Bakopanos (Saint-Denis, Lib.):** Mr. Speaker, since the election of the Parti Québécois in September 1994, the people of Quebec have been held hostage by a handful of power hungry politicians with nothing better to do than to govern by referendum.

Rather than take advantage of his first press conference to differentiate himself from his predecessor, the leader of the Bloc chose to follow in his footsteps, announcing right off the bat his intention to sign no new constitutional agreement with Canada and to prepare for another referendum on Quebec separation.

My constituents in Saint-Denis need jobs and a stronger guarantee of security for themselves and their children. And it is certainly not by scaring away investors, as the PQ has done for the past year or more, that the leader of the Bloc will manage to reduce unemployment in Quebec.

The people have waited too long. It is high time now for the Parti Québécois to finally put "their hearts in their work".

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[English]

#### REFORM PARTY OF CANADA

**Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.):** Mr. Speaker, in the 52 ridings the Reformers won, Reformers outspent Liberal candidates by almost half a million dollars.

That is right. The party that likes to point fingers at others about spending spent over \$2.2 million to win its seats. Now, two years after having won those seats, Reformers have told the media they are going to sit in them less. That is right. They spent almost \$43,000 a seat and they have said that Ottawa costs too much and they do not like it here.

We have lots of expensive seats on the Reform side but no one wants to fill them. Perhaps it is time for us to have a seat sale.

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#### POLITICAL PARTY AGENDAS

**Mr. Harold Culbert (Carleton—Charlotte, Lib.):** Mr. Speaker, I rise in the House today to express serious concerns.

In this House there is a separatist party that is quite open about its desire to break up Canada. We may not like its beliefs but its mandate is clear.

However, we have another party, the Reform Party, that does not like social programs, does not like our health care program, does not like the Canada pension plan and criticizes every attempt to end duplication. Time and time again that party has shown its contempt for Atlantic Canada. Now it says it will be the voice to represent Atlantic Canadians. I tell this House that Atlantic Canadians will not support a party that cannot decide what to support itself.

#### S. O. 31

The Liberal Party agenda has always been clear. The Liberal government believes that all Canadians are born equal and deserve equal rights. We believe in offering a hand up to those in need and we continue to work night and day to rebuild an economy to assure that all Canadians have an opportunity for employment.

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#### ATLANTIC CANADA

**Mrs. Diane Ablonczy (Calgary North, Ref.):** Mr. Speaker, the Liberal old federalists in Atlantic Canada continue to fail people in the region. Their short term patronage ridden band-aid solutions are not working.

The Liberal solution to unemployment in Cape Breton is simply to airlift people out to Ontario. They cling to the belief that bureaucrats and politicians should have all the say in how regional development resources are spent. They ridicule Reform's proposal to give citizens at the provincial and community levels the tools needed to develop self-reliance and a strong economic future.

● (1410)

Rather than make the operations of the fisheries department more efficient, the Liberals are now imposing enormous tax increases on fishers and ports users. It is no wonder most Newfoundland MPs do not live or pay taxes there.

It is clear the government has neither a workable short range or long term vision for the Atlantic provinces. Reform will continue to listen to the needs and aspirations of Atlantic Canadians.

\* \* \*

[Translation]

#### BOSNIA

**Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ):** Mr. Speaker, the Bloc Québécois welcomes the historic peace accord signed yesterday in Dayton, Ohio by the leaders of Bosnia, Croatia and Serbia. After four years of multilateral efforts to restore peace in the former Yugoslavia and end a bloody war that has claimed more than 250,000 lives, today there is hope that this accord will lead to a lasting peace.

Enormous challenges remain, however, and the international community will be asked to continue to provide not only humanitarian aid but also a 60,000 strong implementation force through NATO. This accord demonstrates that we were right to stay over there to protect the civilian population and take part in peacekeeping operations. We also believe we have a duty to take an active part in the peace process and the reconstruction which is about to begin.

*Oral Questions**[English]***RAILWAYS**

**Mr. Bill Blaikie (Winnipeg Transcona, NDP):** Mr. Speaker, recently constituents who work at CP Rail and VIA came to me about safety concerns they have about the way the recent collective agreements are being interpreted and enforced.

Canadian Pacific locomotive engineers are concerned about what is called turnaround combination service. VIA running crews are likewise being made to work when in previous times they could have booked rest without penalty.

Making tired people drive trains is not progress; it is tempting fate in the name of a false bottom line. I urge the Minister of Transport to look into the situation and tell CP and VIA to smarten up for the sake of the employees and in the interests of public safety.

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**ATLANTIC CANADA**

**Mr. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I rise today to reply to the rants of the Reform member for Vegreville about the political injustice he perceives exists in Atlantic Canada and specifically in P.E.I.

I take particular exception to the member's statement that "Islanders are forced to endure political oppression". Nothing could be further from the truth.

The only oppression that would occur in the Atlantic region would be if the Reform Party's policies of cutting the public health care system and Americanizing existing social programs were imposed on the people. I was shocked at the unfounded accusation of the member for Vegreville with respect to the political atmosphere on P.E.I.

Once again the Reform Party is exemplifying its pathetic policies of gaining cheap party support through divisiveness not only within the country as it did during the referendum but now within regions.

Shame to the member for Vegreville for unfounded accusations that can only be called cheap political fearmongering.

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*[Translation]***NATIONAL PATRIOTS DAY**

**Mr. Stéphane Bergeron (Verchères, BQ):** Mr. Speaker, tomorrow on national patriots day, Quebecers will pay tribute to those men and women who more than 150 years ago decided to defend and promote values which today are often taken for granted: freedom and democracy. It is no coincidence that November 23 was chosen by the National Assembly as the day on which we honour the memory of those who fought for civil and political freedoms as well as their national freedom.

On November 23, 1837, the Patriotes defeated British troops at Saint-Denis-sur-Richelieu, although the British outnumbered them and were better equipped. About a year ago, this House adopted a motion officially recognizing the historic contribution of the Patriotes to the establishment of democratic and responsible institutions. However, this government has taken no concrete action to make this recognition effective. I hope the government will acknowledge the will of the House and take appropriate action without delay.

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*[English]***ATLANTIC CANADA**

**Mr. Ron MacDonald (Dartmouth, Lib.):** Mr. Speaker, on Monday in a particularly hallucinogenic episode the member for Vegreville visualized himself and his party as the deliverers of freedom and democracy for the poor oppressed souls in Atlantic Canada.

His reference to the politically oppressed people of P.E.I. was just the latest and greatest example of why the Reform Party was not, is not and will never be anything but a bizarre footnote in the history of a short lived, radical, ideological party.

The Reform Party should have no illusions about sucking in the good people of Atlantic Canada. The people of Prince Edward Island and the Atlantic provinces have shown great maturity in the decisions they have made through the political process.

• (1415)

The statements made on Monday by the hon. member for Vegreville and in the past by those from his party only strengthen the case that the people of Atlantic Canada made the right decision on October 25, 1993 by completely rejecting the Reform Party and giving a resounding vote of support to the Prime Minister and the Liberal Party, the only national party that speaks for Atlantic Canadians.

**ORAL QUESTION PERIOD***[Translation]***THE CONSTITUTION**

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, in the final stretch of the referendum campaign, the Prime Minister made a commitment to respond to Quebecers' desire for change. In the days following the referendum, the government set up two committees. One, chaired by the Minister of Intergovernmental Affairs, is to propose changes to the federal system by Christmastime. Yesterday, outside the House, the government leader postponed the tabling of the committees' proposals by several months.

*Oral Questions*

My question is for the Prime Minister. Are we to understand that the extension of the deadlines of the ministerial committee on constitutional change announced yesterday by the Prime Minister means he has been unable to rally the premiers of English Canada round a proposal for constitutional change?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, first let me say we are very sorry to see the Leader of the Opposition leave the federal scene.

**Some hon. members:** Oh, oh.

**Mr. Chrétien (Saint-Maurice):** Over the past two years I have really enjoyed meeting him daily and answering his questions. I therefore wish him all the luck in the task he set for himself yesterday of dealing with Quebec's real problems—good management and putting Quebec's public finances in order. Obviously, someone else will be here across the way, in a few months.

However, to answer the hon. member's question, first, we have always said we were prepared to make changes. But we never promised to make constitutional changes, particularly since I promised during the referendum campaign that I would make no constitutional changes and that the House would not debate constitutional change if the Government of Quebec did not approve.

Yesterday, I got an answer from the Leader of the Opposition, who said he absolutely did not want any constitutional change. Therefore I am in no hurry, since he does not want any, and we said would not make any without their support.

However, some administrative changes may be made. There are signs of willingness on the part of the federal government, which could be debated and voted on in the House. I said that we would proceed with certain items between now and Christmas and I asked the Minister of Intergovernmental Affairs and his committee to report back by Christmas. We are not talking about several months. This is November 22, and in a month from now it will be three days before Christmas. So we are not talking about months, but weeks, Mr. Speaker.

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, I note the profound sadness overcoming the Prime Minister at the prospect of my leaving the House of Commons, should the members of the Parti Québécois so wish it. But he should not worry: I will not be far away.

I listened carefully to the Prime Minister's response on the changes he is not planning to make any more. Am I wrong, or did the Prime Minister say that he is backing down on the promise of constitutional change he made less than a month ago, that he is contemplating merely minor administrative changes and that his committee will now be called the ministerial committee on administrative change?

• (1420)

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the Leader of the Opposition has gone back to his old habits of commenting on what we have said. He made absolutely gratuitous statements during the referendum, and we will not let him get away with it any more.

I never said we were going to change the Constitution. He should read the speech I gave. I said we were going to make changes to the federation, constitutional changes, if necessary, but I never said they were going to be constitutional. I also said there would be no constitutional change without Quebec's approval. The Leader of the Opposition said yesterday he did not want any. He wants to remain a separatist—good for him. So we will bear this in mind, we will do what has to be done to keep the federation running and we will get on with the real problems, as the Leader of the Opposition put it, we will be concerned with job creation, good government and the deficit problems of both the federal and the provincial governments.

If the Leader of the Opposition really wants to work on these problems, we are prepared to co-operate with him.

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, what a sorry about-face. If I ever do go to Quebec City, I will tell Mr. Johnson not to hold his breath for the changes he is expecting from the Prime Minister.

Should we conclude, and this question is clear—if there is one thing I have learned in this House, it is how to answer questions—are we to conclude that, as of today, less than a month after the referendum, after the speech we all heard in which the Prime Minister promised Quebec everything anyone could ever want after the referendum campaign, are we to understand that he is renegeing on these changes he made hastily at the time and that he is going back to his old strategy of putting English Canada to sleep and offering Quebec nothing?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, what I said in my speech was very simple. I said that my party and I had been, are currently and would be in favour of a distinct society for Quebec, something the Leader of the Opposition and his party fought against in the Charlottetown accord.

Furthermore, during the referendum, he criticized us for not having supported that, when they voted against it in the Charlottetown referendum and all the PQ members voted against the Meech Lake accord in the National Assembly. We are still in favour of a distinct society, as we indicated in Charlottetown and in this House. In order to add it to the Constitution, we require the approval of the Government of Quebec. The Leader of the Opposition has said he does not want it written into the Constitution. So we will not do it against the wishes of Quebec.

*Oral Questions*

Secondly, I said that we did not want any constitutional changes without the agreement of the Government of Quebec or the people of Quebec, as has happened in the past. Sometimes referendums can be held. Here again, we cannot act without the approval of Quebec. We can, however, impose certain restrictions on ourselves, if we wish. This is perhaps what we will do.

As for sharing responsibilities, the minister responsible has signed nine agreements with the provinces to improve the system and put an end to duplication. The current PQ government is not interested in such an agreement. I hope that, as government leader, the Leader of the Opposition will make good management a priority and help us determine which jurisdictions are in competition so we can ensure that taxpayers in Quebec as in the other provinces receive the most for the taxes they pay annually to the two levels of government.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, what a regrettable performance by someone wanting to renege on his commitments and not able to find a way to get out of those he cannot keep.

The Prime Minister of Canada was one of those who loved us so madly three days before the referendum that he promised recognition of a special status for Quebec. He promised us a right of veto, as well as decentralized powers. That is what he promised us just before the referendum, when he loved us.

• (1425)

Will the Prime Minister be frank enough to admit that he then heeded his mentor Pierre Trudeau's admonition of several weeks ago, and that his about-face is the result of the word from Trudeau?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I told Quebecers there would be no constitutional change without the consent of the Government of Quebec.

Yesterday the man who wishes to head the Government of Quebec said that this was impossible, that he was a sovereignist, that he did not want any changes to the Constitution. I was not the one who said this, it was the Leader of the Opposition himself. As I have said, I will not make any changes against his wishes; let no one blame me for heeding the wishes of the Government of Quebec.

Second, as for the distinct society, we have affirmed this and will have other occasions to affirm it, and I hope that the hon. member for Roberval will get up in this House and state that he is in favour of a distinct society if that is what is wanted. I can hardly wait for that day to come.

Then we shall see what really happens. During the referendum campaign, they said that in their hearts they were opposed to a distinct society because they are sovereignists, and still unfortunately separatists.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, are the words of the Prime Minister, who is getting caught up in an increasingly tangled web, not an admission of his powerlessness, his inability to fulfil his commitments toward Quebec made within three days of the referendum, when he was in love with Quebec?

Is this not an admission of powerlessness? Does the Prime Minister realize that mere cosmetic changes will never satisfy Quebec, and that he is incapable of an in depth solution to the problem?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, my speech is recorded and is clear. I said that the party I represent was in favour of a distinct society and that we were going to affirm it. We will have the opportunity to affirm it, even if the Bloc Québécois does not want us to.

Second, I have said and I am committed to it, that we would not make any constitutional change without the consent of the Government of Quebec or the people of Quebec, and we are going to keep our word. Nothing can be clearer than that, and I repeat it today in this House.

As for better administration and shared responsibilities, we are working on this at the present time, and I trust that we will have the co-operation of the new Government of Quebec, unlike the current one, which has never wanted to discuss it seriously with the minister responsible for federal-provincial relations.

[English]

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, all of us are familiar with the principle that those who do not learn from the mistakes of the past are bound to repeat them.

In the Quebec referendum campaign the biggest mistake the Prime Minister made was to grossly underestimate the demand for change in his home province. It was only in the last week of that campaign that he mentioned change at all, and when he did so it was so vague as to have no positive consequence on the campaign.

Will the Prime Minister repeat that mistake again by putting change on the back burner or will he present Canadians with a substantial plan for showing the way this federation ought to operate?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the leader of the third party always refers to the fact that we do not need any constitutional change. He said that in the House not long ago. He says that he does not want to weaken the federal government but whenever he makes a speech he asks us, for example, to dismantle medicare.



*Oral Questions*

**Some hon. members:** Oh, oh.

**Mr. Chrétien (Saint-Maurice):** They are changing their minds because the people of Alberta at this moment are telling the provincial government that they do not want to see medicare destroyed.

We are working to make sure there is less duplication and a better sharing of responsibilities between the provincial governments and the federal government. We are working on that.

• (1430)

However, if the goal is to destroy the central government in Ottawa so that we will have a community of communities, this Prime Minister is not for that.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, the Prime Minister speaks of destroying the country and dismantling federalism. I remind him he is the one who allowed the country to get within .6 of 1 per cent—

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

**Some hon. members:** Oh, oh.

**The Speaker:** Order. The hon. member for Calgary Southwest.

**Mr. Manning:** Mr. Speaker, we are talking about mistakes. The worst mistake the federalists can make in preparing for the next and final contest with the separatists would be to use yesterday's tactics. Yesterday's tactics are for yesterday's federalists, not the new federalists of the 21st century.

That means it would be a profound mistake to go back to the contents and tactics of the Meech Lake or Charlottetown accords, with their talk of special status, distinct societies or vetoes for Quebec.

Will the Prime Minister assure the House and all Canadians that he will not be marching backwards into the future, that he will not go back to Meech or Charlottetown for solutions to the current struggle between federalists and separatists?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, here again we see the leader of the third party in bed with the separatist party in the House of Commons.

When we were fighting in Quebec the leader of the third party was in the House shooting at us, contrary to what the leader of the Conservative Party was doing; in the campaign, working for Canada. The leader of the Reform Party was always on his feet trying to ensure he might some day become the prime minister of the rest of the country, because he will never be the prime minister of the whole country, Canada.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, it is obvious the Prime Minister will not listen to me. Maybe he will listen to someone from Quebec.

One of the most telling letters I received during the referendum was from a soft sovereignist who said he would probably vote yes, but who added this explanation: "The matter at hand is not really the separation of Canada and Quebec, but the separation of Quebec from the present form of federal government. You as a Reformer said you want decentralization, which necessitates serious change to the present form of federal government, but negotiations in good faith with the Liberals will not accomplish this".

This Quebecer does not want to separate from Canada but from an overcentralized federal government. He is one of the 80 per cent of Quebecers who want a realignment of federal-provincial powers.

**Some hon. members:** Order.

**The Speaker:** I know the hon. member for Calgary Southwest will now put his question.

• (1435)

**Mr. Manning:** What is the Prime Minister's response to this demand for change from a Quebecer who really wants to stay in Canada?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the person is a soft sovereignist. Perhaps the leader of the third party, who hopes some day to be the leader of the opposition, although he might not succeed if he does not become better than he is, should stop quoting from separatists or quasi-separatists and start to really work with us to make sure Canada is a good country with values and a social system that binds all Canadians together.

\* \* \*

[Translation]

#### CANADIAN BROADCASTING CORPORATION

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, my question is directed to the Prime Minister. After hinting that he would not respect the democratic results of the referendum, the Prime Minister said he wanted to prevent another referendum from being held in Quebec and then went on to criticize the Canadian Broadcasting Corporation, which, according to him, did not show sufficient support for national unity during the last referendum campaign.

Does this mean that the Prime Minister not only wants to prevent Quebecers from voting again on their future at the appropriate time but also wants to control the news coverage they get through the CBC?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, certainly not. I made certain comments. I said that some people complained about the way the CBC behaved during the referendum campaign. Someone also said that the CBC was jeopardizing its reputation and should be lumped in with all the other lackeys and puppets of the government.

*Oral Questions*

Even the Leader of the Opposition criticized the CBC during the referendum campaign. I gave one opinion, and there were people who were not satisfied with the CBC's performance, including the Leader of the Opposition.

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, I would like to set the record straight. The Leader of the Opposition criticized the CBC when the network refused to broadcast the Yes committee's message, not because of its news coverage.

Is the Prime Minister saying that he intends to put back into the Broadcasting Act the obligation to promote national unity and thus force the CBC to be its master's voice instead of an independent news broadcaster?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I think that what we want is objective news coverage. As I said at the time, I am hardly in a position to complain, because since I want a good night's sleep, I do not listen to the CBC before I go to bed. That is why I am healthy. I get a good night's sleep.

However, we want our news coverage to be objective. But the funny thing is that when the opposition criticizes the CBC, there is no problem. But when the government party does, it is not fair. What I had to say, I said publicly. I have never spoken to the president of the CBC since he was appointed. I let him get on with his job. However, I will not refrain from expressing my opinion as party leader, like the Leader of the Opposition did during the referendum campaign.

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[English]

**TAXATION**

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, the auditor general has pointed out that the new E-file method of filing tax returns has serious flaws and is therefore open to substantial abuse, while the Minister of National Revenue says the system just needs a little fine tuning.

Canadians will quickly lose confidence in a system that penalizes honest taxpayers by letting others off the hook while this minister wants to squeeze every taxpayer until it hurts.

• (1440)

What commitment do we have today that the minister will fix the problems raised by the auditor general?

**Hon. David Anderson (Minister of National Revenue, Lib.):** Mr. Speaker, we are happy at Revenue Canada to have the comments of the auditor general. However, the hon. member has exaggerated and used figures which are simply not accurate.

The auditor general said: "Although our analysis is insufficient to draw firm conclusions about cause and effect—more years of data are required to determine if this movement is temporary or permanent in nature".

Electronic filing provides substantial improvements in service to Canadians, to the taxpayer and to the government in terms of reduced costs. It improves the opportunity for effective surveillance to prevent fraud by people who might cheat the system. It also dramatically increases the speed with which cheques get out to the public.

It is a new system introduced in 1990. It is a system on which there are not full information years on which we can base substantial comparisons, but every indication is that the system is working absolutely as well as the previous paper system, except for the advantages I outlined.

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, the minister is asleep, like most of the others.

The government squeezed another \$7.3 billion out of Canadians in the last fiscal year. It is obvious the government intends to balance the budget through increase taxation, not cuts in spending. Last year it collected \$7.3 billion more in taxes while it reduced the deficit by only \$4.5 billion.

Will the minister admit he does not have a tax cutting policy that works or a taxation collection policy that works, and that he does not know how he will fix either of them?

**Hon. David Anderson (Minister of National Revenue, Lib.):** Mr. Speaker, the hon. member has correctly pointed out the tax system is generating more revenue. The basic reason is the confidence the business community has in the Minister of Finance. However, if I may modestly add, another reason is that Revenue Canada is working more effectively than ever before.

New developments in technology and the information highway are particularly difficult for Reformers to understand. We must still tell them the old system of inefficiency, time consuming as it was, which cost the taxpayer money and which led to more abuse and fraud, is not the way we will be going in the future.

We have over the last two years picked up \$7 billion through our enforcement programs. We are doing this in a manner which recognizes that the client, the ordinary Canadian taxpayer, is in almost every case, at least 96 per cent, an honest citizen.

The approach of the opposition—

\* \* \*

[Translation]

**MANPOWER TRAINING**

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, if the Prime Minister does not listen to Radio-Canada, one wonders how he can criticize the network.

My question is directed to the Minister of Human Resources Development. In his report released yesterday, the auditor general made it clear that manpower training programs are poorly adapted to the requirements of Canadian businesses.

*Oral Questions*

Would the minister agree that the auditor general's harsh assessment of federal manpower training programs is further evidence it is high time the federal government withdrew altogether from manpower training and left it up to the provinces?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, to set the record straight, I listen to CBC radio.

• (1445)

The auditor general said something we have been saying for the past two years: that we have to substantially revamp training programs to ensure that the private sector takes far more responsibility, invests far more of its dollars to help young people in particular get jobs, and that people in the existing workforce upgrade and get the kinds of skills required within the area.

Since 1993, as we have begun to make the changes the auditor general observed, we have been able to leverage over 77 million additional dollars from the private sector for training young people. It shows that while the auditor general was observing what should be done we were already doing it.

[Translation]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, will the minister stop being so stubborn and acknowledge that, if manpower training programs are to reflect the requirements of the private sector in terms of training and jobs, the minister should respond to a consensus in Quebec among government, business, unions and interest groups, all of whom want to see responsibility for manpower training patriated to Quebec?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, it is unfortunate the hon. member did not do her homework before she asked the question. If she had, she would know that in July 1994 we signed an agreement with the province of Quebec, with the SQDM, in which we have a basic agreement and partnership on the supply of training. The SQDM advises on labour market demands, approves course selection, identifies qualified training institutions, determines course curriculum, confirms that training responds to skills. We are working in partnership with the SQDM to make sure we get full dollar.

I agree that we have to go beyond that. That is why in the reform we are developing we intend to give far more space to the provinces in the training area so they can make those choices

and at the same ensure that clients under the unemployment insurance program are properly and effectively served and getting back to work.

\* \* \*

**REGIONAL DEVELOPMENT**

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, five years ago the Treasury Board approved a policy to make all government contributions to businesses repayable. In the finance minister's 1995 budget speech he confirmed that policy. Yet at FEDNOR only 92 per cent, at ACOA 83 per cent, and in his own FORD-Q only 76 per cent of the loans are being made repayable.

Why is the finance minister not enforcing his own guidelines within cabinet?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, in all regional agencies a series of loans were outstanding that are in the process of running. The policy applied to new loans. There was to be a phase in process; one was not to impose this immediately so that business would be able to adjust.

When one looks at those loans within the regional agencies, it is the commercial loans that are repayable. As well, the regional agencies have activities in non profit making areas, structural areas that may well help the economy or a particular region. Those are not repayable.

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, despite the minister's fine words there is no real accounting in regional development. I point to his department. Over a quarter of the loans approved by his department did not even need government assistance in the first place, according to the auditor general's report. Those approvals amounted to \$65 million for FORD-Q.

Will the minister commit today to stop this hemorrhaging of Canadians' hard earned tax dollars? In other words will he do his job?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, the vast majority of the criticisms levelled by the auditor general as far as the regional agencies were concerned were levelled in terms of activities that took place prior to the election of the government.

A number of those criticisms were recognized by the individual ministers when they took office. It is as a result of the recognition of those criticisms that the fundamental changes in all the agencies have taken place, changes which have gone a long way to rectify the criticisms the member has just brought forward.

*Oral Questions*

• (1450)

[Translation]

**CP RAIL**

**Mr. Paul Mercier (Blainville—Deux—Montagnes, BQ):** Mr. Speaker, my question is directed to the Prime Minister.

In addition to the loss of 710 jobs in Montreal, CP Rail's decision to move its headquarters will further diminish the city's position within Canada's transportation sector. The decision to move CP headquarters is a direct result of federal railway policies which, thanks to enormous subsidies and protected branch lines, have caused a shift in railway activity to Western Canada.

What does the Prime Minister intend to do to compensate for the jobs lost in Montreal as a direct result of federal policies that provide massive subsidies for the railways in Western Canada?

[English]

**Mr. Joe Fontana (Parliamentary Secretary to Minister of Transport, Lib.):** Mr. Speaker, the hon. member, who is a member of the Standing Committee on Transport, will have a great opportunity for his party to get on the record to help this government build an efficient and affordable railway system in the country.

If he wants to ensure that we have good transportation he will support the government's Bill C-101, which will make it possible in Quebec and across the country to build short line railways and make sure that customers and shippers can move their goods in an efficient and affordable manner so that the country can continue to build on the export business.

What the Bloc Quebecois can do for the country is help us build a great transportation system.

[Translation]

**Mr. Paul Mercier (Blainville—Deux—Montagnes, BQ):** Mr. Speaker, my question was directed to the Prime Minister, so I expected a member of the government to reply.

The Prime Minister said he wanted to deal with the real problems—

**Some hon. members:** Oh, oh.

**The Speaker:** My dear colleagues, as you know, when questions are put in the House, anyone on the government side may answer the question. I would ask the hon. member to put please his question right away.

**Mr. Mercier:** Mr. Speaker, I meant a member of cabinet.

The Prime Minister said he wanted to deal with the real problems, but the federal government is causing these problems with its discriminatory treatment of Montreal.

Now that CP Rail is leaving Montreal and Canadian Airlines International has stopped its operations at Mirabel, another consequence of railway policies, when is the Prime Minister going to take steps to make Montreal the focus of the transportation sector, which it has always been until now?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, it is all very well for the Bloc Quebecois to keep blaming the government, but perhaps they should take a good look in the mirror. Considering the kind of climate they created in Quebec during the past few years and the intolerance they have often shown towards minorities in Quebec, it is hardly surprising that right now, some people want to get out of Montreal.

\* \* \*

[English]

**VIETNAM**

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, my question is for the Minister of Foreign Affairs.

On October 4 I asked the Minister of Foreign Affairs to raise with the Vietnamese government the case of nine religious, academic and cultural leaders then in prison in Vietnam. I am happy to say that two of these prisoners have now been released and they have arrived in North America.

Could the minister assure the House that he would continue the policy of quiet diplomacy on behalf of the remaining members of the group still in prison?

**Hon. Raymond Chan (Secretary of State (Asia-Pacific), Lib.):** Mr. Speaker, I am glad to respond to the hon. member that our foreign affairs minister was in Vietnam recently and made representations to his Vietnamese counterpart, the foreign affairs minister of Vietnam, and to the Prime Minister of Vietnam to encourage greater respect for human rights.

We are also seeking Vietnamese concurrence for a visit to Vietnam by Canadian Human Rights Commissioner Max Yalden to further develop dialogue in that area. Canada continues to voice concerns about the human rights situation in Vietnam in international fora.

\* \* \*

• (1455)

**CANADIAN BROADCASTING CORPORATION**

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, the Minister of Canadian Heritage has instructed the president of the CBC to come up with \$350 million in spending cuts. Today he is announcing that he will be \$120 million short in that department. There is no guarantee that the mandate committee report at the end of the month will give the president the scope to make the cuts he needs to make.

*Oral Questions*

Will the Minister of Canadian Heritage show some leadership for a change and untie the hands of the president of the CBC and allow him to go ahead and make some fundamental cuts to the CBC, including allowing private broadcasters to start to deliver some of the services the CBC currently delivers?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, our colleague should be aware that today the president of the CBC announced very important re-engineering within the CBC. This is in keeping with reduction of the deficit and reduction of budgets. He has the support of the government in his effort to turn the CBC into a modern, forward looking agency.

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, I just explained that to the minister. I am glad he was listening so carefully. The problem is he is \$120 million short. Surely the minister picked that up when he read the newspaper this morning.

The CBC is at a watershed today. Will the minister show some leadership and give the president of the CBC the mandate he needs to go ahead and make further cuts so he can achieve the \$120 million in savings and the scope he needs to fundamentally rethink the CBC, including allowing private broadcasters to play a larger role in delivering those services?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, it is precisely to enable the president of the CBC to rethink the CBC that the government has formed a committee to examine the mandate. The mandate is the heart of the CBC. The reports of the mandate committee will be available at the end of this month. In the meantime, our colleagues may hold their breath.

\* \* \*

[Translation]

**INFORMATION HIGHWAY**

**Mr. Pierre de Savoye (Portneuf, BQ):** Mr. Speaker, my question is also for the Minister of Canadian Heritage.

Recently, the Information Highway Advisory Council tabled its final report. This report completely trivializes Quebec culture, since it calls for an information highway serving a single so-called Canadian identity and culture. As well, various elements of this report are likely to result in further federal intrusion into areas in which Quebec is already fully exercising its responsibilities, health and education for instance.

Does the minister commit to rejecting these recommendations, which invite the federal government to interfere in areas that are exclusively Quebec's jurisdiction, such as health and education?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, a committee has indeed made recommendations. I would like to point out to my colleague that, among the recommendations made by one of the working groups created by this committee, there are some that are content-related, that is to say culture and all of those elements which may make up content. This is the specific area I shall address.

We will be bringing forward a series of recommendations following up on the work of these committees and of the advisory council, and I trust that our colleague will be able to see that our decisions are judicious ones and link Canada up to the world information highway.

\* \* \*

[English]

**FISHERIES**

**Mr. Mike Scott (Skeena, Ref.):** Mr. Speaker, the fisheries minister said in the House this week that his new \$50 million tax grab, which he calls access fees, will be applied in a fair and equitable manner. Reform profoundly disagrees with this intolerable tax, and now we find that native commercial fishermen will pay only half the access fee that non-natives pay.

Will the minister now admit this policy is essentially discriminatory at its core, commit here and now in the House to equality of treatment for all Canadians and stop treating non-native fishermen as second class citizens in their own country?

● (1500)

**Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I am sure the member, who comes from Prince Rupert and who has within his constituency both native and non-native fishermen, would not want to get up in the House and inadvertently or carelessly, which would not be in his nature, cause a division between the native community and the non-native community.

**Mr. Abbott:** You are causing the division.

**Mr. Silye:** It is your rule.

**Mr. Tobin:** I have a bad throat so you will have to be quiet if you want to hear the answer. I am not used to yelling.

As the hon. member knows, people with native backgrounds occupy 40 per cent of the commercial sector of the industry. Coming from Prince Rupert I am sure he knows that. The commercial fleet, the people who speak on behalf of the aboriginal fisheries, the sports sector, in fact all sectors, are attending a round table process. The purpose of this process is to bring the industry together to produce a plan for the proper management of the fishery.

*Routine Proceedings*

The process is not finished and until it is those kinds of conclusions cannot be drawn. We ought to let people who want to work together—

**The Speaker:** I would remind hon. members to address the Chair.

\* \* \*

**JUSTICE**

**Mr. Gary Pillitteri (Niagara Falls, Lib.):** Mr. Speaker, crime prevention has always been one of our major goals. We all know that in order to prevent crime it is necessary to respond to the underlying social costs of criminal behaviour. Access to education and training are the essential elements from crime prevention.

Therefore, what is the government planning to do to promote involvement in the justice system?

**Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth), Lib.):** Mr. Speaker, the government is very concerned about community safety and security as it relates to young people.

We have set up a program that reaches across the country from the far west right into the Atlantic and up into the north. Fifteen communities across the country will benefit from this initiative. For example, one project announced in September is situated in the southern Ontario region. We expect to have 20 youth participate in this project once it is under way.

The government is working with all partners in order to better aid Canada's youth. In addition to that, human resources development is working with community partners and youth to improve public safety as a whole.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I wish to draw members' attention to the presence in the gallery of the Honourable Grich Gongpechara, First Deputy Speaker of the House of Representatives of the Kingdom of Thailand.

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

**ROUTINE PROCEEDINGS**

• (1505)

*[Translation]***GOVERNMENT RESPONSE TO PETITIONS**

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam

Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to two petitions.

\* \* \*

*[English]***INTERPARLIAMENTARY DELEGATIONS**

**Mrs. Eleni Bakopanos (Saint-Denis, Lib.):** Madam Speaker, pursuant to Standing Order 34(1), I have the honour to present, in both official languages, the 10th report of the Canadian NATO Parliamentary Association, which represented Canada at the 41st annual session of the North Atlantic Assembly held in Turin, Italy, from October 5 to 9, 1995.

\* \* \*

**COMMITTEES OF THE HOUSE****HEALTH**

**Hon. Roger Simmons (Burin—St. George's, Lib.):** Madam Speaker, I have the honour on behalf of the Standing Committee on Health to present its sixth report in accordance with its order of reference of November 1, 1995.

The committee has considered votes 1a, 5a, 10a, 20a and 25a under health in supplementary estimates (A) for the fiscal year ended March 31, 1996 and report the same.

A copy of the minutes of proceedings relating to the study is tabled.

**ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT**

**Mr. Raymond Bonin (Nickel Belt, Lib.):** Madam Speaker, I have the honour to present, in both official languages, the 10th report of the Standing Committee on Aboriginal Affairs and Northern Development on Bill C-107, an act respecting the establishment of the British Columbia Treaty Commission, and have agreed to report it without amendment.

\* \* \*

**STANDING COMMITTEE ON FINANCE****AUTHORIZATION FOR COMMITTEE TO TRAVEL**

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I think you would find consent for the following motion. I move:

That the Standing Committee on Finance or any of its subcommittees be authorized to adjourn from place to place within Canada during the week commencing November 27, 1995 to hold prebudget consultations and that the necessary staff accompany the committee.

(Motion agreed to.)

**PETITIONS**

## CRIMINAL CODE

**Mr. Ed Harper (Simcoe Centre, Ref.):** Madam Speaker, today I have two petitions to present on behalf of the constituents of Simcoe Centre.

The first petition concerns section 745 of the Criminal Code. The petitioners request that Parliament repeal section 745 of the Criminal Code so that convicted murderers have to serve their full 25-year sentence behind bars.

## HUMAN RIGHTS

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, the second group of petitioners request that the Government of Canada not amend the human rights act to include the phrase of sexual orientation.

The petitioners are concerned about including the undefined phrase of sexual orientation in the Canadian Human Rights Act. Refusing to define this statement leaves interpretation open to the courts, a very dangerous precedent to set.

Parliament has a responsibility to Canadians to ensure that legislation cannot be misinterpreted.

• (1510)

## ST. LAWRENCE SEAWAY

**Mr. Bob Kilger (Stormont—Dundas, Lib.):** Madam Speaker, pursuant to Standing Order 36, I am pleased to present a petition which is signed by a number of residents of my riding of Stormont—Dundas.

The petitioners call on Parliament to ensure that approximately 70 Cornwall jobs at the St. Lawrence Seaway Authority headquarters remain in Cornwall. They also emphasize that the city of Cornwall cannot afford any more economic losses of jobs in an already depressed area which has been hard hit by the closure of several industries.

Many other petitions were circulated locally. While not in the proper form for this House, they still request that the same consideration be given and that Parliament recognize the historical link between the St. Lawrence Seaway Authority and the city of Cornwall by keeping the head office and those jobs in the seaway city.

## INCOME TAX

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, pursuant to Standing Order 36, I wish to present a petition which has been circulating all across Canada. The petition has been signed by a number of Canadians from Cambridge, Ontario.

The petitioners would like to draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society.

*Supply*

They also state that the Income Tax Act discriminates against families that make the choice to provide care in the home to preschool children, the disabled, the chronically ill or the aged.

The petitioners therefore pray and call on Parliament to pursue initiatives to eliminate tax discrimination against families that decide to provide care in the home for preschool children, the disabled, the chronically ill or the aged.

\* \* \*

**QUESTIONS ON THE ORDER PAPER**

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I ask that all questions be allowed to stand.

**The Acting Speaker (Mrs. Maheu):** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

[*Translation*]

**MOTIONS FOR PAPERS**

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

**The Acting Speaker (Mrs. Maheu):** Is that agreed?

**Some hon. members:** Agreed.

**GOVERNMENT ORDERS**

[*English*]

**SUPPLY**

## ALLOTTED DAY—RIGHTS OF VICTIMS

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.)** moved:

That this House condemn the government for failing to make progress in reforming the criminal justice system in terms of introducing measures to ensure that the rights of the victim are protected and that these rights supersede the rights of the criminal and in terms of changing the name of the week of November 19 to 26 from Prisoners' Week to Victims' Rights Week.

He said: Madam Speaker, I will be dividing my time. It is an honour and a privilege to lead off the debate on this Reform motion.

On March 17, 1994 I had the pleasure of participating in our first debate in the House on victims' rights. The example I will use comes from my home province of Saskatchewan. It illustrates the government's preoccupation with criminals' rights rather than victims' rights. It is the case of Gregory Fischer, a convicted cop killer. He was sentenced to life imprisonment with no chance of parole for 25 years.

*Supply*

Fischer had just applied for early release under the Liberal government's faint hope clause, section 745 of the Criminal Code. Mrs. Marie King-Forest, the wife of RCMP Constable Brian King, had to fight hard for her right to be heard at these hearings. She had the support and sympathy of many friends, the police, the public, the media and many MPs in the House.

How did the Liberal government respond to this one victim's lonely struggle? What was her family's reward for reliving the nightmare of her husband's mindless murder by two cold-blooded killers? The Liberal government rewarded Mrs. King-Forest with a small change to Bill C-41, giving victims the right to introduce a victim impact statement in the judicial hearings that decide to release these killers early. The court rewarded Mrs. King-Forest's efforts by cutting two years off Gregory Fischer's sentence. That is Liberal justice.

The Liberals are poised once again to drag Mrs. King-Forest through the same ordeal because now Darrel Crook, her husband's other murderer, is applying for early release under the same Liberal loophole in the Criminal Code.

• (1515)

If the Liberals had accepted our amendment during the debate on Bill C-41, section 745 of the Criminal Code would have been repealed and Mr. Crooks and the hundreds of other killers who were serving life sentences with no chance of parole would have served their full sentences. If our amendment had been accepted, Mrs. King-Forest and her family would not have to endure another senseless judicial hearing.

Under a Reform government, when the court says no chance of parole for 25 years, that is exactly what the heartless criminal will get. If do-gooders are concerned about killers' rehabilitation, let them play their games after the full sentence has been served. Certainty in sentencing, protecting society and giving the relatives of the victims some peace and closure are more important than letting a killer back on the streets a couple of years early.

Everything our party has done with respect to the criminal justice issue has been governed by our fundamental principle that the rights of the victim should supersede the rights of the criminal.

During the debate on Bill C-37, the Young Offenders Act, we proposed changes that would better protect victims rights. We proposed changes that would place more emphasis on victim compensation as part of the sentencing. We proposed that the parents of young offenders be held legally responsible for the crimes committed by their children, if it could be demonstrated that the parents failed to exercise reasonable parental control. Under these proposals parents would be required to compensate victims for property crimes committed by their children.

Unfortunately, the Liberals ignored our advice and recommendations. They voted against our amendments and against giving victims more rights than the criminals.

During the debate on Bill C-41, the sentencing bill, Reformers proposed changes that would ensure victims were protected. We proposed that victims be given the right to express their views on whether the use of alternate measures were appropriate for the crime against them. We proposed measures which would ensure sentencing would be proportionate to the gravity of the criminal conduct and to the actual harm done to the victim. We proposed changes which would give victims the right to give verbal victim impact statements.

As stated previously, we proposed the repeal of section 745 of the Criminal Code, which would ensure killers stayed in jail for the full term of their sentence. For Reformers, life means life. Unfortunately, the Liberals ignored our advice and recommendations and voted against our amendments and against giving victims more rights than criminals.

During debate on Bill C-45, the Corrections and Conditional Release Act, Reformers proposed changes that would give victims more rights. We proposed amendments that would ensure victims received direct financial compensation from the offender's income while incarcerated. We also proposed that violent criminals be denied parole and statutory release thereby protecting the rights of victims to life, liberty and security of the person.

We proposed that criminals who commit criminal acts while on parole or conditional release be sent back to serve the full sentence of their crime and then the full term of the sentence of their second offence. Two plus two is four consecutive sentences, not concurrent.

To protect victims of child sexual abuse, we proposed a child sex offender registry and that this registry be made available to police investigating a child sexual offence. We proposed that all persons convicted of sexual assault would serve the full term of their sentence. Once again, the Liberal Party ignored our advice and recommendations and voted against our amendments and against giving victims more rights than the criminals.

Reformers have gone to great lengths to introduce and enhance victims rights every chance we get, but the Liberals simply ignore them. They do not seem to get it. They seem locked in the Liberal thinking of the 1970s. Liberal ideas are socialist concepts that have failed and failed miserably. Reformers give their ideas freely because they have come from the common sense of the common people.

The Liberals across the aisle seem to ignore these ideas at their own peril. In the next election common sense will prevail and common people will only re-elect members who best represent their views in the House. That means voting the constituents' wishes and not the Liberal cabinet's wishes.



• (1520)

When criminals are arrested, the police read them their rights. Victims are never informed that they have rights. They are treated just like another piece of evidence. If a criminal has rights then so must the victim and if the victims have rights, should they not also be entitled to know what those rights are?

I have been working on a list of victims rights since the day I arrived on the Hill. Here is what I have come up with so far. I do not know if I will be able to finish the list, but this will give an idea.

Victims have the right to be informed of their rights, to be informed of services available, to be informed about the investigation, to be informed about the court proceedings. They have the right to receive notice of any hearing and have a right to receive notice of the release of an offender.

Victims have the right to legal counsel, the right to be heard by the crown before the trial, a right to be heard in the judicial process, a right to have their case prosecuted and a right to prompt disposition of prosecution. They have the right to restitution from the offender, and a right to prompt return of private property. Victims have a right to privacy, a right to protection from intimidation and a right to defend themselves, family and property. Victims have a right to exercise all of these rights.

Now that we have an idea what victims rights are, it is time for the federal government to start codifying these rights and working with the provinces to build legislative guarantees and administrative mechanisms to ensure that victims can properly exercise these rights.

There is a cruel irony that we are having this debate this week, for November 19 to 26, 1995 has been proclaimed by the Liberal government to be prisoners week. The Liberal prisoners week clearly demonstrates where this government's priorities are.

Do members know that there is no week of the year, not even a single day of the year dedicated to the victims of crime? We have a week dedicated to prisoners, but not one for their victims.

The federal government has proclaimed a week for brotherhood and sisterhood, a week for waste reduction, a week for international archives, a week for dental hygiene, a week for disarmament and on on the list goes. There is a week for earth and a week for professional secretaries but there is no week for victims of crime. It is time to correct this colossal oversight. I urge members of the House to support our motion to declare this week victims rights week.

**Mr. Randy White (Fraser Valley West, Ref.):** Madam Speaker, it is a pleasure to speak to this issue today.

### *Supply*

We are making every attempt to reflect exactly what happens in the Liberal government's agenda concerning victims. We want to reflect that the government's failure is in effect a failure to address the rights of victims.

I am going to demonstrate that with a small story. When I raise these stories in the House of Commons, I am accused at times, in fact a number of times by the minister of immigration as picking out and isolating certain cases which are not really reflective of what happens in Canadian society. That is a lot of hogwash. The fact is that the kind of case I am going to talk about this afternoon happens virtually every day in Canada.

I was in a hospital about 11 weeks ago and I met a lady who was quite despondent. She was crying because her 19-year old son Allen had been hit by a car at an intersection. He is in Royal Columbian Hospital. He had broken legs, a broken arm and his pelvis was broken in seven places, I believe. His head was basically crushed. He has a 20 to 25 per cent chance of living. Allen's mother Debbie does not believe that the system looks after her as a victim. Her husband Allen senior, feels the same way. I asked her to explain what happened.

A young offender stole a four by four truck. He drove it through the streets of Surrey, British Columbia, and toppled the four by four truck over Allen's Fiesta.

• (1525 )

Right away, the young offender was read his rights and I will read those in a moment. He was whisked away. The other young fellow who was with the young offender was let off. He was only an accomplice sitting in the same vehicle they stole.

Mr. and Mrs. Wayne asked the crown prosecutor to make sure the guy who was charged with eight counts was sent to adult court, just like the Liberals said would happen. They also asked to be informed of any plea bargaining that took place. Guess what? Plea bargaining took place and they did not know it. I found out about it.

Of the eight charges, five were dropped in the plea. Three of the minors were presented and brought forward. Why the minors? That is obvious. Why was it so fast? It took about five or six weeks to run this young offender through from the time of the accident to sentencing. Five weeks is almost unheard of. The reason in all likelihood is that the young offender would have been charged with manslaughter had young Allen Wayne died. That is why they rushed him through, which is another protection for the victim. Now what happens?

Let us go to the sentencing. What does the judge give him? This is where victims and parents do not understand what is wrong with this Liberal government. This guy gets 15 months open custody, go home. He gets three years prohibition from driving. However he is already on prohibition from driving and gets charged with that count. Prohibition from driving means nothing to this fellow. What does he get for prohibition from driving? He gets one day concurrent open custody. One day. What is being told to young offenders here? He just about killed

*Supply*

somebody—he may die yet—and for driving while prohibited he gets one day.

This happened. It was not dreamed up. The Waynes have a right to feel the way they do because the laws, the rhetoric and all this hogwash which is brought into the House by the Liberal government is nothing more than that. It is rhetoric and hogwash. Most victims, if not all of them, know that. The government will not go very far pushing hogwash.

Let us hear what is read. I asked the police for this recently after watching the television show “To Serve and Protect” one Sunday night. During the show a lady was sitting on the street crying and bleeding. The police had the guy who obviously did it and were reading him his rights. She was sitting there unattended.

The police said he was being arrested for whatever he was charged for. “It is my duty to inform you that you have the right to retain and instruct counsel without delay. You may call any lawyer you want. A legal aid duty lawyer is available to provide legal advice to you without charge and can explain the legal aid plan to you. If you wish to contact a legal aid duty lawyer, I can provide you with a telephone number”. The victim was sitting on the street bleeding and crying, wondering what rights she had. Very few.

We will present some victims rights shortly. We will see if the government has the courage, particularly the backbenchers, to adopt some of those rights. My guess is they will not. They will find some small thing in the victims bill of rights to oppose it, thereby throwing it out.

How much time do I have, Madam Speaker?

**The Acting Speaker (Mrs. Maheu):** Three and a half minutes.

**An hon. member:** Too many.

**Mr. White (Fraser Valley West):** Good. Too many, he says. That is what is wrong over here. We have too much time to talk about victims rights. That is what is wrong with the Liberal Party.

• (1530)

Victims should have the right to be informed of their rights at every stage of the process, including those rights involving compensation from the offender. They must also be made aware of any victim services available. Is that too much to ask?

Victims should have the right to be informed of the offender’s status throughout the process, including but not restricted to location of the accused from time of arrest, notification of any arrests, upcoming court dates, sentencing dates, plans to release the offender from custody, including notification of what community the parolee is being released into, parole dates and on and on it goes.

All information is to be made available on request. What is wrong with that? What is wrong with people having those rights today? Bonnie Lucas in my riding would say: “That is what I wanted when my estranged husband came home and burned our house down with our kids in it. We just escaped from it”.

All she asked the parole board was: “Would you mind telling me when he is getting out, because he is going to come after me again?” That is all she asked. What happens? We find out he is out living very close by, and on and on it goes.

Victims should have the right to give oral and written victim impact statements before sentencing, at any parole hearings and at judicial reviews. What is wrong with that?

Victims should have the right to be informed of details of the crown’s intention to offer a plea bargain before it is presented to the defence. Allen and Debbie Wayne are appalled, as everybody should be, that this young offender had five of the eight charges against him dropped conveniently. He was out on the street the next day while the police were still filling out their forms.

Victims should have the right to know why charges were not laid if that is the decision of the crown or the police. So often we hear they are going to lay some charges but no charges come. They wonder why. It happened in my office. My secretary had her house ripped off three times in a row. She did not know why charges were not forthcoming. To this day she still does not know, except we hear these guys are into bigger things: “You are kind of a zero and we are after the bigger stuff”. She does not know why charges were not laid yet they know who did it.

Victims have the right to protection from anyone who intimidates, harasses or interferes with the rights of the victim. I can speak to that one with Joan Cave who was sexually assaulted. The guy was sent into Vancouver remand, writing her threatening letters from remand while we paid the postage. Surely there is something better we could do.

The government has been an absolute disaster on criminal justice programs.

**Mr. Alex Shepherd (Durham, Lib.):** Madam Speaker, I listened to the member’s discussion. Simple solutions for complex problems seems to be the agenda of the Reform Party. If we have problems with taxes, flat taxes will solve the problem. If we have problems with debt, just cut government in half and they will all go away. If we have a problem with the criminal justice system, rename a day, rename a week; that will make it better.

The reality is the problems with crime in this country are deep seated. I do not hear the Reform Party talking about how to solve the real issues of crime in our society.

I have some statistics on violent crime in Canada which include all categories: crimes of violence, property crimes, Criminal Code offences, drugs. From 1991 to 1992 there was a 6.3 per cent reduction in total crime. In 1993 there was a further 5 per cent reduction in crime. In 1994 there was an almost 5 per cent reduction in crime. Remarkably these are periods of a Liberal government. During the entire period of time this government has been in office crime has been and is being reduced in Canada.

• (1535)

This will not make headlines in local newspapers but the reality is crime is being reduced. I know the hon. member on the other side does not want to hear that, but these statistics are factual.

I will address what I consider some aspects with the problems of crime in our society. We have gone through a whole generation of young people whose only access has been the electronic media. Often the only babysitter of choice for a whole generation has been the electronic media, the television. We have glorified crime on television and a lot of these young people today cannot distinguish between pretend crime and real crime.

How do we want to address these real factors? The government, through the CRTC, is now trying to find ways to use the V chip to take violent acts in programming out of the home environment and allow parents to have the ability to filter out violent programming within their houses.

The hon. member is saying the Liberal government is doing nothing. I think this is a very profound thing which affects over a long period the attitudes and conduct among young offenders. Just by doing away with the Young Offenders Act we will not do away with crimes by young offenders.

It is time the Reform Party started talking about real problems and real solutions instead of just saying hang them and they will go away.

I wish the member would address some of those real problems.

**Mr. White (Fraser Valley West):** Madam Speaker, I read seven solutions and within each one there were other issues. It has taken us months and months of research and some guy stands up and says we have simple solutions and he does not hear how Reform will solve problems. The members on the government side are not even listening to what is being said. That is because the front bench tells says: "We will do what we want and you guys will be told how it goes".

What makes me really sick about all this is to have somebody from that side roll out the demographics, roll out the statistical data, to tell us it is a 6.3 per cent reduction crime and then a 4.9 per cent. One of the national parole people phoned me one day.

### Supply

Madam Speaker, the hon. member had five minutes. Surely I can get—

**The Acting Speaker (Mrs. Maheu):** I am sure the hon. member realizes that the debate time is 10 minutes and questions and comments are 5 minutes. You have 30 seconds left.

**Mr. White (Fraser Valley West):** Madam Speaker, I would ask the House, if this member gets five minutes—

**The Acting Speaker (Mrs. Maheu):** The hon. member for Durham had four minutes. You have been speaking for 30 seconds and you have 30 seconds left.

**Mr. White (Fraser Valley West):** Thanks a lot. When I get calls from the parole board saying that we have an 87 per cent success rate, I say that is nice, it has a 13 per cent failure rate. They had better think about this over there. It is the 13 per cent who are coming through the doors. It is the 13 per cent plus their families who are worried—

**The Acting Speaker (Mrs. Maheu):** Resuming debate, the hon. Parliamentary Secretary to the Minister of Justice.

**Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I will be sharing my time with the hon. member for Brandon—Souris.

• (1540)

The hon. member for Fraser Valley West has made some interesting allegations which I do not think are quite fair. The government has done a great deal in the areas the member mentioned with respect to victim impact statements. Recent amendments to the Young Offenders Act require victim impact statements. Under section 745, statements from victims are permitted and encouraged. The judges are to request statements from not only the victims or the families of the victims in this case but friends and neighbours of the victims.

The parole board now has to seek out statements from victims. It must give victims an indication of when someone is to be released who may endanger that person. That was not the case before but it has recently been the case. To my knowledge it is being implemented by the parole board.

There are improvements being made, in particular in the areas the member mentioned.

The assertion that there has been no attention paid to the role of victims is not quite fair. I wonder whether this assertion is not based on confusion about the purposes and principles being applied in criminal justice interventions.

Surprisingly, until recently no such statement existed in the Criminal Code. This situation was at odds with the degree of attention that we pay in Parliament to matters relating to tax, international trade and unemployment insurance. It is at the stage of sentencing that the criminal justice system most consciously and visibly expresses its denunciation of behaviour; its attempts to deter or incapacitate people from further wrongdoing.

*Supply*

ing or when it orders reparation or redress for harm done or sets in place measures to bring about the rehabilitation of offenders.

Parliament's role to date in this process has been too often limited to setting maximum penalties for specific offences rather than dealing with the policy objectives of the sentencing process. It was clearly time Parliament put its collective mind to describing the kind of criminal justice system it wants to forge for Canadians.

This occasion was given to us in the sentencing bill, Bill C-41, introduced by the Minister of Justice. Of all the representation we receive, the most heart rending, as all members would agree, is the representation from victims. Victims of crimes often feel their immediate emotional, financial and physical needs are not being addressed.

The criminal justice system may appear at times to be overly concerned about the court process and the punishment of the offender and insufficiently concerned about victim needs.

Parliament has had the opportunity in this session to debate an important bill touching several aspects of the way victims are treated within the criminal justice system. With the sentencing bill, Bill C-41, Parliament had for the first time an opportunity to address the purpose and principles of criminal sentencing. The bill brought together the purpose and principles of sentencing, procedure and evidence and the various sanctions the courts may impose in a form that represents the collective view of Parliament and which touches on many issues of vital importance to victims.

Let me give some examples. Bill C-41, recently passed in the House, specifies that if an offence is motivated by bias, prejudice or hate it will be considered an aggravating factor in sentencing. The statement specifies that if an offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or other similar factor, the court shall consider that the motivation be an aggravating factor.

• (1545)

Numerous recommendations have been made respecting breach of trust for offences involving violence against women and other vulnerable persons, including children.

A 1993 survey by Statistics Canada demonstrated that almost one-half of women reported experiencing violence during their lifetime by men known to them. In too many cases positions of trust were exploited, for example by parents against their children or by a physician against his or her patient.

In 1984 the Badgley committee called for the protection of children from persons they already know and may trust. Bill C-41 states that where there is evidence that the offender in committing an offence abused a position of trust or authority in relation to the victim, it shall also be considered an aggravating factor in sentencing.

All these changes respond to concerns raised by community groups, victims, and others about hate motivated violence and the plight of victims.

Bill C-41 took other important steps. The statement of purpose and principles specifically indicates that objectives for sentencing include the provision of reparations for harm done to victims or to the community and the promotion of a sense of responsibility in offenders in acknowledgement of the harm to victims and to the community. It goes further. Specific provision is made to ensure that any information provided by victims is considered during hearings held under section 745 of the Criminal Code.

A new set of measures respecting restitution, developed co-operatively with the federal government and our provincial colleagues, is set out in the bill. A priority for restitution is set out in the bill. If a court finds it appropriate to award both a fine and restitution, the priority shall go to restitution.

The House added a provision as well respecting restitution, stating that in the case of bodily harm or threat of bodily harm to an offender's spouse or child, the court may order restitution for expenses incurred by that person as a result of moving out of the offender's household, as well as for temporary housing, food, child care and transportation. Provision is made to ensure that restitution orders can be enforced by the civil courts.

The Criminal Code will specifically state that any restitution ordered by a criminal court will not limit the victim's right to sue for damages in the civil court.

The House of Commons participated in an important debate involving the status of victims in the criminal justice system. Significant changes were brought to our criminal law, aimed at improving the situations of victims in the system. The government and the House are concerned about victims and have demonstrated that concrete action at the legislative level is a priority of the government.

**Mr. Randy White (Fraser Valley West, Ref.):** Mr. Speaker, we have difficulty trying to relate to the government that the legislation it plays with is not a full implementation of what is necessary.

For example, when the Young Offenders Act was changed in the House we said all along that the government was not changing the law to suit the real world out there. We wanted to change a number of issues. That did not happen. Many of the victims rights groups out there said time and time again that the government was too soft on its legislation. Yet government members stand in the House, as my colleague did just now, and say they are working on it and it is coming along.

*Supply*

• (1550)

This has been a long time in happening. I will give some idea of the frustration that abounds. For instance, when we debated Bill C-45 we asked for the some issues to be addressed. My colleague from Wild Rose and I put a number of motions to the House that day. One of the motions would have provided for compensation to victims of crime and for medical treatment for victims of sexual assault to be paid by the perpetrator. That was voted against and defeated by the government. We also asked that there be no provision for statutory release for violent offenders, and that was defeated.

The government might ask what violent offenders have to do with victims rights. This has a lot to do with victims rights. Dwayne Johnston is a good case in my town. In The Pas, Manitoba, he was convicted for stabbing a 17-year old lady 56 times. He was sentenced to life, with eligibility for parole in 10 years. It is six and a half years later, and guess whose community he is in. Mine.

We are asking the government to carefully consider a lot of tough legislation that has to be put in place. It should not stand in the House of Commons and say that it is working on it or that it has come 20 per cent of the way, that life is long and that it has a long time to do this. That is not what we are asking about. The government has to take the bull by the horns and deal with it.

We asked to ensure that criminals serve their full sentence if conditional release is revoked or suspended. If they are doing time, get out on parole and commit another offence, it is revoked; they do their full time. That was turned down by the government.

I do not think those are unreasonable requests. Yet time and time again in the House we hear that there cannot be an agreement between Liberals and Reformers because we are on the tough side of it and the government is on the liberal side of it.

The people who really count when we are asking for victims rights are the victims and the non-victims out in our Canadian society, the potential victims. Those are the people we must look after today.

I have had several discussions with private companies that build and operate prisons, and it is no coincidence that they are moving into Canada. They are doing that successfully. The reason is the confidence has gone in the government.

Why can the government not take another step forward, get tougher on these laws and not stop with this point of view in the legislation?

**Mr. MacLellan:** Madam Speaker, the hon. member says he does not want to hear about things the government is working on.

**Mr. White (Fraser Valley West):** I did not say that.

**The Acting Speaker (Mrs. Maheu):** I ask that responses be addressed through the Chair.

**Mr. MacLellan:** We have to be able to say what we are working on. It is important that as part of the answer it be perceived that the government is working toward further solutions. A lot of the areas relate to provincial jurisdiction such as maintenance orders and matters of family law.

Also, we have done things with regard to the Young Offenders Act. We have said that with respect to young offenders we are making more information available. We have said there will be access to victims and they can present statements. We have said that we will allow people to use information from criminal cases in civil cases. We have done an awful lot, and the member should recognize that.

• (1555)

**Mr. Glen McKinnon (Brandon—Souris, Lib.):** Madam Speaker, I have found the exchange very interesting this afternoon. Like other members, I have been working with young people all my working life. I sense that this is very pertinent in terms of where we are now, where we are going and where we have been.

I had the privilege of attending the conference in Cairo in May of this year on the treatment of prisoners. This brought together 143 countries from around the globe, representing all cultures and all components of society. The feeling I came away with, and which was articulated directly by some European countries, was that they expect to have no prisons in due course. They are working toward that objective in terms of treatment of offenders. They are putting in place other strategies. They sense and we agree that there will be resulting benefits. I am sure the articulation by the justice department and my colleague will also do that.

We have some pilot projects taking place in the country right now. In Manitoba there is a victim services program, which commenced about five years ago. It offers assistance, psychological and in some cases financial. More important, it offers counselling services for people who have been victimized by various parties in society.

I do not subscribe to the lock them up and throw away the key approach, as some members do, in pursuit of increasing public safety. This is more likely to increase public risk when prisoners finish their sentences and return to the community. Evidence from the United States in those states that have instituted very simplistic and punitive based treatment such as California shows there was a rise in crime rate, not a decrease. I suggest to parties that subscribe to those views that maybe there should be a re-examination of the data as well.

My colleague from Durham put forward statistics in terms of the drop in crime rate. I think the information he provided to the House is very accurate. I too have viewed those stats.

*Supply*

The hon. member's concern for victims of crime is admirable, but I must say that I find the phrasing of the motion a bit unclear. He suggests that more needs to be done to protect the rights of the victim. He goes on to imply that one way to achieve this protection is to diminish the rights of the offender. There are several problems with this assertion.

We should ask whether there is a necessary trade-off between competing rights. Is justice better served by somehow reducing the rights of an accused person? The motion does not specify where rights are objectionable. The emergence of the victims rights movement in Canada is one of the most important criminal justice trends we have seen in the last 20 years. Yet I doubt that any victims organizations in Canada would advocate eliminating the right of an accused to a fair trial, the right to due process, the protection of habeas corpus or the protection of an accused against self-incrimination. Do I need to remind the House that there are rights guaranteed to all Canadians under sections 7, 10 and 11 of the charter of rights and freedoms?

• (1600)

I will not dwell on the matter of comparing the rights of the accused to the rights of the victim, but I do suggest that the motion misses the mark. I believe a more constructive approach, simply put, is to determine where and how the victim should be involved in the criminal justice process. The concept we should embrace is access to justice for the victim.

At what point in the criminal justice process does the victim deserve to have input? Should the victim have input into the police investigation, to the trial of the accused, at the sentencing stage or later at the parole decision making stage and finally when the offender is released from custody?

If we can provide the victim or the victim's family with the appropriate access to the criminal process in a timely fashion then maybe we can be a little less concerned about who has more rights.

Let us examine the progress that was made over the last two decades both in terms of the general recognition of the needs of victims and specific measures.

Much of the policy and the programs dealing with victims derived from a report by a federal task force on justice for victims of crime in the early 1980s which offered 79 recommendations to both levels of government for improving social, criminal justice and health responses to victims of crime.

In 1985 Canada co-sponsored the UN Declaration of Basic Principles of Justice for Victims of Crime. This document soon became the basis for a unique Canadian statement of principles.

This statement was endorsed by the federal government and the provinces and territories in 1988. It has provided a reference point for provinces to develop their own policy and legislation on victim's rights and most jurisdictions now have victims oriented legislation. It is important to note the provincial perspective since the provinces' responsibility for the administration of justice means that all access to justice issues are under federal control.

Progress continued during the 1980s and in 1988, Parliament passed Bill C-89 which amended the Criminal Code in several relevant areas. For example, the code now provides for protection of the identity of the victims and witnesses of sexual offences and extortion offences. The law also makes it easier for victims of property crimes to prove ownership and the value of stolen goods.

Perhaps most important, the law now provides for victim impact statements. Section 735 permits provinces to determine the form for victim impact statements in their jurisdiction. In effect, this provision creates flexibility by allowing police based victim witness service programs to generate victim impact statements or alternatively crown or court based services as appropriate.

In my view the victim impact statement is a crucial element in sentencing. It is appropriate that the Criminal Code not only provides for such formal statements but allows the court to consider any other evidence concerning any victim of the offence for the purpose of determining sentence.

The motion argues that there has been little recent progress in advancing victims rights. I would conclude the opposite. Bill C-41 passed recently by the House contains an amendment to the Criminal Code stating that the court shall consider the victim impact statement. This mandatory requirement consolidates the role of the victim impact statement in the sentencing process.

While we are on the subject, please note that the victim in this context is broadly defined so that where the victim himself or herself is deceased, any relative of that person or anyone who in law or in fact is responsible for the custody of that person, or for his or her care or support of that person can present the victim impact statement and it will be considered. This is a significant improvement.

There are other measures in Bill C-41 that will benefit victims and keep the focus and the impact of the crime on the victim. The new section 726.2 requires a court when imposing a sentence to state the terms of the sentence and the reasons for it and to enter those terms and reasons in the sentence.

**Mr. Myron Thompson (Wild Rose, Ref.):** Madam Speaker, does the hon. member receive any letters from victims across the country asking for improvements to the system? I would like to know how many he receives. We have about 500,000 now in storage ready to pass on to the Minister of Justice. They are all crying for changes to make things better.

• (1605)

Is the member aware of a 2.5 million signature petition calling for a pile of different changes? Is the member aware of the hundreds and hundreds of other petitions around calling for these changes?

Last, but not least, is he aware that there are literally thousands of people who belong to victims' organizations? Do you know why they exist, Madam Speaker? Because this government is not doing anything. All those people would like to go home, go back to work, get back to a normal life, including the Carpenters of the Carpenter group, the Stu Garriochs of Calgary and the FACT group, the people from the CRY group in Vancouver, the CAVEAT people from all across the land. They are trying to lead normal lives and they cannot because they are victims. They are joining together trying to get some changes.

They are trying to get changes to this warm, fuzzy little Criminal Code that was invented by the Liberals and they have not changed a thing.

Is the hon. member aware of these things? If he is, for heaven's sake why do the Liberals not wake up and do something?

**Mr. McKinnon:** Madam Speaker, I will respond in this fashion. The approach of the government has been to take under advisement the recommendations that are forthcoming from various groups.

It is a very important process to get that information to the attention of the government. I would think, as my colleague mentioned in his speech, that it is the most heart rending experience as a member of the House to hear some of the concerns that have been raised by these groups.

Let us not cherry pick and only look at the extreme circumstances. I am not alleging that the member is doing that but there are those who look only at the worst case scenario and use that as the reason for passing extreme kinds of legislation.

We have to look at both sides of the issue and the government is doing that.

**Mr. Leon E. Benoit (Vegreville, Ref.):** Madam Speaker, the member opposite in his presentation referred to the idea of finding forms of punishment other than jail to act as a deterrent.

### *Supply*

He said he is not in favour of this throw away the key approach to the jail system. Reformers are not either.

Reformers have presented ideas that would replace using imprisonment as a deterrent. We have presented many different concepts. Unfortunately I have not seen any of these ideas being picked up by the Liberal Party.

Some of the ideas we have presented are boot camps, public service, which is being used, corporal punishment as a possibility, capital punishment which can act as a deterrent and certainly will prevent an individual from murdering again. These are just some of the things that we have proposed.

We have proposed paying restitution to victims. We have proposed requiring the person who has committed the offence to pay restitution to the victim as a deterrent. None of these have been picked up by the government.

I ask the member for one example of legislation presented by the government which has put in place a deterrent other than jail so that we do not have to have this throw away the key approach to dealing with prisoners.

**The Acting Speaker (Mrs. Maheu):** I am sorry, but time has just about expired.

**Mr. McKinnon:** I will be equally brief, Madam Speaker.

It would be out of my league to give a long list of things. I will give one example. I am only going back to my high school principal days where we actually had to bring together the victim and the perpetrator, going eyeball to eyeball. It was necessary for that to take place in our community with youth victims.

• (1610)

[*Translation*]

**Mrs. Pierrette Venne (Saint-Hubert, BQ):** Madam Speaker, I wish to inform the Chair that I will be sharing my time with the member for Québec.

The Reform Party's motion borders on the ridiculous. I am no longer surprised by their manipulation of public opinion. It is pure and simple demagoguery. We have reached a point where their endless interventions are beginning to get on our nerves.

**An hon. member:** Sit down.

**Mrs. Venne:** It is not clear exactly what they want. I am being asked to sit down, but I have no intention of doing so.

Does the Reform Party want to change criminal law and the Criminal Code? Do they want to change the powers of the Minister of Justice, of judges or lawyers? Are they unhappy with judicial proceedings? Do they want to do away with the presumption of innocence? What is their intent? I do not know.

*Supply*

I would, however, like to draw attention to the Reformers' approach. While I do not disagree with parts of their motion, I am, however, flabbergasted at the back room scheming of the third party. The third party, I repeat. It is important to mention this, because the motion we were to debate is not the one before us today.

The Reform Party, or should I say, the Opportunity Party, wanted to table a motion, not on victims' rights, but on their own status in the House. We are already well aware of the ambitions of the member for Calgary Southwest, who wants to become leader of the opposition even before the Leader of the Opposition has left.

[*English*]

**Mr. Silye:** Madam Speaker, I rise on a point of order. Where is the relevance at this point? We are debating victims rights.

**The Acting Speaker (Mrs. Maheu):** That is a point of debate, sir.

[*Translation*]

**Mrs. Venne:** So, Madam Speaker, I continue by saying to you that we have reached the height of hypocrisy. At the last minute, and because of the fact that our leader has not resigned his position, the Reform Party stopped talking about political opportunism and started talking about victims of criminal acts. That takes some nerve. How can we trust a party that is concerned about victims only when its political manoeuvres do not succeed?

The Reformers often set themselves up as defenders of the weak and of the oppressed when it suits them to do so or, as in this case, when they have no choice. Their chivalry will always depend on how much air time they can get with it. Let us not forget the attitude of the Inquisition Party in the matter of gun control. When the time came to systematically obstruct proceedings both in the House and on the justice committee, the Lancelots of the west became the defenders of native rights.

They contended that they could simply not support a bill that might trample native rights or contravene ancestral treaties. If they think we do not see through their little game, they better think again. We can see them coming a mile off. Today they are proposing a motion on victims' rights, when, not so long ago, they opposed a bill to protect victims.

If they want to talk about victims, let them talk about those who succumb to wounds inflicted by firearms. How can they promote the rights of victims and ignore those who die from gun shot wounds? The statistics on deaths caused by firearms are staggering. In 1991, suicides made up 77 per cent of the 1,445 deaths attributable to firearms. Of the 732 homicides recorded in Canada in 1992, 246, or 34 per cent, were committed with a firearm.

• (1615)

In the last ten years, the majority of homicides were committed with shotguns or rifles. Three times out of four, the woman murdered by her spouse was killed with a shotgun or a rifle.

From 1990 to 1992, in Quebec, 1,293 deaths were attributed to gun shots, an average of 425 deaths annually. Still in Quebec, three deaths out of four that are caused by a firearm are suicides, for a total of about 300 suicides each year. These statistics cannot be ignored.

If Reform members want to talk about victims, they should talk about the ones I just mentioned. If not, they should keep quiet instead of talking nonsense. These far right hypocrites are here only to make political gains. Every chance they get, they tear off their shirts in public in order to attract attention and stand in the limelight.

They should try to emulate the Bloc Québécois, this mosaic of ideas and talents that, for more than two years, has been fulfilling the double mandate that Quebec voters gave it, that is, to promote Quebec's sovereignty and to act as the official opposition of a government that never stops insulting the intelligence of Quebecers and their legitimate representatives.

While Reform members are revelling in political fiction, we, the Bloc members, are getting ready to pursue the goals that we set for ourselves five years ago, that is, to consolidate our political strength in Ottawa, around Quebec's interests alone, in order to dispel any ambiguity and to support Quebec's march towards sovereignty.

The motion put forward by the Reform Party invites us to condemn the government for two reasons: first, because it supposedly failed to make progress in reforming the criminal justice system in general; and second, because its criminal legislation allegedly favours the rights of the criminal over those of the victim.

What I find shocking is that this motion is a perfect example of disinformation. This is a good way to exploit public resentment. The motion before us simply reflects the nightmares of an extreme right cut off from reality.

This motion is a mishmash of reactionary preconceived notions. They might as well blame the government for winter arriving a little early this year.

According to the third party, the whole criminal justice system should be reformed. Does the Reform Party at least know how? Does it have any alternatives to offer? We all have complaints about the justice system, of course. It is one thing to say that it is flawed; it is another to state that the whole system must be reformed without proposing any alternatives.

As everyone knows, I have always fought for the rights and protection of victims. I have already suggested to the House that victims should be given a much greater role in our judicial proceedings. I have already submitted that the victims should be represented by lawyers, produce their own witnesses, examine and cross-examine crown and defence witnesses, plead on the evidence, suggest sentences or participate in negotiations; in



short, they should take part in the whole judicial process and even be allowed to appeal any ruling.

That is an alternative. Those are concrete solutions. We must start thinking about this and come up with serious proposals instead of a botched motion that amounts to a vague criticism of the whole justice system and the supporting legislation.

• (1620)

[*English*]

**Mr. John Bryden (Hamilton—Wentworth, Lib.):** Madam Speaker, I thank my colleague from Saint-Hubert for her excellent remarks. I appreciate the support she shows for the government in this debate.

I would like to ask her a question which pertains to her remarks about sovereignty, the role of the Bloc and the direction in which her party is going.

In the context of sovereignty and in the context of the motion before the House, in her attitude toward sovereignty, would she recommend that individuals born in Quebec who commit major crimes be incarcerated only in Quebec or should they be put in jails across the country? Is it a federal thing or a separatist thing for her, the incarceration of prisoners who are born in Quebec?

[*Translation*]

**Mrs. Venne:** Madam Speaker, I wonder if the hon. member is serious in asking me that, but I will answer any way, because his concern seems genuine.

There is no doubt that, upon achieving sovereignty, Quebec will look after its prison population, like any sovereign country. Quebec, as a sovereign country, is not different in that respect from any other sovereign country.

**Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I listened to the remarks made by the hon. member for Saint-Hubert. I shall set the sovereignty issue aside, since, as can be expected, we disagree on that point.

I wonder if she would not agree with me that it is somewhat ironic that the Reform Party would come and talk to us about victims and whatnot on the very day when a gun control bill is being debated, and perhaps voted on in just a few hours in the other place—to use correct parliamentary terminology and to be in order—that they would raise this issue today, knowing full well how many victims guns have made, not only in our country but also south of our border, where, admittedly, there is hardly any gun legislation.

### *Supply*

Is it not—how could I put this, again, in parliamentary terms?—less than honest on the part of the hon. members of the Reform Party to address this whole issue of victims of violence without mentioning that they are the ones who moved and continue to move heaven and earth to prevent the establishment of gun control across Canada until now and who lobbied certain Conservative members of the other place about this?

**Mrs. Venne:** Madam Speaker, of course I agree with what the hon. member for Glengarry—Prescott—Russell is saying, because that was precisely my point.

Of course, any discussion about victims must include victims of shootings. And of course, the Reform Party completely ignores them. I also agree that, soon, in less than an hour in fact, the other place will be voting on Bill C-68.

I will go and see how the matter is settled in the other place and I hope that it will not have to be debated all over again in this House. As far as we are concerned, I think that it is clear that every conceivable concession and compromise has been made, ultimately leading to the passage of Bill C-68. I hope that the bill will come back unchanged and that there will be no need to consider it again.

[*English*]

**Mr. Alex Shepherd (Durham, Lib.):** Madam Speaker, it was very interesting to listen to the comments of the hon. member for Saint-Hubert.

She touched very briefly on the rights of native communities. I was wondering if she would reflect on the rights of the Inuit people who reside within the province of Quebec. Does she believe they have the right to self-determination? Does she similarly believe that they could also be a nation within the definition of that word? Do they have the right to secede?

**The Acting Speaker (Mrs. Maheu):** I strongly question the relevancy of those questions to the motion we are debating.

• (1625)

[*Translation*]

**Mrs. Venne:** You are quite right, Madam Speaker, this question has nothing to do with the matter at hand.

I would like to point out to the hon. member that, when I mentioned aboriginal people earlier, it was in reference to the position the Reform Party had taken, again, during the gun control debate. I simply made a reference to them earlier.

As for the question per se, I think it might be answered in a different setting.

**Mrs. Christiane Gagnon (Québec, BQ):** Madam Speaker, although I find the motion proposed today farfetched and not really in line with the Reform Party's position on firearms, it does at least afford us the opportunity to address and reflect upon a significant social problem: victims.

*Supply*

Where there is a victim there is usually crime, violence, or at the least a socially unacceptable act. People can also be victims of unfair policies, stifling economic situations, unattainable job markets.

Societal values and our attitude towards the way people treat each other are changing. Today's definition of "victim" therefore differs considerably from what it was, say, fifty years ago.

I shall speak particularly of women as victims, since women are my primary concern, given my portfolio as status of women critic.

This morning I leafed through a most interesting book, the *Traité des problèmes sociaux*. This treatise, published under the direction of a number of eminent Quebec academics, covers a multitude of topics related to our society. Looking through the table of contents, I was struck by the innumerable types of victims there can be within a society.

Among the subjects covered were: occupational diseases, mental illness, alcoholism and other addictions, STDs and AIDS, crime, prostitution, pornography, poverty, unemployment, racism, homelessness—and these are but a few of the topics in the *Traité des problèmes sociaux*.

You can see then, and this is what I wanted to talk about, the unbelievable number of social and personal situations that can "create" victims, if we can use that verb here.

Of course, women are not the only victims of poverty, unemployment, racism. They are, however, most often the victims of domestic violence, prostitution and pornography. The victims of certain problems are almost always women, because of their gender, along with children.

Moreover, problems related to unemployment, illiteracy and poverty affect women differently, because of their family responsibilities and society's perception of their role within it.

Even governments are not immune to prejudice. We need only think of this government trying to calculate benefits paid to women based on family income. This is the best example of the victimization of women because of their role within the family.

As for the notion of victim, Denise Lemieux traces its evolution, in the context of spousal abuse. She writes, in the above-mentioned text: "What stands out, if you look at this over several centuries, is the major attitudinal and legislative change regarding wife beating. Tolerated in the seventeenth century, sometimes even glorified by the popular culture of the time as a manly thing, and by the law and the religion of the time as a paternalistic punishment for the wife, children and servants, violent behaviour gradually became a reprehensible thing, as principles of democratic government began to spread".

Principles of democratic government. So, there seems to be a connection between the principles of government and the concept of victim. This is interesting. One such principle, affirmed by the Canadian and Quebec charters, provides that men and women have equal rights.

• (1630)

When equality is denied, whether because a man beats his wife, or because a government pays smaller benefits to a woman than to a man, that woman becomes a victim. When a government tolerates the fact that members of its army organize parties to celebrate the killing of 14 young women, all women become victims.

So, the concept of victim is related to a certain vision of society. Everywhere, our governments have officially proclaimed a vision of society in which women have the same rights as men. We will have to recognize that women are victims whenever equality is not respected, whether in the family home, or in the policies and practices of the government.

Those in power will also have to concentrate their energies on eliminating the inequalities between men and women. Our aim is to have fewer and fewer victims or none at all.

Until then, our efforts must go to re-establishing a balance between victims and those responsible for situations creating victims, at whatever level.

Let us go for openmindedness, and let us make sure, as leaders, that we provide our young people with positive role models. Let us work to provide women with equal opportunities in all settings. Let us eliminate social, economic and political inequality between men and women. Let us make men understand that discriminatory behaviour is completely unacceptable—at work, at home, in associations, in the courts of justice and in government offices.

Let us put our fine words into practice. This is surely one way to ensure victims' fundamental and democratic right to equality and quality of life without violence.

[English]

**Mr. Myron Thompson (Wild Rose, Ref.):** Madam Speaker, I am pleased to have a chance to speak on this issue. I am certainly pleased that the warm and fuzzy questions asked by the Liberals to the warm and fuzzy Bloc members regarding law and order are over with. That was difficult to take.

I would like to quote a few statistics I have picked up with regard to what the hon. member from the Liberal Party stated a while ago. I am going back to 1984. The rate of violent crime since 1984 has increased 49 per cent. The rate of sexual assault has increased 8 per cent annually since 1984. Assaults accounted for six out of ten reported violent incidents in 1994.

Consider that since 1984 when the Young Offenders Act was introduced, crime has gone up by 140 per cent. Members over there stand on their feet and tell us how much better it is getting because the crime rate went down 3.2 per cent or 5.9 per cent or whatever from one year to the next. It is not getting better. There are a number of incidents we could talk about which reflect this.

When will we in the House realize there are victims? Guns do not make victims; killers make victims, in case members opposite have forgotten.

The people who were victimized close to Montreal recently by young offenders with ball bats provide an example as do George and Tom Ambros from Scarborough, Ontario, who lost a brother in their store to young offenders with knives. We do not need to talk about what weapon is used. We need to talk about the fact that there are victims because of killers.

• (1635)

In the Reform amendments to the legislation we attempted to incorporate those things that were suggested to us by victims through their petitions and letters. We listened to Canadians and we tried to put their wishes into the criminal agenda through our motions.

For example, we tried to get Bill C-45 amended which would allow victims to be paid out of inmate funds. There would be mandatory restitution. All of the things we put in were geared toward improving things for the victim. Not one member in the House voted for those amendments, except for Reform Party members. All the Liberals said no and all the Bloc said no to things like mandatory restitution. We were trying to do something that would make it a little easier for the victims.

A lady in my riding was raped. She is a former student where I taught. The perpetrator was identified by her, picked up at breakfast and was out on bail by noon. Is living in fear following that rape fair to the victim, knowing that the perpetrator is still on the loose? If we arrest violent offenders, surely we can keep them in jail. Why would a victim stand up and cheer any system that would let the perpetrator out only a few hours after the crime? Somebody explain that to me.

In the case of Ann Marie Bloskie, her killer made lots of advances toward her and she always refused. Her killer tried to force her into sex. When she fought back he crushed her skull with a rock and then he sexually assaulted her. He went home and slept. The next day he returned and further abused the body. Then he buried her.

This killer loved violent, sexually explicit porno videos. He showed no remorse for the crime. He had deep seated psychological problems that would require life long treatment, said the psychiatrist. This crime happened just a few weeks short of his 18th birthday, so the judge said it was in the best interests of the

### *Supply*

murderer to be tried under the Young Offenders Act. There was no mention of the victim, no mention of the family.

Her killer is now nameless. He is now walking the streets because all he got for that crime was three years. After three years he is back on the streets but nobody knows for sure who he is. The parents of the victim were not notified that the killer was released.

Fixing those problems is the kind of thing that makes plain, ordinary common sense. That is what is on the agenda of Canadians. It is on the Reform agenda because it is what Canadians want.

Why is having a binding referendum for capital punishment on the Reform agenda? Because it is on the agenda of Canadians. That is why. In polls all across the land, 70 per cent of the people have indicated that is what they want. If it is on their agenda, it is on the Reform agenda. It is too bad the Liberals do not listen to the people in their ridings.

Things get worse. We talk about victims. I really get worried and upset when I see some of the things that have been produced by the government. I know some Liberals were visited this very day by a group who are quite concerned that there is an organization putting pamphlets in the schools which promote anal sex as a method of reducing violence and pregnancy. I looked at the little booklets and guess who prints them and pays for them? The taxpayers of Canada pay for them, compliments of this government's health department.

• (1640)

Members sit over there and laugh. I hope they laugh when their grandchildren come home with this kind of garbage. I hope they can laugh then. I cannot laugh when this happens and I will not laugh. I think it is ridiculous and it is a shame. They know it is happening. They see it happening. It is being printed by the Canadian health department. If members have any doubts, they can come on over and I will show them.

Those are the kinds of things Canadians are telling their MPs. They do not want it because it is creating more victims and causing problems. I do not want it either but if we try to do something about it, those on the other side are overcome with warm, fuzzy feelings. It is always the criminal, the criminal, the criminal.

I cannot believe that grown men and women would allow those kinds of things to happen. I cannot believe that a colleague of mine, who taught in a school just as I did, would find that an acceptable piece of junk to come into the building. I know he would not.

The trouble is that the justice system is absolutely not addressing anything which is causing victims more grief. They could do it if they wanted to.

*Supply*

Christine Silverberg, the Calgary chief of police, has written: "Dangerous violent criminals should never be released". I agree. "There should be a victims bill of rights". I agree. "Victims are the most neglected group in the legal system from beginning to end". I agree. "Victims should be involved in every government decision dealing with their assailants". I also agree with that.

When will government members wake up and listen to the people of Canada, listen to what the petitioners are saying and listen to what their letters state which I know they all receive?

**Mr. Rey D. Pagtakhan (Winnipeg North, Lib.):** Madam Speaker, I would like to indicate to the hon. member that the constituents of Winnipeg North in addressing this issue have not only called to tell us about their concerns for safety in their homes and on the streets but they have also shared solutions.

One of the important things my constituents have told me is that we should address the fundamental causes of crime. That is just like preventive medicine. Unless we address the root causes of crime we may not totally address the issue.

I am proud to say that in my constituency of Winnipeg North the MLA for The Maples in my riding has now established the Maples Youth Justice Committee. The MLA for Inkster has established a similar organization, as has the MLA for Kildonan. I have met with all of them.

What specific initiative has the member taken in his own riding to address the root causes of crime? Does the Reform Party acknowledge that prisoners week is an international religious event that includes victims, families and communities as it addresses the issues of the victims and the prisoners? Does the Reform Party not acknowledge that the victims of the misuse of firearms, for example the relatives of the victims of the massacre in Montreal, were correct in asking for gun control? If that is so, where does the member's party stand on this issue?

**Mr. Thompson:** Madam Speaker, I object to any kind of a week that is named prisoners week. If this week was intended to honour victims then it certainly is not named right. The first thing I thought of when I heard we were having national prisoner's week is good old Clifford Olson, good old Karla Homolka and good old Paul Bernardo. That is exactly what crossed the mind of most people in my riding when they phoned me and said: "What in the devil is prisoner's week?" I said: "I do not have any idea at all. I just heard it was announced". They do not have brains enough to at least name it right.

• (1645)

Now they are going to defend it by saying that what they really meant was this and that and so on, but it sure did not come out that way. If you are to have something besides honouring those kinds of individuals then say so and name it properly.

Let us go to the second question. You must have not been listening, sir, when I told you about these pamphlets that are getting into—

**The Acting Speaker (Mrs. Maheu):** Address your questions through the Chair, please.

**Mr. Thompson:** I am sorry, Madam Speaker. The hon. member must not have been paying much attention. I have been asked by the people who have brought all these materials to me to question the government as to why the health department is funding those kinds of documents that lead to nothing but trouble, that lead to crime. A root cause. It is called morals, dealing with the morals.

When you bring it to the government, it tries to defend it. If it can defend it, that would be one thing, but it cannot. It has had its opportunities to defend it and it cannot. Even backbenchers would not support some of the garbage that was going on. Of course they get punished for that. That is the rule over there: listen to the boys on the front line. They do not have enough guts to stand up on the back row and take their own stand.

I do not want to get into this great gun debate once again. We have gone through that so much. Guns are no different from any other weapon. They cause problems. The victims are victims regardless of why or how. If any member could show me that the registration of a gun will save a life at the hands of a criminal, I might support it. I do not think anyone can show me.

**Mrs. Diane Ablonczy (Calgary North, Ref.):** Madam Speaker, the debate today, for Canadians who are following it, is on an opposition day motion. This is a day when an opposition party has an opportunity to set the agenda for debate in the House. Reform has introduced for debate today a motion first of all to discuss the lack of progress being made in reforming the criminal justice system. Second, we refer in our motion to another opposition day motion we had about a year and a half ago on the same topic:

That this House condemn the government for its inaction with regard to the reform of the criminal justice system, in particular its allowance of the rights of criminals to supersede those of victims.

Here we are again a year and a half later with the same concerns. As we heard from my colleague who just spoke, these are very strong, serious concerns. These are not matters we take lightly. They are matters we keep hearing from our constituents and other members of the public that they want to see dealt with. They are saying the government is not dealing with them.

A year and a half ago we urged the government in debate, which we were able to introduce, to do something. A year and a half later we are making the same request, the same appeal to government. You wonder why.

In our motion we urged the government to do two things. One is to introduce measures right now to ensure the rights of the victim are protected and supersede the rights of the criminals. We are also asking the government to change the name of this week, November 19 to 26, from prisoners week to victims rights week.

• (1650)

Reform's position is very simple. We say the whole priority of the criminal justice system should be the protection of the lives and property of law-abiding citizens and that should come ahead of the protection of the rights of criminals.

The state exists to protect the lives and property of citizens. That is the reason we organize. That is the reason we have institutions of society, so we can live in a civilized manner and can respect each other's rights, respect each other's safety and each other's lives.

If we are to do that as a state, we have to make law breakers afraid of breaking the laws and afraid of what will happen if they violate the rights of other people. It would not be too strong to say that one of the main purposes of having an organized society and an organized government is to make law breakers afraid, to bring fear of law breaking into our society.

We have to ask ourselves does our society make law breakers afraid? I do not think there are very many Canadians who would answer that question in the affirmative. We have had many examples brought up in the House over the last several months. Law breakers commit horrendous crimes and are right back out on the street living a normal life while the victims and their families have torment, grief, upset, pain and agony. Yet criminals and law breakers have every protection, every consideration, every possible assistance and comfort extended to them.

Our whole society, our whole approach to the criminal justice system in this regard is totally on its head. That is why we have the strong concerns of Canadians continually being brought forward in this whole area.

What does the government say? What is it doing about the situation? The justice minister is saying all the right things. He is saying yes, we are going to protect victims; yes, we are changing and toughening up the justice system; yes, we want the public's confidence in the justice system.

These are all well and good, but here we have a minister who has had over two years now to do some concrete, strong, forceful, vigorous things to rectify this situation and instead is taking timid, weak, ineffectual baby steps in correcting a situation causing continual concern and grave frustration to our citizens.

The second thing we have seen the government do is get really tough with law-abiding citizens. If they do not register their firearms, they will be in big trouble, they will have a criminal

### *Supply*

record, but nothing is being done about these weapons which can be obtained illegally and quickly by any law breaker in the country.

We have done so little to make them afraid to do that. We put the fear of God into the law-abiding citizens, who did not need it in the first place, and we have done nothing to ensure that law breakers cannot obtain an illegal weapon in the nearest bar in 30 minutes.

How will this protect our society? The whole philosophy of our criminal justice system is on help, sympathy and support for prisoners and law breakers. It says a lot that this is prisoners week. We have prisoners week but no victims week at all.

I was rather surprised when I read an article about women inmates decrying the lack of rehabilitation programs. A woman inmate was saying: "In two years I got nothing. Nobody listens and nobody cares. I am broken hearted. Inmates are upset with the lack of programs".

• (1655)

There is as real desire to help everyone we can in society to be the best citizens they can. When we have people who have broken the law and violated the rights of others who are outraged and incensed that they are not getting help and support, when the victims of crime are coming in a poor second, surely the attitude we are fostering is wrong. There must be a change very quickly.

I cite one other example that sums up what is wrong in our justice system. We have a convicted murderer who has sued corrections Canada and the Government of Canada for negligence in protecting him. This murderer was convicted for stabbing a 15-year old boy while trying to sexually assault him.

He sued because he was beaten up by other inmates in 1991. This year he was awarded an out of court settlement by the Government of Canada to compensate its lack of protection for him.

I contrast that with the family of a young woman who was murdered by a convicted murderer who in honour of his birthday, a wonderful day, was given a nice pass to go shopping and to enjoy himself. He had been convicted of murdering someone, but of course we do not want to be too harsh on anyone in our society and we would certainly not keep a convicted murderer from having a shopping trip on his birthday.

This convicted murderer went out on his birthday and gave himself an even better present than a shopping trip. He assaulted and killed a young woman. The system again failed to protect someone, this time an innocent young woman, not a convicted murderer.

The family of the young woman naturally made an appeal for compensation to the Government of Canada. Where has that appeal gone? For six years there has been absolutely no offer of compensation.

*Supply*

It is incumbent on us to get serious about turning our justice system to the protection of the citizens and innocent people.

**Mrs. Sue Barnes (London West, Lib.):** Madam Speaker, one of my favourite poets is Shakespeare. One of the soliloquies from "Macbeth" talks about sound and fury signifying nothing. We have a lot to learn from Shakespeare because talk is cheap and action and hard work are the real tests.

When we talk about being concerned about victims we have to listen to victims when they come before us. This is a day when in the other place we will have a vote on gun control.

I remember as vice-chair of the justice committee the victims coming before us on gun control, the victims groups saying how badly they needed the legislation. I remember the suicide experts coming before us saying how badly this legislation was needed. I remember the women's groups coming before us saying how badly they needed this legislation. There is work to be done.

We have done work in the government. We have talked about balancing rights. We do not put one right above another when public safety is the issue, and that is the issue. It is not whom we rank in order. There is a realistic need to address the problems in society.

The party opposite thinks the way to address problems is to single out notorious, terrible events. These events are terrible and there are great losses. However, there is no ownership on caring for victims in society by any one of the parties in the House. We all care about victims in society.

The difference is that when we care, we roll up our sleeves and do some real work. We look at real facts. We voted for the legislation that puts gun control in place because the victims asked for it. We voted for the legislation on sentencing because it gives an ability for the victims to go to the courts to get compensation. We go and we get victim impact statements at hearings.

• (1700)

The Reform Party can find some little place in these pieces of legislation where they do not care about those bills and they vote them down. The victims count. CAVEAT, a national organization, met this week in Hamilton, and where did it rate the provinces that take the attitude that is closest to the third party? It rated them as a *d* in Alberta and a *d* in Ontario. Where did it rate our minister? It rated him up there because he has the fortitude to stand behind a bill that will do something for victims.

What we need to figure out here is who is really working. Who is working when we have victims of misuse of firearms? Who is working when we have victims of family violence? I remember

comments on December 6 last year from the other side. It has no understanding of family abuse.

We have bills that bring sexual offenders now to the ends of their terms. We have improved the Young Offenders Act and we will do more. We take DNA evidence. They came alongside on that, and that is good. Maybe that is a real vision for the future, looking at a bill and making sure it works and helping us implement it.

The Reform Party did support the drunkenness defence bill, but today it likes to forget that we did that bill. That helps victims.

I wish I had 20 minutes, because I have a lot more to say on this issue. Behind the scenes we will do the real work and not just push the trigger buttons.

**Mrs. Diane Ablonczy (Calgary North, Ref.):** Madam Speaker, I am absolutely delighted to hear the passion with which the member opposite commits to helping victims. I would like to give her and her government suggestions as to what we could do to increase the rights of victims.

We could give them a right to restitution from the offender. We could give them a right to prompt return of property. These are rights they do not now have. We could give them the right to be informed of services to help them in the trauma they have experienced. We could give them the right to information and notification in a whole range of areas, which I would be very happy to supply to the member. We can give them a right to be heard by the crown and a right to be heard throughout the judicial process.

We could give them a right to privacy, a protection from unnecessary invasions of privacy; a right to refuse to be interviewed by defence counsel; a right to waiting areas in the court buildings that are separate from those used by the accused; a right to be free from intimidation; a right to have a prompt disposition of prosecutions; a right to be informed of victims' rights; a right to an explanation of their role and the scope and progress of the proceedings.

There are a whole range of areas where we can help victims in very practical ways.

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, this month marks the second anniversary of the period during which it has been my privilege to serve the Prime Minister and the government as Minister of Justice. During that time there have been no experiences that have left deeper impressions on me and there has been no work that has been more important to me than those occasions on which I have met with victims of crime, spoken to family members who survive others who have died as a result of crime and heard from them about their perception of justice and the justice system.

I refer to meeting with Priscilla de Villiers, whose daughter Nina was murdered, and meeting with Chuck Cadman in Vancouver, whose son Jesse was murdered. Priscilla de Villiers reacted by creating CAVEAT, which is now a strong national organization standing for the rights of victims and drawing the attention of Canadians, including governments of all levels, to the shortcomings in the justice system. Chuck Cadman created the organization called CRY, in which thousands of people participate actively for constructive change in the justice system.

• (1705)

I have met with Rita Jervis, a woman from the Maritimes whose husband was shot and who herself was seriously injured. She survived that attack to devote her energies and her efforts to improving the justice system.

I met with the parents of the young people murdered at the McDonald's restaurant in Cape Breton. I heard from them about the tragic and everlasting sadness and suffering that is the result of that dreadful crime.

I met with Stu Garrioch and his wife in Calgary, whose son was killed in crime.

I met with Margot B, the courageous woman from Quebec who campaigned across the country for changes in the system as a result of her victimization of sexual assault.

I met with Jay Danelesko in Edmonton, whose wife Barb was murdered in the middle of the night in their home. She died in front of their children.

I met with Monica Rainey, whose own son, a toddler, was the victim of sexual molestation. She turned her energies and her extraordinary talents into efforts to create ways to protect other children from that kind of victimization.

I met with Steve Carpenter, who lost his daughter in a dreadful tragedy in British Columbia.

I met with Morris Rose, whose son died a victim of violent crime.

I met with Tom Ambus last week in Toronto, whose brother was brutally stabbed to death on the floor of Tom Ambus' store.

It is said that victims are too often forgotten, that victims are the orphans of the criminal justice system. I stand in this place today to say that those persons and all the other victims with whom I have met have left too deep and indelible an impression on this Minister of Justice ever to be forgotten as I approach the issues in my portfolio, ever to be forgotten as I bring forward proposals for change, ever to be forgotten as I work to develop the policy of the government toward criminal justice.

### *Supply*

I shall never forget as I do my work the part they play and the part they have played, not only through the suffering they have endured through the awful loss of loved ones, but also through the way in which they have helped the police in the investigation of the crimes, how they have had the courage to testify in the prosecution of those responsible, how they have devoted their energies afterward, notwithstanding their personal pain, in efforts to improve the justice system, working constructively for change.

[*Translation*]

Since I took up my duties as Minister of Justice, we have tabled several bills aimed at improving the criminal justice system for the benefit of Canadian society as a whole and more specifically for the benefit victims of crime.

[*English*]

I believe the changes we have made have improved significantly the circumstances for victims in the Canadian system of justice. I point to Bill C-41, which for the first time sets out in the criminal law of this country in statute the principles and the purposes of sentencing, including the obligation of the criminal justice system to provide reparation to victims of crime.

Bill C-41 specifically provides that the court will consider as an aggravating circumstance that someone was victimized by reason of a breach of trust, by reason of violence by a man against a woman in a domestic context, or by reason of hatred based on the personal characteristics of the victim. They are all on the bad list.

Bill C-41 also contains changes in section 745 of the Criminal Code to ensure that the surviving family members of someone who is murdered must be heard from by the court when an application is made for permission to seek early parole under section 745.

• (1710)

Perhaps most important for present purposes, Bill C-41 also provided for much strengthened provisions for restitution. I listened to the hon. member opposite describe the urgent need for avenues of restitution for the victims of crime. Bill C-41 brought together significant improvements, which were combined in that bill to provide that from and after the date of its proclamation the courts will be empowered to order, even without the victim asking for it, appropriate restitution. The victim may take that order, register it in the courts in the same manner as a civil judgment, and it can be enforced in the same manner as a civil judgment, taking the responsibility for enforcement off the shoulders of the victim and putting it where it belongs.

In Bill C-42 the government proposed changes that are now in effect in the Criminal Code of Canada to provide that peace bonds, restraining orders made by the courts to keep threatening

*Supply*

persons away from their potential victims, can be made on application by police officers instead of by the potential victim himself or herself, to relieve them of that obligation, to make it that much easier for them to have that court protection.

Bill C-42 provided dozens of ways to streamline the criminal justice system for the benefit of victims, including for example those who have lost property in crime may establish ownership of the property for the purposes of the prosecution simply by swearing and filing an affidavit rather than having to take the time and trouble to appear in court personally to establish that technical proof.

In Bill C-72 we expressly provided words in the Criminal Code that will bring home the personal responsibility of those who intoxicate themselves voluntarily and then commit a crime of violence involving the general intent of harming others. The preamble of Bill C-72 is express testimony of this government's concern about and commitment to victims of crime. Bill C-72 stands as a profound and important statement from this Parliament on behalf of victims that those who intoxicate themselves voluntarily and then harm others in those circumstances will be held accountable and cannot rely upon their own self-induced drunkenness or intoxication from drugs as an excuse. That is action on behalf of victims.

In Bill C-37 the changes to the Young Offenders Act expressly provided for the first time for victim impact statements in court proceedings involving young offenders. In the second phase of that work involving the young offenders, which was commenced by the justice committee of the House this week, I expressly asked the committee to look at different approaches toward juvenile justice with specific reference to the role of the victim. I asked how we can have that act improved to more directly involve the victim through reparation, through confronting the offender, through restitution, through community work, so that people who are the victims of crime can have some sense of justice out of the process. I expressly asked the committee to work with me in designing changes to achieve those objectives. I share those objectives with the members opposite. We have the same goals in mind. I have invited them this week as members of the committee to work constructively with me toward the attainment of these goals.

In Bill C-104, which received the agreement of all parties in the House, we introduced for the first time an express provision in the Criminal Code empowering police officers to go to the courts for a warrant to obtain bodily substances for testing for DNA, important forensic evidence either to establish guilt or prove innocence. That is a step forward for victims. When combined with the further legislation the Solicitor General of Canada is preparing to establish a data bank for DNA samples of those convicted of crime, we will have available to the authori-

ties in this country an invaluable resource to detect and ultimately pre-empt and prevent crimes of violence against victims.

When we speak of victims of crime, indeed, when we speak of violent crimes generally, it is very important to remember that 70 per cent of the victims of crime are acquainted with their assailants. The general impression that some might have that violent crime is confined to the streets where strangers lurk dangerously to assault us, is not right. The vast majority of victims know the person who attacks them. That leads to a related point.

• (1715)

An appalling percentage of crime goes on in the home and involves violence by men against women. It is to that cause, against that kind of crime, that we must also unite in our efforts and in our opposition. Violence by men against women tragically forms too large a part of the crime problem in the country. We must work through the wide variety of strategies available to combat, to reduce and ultimately to end it.

I draw the attention of hon. members to the importance, not just of legislative initiatives but to crime prevention. Because law alone, no matter how much improved by the suggestions made by hon. members, will never, ever be enough to address the problem of crime and community safety.

It cannot work in isolation because it deals with symptoms and not with causes. It becomes engaged when it is too late. The crime has been committed, someone has been harmed and the charge has been laid. Crime prevention is a strategy by which we can take community resources and energy and through linking police enforcement with the justice system, with social agencies, with families, we can do something about crime before it happens.

All across the country as I go from the west to central Canada to the maritimes, I see the energy and the commitment of communities. Instead of just wringing their hands about community safety, they are rolling up their sleeves and doing something constructive about it.

The National Crime Prevention Council created by the government in the summer of 1994 provides the national instrument by which that energy and that commitment can be brought together and focused on that important national objective.

Let it not be thought that we will make ourselves safe simply by ratcheting up the penalties and making the laws more harsh. That is only part of the approach. We must also look at the underlying causes of crime. We must recognize that preventing crime has as much to do with the strength of families as it does with the length of sentences. It has as much to do with literacy as it does with law. It has as much to do with community co-operation as it does with mandatory supervision.



No one here should think that we are serving victims if we offer them only vengeance. Victims want more than to see the offender punished. That is where hon. members of the third party, in my respectful view, fall short in their approach to this problem. More is required than simply vengeance.

If ever there was eloquent evidence of that principle, it was offered by the family of one of the victims in the Bernardo tragedy. I believe it was the Mahaffey family. When asked about capital punishment, the Mahaffey family said: "That is not our objective. That is not what we are after. What we are after is to make sure that something positive comes of this awful tragedy. What we are after is to make sure that person is put away for life in prison. What we are after is to ensure that it never happens again". That is what victims want and it is toward that constructive objective that we must work together.

A few weeks ago I spoke outside on this magnificent Hill to a rally organized by a group of victims seeking changes in the criminal justice system. I undertook on that occasion to work with them in the name of justice for changes to our laws to achieve the objectives of which I have spoken today. I intend to keep that commitment.

[*Translation*]

I said earlier that I welcomed this opportunity to respond to the motion before the House today. The government is proud of its achievements because it has made a concerted effort to approach the problem of crime from various angles.

• (1720)

I am not suggesting that all has been said and done. But I do know that creating new crimes with increasingly stiffer sentences will not solve the problem. Finding the causes of crime is no easy matter. It involves a cause and effect analysis as wide-ranging and complex as human nature itself. However, to claim that we can solve the problem by getting rid of criminals as long as possible is simply to evade the issue.

[*English*]

The motion before the House today is somewhat of a surprise since it emanates from members of the third party. Sometimes the way they express themselves on such subjects, one would think that the members of the third party have a monopoly on righteousness when it comes to the position of victims.

Their position, I am afraid, is hardly that strong. I suggest that their presentation today of this resolution offers somewhat of an embarrassing contrast for the third party. Today, through their resolution and their arguments, they would have us believe that their priority is the rights of victims and the perspective of victims.

### *Supply*

On Monday of this week a group of victims met here on the Hill. They made a very powerful, a very emotional and a very moving presentation in favour of Bill C-68, urging the Senate to adopt the government's proposals on gun control.

Those victims also have a point of view. The men and women who stood on the Hill on Monday in favour of Bill C-68 are victims too. They want Bill C-68 put in place because they know it is in the best interests of victims and the criminal justice system in this country.

It is the members of the third party who have fought so much against Bill C-68 in the past and continue to do so. Perhaps that is the best evidence of the flawed approach of the members of the third party toward the proposition in which today they pretend so strongly to believe.

**Mr. Jim Silye (Calgary Centre, Ref.):** Mr. Speaker, I enjoyed listening to the speech of the justice minister.

A year ago Reformers brought up the same issue, asking the government to be a little more active in trying to protect victims and their rights. For years, the criminal justice system—as a lawyer, he would know this—has been geared toward the rights of the criminal. From the moment the offender is arrested to the moment of the expiration of the sentence, our system is built around the criminal. The victim has been generally ignored.

We brought this to the attention of the House. There has been some movement and very little improvement. We want to make more improvement.

If Parliament is intent on protecting society, it should and will have to recognize and codify victims' rights. As a party we have pushed four issues: official standing in court cases and parole hearings, which the minister has not invoked; mandatory victim impact statements and victim compensation, where there is an opportunity to draw from the criminal himself or herself some compensation, and to recognize that the rights of the victim outweigh the rights of the criminal.

Our charter of rights and freedoms in some ways give criminals privileges that are unheard of. We talked a year ago about the 46-year old woman, mother of three children, who was raped by a convict on day parole. The victim tried to get a Quebec court to compel her attacker to take a blood test for HIV but the court ruled against her, saying that the blood test would compromise the rights of the accused rapist.

Protecting the rights of the accused at the expense of the victim of a crime is a crime in itself. Today, we have the Bernardo and the Homolka situation. We have two prisons that are connected by a tunnel—

*Private Members' Business*

**The Deputy Speaker:** Will somebody tell the minister it is normally expected that the minister would wait and reply to questions and comments. I thank the minister for coming back.

• (1725)

**Mr. Silye:** Mr. Speaker, I posed the question. He is a busy man. Maybe he is going out to fix up our victims rights. Maybe he is going to do something about the bill.

Getting back to the point I was making about the two prisons where Bernardo and Homolka are held, a tunnel connects the two. According to the charter of rights and freedoms, he is going to be able to have conjugal visits with members on the female prison side. This is not punishment.

**Mr. Hoepfner:** It's ludicrous.

**Mr. Silye:** It is ludicrous, I agree with the member from Manitoba.

I guess I need another preamble for my question. I believe that we should make violent criminals—that was my comment and now to the question for the—

**Some hon. members:** Oh, oh.

**Mr. Silye:** We are laughing and joking, but it is not really funny.

This man has been the justice minister for two years. All he wants to do is register firearms at a cost of \$400 million and impose a bunch of ludicrous infringements on private property and carrying on like that, rather than doing what really is important which is toughening up the criminal justice system, making our streets safer and actually punishing people who commit crimes.

It is wonderful to talk about the causes of it. It is wonderful to look at how we can help these people to not commit these crimes. Those are solutions that are of a much longer term. In the short term the punishment should fit the crime and parole should not be given to violent offenders.

Why not make violent criminals serve their full sentence without possibility of parole? Why not get tougher with the criminals, show that the justice system is tough, then look at the rights of the victims and give them the satisfaction that at least the government of this land is looking after their rights and not just the criminals rights.

**Mr. Rock:** Mr. Speaker, may I first of all make it clear that I intended no disrespect to the hon. member when I left the Chamber for a few moments. I am sure he knows that and I trust that the Speaker knows it as well.

In response to the point raised by the hon. member, I take it that what he is advocating is a balance in the approach. We must take steps to strengthen the criminal justice system. We must also be sensitive to the rights and the interests of the victim. I believe that is what we have reflected in the steps we have taken as a government.

We have introduced in Bill C-68 mandatory minimum penitentiary terms, the longest in the Criminal Code, for those who use guns in crime. That is a very significant punitive element in the criminal law. I know that it has the support of the members of the third party.

At the same time in Bill C-41 we have recognized the role and the rights of the victim in the strengthened restitution provisions. We have changed the section 745 procedure so that they are guaranteed a role in such applications. In Bill C-42 we have made it unnecessary for them to go to court, for example, when—

[*Translation*]

**The Deputy Speaker:** It being 5.30 p.m., it is my duty to inform the House that pursuant to Standing Order 81, the proceedings on the motion have expired.

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## PRIVATE MEMBERS' BUSINESS

[*English*]

### PARLIAMENT OF CANADA ACT

**Mr. John Solomon (Regina—Lumsden, NDP)** moved that Bill C-314, an act to amend the Parliament of Canada Act (other pension income), be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased today to say a few words at second reading of my private member's bill, Bill C-314. I made a few comments when I introduced it but for members in the House today I want to remind them that this bill is an act to amend the Parliament of Canada Act (other pension income). The bill requires all pension or retiring allowance payments received by a member of Parliament which are paid from public funds to be deducted from the member of Parliament's sessional allowance payments.

The following occupations fall under the definition of a public or retiring allowance paid from the public purse: a member of the legislative assembly of a province or a provincial parliament; a member of the public service of Canada or a province; a judge of any court in Canada; a member of the Canadian forces; a peace officer; an employee or officer of a crown corporation of the crown in right of Canada or of a province; an employee or officer of a board, bureau, commission, council, institute or agency of the crown in right of Canada, the crown in right of a province or a municipality; an employee or officer of a publicly funded school, school board, college, university or hospital; an employee or officer of an organization that the board by law orders to be an equivalent organization, crown corporation, agency of the crown, or college, university or hospital.

The bill is a reverse double dipping bill. There are two definitions of double dipping. The first is members of Parliament with pensions taking government jobs while still drawing their parliamentary pension. This definition has been primarily

dealt with in Bill C-85. The President of the Treasury Board introduced the bill and it was passed. It was part of the pension adjustment bill.

The second definition of double dipping, which this bill addresses, is MPs elected while collecting a public pension. They are receiving in essence a pension from a position which I made reference to plus receiving their member of Parliament allowance.

For example, there is a former MLA in this assembly who receives a pension of approximately \$61,000 annually. He was elected to the House and receives a full salary as a member of Parliament as well. Therefore he is earning something in the order of \$165,000 for serving the public. This bill would take the \$61,000 pension and subtract it from the \$64,400 which is due to a member of Parliament, thereby only paying this person to continue to serve the public at the federal level his \$61,000 pension and \$3,400.

I will take the House through a bit of the history of double dipping in Canada. Prior to 1976 pensions of the Royal Canadian Mounted Police, members of Parliament, the military and public servants were regulated by Parliament and the regulations were quite uneven. A former member of the military could not keep their pension if elected to Parliament, yet a civil servant could. It was also not possible for a former member of Parliament to join the public service and collect their pension. The rules did not allow for a level playing field. Certain occupations were eligible to collect pensions while working in another occupation, while others were not.

This was updated in 1976 but instead of preventing all public pensioners from drawing a salary and a public pension, the process was opened up to allow them to collect both. In hindsight this was a costly, unfair and unacceptable practice, as it is now, in light of our fiscal situation and in light of a significant increase in unemployment, in particular with young Canadians.

The purpose of a pension is to provide income to an individual in recognition of years of service. In essence it is a deferred income or a deferred benefit earned while working to be paid when one retires. It is meant to sustain retirees in a satisfactory manner during retirement. A public pension is provided by the taxpayers so that the retiree has a source of income.

The proposal I am putting forward through Bill C-314 is seen in other jurisdictions. For example, it is a policy with many school boards to deduct salaried earnings from retirees who go back to the classroom to teach so they are not double dipping, receiving a pension from the school board as well as receiving a full time salary—doing two things; double dipping in terms of getting double revenue for doing one job and also taking the job away from somebody who needs it much more than the person who is receiving a substantial pension.

### *Private Members' Business*

This policy was established because school boards could not justify to the taxpayer that a teacher should be able to earn a salary from teaching when they claim to be retired from the very profession in which they are working.

● (1735)

The bill would save the House of Commons literally millions of dollars annually because the payroll would be reduced. As well, there are currently at least 60 members of Parliament who could be affected by the bill. The numbers are approximate, we do not know for sure. A number of Liberals, Bloc members and Reform members are currently receiving pensions from previous public service and collecting a full salary as members of Parliament. They fall into the categories of MLAs, MPPs, municipal politicians, teachers, military officers, peace officers and various and sundry civil servants.

Some are receiving generous pensions and others will be eligible soon for benefits while still serving as a member of Parliament. The bill reflects the fact that these individuals are continuing in their role of serving the public and should not be paid twice. They should not be considered retired from public life and then pursue a career as a member of Parliament and be paid twice to serve that very same public.

Many members of Parliament in most veins agree that serving Canada is an honour and a privilege. We should not abuse that privilege. All we do by receiving a public pension while being a member of Parliament receiving a full salary is add to the cynicism of the public by abusing the goodwill of the Canadian taxpayer.

Bill C-314 recognizes that despite the level of government there is only one taxpayer paying the salaries of MPs, retired municipal politicians and retired civil servants. If a retired person becomes a member of Parliament, that person should no longer be considered retired.

The government does not allow persons who are collecting unemployment insurance benefits to collect welfare benefits at the same time. We have this in other jurisdictions such as school boards and unemployment insurance. UI does not allow persons to collect unemployment insurance while holding a job either. If a person does this they are considered to be cheating the system. Why are members of Parliament exempt from this form of double dipping? In essence those of us who are receiving pensions could be considered cheaters on the taxpayers.

We cannot expect Canadians to tighten their belts with massive cutbacks to government programs while we receive a public pension and a public salary at the same time. Contributions members of Parliament would make in terms of savings could go toward a special fund.

For example, consider a member who makes \$61,000 in pension income. That \$61,000 could go to this fund which could be used on an annual basis to be paid directly on the deficit. This could provide very significant leadership to Canadians in the sense that the members who receive these pensions with this deduction from their MPs salary could use this fund annually

*Private Members' Business*

toward reducing the deficit while telling Canadians we are making some very difficult choices and that we also believe as members of Parliament we are to make some difficult choices ourselves which will address the deficit issue.

We also see an opportunity to save money for taxpayers. However, we have seen governments in the past, and particularly this Liberal government, make some significant cuts to transfer payments in the health, education and social service areas. It is not really saving money. It says it is saving money by cutting back \$7 billion this year with respect to health, education and social services costs but all it is really doing is transferring this to other levels of government, the provincial governments and the municipalities across the country. The taxpayer has to make up the difference of the \$7 billion.

We are also seeing a government making cutbacks to unemployment insurance. In Saskatchewan's circumstance we have seen the unemployment insurance program cutback so dramatically in the last two years that over 15,000 people have been taken off UI as a result of the new cutbacks by the Liberal government. They are now being put on the Saskatchewan assistance plan case load, which costs an extra \$63 million a year.

In addition to the unemployment insurance reductions, the Liberal government has transferred responsibility for providing assistance to off reserve status Indians, adding another 10,000 people to the welfare case load of Saskatchewan alone at an estimated cost of \$37 million. We have seen \$63 million, \$37 million, \$100 million on those two initiatives under the unemployment insurance benefit scheme alone.

• (1740)

The Liberal government was elected on the platform of providing jobs and of course it has thrown more people out of work and on to welfare rolls in Saskatchewan than ever before, adding to the burden of the Saskatchewan taxpayer.

Bill C-314, which I am proposing, would assist in a very minor way but illustrates the Liberals have no new ways of trying to save money. All they want to do is pass off the expense of running our country to another level of government.

I will say a few words now about double dipping in the Reform Party. If the Reform Party is concerned about double dipping, it would support the bill. The bill creates a level playing field. Members of Parliament would see retirement income deducted from their paycheque during their tenures as members of Parliament.

Members of the Reform Party have stated they would not accept the parliamentary pension before age 60. Yet there are Reform MPs who gladly accept publicly paid pension benefits from the provincial governments they have served in other public sector jobs, be it teaching, municipal governments or other provincial government sectors.

This in my view is hypocrisy on the part of the Reform Party. The Reform Party is insulting the intelligence of Canadian taxpayers. If it is wrong for a former member of Parliament to accept his pension and take a public sector job, then why can a former MLA now in the Reform Party receiving a \$61,000 a year pension not do the same thing when he becomes a member of Parliament?

Reform Party members must lead by example and voluntarily deduct their pension incomes from their salaries and give the difference back to the House of Commons or to the deficit.

I have some very profound arguments and a great deal of support for the bill. Barbara Yaffe of British Columbia wrote in the *Ottawa Citizen* on April 20:

Now that the diabolical double dip has been addressed, the Chrétien government might want to take action on the reverse dip.

Double dipping is to be forbidden under the reforms to the MPs' pension plan announced in February by Treasury Board President Art Eggleton. But the reverse dip was not mentioned in those reforms.

The column was quite laudatory for me and with respect to this bill. She does quote a number of members of Parliament who are serving in the Reform and Liberal parties: the member for Bonavista—Trinity Conception, a retired naval rear admiral; the member for Lethbridge; the member for Nanaimo—Cowichan; the member for Saanich—Gulf Islands, a former armed forces officer, and it goes on and on. I would like to read the whole article but I do not think it would be appropriate at this time. However, the bottom line is there is a great deal of support for the bill.

I am not doing this out of mischievousness. I am doing this because it is a serious issue for Canadians and for Parliament. I am doing it with sincerity. As a former member of the Saskatchewan legislature, I have gone on record before and after the election that if I was serving my country in the House of Commons I would never take a pension for my former service as a member of the Saskatchewan Legislative Assembly. I will stick by that regardless of whether the bill is passed.

I reaffirm my position that as a former member I will not take a public pension, my legislative pension or my pension as a corporate planner with Saskatchewan Telecommunications because I believe it is a privilege to serve my constituents, my province and my country. Regardless of what position I am in, I will take only the salary due to me and disregard and postpone taking any pensions I am entitled to.

In this regard I am putting the bill forward in a serious manner. I hope that members of the Reform Party and the Liberal Party will join with me in supporting the bill.

• (1745)

There are a few more things I would like to add with respect to some of the impacts on the bill but I note that the Liberal member opposite is anxious to say a few words on it.

There have been some comments in the House today concerning the MPs pension plan. There are members of Parliament who will argue that members should not receive any pension whatsoever. For those who argue for no pensions, one has to question their motives. Is it because they already have a pension, or is it because they are representing interests which will pay them handsomely for doing other things? Or is it simply an attempt to falsely bribe the electorate into believing that if the MPs are not worthy of pensions or MPs should not take pensions they might be more worthy of support by the electorate?

I think those arguments are false. People will support honest, hardworking politicians who are fair, who work to build our country and who raise taxpayers' money fairly and spend it even more fairly and wisely in a very accountable fashion. People will agree that if we are not doing a good job or if we are corrupt or dishonest, we deserve nothing. In fact, nothing is still too much for some in people's minds because of the lack of work they have done or the corruption they have been involved with.

No one disagrees with that but it does not mean because there are some bad apples in a profession that all are bad, or in the case of members of Parliament that none deserve or are entitled to pensions. I do not subscribe to that.

I believe if taxpayers treat their members of Parliament satisfactorily in terms of pay and benefits, be they current or deferred or both, that the members of Parliament will be responsible and accountable to those who pay their salaries and benefits. If members of Parliament or any other elected official are not paid satisfactorily, they will receive income from other sources. Perhaps they will be accountable to those other sources more so than those people they are representing in this wonderful institution called the House of Commons.

I do not take for one second the argument that members of Parliament should not take a pension if they deserve it, if they have earned it and if they have served their country well. There is some room to manoeuvre in terms of the possibility of not having served the country in an honourable or honest fashion. Then perhaps some penalties might arise. However, I certainly believe Canadians would agree that if a member has worked and earned his or her pension then the member is entitled to it.

### *Private Members' Business*

There will always be a debate on how much the pension should be, but the point is that the concept of a pension is realistic. If a member of Parliament receives a pension, the member will work hard in this House of Commons to ensure that all Canadians receive a fair pension.

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I listened with interest to the remarks of the hon. member for Regina—Lumsden as he introduced this private member's bill. While he may have had some very virtuous points, I think his bill is misguided.

It is unfortunate that this bill cannot come to a vote because then we could make a decision on it. However, it is not a votable item so we will have to make do and it will be dropped from the Order Paper after the debate. That is not going to stop me from expressing my views about the hon. member's bill, of which I am sure the hon. member for Mackenzie was a reluctant second-er.

Having said that, it is important to look at what the hon. member has proposed in reality. While it may have a superficial appeal in terms of actual fairness, I suggest it is not exactly what Canadians would want.

Canadians earn pensions in the course of their employment as part of the remuneration for the employment they are engaged in. In other words, if I take a job and am paid a specific salary, attached to the job will be the possibility of a pension.

• (1750)

Let us assume that the job is one that has a pension attached. My salary will be lower than it might otherwise be in order for the employer and I to contribute to a pension plan. We will contribute at varying rates according to the terms of the contract but nevertheless, contributions will be made to a pension plan.

It will be understood that that is deferred compensation. It is money that I am not being paid in the course of my employment to ensure that I receive additional moneys later. I make that agreement when I make a deal with an employer. The hon. member knows that all kinds of persons engaged in employment contracts make those kinds of deals.

He is now saying that where a person is subsequently elected to the House of Commons, at the time that he is entitled to draw a pension from another source, that pension should not be paid to him or her. Or, if it is paid, his or her salary as a member of Parliament is reduced by the dollar amount of the pension.

Let us imagine for a moment that in my previous employment I had been engaged in a place where I earned a pension. I was not, but suppose I was. Suppose that on my election to the House because I had left my previous employment I was eligible to a pension of \$30,000 a year. That would mean my sessional

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indemnity as a member of Parliament would be reduced from the standard \$64,000 to \$34,000 because I was receiving this additional pension from my previous employment. They were funds that I had earned in the course of that employment and which were payable to me as a result of that work.

Let us assume that the hon. member for Regina—Lumsden had no pensionable earnings from previous employment. He came to the House and earned his \$64,000. What inducement would there be for me to work on a full time basis as a member of Parliament when my salary was less than his? I would be paid \$30,000 less by Parliament for doing exactly the same job presumably he was elected to do. Why should I do that? Why should I be paid on a different basis?

We are all paid the same amount as members of Parliament. Some of us work harder than others. We accept that fact, but the House does not make any differentiation between that. We are all paid the same and it is assumed we all do the same work. We all certainly have the same responsibility.

Some of us get a little extra money because we are parliamentary secretaries or cabinet ministers. However as members of Parliament, we all receive the same basic pay. It is not adjusted downward because one of us receives a pension. Yet, the hon. member not only would draw that distinction between MPs, he would then draw it only in respect of those who received pensions from a public sector pension fund.

If mine happened to be from a private employer, I could keep my money and take no reduction. If it came from a public sector employer, I would take a cut in my pay as a member of Parliament. I do not think it is fair and the hon. member on serious reflection would realize it is unfair.

Tempting as it is to go after his friends in the Reform Party, that is not the way to do it. Pensions represent deferred earnings. The sessional indemnity that members of Parliament earn is paid for us to do our job here. After all, we are paid to do the job we were elected to do at the specified rate I have indicated. That rate surely is one that is not overly generous. To suggest that it ought to be reduced because someone gets a pension modest or otherwise from another source is unfair.

Who will be prejudiced by the hon. member's bill? Let us look at who is likely to end up suffering. It will be those who are over an age where they could draw a pension. Younger members of Parliament will not qualify for a pension in any event. It will almost exclusively be more senior members who will be affected by this. Senior members are here to work as are the younger members. Why should they be paid less as members of this Parliament because they are older and entitled to another pension? I ask the hon. member to reflect on that. I do not think he has in drafting the bill.

There is no reason for the hon. member to assume that all public pensions are heavily subsidized the way the MPs pension has been until the recent changes the government brought in and which I assume is the evil he is driving at. He is suggesting that because public pensions are somehow subsidized by the taxpayer they are a polity different from those that are paid by private employers and therefore a public sector pension should result in the lowering of the MPs salary.

I do not agree because many public sector pensions are not subsidized heavily by the taxpayer. They are paid on the basis of matching contributions by employer and employee, as are private sector pensions. I suggest there is nothing unfair about that.

• (1755)

The ability to draw a pension from one employer, private or public, when working with another stems from the fact that the individual completed a career and has moved on to another. In private work if I have qualified for a pension in my first job and move to a second job and draw the pension, that factor is not taken into account by my second employer in determining salary. That matter will be negotiated between me and the second employer. If I happen to be in an organization where the rate of pay is fixed by some kind of collective agreement, I will be paid at a standard rate with no possible reduction because I happen to be receiving a pension from another source.

Given that, why would the hon. member seek to interfere in that employer–employee relationship particularly those under a collective agreement which he says he and his party support so staunchly?

We all know what happened in Ontario with the recent New Democratic Party government. The New Democrats claimed to be the great friends of labour but by the time they left office after the last provincial election everyone acknowledged they were not the friends of labour. In fact they were probably the greatest enemies the Ontario labour movement had for some time, until the Mike Harris government came in, but that is another matter. We all remember with great fondness the Rae days the former premier imposed in the province of Ontario. The hon. member for Lisgar—Marquette may not be fully conversant with the disaster we suffered in Ontario for the five years ending earlier this year. It seems we have moved from one disaster to another in our province.

I see the chief government whip is advising me that the gun control bill has cleared the Senate, 64 votes to 28. Mr. Speaker, I thought you would want to know. presume that is without any amendments.

**Mr. Boudria:** That is right.

**Mr. Milliken:** That is very good news.

*Private Members' Business*

The other problem with the hon. member's suggestion, as I have indicated, is we would end up with great inequality in the House where two members of Parliament sitting side by side in the House might find themselves earning different amounts because one happened to draw a private pension and one happened to draw a public pension.

**Mr. Solomon:** That happens now.

**Mr. Milliken:** Yes, it happens now because members come here with varying amounts of money. Some are well to do. Some may have a very substantial investment income. They still get paid a salary of \$64,000 and change for doing their job as a member of Parliament. Every single member of Parliament gets that.

The ones who are getting paid extra, and I point this out to the hon. member, are the ones who are doing work which is additional to their work as members of Parliament. He may not think that the additional work is significant but the fact is all the ones who are getting paid extra are being paid extra because they do additional work. All the ones who are not doing additional work in this House are receiving the same amount of money.

I quote the hon. member for Calgary Centre who justified one of his own members receiving a pension from a provincial legislature by saying: "The member the Liberal MP asked me about is not guilty of double dipping. It is not double dipping. This individual served in the provincial legislature. This individual resigned from the provincial legislature. This individual offered his services to the Canadian public on a federal basis".

The hon. member for Lisgar—Marquette loves it when I quote one of his colleagues.

**Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.):** Mr. Speaker, I compliment the hon. member for Kingston and the Islands. I finally heard the fact that I can agree with him, that what the member for Lethbridge is doing is not double dipping. We have heard the Liberals so often saying: "The double dipper is sitting right there". Finally they have seen the light. Thank you for that, Mr. Speaker. We are making progress in the House. That is what I like to see.

**Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, I am pleased to have the opportunity to speak on this bill. I listened to the very eloquent remarks of the hon. member for Kingston and the Islands.

I am sorry I was not here for previous remarks but I was in the other place watching the other place do the right thing. NDP members would have acknowledged it at one point, but more recently they do not acknowledge quite as much that gun control is a good thing.

• (1800)

In any case, the other place passed gun control, as the member for Kingston and the Islands indicated, 64 to 28. That is excellent news. All Canadians, except for a handful of New Democrats and a larger handful of Reformers, would agree. That is a very good thing.

**Mr. Speller:** Mr. Speaker, I rise on a point of order. I heard the hon. member talking about something going on in the other place. What did he say the Conservatives did over there? I was not quite clear as to what he said.

**The Deputy Speaker:** I appreciate that the hon. member is being light hearted, I believe, but we do have rules of relevance in the House. As you know, the Chair often sits here and squirms and wonders why we do not observe those rules. Normally the Chair waits for a member to get up and say that somebody is speaking totally off the subject. I am sure the hon. chief whip to the government party will make his remarks relevant to the subject very soon.

**Mr. Boudria:** Mr. Speaker, I am pleased to speak to the bill, but at the same time I am also pleased to inform the House that some Conservative members in the other place voted for the bill, some voted against the bill, some abstained and so on. In other words it is the same thing as usual: several different messages coming from the Tories.

We are back to Bill C-314. I am pleased to be speaking about that. The hon. member from the New Democratic Party is proposing this bill to us today. As my colleague for Kingston and the Islands has indicated, this is not a bill that some of us are willing to support.

The bill would create a number of inconsistencies. Apparently one of the issues is the concern for public funds. It is interesting that some public pensions would be applicable in terms of the reduction from salaries and others would not. For instance, if an MP happened to be older than 65 years of age, the CPP or QPP provisions would not be reduced, even though that is a public pension as well, but other pensions would. OAS would not be covered, veterans pensions and so on, but military pensions would. You can see that there are a number of inconsistencies created in what the hon. member is trying to address.

The government has gone a very long way toward improving the pension plan for members of Parliament. I believe the government has done the right thing. I was pleased to support the government's initiative. I was pleased to defend it. I did not happen to think there was much wrong with the system as it existed even prior to that change, but some people feel, and those in the Reform Party are in that category, that MPs should have less pension and virtually double the salary. This is what the member for Calgary Centre has suggested.

When I was asked by the media what the chances are of doubling MPs' salaries, I said it is about the same as the chances

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of Brian Mulroney being re-elected. In other words, it is not a very likely proposition, to put it mildly. Most Canadians would not look too favourably on either one of those two situations. Of course that did not happen.

It is wrong as well to somehow portray, either through the bill or others, that MPs are overpaid. I do not share that view. I am not suffering. I believe I am making a decent salary. In comparison with other people in society, I do not believe that we are overpaid. In my province of Ontario, a high school vice-principal—there must be two dozen of them in my constituency—is paid a salary which is larger than mine. A high school principal makes even more. Then there are the school superintendents, the directors of education and so on. I am only addressing people in the public sector involved in education.

• (1805)

**Mr. Hoepfner:** Do they get a living allowance?

**Mr. Boudria:** The hon. member opposite asks about a living allowance. I do not get one. I do not qualify for such an allowance. Perhaps he does not know that. I do not qualify because I do not operate two homes.

**Mr. Hoepfner:** What about mileage?

**Mr. Boudria:** People who travel for a living are reimbursed for their mileage expenditures. That is fairly standard. The hon. member opposite knows that.

People in the educational sector, those who travel from school to school, get a travel allowance. The hon. member knows the answers to all these questions. He is just trying to be funny. Heaven forbid that he would not know better than what he is pretending today. If he does not, maybe it is a lost cause.

At some point in the future, perhaps not in this Parliament, because I do not see how it could be done, I would like to see the whole issue of compensation for MPs revisited. There have been two reports in this Parliament which both recommended an overall increase in benefits. Of course that will not happen.

We even had a party which pretended that MPs should receive 15 per cent less. Some of them adhered to that principle, others pretended to do it and others did not. We never knew which was

which. The scheme was abandoned because it was not appropriate. The public was being fooled.

Some of them said that they were not using their tax free allowance and were giving it back. However, once the MPs' pension was reduced they said that they would keep it to create their own pension scheme.

The Reform Party's preachings in this area are a little less than totally sincere.

[*Translation*]

It has been a pleasure to speak to this bill, which would require all pension or retiring allowance payments paid from public funds to be deducted from the member's sessional allowance.

However, there are certain aspects that are not given sufficient clarification in the hon. member's proposal. First, some public pension plans are not paid from public funds. That is number one.

There are entities in this country that are neither public nor private, in other words, they are sort of in-between. And finally, of course, even if a pension is public, that does not necessarily mean it is subsidized by the government or by the public jurisdiction concerned.

As far as I am concerned, I do not intend to support this bill and I would urge my fellow members to do likewise.

[*English*]

**The Deputy Speaker:** There being no further members rising for debate and the motion not being designated as a votable motion, the time provided for the consideration of Private Members' Business has now expired and the order is dropped from the Order Paper.

[*Translation*]

Pursuant to Standing Order 38(5), the motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 6.11 p.m.)



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