



CANADA

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OFFICIAL REPORT
(HANSARD)

Wednesday, September 20, 1995

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Wednesday, September 20, 1995

The House met at 2 p.m.

Prayers

STATEMENTS BY MEMBERS

[*English*]

ORANGEVILLE NORTHMEN

Mr. Murray Calder (Wellington—Grey—Dufferin—Simcoe, Lib.): Mr. Speaker, I would like to take the time today to extend my congratulations as well as those of the people of Orangeville and Dufferin county to the Orangeville Northmen, the Canadian Junior A lacrosse champions.

I cannot remember a lacrosse team that has so dominated its competition, winning its second Minto Cup in three years. The Northmen, their coach Terry Sanderson, general manager Bob Clevely climaxed a phenomenal season winning 35 of 36 regular season games and all 16 of its playoff games.

It was a truly astounding 1995 season. I wish to indicate my appreciation to the young men who represented Orangeville, including first year Captain Rusty Kruger who won the most valuable player award for his play during the Minto Cup.

My thanks to the Orangeville Northmen.

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[*Translation*]

OFFICIAL LANGUAGES

Mrs. Christiane Gagnon (Quebec, BQ): Mr. Speaker, this federal government, the one parading about on every possible platform to vaunt the merits of bilingualism in Canada, is totally thumbing its nose at francophones by shamelessly flouting its own language policies.

For example in Beijing the Quebec women participants, although making up one third of the Canadian participation in the NGO Forum and the World Conference on Women, ran up against application of the Official Languages Act. They were invited to the Canadian embassy for an information session

aimed at facilitating their contact with China and ensuring their security and then were briefed in English only, not once but twice.

These francophones, like those in the federal public service, know full well that, when we are francophones, our rights exist only on paper and in the speeches of federalist politicians. Is that what this fine great country of Canada is all about, Mr. Speaker?

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[*English*]

REFORM PARTY OF CANADA

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, Atlantic Canadians have had nothing but one bad catch of politicians after another. Both the Liberal and Tory catches have been a miserable failure for Atlantic Canadians but there is hope. There are more than two fish in the sea. There is a new underutilized species that is proving to be a bountiful catch, the Reform Party of Canada.

In Ottawa the Liberal Atlantic Canada MPs have been gutted by their own government and cannot speak out on behalf of their constituents for fear of being left to rot on the docks.

Now there is a new stock of people committed to standing up for Atlantic Canadians. That new voice for Atlantic Canadians is the Reform Party of Canada. The Reform Party wants to hear from all Atlantic Canadians who wish to see the east coast returned to its former prosperity.

The old school is dying and the time for change is now. The catch of the day in Atlantic Canada is the Reform Party of Canada, always fresh and definitely the best choice on the menu.

* * *

CANADA

Mr. Jag Bhaduria (Markham—Whitchurch—Stouffville, Ind. Lib.): Mr. Speaker, this summer I had the privilege of visiting eastern Canada after almost 25 years.

My family and I travelled throughout the beautiful province of Quebec, a diamond in the jewel we call Canada. My children were amazed to see all the quaint townships nestled among the rolling hillsides. They will never forget the experience of seeing their geography books come alive.

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We continued our travels through picturesque New Brunswick, beautiful Nova Scotia and the pearl of the Atlantic, Prince Edward Island, the cradle of confederation. Unfortunately time constraints did not allow us to visit Newfoundland. These smaller but no less important jewels of our country represent along with Quebec the essence of what makes Canada the greatest country in the world in which to live.

We are all extremely fortunate to live in such a vibrant country. I and all my colleagues specifically those on this side of the House must do everything we can to ensure that Canada stays a united country.

* * *

BIG BROTHERS OF CANADA

Mr. Pat O'Brien (London—Middlesex, Lib.): Mr. Speaker, the month of September is Big Brothers Month.

Big Brothers of Canada provides boys from father absent homes with a male role model and a friend. There are 180 Big Brother agencies from coast to coast. Unfortunately, most of them have waiting lists that are almost as long as their list of matched bothers.

Nationally the organization has 9,000 young boys who have been matched with older volunteer brothers and a waiting list of 7,000 boys. In London, Ontario there are 119 matches with a waiting list of 100. That means 100 boys between the ages of 7 and 12 can only hope that they will be matched with an older brother whom they can look up to, spend time with and talk to.

It is today's reality that many children are being raised by single parents but organizations such as the Big Brothers and Big Sisters agencies help to fill the void. During this special month we recognize and thank the Big Brothers volunteers who have helped to make a difference in the lives of many boys simply by giving them the gift of time.

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JESSE DAVIDSON'S JOURNEY

Mr. Joe Fontana (London East, Lib.): Mr. Speaker, I would like to pay tribute to a courageous young man from London, Ontario, Jesse Davidson.

We all know that Jesse paid his respects to the House yesterday along with his family. Jesse is afflicted with Duchenne muscular dystrophy and is confined to a wheelchair. He, his father John and his family have been travelling across the province raising money for gene research.

Their brave journey began at the Ontario–Manitoba border on May 20, 1995 and ends today, September 20, in Ottawa. They have travelled over 3,300 kilometres and have raised over \$700,000 toward scientific research of gene based disorders.

It is through efforts like these that cures are found and dreams are realized. Their days have been long and miles many, but their dedication and commitment has never waned.

This courageous endeavour exemplifies how hard work and devotion can improve the lives of fellow Canadians. That is the mark of a great Canadian caring for others.

I would like to congratulate Jesse and all the dedicated team members behind Jesse's journey for their outstanding efforts and congratulate each and every member who participated.

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CHILD POVERTY

Mrs. Karen Kraft Sloan (York—Simcoe, Lib.): Mr. Speaker, I rise today to speak for a group of constituents in my riding of York—Simcoe and indeed from across the country who cannot vote. I am standing here today to speak for the children of Canada.

There are 1.5 million Canadian children living in poverty. Children are poor because their parents are poor. Sixty-four per cent of children living with sole support mothers live in poverty.

Canada has been declared the second wealthiest nation on earth. We have the resources in this country to improve the lives of our youngest citizens. I urge the government to turn its attention to the crucial issue of child poverty in Canada.

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[*Translation*]**USE OF CANADIAN DOLLAR**

Mr. Richard Bélisle (La Prairie, BQ): Mr. Speaker, economist Bill Robson of the C.D. Howe Institute stated yesterday that a sovereign Quebec could keep the Canadian dollar. He also said that when a country renounces its own currency it accepts having others make its decisions for it.

His position is therefore in the same vein as that of the Prime Minister of Canada who stated on December 9 1994 that "there is nothing to stop a sovereign Quebec from using the Canadian dollar if it so chooses". The Prime Minister went on to say "—but it will have to pay the price and will have no more say in setting monetary policies". What cynicism.

First of all, it is good to see that Mr. Robson and the Prime Minister have understood Canada could not prevent a sovereign Quebec from using the Canadian dollar. However, what both choose to ignore is that Quebec has no say at the present time in the conduct of monetary policy. If they listened to the Finance Minister of Canada, they would also understand that Canada's huge debt does not leave it much leeway at all in its own monetary policy.

[English]

ATLANTIC CANADA

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, last week all 52 Reform members were in Atlantic Canada to spread our vision for Atlantic prosperity.

The Reform vision sees the region's economy thriving again, just as it did at the end of the 19th century, by re-establishing the trade links they once had with the New England states. We call this trading area of 15 million people Atlantica.

• (1405)

Now that we have NAFTA and almost no tariffs at the border, trading opportunities have multiplied. To take advantage of these opportunities Atlantic Canada needs a new approach. We think that tax relief, elimination of internal trade barriers and better north-south transportation and information links will be far more effective than regional development grants.

Let us look at creative ways of giving Atlantic Canada what it really needs, then watch the region prosper and regain its full economic potential. Let us revitalize, not subsidize.

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ABORIGINAL WAR VETERANS

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, aboriginal war veterans have been seeking recognition and respect for their service to Canada for many years. Earlier this year a special Senate committee studied aboriginal war veterans' grievances and concluded that the federal government owed these veterans something more than the indifference that they have been shown all these years.

This summer the Saskatchewan Indian Veterans Association said it was not satisfied with ceremonial recognition and is intent on securing a satisfactory compensation package to remedy the injustices done to them.

Today I ask the federal government to review the Senate committee findings and to meet with the Saskatchewan Indian Veterans Association to work out an acceptable agreement to the ultimate benefit of Indian veterans and their families.

* * *

THE NORTH

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, this is a time of rapid change in northern Canada. Many of the changes, such as the demise of the Soviet Union and increased pollution are making life tougher for northerners, but some of the changes are more positive.

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We now have an ambassador for circumpolar affairs. The presidency of the Inuit Circumpolar Conference serving Inuit in Canada, Russia, Alaska and Greenland has returned to Canada. The new territory of Nunavut is on track. It looks as though the ministerial forum on the Arctic environmental protection strategy will become a full eight nation Arctic council to more effectively co-ordinate polar affairs.

Northerners need the support of the rest of Canada more than ever before. Let us bear this in mind as we downsize and streamline government. The north needs special services. It has special research and environmental needs. Canada has a special obligation to the people of the north polar regions and through them to the globe.

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[Translation]

QUEBEC REFERENDUM

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, last week, the Leader of the Opposition told us about his own concept of democracy, when he said that a yes vote at the referendum will mean yes, whereas a no vote will mean that Quebecers made the wrong decision.

Separatists have the nerve to demand that federalists accept Quebecers' decision, even though they have no intention of doing the same should the no side win the referendum.

The Bloc leader's comments will not be taken lightly, because Quebecers are fed up with hearing about the constitution, while there are other issues and challenges which have to be faced in our country.

In spite of the PQ and BQ shenanigans, Quebecers will not jump in the lobster crate, as Mr. Parizeau would have them do.

Sooner or later, separatists will have to realize that even though their question is confusing, the answer will be clear: it will be no.

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THE ECONOMY

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the Prime Minister claims he wants to deal with real issues. However, his government refuses to discuss unemployment, job creation and economic growth during the referendum campaign.

Moreover, the Minister of Finance refuses to appear before a committee to explain to Quebecers and Canadians why there has been no net increase in the number of jobs over the last nine months, as well as why economic growth has been stagnating for the last six months, which is the worst performance among all G-7 countries.

Let us talk about the real problems. After originally announcing its intention to reform the old age pension, UI and GST programs, the government has been postponing these initiatives

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for two years now. Let us talk about these issues now, because the government is waiting until after the referendum to cut billions of dollars in social programs. What a way to deal with the real issues.

Mr. Speaker, you can count on the Bloc to talk about the real problems throughout the campaign.

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[English]

ATLANTIC CANADA

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, during my stay as an MP I have been rarely surprised but after returning from the Atlantic provinces I was shocked. I was shocked because in this beautiful country of ours where we uphold democratic rights as a pillar of our society, maritimers told me how these rights are being trampled under the boot of this and previous federal governments.

• (1410)

Through patronage and handouts, the government holds the livelihood of maritimers over their heads. As a direct result of this heavy-handed approach they are afraid to find out about other political parties for fear of losing their jobs, not getting a promotion or being discriminated against. This is the profound impact of years of Liberal and Tory government handouts.

Is it any wonder that a minister from the maritimes is responsible for awarding government contracts? The stench of political patronage hangs high over the maritimes and it must not be allowed to continue. They are looking for a change and Reformers will give them that change.

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[Translation]

NORTH AMERICAN FREE TRADE AGREEMENT

Mr. Nick Discepola (Vaudreuil, Lib.): Mr. Speaker, the alleged guarantee the separatists claim to have regarding the automatic inclusion of an independent Quebec in NAFTA just got it in the neck with the release of a study by professor Ivan Bernier, which the secretariat of minister Le Hir attempted to keep secret.

Hon. members will recall that the PQ deputy premier told *Le Soleil* on December 24, 1994: "As Quebecers, we are already covered by NAFTA as it is. And Quebec, taking over from Canada, could contend that it should not be subject to admission procedures but rather succession procedures".

According to professor Bernier, an expert in these matters, this will not be possible and there will be delays and negotiations. The people of Quebec are finding out once again that the

promises made by separatist spokespersons are unfounded and that they prefer to hide the truth rather than face the facts.

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STUDIES BY INRS

Mr. Martin Cauchon (Outremont, Lib.): Mr. Speaker, Quebec separatists are hiding the truth from the people of Quebec on the real economic impact of separation. This is the conclusion one is led to given the PQ government's attitude, that purposely decided not to release three of the studies conducted by INRS researchers because the findings were not to their liking.

The Institut national de la recherche scientifique du Québec, under which these studies were carried out, issued a release stating that while the secretariat may have perceived the revised version of each report as containing certain deficiencies with regard to the mandate, the INRS is of the opinion that the studies carried out by its researchers are valid.

The separatist coalition has just demonstrated that it is prepared to resort to any trick, including hiding the truth, to get a win for the yes side in the upcoming referendum.

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CANADIAN CHAMBER OF COMMERCE POLL

Ms. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, the Canadian Chamber of Commerce has just released the results of a poll of the business community across the country. This poll indicates, among other things, that two thirds of business leaders in Quebec think that the economic health of the province will suffer if it were to separate from the rest of Canada.

Other major findings include the fact that Quebec businesses consider it more important to be able to deal with other provinces than with foreign countries and expect the interprovincial trade agreement that took effect in July to benefit them even more than businesses in other provinces.

This poll only confirms what everyone is thinking. There is no real economic benefit to separation and Quebec separatists should stop deluding Quebecers with all kinds of promises.

ORAL QUESTION PERIOD

[Translation]

QUEBEC REFERENDUM

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, to everyone's surprise, the debate that has been going on in this House since Monday is not between sovereignists and federalists.

Oral Questions

• (1415)

It is even more fundamental than that, since a line has been drawn between those who respect the democratic right of Quebecers to determine their future and those who deny them that right. Through the fault of the Prime Minister and his irresponsible attitude, Canada is now divided between democrats and those who no longer are democrats. This man, whose career has been dedicated to stoking the fires of discord between Quebec and Canada, has now launched an attack on what united us so far, our common democratic heritage.

Mr. Speaker, I want to ask the Prime Minister: We knew for some time that, given a choice between Canada and Quebec, he chose Canada, but are we now to understand that, if forced to choose between democracy and federalism, he will choose federalism?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I answered all those questions yesterday and the day before. I even quoted from René Lévesque's program, in which he mentioned the concept of a referendum as consultation, the need to respect the laws and constitution of a country and the need for a clear majority.

As Daniel Johnson said in the National Assembly, we are not about to divide Canada following a judicial recount to see whether there is one vote more on one side or the other.

Obviously I want a genuine debate on this problem because it is clear that the Leader of the Opposition and his leader in Quebec City, Mr. Parizeau, are hiding the truth from Quebecers. This morning in the National Assembly, they were once again unable to explain why studies by Professor Bernier, stating that it was "unrealistic" to have a partnership with the rest of Canada, were kept under wraps.

Could the Leader of the Opposition tell me whether he agrees with Professor Bernier when he says: "I think some of my conclusions were not politically acceptable"? He added that it was not his intention to write to please the reader. He said that a partnership was "unrealistic and an illusion".

Does the Leader of the Opposition agree with the tactics of his leader in Quebec City, Mr. Parizeau, which consist in keeping documents under wraps and asking professionals to act less than professionally for the partisan purposes of a lost cause?

The Speaker: I may suggest that during Question Period we expect some answers as well. That being said, the Leader of the Opposition has the floor.

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, perhaps people ask questions when they have no answers.

Aside from that, does the leader of the government not realize that, although he has this anti-Quebec obsession, his first duty as Prime Minister is not only to protect democracy but to set an example by respecting it? I am not optimistic, however, since this is the man who forced a constitution down the throats of Quebecers.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, what we expect from the Leader of the Opposition and his leader, Mr. Parizeau, is that during the remaining four and a half weeks, they tell Quebecers the truth.

Why will they not admit that in this document they want to keep under wraps, Professor Bernier clearly indicated that a separated Quebec's accession to NAFTA would not be easy to achieve? Why did we ask this professor to say publicly, to serve the cause, what the facts are: that it will not be easy? In fact, he was not alone. A few months ago, the ambassador of the United States made it clear that the automatic admission to NAFTA of a possibly independent Quebec would be very complex.

So these are the real questions for those who have to prove their case. The Leader of the Opposition and his leader in Quebec City are the ones who want to separate Quebec from Canada, not us. The onus is on them to tell Quebecers the truth, and I hope they will have the courage to do so during the next four and half weeks.

• (1420)

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, this is first and foremost about democracy. Coming from someone who came to power with 41 per cent of the popular vote in Canada and 33 per cent in Quebec, it takes a lot of nerve to deny Quebecers the right to determine their future with a majority of more than 50 per cent.

Does he not realize that the people of Quebec do not need his or anyone else's permission to determine their future and that to be rid of this kind of arrogance is one reason why Quebec will vote yes?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there is nothing arrogant in what I say. I want Quebecers to be informed. How can the Leader of the Opposition give Quebecers the impression they will keep their Canadian citizenship, their Canadian passport, Canadian currency, and an economic and political union with Canada, when studies prepared by their own experts and paid for by Quebec taxpayers tell them this is impossible? Let him tell Quebecers the truth.

Quebecers know me very well. I am a proud francophone—

Mr. Loubier: Yes, they know you.

Mr. Chrétien (Saint-Maurice): Yes, they know me very well. I was elected to Parliament nine times by the people of a riding that is 99 per cent francophone. And they know perfectly

Oral Questions

well that across Canada I made it clear I was proud to be a francophone, a Quebecer and a Canadian.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister is taking great care to answer the questions put to him by the Leader of the Opposition to give him a second chance, because Quebecers know him and remember him.

The Prime Minister's attitude toward honouring the result of the Quebec referendum strangely parallels his behaviour in 1982 at the time of the unilateral patriation of the constitution, when, for the first time, he made a mockery of democracy.

Is the Prime Minister aware that, by refusing to agree to honour the result of the Quebec referendum, he is creating a dangerous precedent by taking a step no Canadian Prime Minister before him has dared take?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the debate in Quebec City will adjourn at four o'clock this afternoon. The members of the Parti Québécois and its leader, the Premier of Quebec, will have to vote on an amendment proposed by a member of the National Assembly in which the question will be very clear: Do you want to separate from Canada? Yes or no.

This question was probably taken from the Parti Québécois agenda at the time of the election, when the Premier himself was saying: "We will ask a clear question: Are you in favour of sovereignty for Quebec on—", followed by the date. It is very clear. As I said two days ago, they will have the opportunity to be really honest with the public and say clearly that they want separation. But again today they will keep the question ambiguous in order to keep the truth about separation from Quebecers.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, in addition to making compliance with the result of the Quebec referendum dependent on his choosing the question, which of itself is no easy task, the Prime Minister used the opportunity to make his Minister of Labour change her mind by twisting her arm. He made Daniel Johnson change his mind by twisting his arm. He tried to get the leader of the third party to change his mind by twisting his arm.

Can the Prime Minister tell me this? Just how far will he go in trying to subvert democracy? How far exactly?

• (1425)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, they are according me a lot of power. As far as I am concerned, I have clearly stated that the Prime Minister of Canada cannot agree to independence from Canada as the result of a simple majority vote plus one on an ambiguous question. Come on!

As William Johnson said in *The Gazette* this morning, under proposed legislation, a two-thirds majority will be required to dissolve a hunting and fishing club in Quebec.

Some hon. members: Oh, oh.

Mr. Chrétien (Saint-Maurice): I am not saying it would take a two-thirds majority, I am saying—

Some hon. members: Oh, oh.

Mr. Chrétien (Saint-Maurice): No. Listen, what I am saying is that I see them using a double standard once again. Let us be honest. Tell Quebecers as you told the Americans: "We are separatists". Then you will really have to face the music.

[English]

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, in the referendum campaign Quebecers are being told by the separatists that a no vote means passively accepting federalism as it is, but many federalists, including 52 of us in the House, believe that no can mean both no to separation and no to the status quo, that no can be the word that opens the door to a changing federalism without amending the Constitution, without special deals, but with Quebec as part of the national family.

What is the Prime Minister going to do, besides doing nothing more vigorously, to make sure that when Quebecers vote no it means more than simply accepting the status quo?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I see a smile on the face of the leader of the Reform Party. I did not break his legs or his arms yesterday. We had a very civilized discussion. We did not agree on everything, but we would be surprised if some day we were to agree on everything.

However I agree today with him that change can come to Canada without changing the Constitution. It is what we are trying to do all the time. He says that we do not need to have a long constitutional debate. That is fine. We are trying to always find new ways to do things in this federation and we will continue to do that. We have made a lot of changes and we will make a lot of changes in the future. Canada is evolving all the time.

When I became a member of Parliament the federal government was spending two-thirds of the public money. Now we are down to around 40 per cent. The rest is spent by the provinces and the municipalities. Of the 40 per cent a big part is to pay the interest on the debt accumulated by the Conservative government.

If the leader of the Reform Party, who used to be a Social Credit person, can give me a way, in printing money or something like that, so that there will be no more debt, our share of the pie will go down.

*Oral Questions***Mr. Preston Manning (Calgary Southwest, Ref.):**

Mr. Speaker, we have heard all of that before, but it is not strong enough and clear enough to be a real asset to the no side. While many Quebecers will vote no because they reject separation, others will vote no only if they believe there is a groundswell of support for changing federalism in Canada.

There is such a groundswell and unlike Meech and Charlottetown it is coming from the bottom up, not the top down, and its key feature is a demand for real decentralization: greater control over health and social services by governments close to the people.

• (1430)

If the Prime Minister wants a no vote as badly as we do, a big no vote, will he do something concrete in the next 30 days to recognize the demand for decentralization throughout Canada, including Quebec?

Right Hon. Jean Chrétien (Prime Minister, Lib.):

Mr. Speaker, the burden of proof is not on those who believe in Canada at this moment but on those who want to destroy Canada. They are the ones who have to explain to Canadians how they can promise on behalf of Canada that they will keep the passports, the money, the citizenship and an economic and political union. They have the burden of proving to Quebecers how they are so sure they will become members of NAFTA and so on.

Do not divert the debate. These people are faced with the burden of proof and have no answers. Let us keep the pressure on them and not on me.

Mr. Preston Manning (Calgary Southwest, Ref.):

Mr. Speaker, the separatists have been doing everything in their power to prove a no vote means more of the same and that Canada will never move off the status quo.

The Prime Minister can disprove that charge by seizing opportunities to respond to the demand for decentralization. Even today his health minister is in Victoria. She could advance the cause by simply agreeing to open up the Canada Health Act to permit the provinces greater flexibility in financing health care. Albertans want it. Ontarians want it. Quebecers want it. Canadians want it.

Is the Prime Minister willing to put some meaning into this phrase of flexible federalism and thus advance the no side by committing to amend the Canada Health Act?

Right Hon. Jean Chrétien (Prime Minister, Lib.):

Mr. Speaker, I do not think it would change the vote in Quebec if we agreed to have a two tier system of health care. The people of Quebec want a system for hospitalization and the Bloc Quebecois supports that every citizen should be allowed admittance into a hospital. We all agree we do not need clinics for the rich and hospitals for the poor. We want the same health care system for everybody.

Destroying the health care system in Canada will not persuade the Leader of the Opposition and his leader in Quebec to vote no. However, the people of Canada would be very disappointed if I were to stand here just to maintain peace for 40 days and concede our national health system which makes everybody equal in Canada.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):

Mr. Speaker, the Prime Minister has just shown his real conception of Quebec. How can the Prime Minister of Canada compare the Quebec referendum to the decision to dismantle a rod and gun club?

Right Hon. Jean Chrétien (Prime Minister, Lib.):

Mr. Speaker, it is not me. I am telling you that the hard and fast rule of the majority plus one is clearly stated in the Quebec Civil Code and that even to dismantle the smallest entity, a corporation, or to found a rod and gun club, one must respect more than the rule of the majority plus one.

The Quebec Civil Code is based on the Napoleonic Code. I simply wish to state clearly that, with such an ambiguous question, they should not ask me to disregard the basic rules of the Quebec Civil Code. However, as I said before in this House, change the question and ask an honest one. You still have two and a half hours. Ask an honest question: "Do you want to separate from Canada?" Go ahead and ask it. I will not stand in your way, because I am sure we will win.

• (1435)

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):

Mr. Speaker, those are the words of a politician who received only 33 per cent of the vote in Quebec, precisely because Quebecers know him very well.

How can the Prime Minister let himself be guided by his scorn for Quebec, to the extent that he decided to trample our democratic values underfoot, thus repudiating the best of Canadian traditions?

Right Hon. Jean Chrétien (Prime Minister, Lib.):

Mr. Speaker, I think that my position is very clear.

An hon. member: Oh yeah?

Mr. Chrétien (Saint-Maurice): Yes, it is very clear. Everyone knows that I believe in a united Canada where it is possible to be both a francophone and a Canadian. Everyone knows full well that I have spent my whole career defending millions of francophones outside Quebec, whom those people want to abandon. Everyone knows full well that I have always spoken up in this Parliament and this country to protect the rights of anglophones who have lived in Quebec for centuries, who are proud anglophones as well as proud Quebecers.

I have spent my whole career making sure that this country, which should be a model of democracy—

An hon. member: Ah!

Oral Questions

Mr. Chrétien (Saint-Maurice): Yes, yes, always.

Mr. Speaker, to make the Leader of the Opposition happy, I will quote René Lévesque, who said that a referendum is a public consultation. We will consult the people and then we will wait for the results. You must, however, show Quebecers what you will achieve with your separation proposal. Although you, as Leader of the Opposition, have the courage to tell the Americans that you are a separatist, you lack the courage to tell Quebecers the same thing.

Some hon. members: Hear, hear.

The Speaker: My colleagues, I remind you once again that you must always address the Chair.

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[English]

MARINE ATLANTIC

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, in a September 6 letter to the minister of the Nova Scotia economic renewal agency regarding the cancellation of the *Bluenose* ferry winter service the Minister of Transport stated: "I have asked Marine Atlantic to consult with the appropriate stakeholders. Until the consultations have been completed I will not be in a position to provide specific details concerning changes to the service levels".

One day after that letter was received Marine Atlantic chose to ignore the minister's undertaking and announced the October 10 closure of the ferry.

Will the minister direct this government corporation to retract its decision until a total economic impact study, now under way by the province of Nova Scotia, has been completed?

Hon. Douglas Young (Minister of Transport, Lib.): Mr. Speaker, I thank the hon. member for Kootenay West—Revelstoke for having given me notice of the question.

As a result of a meeting held today with the premier of Nova Scotia, Mr. Savage, and his minister of transportation, Mr. Mann, and particularly as a result of long discussions with the member for South West Nova, the member for South Shore and the member for Annapolis Valley—Hants, we have determined with the people at Marine Atlantic that although they were quite confident that very lengthy and in depth consultations had taken place and that all of the financial data and information required to make a decision had been reviewed, in the spirit of fairness and flexibility, as the government always tries to respect its undertakings, we will delay the implementation of the decision to suspend the service of the *Bluenose*.

We are looking forward to that study being commissioned by the Government of Nova Scotia and we expect we will be able to

take a final decision on winter service before the end of this year.

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I thank the minister for his positive response to my question.

It is unfortunate for those in southern Nova Scotia that it takes an advocacy other than their elected representatives in order to bring this matter to the minister's attention.

Marine Atlantic's lack of response to market needs and ministerial direction coupled with Liberal strongarm penalties for MPs is interfering with the economy of southern Nova Scotia.

• (1440)

Will the minister agree it is now time to start the process of privatizing Marine Atlantic so it can be controlled by market needs instead of some unknown internal or political agenda?

Hon. Douglas Young (Minister of Transport, Lib.): Mr. Speaker, schizophrenia is still rampant.

What we are attempting to do with the process initiated by Marine Atlantic is achieve the objective of putting Marine Atlantic on a commercial basis.

We look forward to co-operating with the people in that area. We understand the levels of service provided in the past. We understand the subsidies being paid by Canadian taxpayers are no longer sustainable.

In response to the member's original question we have said we will look at the feasibility study commissioned by the Government of Nova Scotia. We will respond to it and with the co-operation of most of the members of the Reform Party we will attempt through every means possible to continue working to make sure transportation in Canada is affordable, efficient and as subsidy free as possible.

* * *

[Translation]

POST-SECONDARY EDUCATION

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, my question is for the Prime Minister.

First, I want to mention that the student protests are being organized today in every region of Quebec to condemn the drastic cuts made by the federal government in social programs, as well as the stubbornness of a government which continues to ignore the legitimate demands of Quebec students.

Does the Prime Minister realize that Quebec will experience a shortfall of over two billion dollars between now and the end of 1998, and that the province will have no choice but to substantially increase tuition fees, strictly because of the federal government's action?

Oral Questions

Mr. Ouellet: The decision will be made by Quebec.

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, as I pointed out to the hon. member yesterday when he said he did not like to deal with numbers, this year alone we are increasing the transfer to Quebec by \$20 million.

Unfortunately for whatever reasons, and this is certainly the responsibility of Quebec, the minister of education for Quebec has already cut \$200 million from the budget for higher education.

Instead of laying the blame the hon. member should be placing the question where it properly belongs. Education in Quebec is the responsibility of Quebec. It decides on tuition and on curriculum. We have given it full right under the new transfer payment to make those decisions. I hope that when the hon. member has the opportunity he will go back to raise the same kind of issue, the same kind of question with the Government of Quebec.

[*Translation*]

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, given the Prime Minister's silence, and since the Minister of Human Resources Development apparently wants to answer my question, I will tell him that this information is taken from his green paper on budget commitments.

Can the minister deny today that the federal government will force Quebec to substantially reduce its spending by depriving the province, through the new Canada social transfer, of more than two billion dollars? Can he deny that?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, the figures quoted by the hon. member are not valid. In 1996–97, Quebec will only get \$350 million less than it did in 1994–95. That is less than one per cent of the total revenues of the province, which was informed of that decision two years ago. In fact, Quebec's minister of finance, Mr. Campeau, accepted that decision at a finance ministers' meeting.

* * *

[*English*]

CANADA POST

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the Prime Minister today talked about doing things a new way in Canada, but while the House rested this summer the Prime Minister's office did another masterful snow job on the media

with a three day blitz designed to polish up the image of Atlantic Canada's king of patronage. Two so-called independent studies allegedly cleared the minister of public works of wrongdoing.

My question for the minister of public works is a direct one. Did he or anyone connected to his office have any influence in dictating the terms of reference of the Price Waterhouse study into the Canada Post scandal in Sydney, Nova Scotia?

• (1445)

Hon. David Dingwall (Minister of Public Works and Government Services and Minister for the Atlantic Canada Opportunities Agency, Lib.): No, Mr. Speaker.

Mr. Randy White (Fraser Valley West, Ref.): At least I got him up today.

The corporate manager of real estate at Canada Post is on tape with CTV admitting that the minister not only interfered with the awarding of the postal contract, but successfully manipulated the Price Waterhouse process to avoid the very question it was supposed to answer.

My question is for the minister of public works. How is it that the minister of public works can hire the company of his choice, tell it what it can and cannot investigate, pronounce himself cleared, and expect the Canadian people to accept this charade?

Hon. David Dingwall (Minister of Public Works and Government Services and Minister for the Atlantic Canada Opportunities Agency, Lib.): Mr. Speaker, I do not think the hon. member will accept the word of anyone when it comes to verifying the facts about a particular matter.

I want the record to show that the incident he refers to took place as a result of representations made by a member of Parliament to me as the minister responsible for Canada Post. The House should know that I have received in excess of 1,500 representations up until this time from members of Parliament on a variety of aspects concerning Canada Post. It is my duty and my responsibility to refer that subject matter to the appropriate authorities, which I did in that particular case.

The hon. member can stand in his place and question that an international organization such as the accounting company in question has reported all of the facts.

* * *

[*Translation*]

POST-SECONDARY EDUCATION

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development. The federal government is forcing the provinces to significantly raise the tuition fees in higher education because of the drastic cuts it has made to social programs.

Oral Questions

Will the Minister of Human Resources Development acknowledge that the cuts he is imposing on Quebec will raise tuition fees by \$1,500 a year, thus limiting access to higher education?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, it is a very strange irony that the very members of the House who are constantly demanding more responsibility for the provinces now want us to take the responsibility back and start making decisions for them.

The reality is that in the area of education the Government of Quebec makes the decisions. It had already made decisions before transfer payments had even been effected.

I recall very well Mr. Parizeau on his election saying that he would not raise tuition for the students of Quebec. I ask the hon. member, does he not have any faith in Mr. Parizeau?

[Translation]

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, what the minister is neglecting to say is that he is transferring responsibilities but keeping all the money. That is what he is doing.

Some hon. members: Hear, hear.

Mr. Brien: Is the minister also aware that these cuts are forcing many students to spend more than half their income just to pay tuition fees, putting them further in debt? This is why they took to the streets today.

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, as I pointed out yesterday, the members of the Bloc have been so busy during the summer campaigning that they have not taken the time to recognize or appreciate the initiatives we have taken to help students.

On August 1 we announced the new student loan program that would provide direct grants to students who have fiscal needs, high needs for support. While Quebec has its own student loan program, we have transferred millions of dollars over to Quebec so direct grants could be provided for part time students with fiscal needs, for disabled students, women going to graduate school, and to provide loan forgiveness.

It seems to me that we are doing our part to help the students of Quebec. I wish the Government of Quebec would do the same thing.

[Translation]

STUDY BY ECONOMIST GEORGES MATHEWS

Mr. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, my question is for the Minister of Intergovernmental Affairs. In the context of his ministerial responsibilities, does the Minister of Intergovernmental Affairs agree with the economic impact of Quebec's possible separation as described in the Mathews report?

• (1450)

The Speaker: Yesterday, the hon. member for Roberval raised a question. I have reviewed yesterday's *Hansard*. It seems to me that the question as it was asked yesterday was somewhat off the mark.

I have listened carefully to the question today and I am going to allow it. The minister has the floor.

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, obviously matters of national unity are important in the exercise of my responsibilities, particularly the costs of separation.

When studies are published on the cost of separation, it is extremely important that they be based on objective facts and that the conclusions drawn by their authors not be controlled by the Government of Quebec.

With the Mathews study, which indicates clearly that the costs of separation are much higher than what the Parti Québécois has indicated, it is obvious that the studies published by Mr. Le Hir of the Parti Québécois are no longer credible, because when a study raises points the Parti Québécois does not like, the conclusions are left out.

The conclusion is clear: we can no longer believe the studies the Parti Québécois is producing.

* * *

[English]

FISHERIES

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the Minister of Fisheries and Oceans is proposing to raise \$50 million by imposing a new tax on fishermen. Of course DFO does not call it a tax, but an access fee. But that does not take away from the fact that for some fishermen this new tax will mean a 400 per cent increase in their licence fees and an end to their livelihood.

Why is the minister insisting on cutting the incomes of Atlantic fishermen rather than making much needed cuts to the bloated bureaucracy in his own department?

Mr. Harbance Singh Dhaliwal (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I

thank the hon. member for his question. I want to tell him that the basic principle is that fees should reflect the benefits of privileged access to public resources managed at public expense.

The members of the Reform Party talk about the deficit, about increasing revenue, about reducing costs. Should a fisherman who makes \$320,000 in the six week fishery not pay a fee for the use of a public resource?

I can assure the hon. member and all fishermen that this will be based on an equitable formula and we will ensure that there is an even share. Those fishermen who are getting large revenues from their income will have to pay the highest fees. It will be on an equitable and fair basis.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, this is not a fee, this is a tax. A fee implies that the bearer receive something in return for his payment. The minister offers only headaches to the fishermen in this case.

The minister just does not get it. Canadians are taxed to death. Fishermen are in one of the worst predicaments they have ever been in as a result of overwhelming government mismanagement of the fishery. Now the minister has decided to stick it to the fishermen again.

The Speaker: I would ask the hon. member to please put his question.

Mr. Scott (Skeena): Can the minister tell us why the fishermen of Atlantic Canada are faced with a massive tax increase because he does not have the courage to make the cuts that need to be made?

Mr. Harbance Singh Dhaliwal (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, first of all, the hon. member should know that fees have not been looked at since 1981. There has been no fee increase since 1981.

Mr. White (Fraser Valley West): It is a tax.

Mr. Dhaliwal: If they would listen, I would give them some statistics.

The average value of the catch from 1990 to 1993 was \$320,000 for an eight week fishery. In 1995 the same fishers averaged more than \$1 million in landings in the midshore crab fishery. For someone who is making \$1 million in landings, a \$16,000 fee is perfectly reasonable under the circumstances.

• (1455)

It is the Reform side of the House that is always talking about user fees.

Some hon. members: Order.

Mr. Dhaliwal: This is a fair fee and it is reasonable. I can assure—

Oral Questions

The Speaker: Colleagues, you leave your Speaker with a dilemma. We have questions asked and answers being given and yet I find it at times, as I am sure you must, difficult to hear the answers.

I would appeal to all of you, my colleagues, to remember that we should be civil with one another and at least give the opportunity for an answer to be as complete as it can be. I would ask you to please do that in question period.

* * *

[Translation]

UNEMPLOYMENT INSURANCE

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development. Last spring, the Minister of Human Resources Development stated on several occasions that at least \$1.6 billion in new UI cuts would be announced this fall.

Does the minister confirm that he has decided not to table his reform proposal until after the referendum, to hide from Quebecers the fact that they will have to absorb 40 per cent of the new cuts, or \$605 million?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, I can confirm that for the past year we have been working very hard with a number of Canadians across the country to develop a new program of employment creation where we can have a system that will give real support, real resources to people to get back into the employment market, to get jobs, to establish a real sense of being able to meet a lot of the new changes taking place.

We are working very carefully with a number of the major stakeholders, a number of partners, a number of people who have become involved. We are still working on refining that. When that proposal is ready we will certainly be prepared to present it to Parliament. That would be very good news, not only for the people of Canada but in Quebec, because it will give them real hope about getting a job.

[Translation]

Mrs. Francine Lalonde (Mercier, BQ): That is right, Mr. Speaker, and that is why we want sovereignty. The minister talks about job creation, but there has been no net job creation in Canada for the past eight months.

Does the minister realize that, in the absence of net job creation, only these UI cuts, which push the unemployed toward social assistance, can restore the UI fund and give the appearance of reducing the deficit?

Oral Questions

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, unfortunately the hon. member does not deal in the realm of facts. She knows full well that since the government has come into power we have created over 455,000 jobs, in the province of Quebec alone 120,000 full time jobs, 70 per cent of them in manufacturing, which are good well paying jobs.

As a direct result of that, in the month of August there was a decline of 13,000 in the welfare rate in the province of Quebec. It shows our programs are beginning to work.

* * *

THE ENVIRONMENT

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

This past summer \$12 million was spent on a failed attempt to raise the *Irving Whale* barge off the coast of P.E.I. Officials are now saying they need to rethink the lifting of the barge because of onboard PCB contaminants.

Why did the minister go ahead with the project, knowing full well from years before that PCBs were on board?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, the presence of PCBs on board makes it that much more critical that the *Irving Whale* be lifted.

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.): Mr. Speaker, according to a December 1992 study submitted by Marex International Limited to the Canadian Coast Guard, the heating fluid on board the *Irving Whale* was Monsanto MGS, a trade name for PCBs.

• (1500)

Why did the minister clearly ignore this study before embarking on such an expensive adventure thereby bringing about a court injunction? Twelve million dollars spent and it is still on the bottom of the sea.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, the material the member refers to is by Monsanto. In fact the company that actually owns the *Irving Whale*, the Irving company, knew that the PCBs were there and did not inform.

As a result of that lack of information, on July 6 I ordered a full investigation surrounding the presence of PCBs specifically cited in the Marex report but unfortunately not identified by the officials from the Department of Transport who were reviewing that study.

On July 6 I ordered a report. This week our officials will be meeting with officials from the Irving company. We intend, hopefully within the next four weeks, to have the investigation completed and proper prosecution if and when necessary.

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INCOME TAX ACT

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, my question is for the Minister of Finance.

As part of the last budget there was a requirement that as many as 400,000 small and medium sized unincorporated businesses in all of Canada be forced to change their year ends.

Knowing the commitment of the minister and the government to help small and medium sized businesses to create jobs, how has the minister come to the assistance of the business community?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, as the member for Durham has just said, in order to prevent an undue deferral of income there were certain changes brought within the last budget to the Income Tax Act.

Unfortunately we discovered, as the member has just said, that this imposed an undue burden on many unincorporated small businesses across the country. As a result we have been able to bring in changes that in effect allow small businesses to have a business year end and a tax year end.

Therein does not lie the whole story. The fact is that the matter was brought to our attention by the member for Durham and a number of members on the government side of the House. Not only did they bring it to our attention, but in a very constructive and imaginative way they worked with the department to come up with a solution. I thank and congratulate those members of Parliament.

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NUNAVUT

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, my question is for the Minister of Indian Affairs and Northern Development.

The previous Conservative government passed the Nunavut Act as its act of Parliament to ensure that the Inuit desire for self-government would be finally realized.

Will the Minister of Indian Affairs and Northern Development recognize the reports by the Nunavut Implementation Commission and its findings which clearly indicate Iqaluit as the best community for the capital?

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the report to which the hon. member refers is an advisory report to the Inuit people, to the territorial government and to the federal government. It is no more or no less.

I am leaving next Thursday for a two-day meeting with the Inuit people in Rankin Inlet where the matter will be discussed. Hopefully at some point very soon we will be able to pick a capital.

* * *

PRESENCE IN GALLERY

The Speaker: I wish to draw the attention of members to the presence in the gallery of a Commonwealth Parliamentary Association Delegation from the United Kingdom, led by Dame Jill Knight.

Some hon. members: Hear, hear.

The Speaker: I would also like to draw the attention of members to the presence in the gallery of members of the Standing Committee of Parliamentarians of the Arctic region.

Some hon. members: Hear, hear.

* * *

[Translation]

POINT OF ORDER

ORAL QUESTION PERIOD—MINISTERIAL RESPONSIBILITIES

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, yesterday, the hon. member for Roberval raised a point of order regarding a question asked by the hon. member for Vaudreuil.

• (1505)

Today, I would like to read you a few comments Beauchesne made on this subject. The question concerned a report on the cost of separation prepared for the Government of Quebec.

As I said, the hon. member for Vaudreuil directed his question at the Minister of Intergovernmental Affairs and this question concerned a report prepared for the Government of Quebec on the cost to the province of separating from our confederation. In my opinion, the question is in order as it concerns the obligations and duties of the Minister of Intergovernmental Affairs. I am quoting from *Beauchesne's Parliamentary Rules and Forms*, Sixth Edition. Paragraph 410(16) reads:

[English]

Ministers may be questioned only in relation to current portfolios.

This question was asked of the minister concerning a matter that clearly falls within his jurisdiction.

Point of Order

[Translation]

He is responsible for the national unity office, and this report prepared for the Government of Quebec directly concerns his work in this office. Therefore, I think that the question is in order and that the point of order raised by the hon. member for Roberval is not relevant.

The Speaker: Dear colleagues, as I said yesterday, I will review *Hansard* and make a ruling within a few days. It will not be long in coming.

[English]

STANDING COMMITTEE ON ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, I rise on a point of order to call your attention to irregularities in the proceedings of the Standing Committee on Aboriginal Affairs and Northern Development.

For your information, Mr. Speaker, my colleagues and I sought remedy within the committee to the problems which arose and we were unable to achieve or obtain adequate satisfaction.

Although committees are creatures of this Chamber, I understand they are masters of their business within limits prescribed by the standing orders. Your Honour has recognized that Speakers have always been hesitant to interfere in the proceedings of committees of the House.

However, as Speaker Fraser explained in a ruling on March 26, 1990, at page 9756 of the *Debates*:

The Speaker has often informed the House that matters and procedural issues that arise in committee ought to be settled in committee unless the committee reports them first to the House. I have, however, said to the House that this practice was not an absolute one and that in very serious and special circumstances the Speaker may have to pronounce on a committee matter without the committee having reported to the House.

Also there is Your Honour's ruling of June 20, 1994 at page 5582 of the *Debates*.

Mr. Speaker, this committee has a history of past irregularities, including the case to which I have drawn your attention. The irregularities from yesterday are as follows.

• (1510)

First, as soon as the clerk's gavel fell I submitted a motion to elect a chairman. As Your Honour knows, under the standing orders the first item of business for an organizational meeting is the election of a chair for the committee. However the clerk acknowledged my speaking and asked me to wait until he had read his first item of business. I asked that he recognize that I had given notice of a motion. After the clerk read the item of business he proceeded to recognize someone else first.

Point of Order

Second, once the chair was elected my colleagues repeatedly attempted to move a motion to elect a vice-chair, but the chair appeared to be intent on stalling so that a motion to elect a member of the Bloc could be put forward by the Bloc or by the government for the so-called opposition vice-chair.

The chair stalled by insisting that we were to consider motions for government vice-chair. This is a false distinction. The standing orders do not recognize a government vice-chair per se. The standing orders only require that two of the three positions go to the government side.

As soon as a motion to elect a vice-chair is put forward, whether to elect a government or opposition member that motion is surely in order. The chair made it clear that he was accepting no motions from the Reform.

Third, once a member of the government moved to elect the Bloc to the vice-chair, my colleagues and I asked for debate on the motion. We were not only cut off; we were not allowed to debate at all. As Your Honour knows, Standing Order 116 makes clear that there is no limit on debate on a regular motion in committee.

Fourth, when we put forward a motion to overturn the election of the Bloc member as vice-chair, the chairman refused to entertain the motion, which was surely in order. The chairman then summarily adjourned the meeting.

We appeal to you, Mr. Speaker, to uphold the standing orders and our rights. This kind of conduct by committee chairs is surely less than acceptable. Are the committees and their chairs obligated to conduct their business according to the standing orders and according to the rules, or can the standing orders and the rules be ignored or changed at any committee chair's whim?

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I would like to respond to the points raised by the hon. member.

First, the member acknowledged that it is customary for these issues to be dealt with in the committee and not in the House. Having said that I want to respond to some of the matters that were raised because I believe there are some factual inaccuracies in what was said.

Second, there is an inaccurate knowledge of the rules, at least in my opinion. I would like to so submit, Mr. Speaker.

The matter of which position to be elected is dictated by the agenda duly prepared by the committees directorate of the House of Commons. I have a copy of the agenda in front of me which has the draft motions written on it as well as the various positions to be elected.

The member suggested there was no such thing as a vice-chair from the government. I read here from the draft agenda point

number two, which I will gladly table or at least give a copy to you, Mr. Speaker, to consider. "Moved by" whatever member rises to make such a motion. Then there is a "that" and there is space for the person nominated "be the vice-chair from the government". It says so in the draft agenda prepared by the staff of Mr. Speaker, by the clerk staff, to be utilized by the person elected as chairman to then select names or invite nominations for those to be the two vice-chairs.

Even if such a draft agenda did not exist at all, the member across has acknowledged that two of the three positions had to be from the government and one from the opposition.

• (1515)

In view of the fact that the chair had already been elected from the government at the time that the two vice-chairs were elected, it stands to reason mathematically that at least one more position had to come from the government and one from the opposition. Otherwise, there are some mathematical differences in calculating things between the hon. member opposite and the majority of the rest of us.

In addition to that the hon. member makes a claim that there was some difficulty in having a point of order recognized. It should be brought to the attention of the Speaker that under our rules members of the committee are recognized by the chair at the chair's discretion. There is also a provision whereby members of the House who are present in the room but who are not members of the committee can be recognized at the chair's discretion.

In fact, the point of order was raised by the hon. member for Prince George—Bulkley Valley. The hon. member for Prince George—Bulkley Valley did not receive recognition for his point of order. He was not a member of the committee nor was he a substitute at that particular time because both members of the committee representing that party, the hon. member for North Island—Powell River and the hon. member for Surrey North, were present in the room. As the Speaker knows, a member can only be a substitute provided that the regular member is not in attendance at that particular meeting. In view of the fact that both of them were in attendance, then the other member was not a member of the committee at that particular time. That should take care of that point.

Finally, I have before me the blues, or at least the rough *Hansard* of that particular committee, in which the hon. member, who in fact was not a member of the committee, the member for Prince George—Bulkley Valley, asked the chair for the following: "Can we receive assurance that the vote on the nomination of Mr. Murphy will be called?" In fact, this was the second nominee. He asked if we could have that assurance.

Furthermore, the hon. member stated the following: “What we asked, Mr. Clerk, was that both names be put on the ballot, which the members of the Liberal Party agreed to do”, and so on.

Mr. Speaker, I am sure you are quite aware of citation Nos. 781, 782 and 783 of Beauchesne. Citation No. 782 states that the clerk of the committee conducts the election of the chairman by putting a motion moved by a member of the committee. It says further that if this motion fails successive motions are moved. In other words, there was no provision for the two names to be on the ballot. It is contrary to our practices and contrary to the standing orders. What the hon. member was asking the clerk to do was to be in breach of the rules in order to gain something that he wanted.

The clerk of the committee obviously followed the rules and so did the chairman subsequently. Just because the member has brought the matter to the House does not mean that the rules were breached. Perhaps it means that he did not have his way, but that is not the same thing as the rules not being observed.

The Speaker: I do not want to get into a debate on this.

If there is something that is relevant I will recognize it. Is the Reform whip rising on the same point of order?

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, very simply, in view of the counter argument given by the chief government whip and in view of the fact that he has used some of the argument here himself as a whip in opposition or as a member of a committee, I respectfully ask that the deposition by the hon. member for North Island—Powell River be taken by the chair and be given back in written form as an answer, not just accepting the verbal answer given by the chief government whip today.

• (1520)

The Speaker: Colleagues, you will remember that in the course of the last 18 months we have had at different times members bringing up situations which took place in committee.

As the hon. member for North Island—Powell River said, it is rare that your Speaker would intervene in a matter of a committee.

I have heard both sides today. I imagine there are some nuances I am not grasping because many times in the telling of both sides the whole flavour is not there. That is why this House in its wisdom has made the committees masters of their own destiny, if you will. It is only in really extraordinary circumstances that the Speaker has intervened.

Having heard from both sides, and both sides seem to have very good arguments, I would be inclined to once again say very briefly that it seems to me the hon. member does have a grievance but that the grievance should be settled in committee. I would suggest that the hon. member or members who feel

Routine Proceedings

aggrieved should bring this up in the committee proper. I would like to have this matter rest for now.

Are there any other points of order?

STRANGER IN THE CHAMBER

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I passed written notice to you that during question period at approximately 2:40 p.m., if my eyes did not deceive me and I do not have a videotape, it appeared to me that a stranger entered the House and spoke with the hon. member for Kamouraska—Rivière-du-Loup at his desk in the front row. If my eyes did not deceive me, this would be a very serious breach of the rules and traditions of the House. Under Standing Order 14 either I or one of my colleagues who witnessed this could have risen at that time during question period with an appropriate motion in relation to strangers but we did not, given the fact that it was an interesting question period.

I put the matter to you now. I place the matter in your hands to clarify as you see fit, keeping in mind that if it did occur the way I saw it this would be a very serious breach of the House's rules and traditions.

The Speaker: The hon. member's point is well taken. Only members of Parliament are allowed in this House. I did not see anyone who was a stranger. I seem to recognize everyone, but you know my eyes sometimes fail me. This matter can be cleared up very quickly. We simply have to put the question to the member and the hon. member can answer the question at this time.

[Translation]

I ask the hon. member this simple question: Did someone who is not a member of Parliament come to see him during question period?

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, indeed, someone who is not a member of Parliament but who might be one some day came to see me. That person is the head of the pages.

The Speaker: Thank you. So, we have the answer.

ROUTINE PROCEEDINGS

[Translation]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to nine petitions.

Routine Proceedings

• (1525)

[English]

PETITIONS

IMMIGRATION ACT

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have the privilege to present on behalf of residents of my riding of Bramalea—Gore—Malton a petition signed by more than 100 citizens requesting that Parliament change the Immigration Act to allow landed immigrants to leave Canada for up to two years without having to prove that they did not intend to abandon Canada as their place of permanent residence thus losing their permanent resident status.

[Translation]

BOVINE SOMATOTROPIN

Mr. Jean-Paul Marchand (Québec—Est, BQ): Mr. Speaker, I have the pleasure of submitting two petitions. The first one was signed by more than 300 people who oppose the introduction of BST in Canada.

IMPROVEMENTS TO CARTIER—BRÉBEUF PARK

Mr. Jean-Paul Marchand (Québec—Est, BQ): Mr. Speaker, the second petition was signed by close to 4,000 citizens of Limoilou, Quebec, who want the Minister of Canadian Heritage to act quickly and allocate funds to improve Cartier—Brébeuf park in Quebec City.

[English]

JUSTICE

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, pursuant to Standing Order 36, it is my duty and honour to rise in the House to present two petitions on behalf of individuals from the riding of Saanich—Gulf Islands and surrounding areas. The petitions have been duly certified by the clerk of petitions.

In the first petition the petitioners pray and call upon the House to enact legislation to reform the justice system.

DANGEROUS OFFENDERS

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): In the second petition, Mr. Speaker, the petitioners call upon Parliament to enact legislation against serious personal injury crimes being committed by high risk offenders by permitting the use of post-sentence detention orders and specifically by passing Bill C-240.

OFFICIAL OPPOSITION

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, I rise on behalf of the constituents of Okanagan—Similkameen—Merritt to present a petition which has been duly certified by the clerk of petitions.

The petition draws the attention of the House to the following: “That the rights and interests of citizens residing in nine provinces and two territories cannot be adequately protected by the disloyal one province Bloc Québécois as Her Majesty’s Loyal Opposition and that this is accordingly a travesty of the institution of Parliament. Therefore, we call on Parliament to preserve Canadian unity, parliamentary tradition and to protect the rights of all people of Canada by prevailing upon the Speaker of the House of Commons to recognize the Reform Party as the official opposition during the remainder of the 35th Parliament of Canada”.

I present this petition on behalf of all Canadians.

ASSISTED SUICIDE

Mr. Tony Valeri (Lincoln, Lib.): Mr. Speaker, pursuant to Standing Order 36 it is my honour to table on behalf of the constituents of Hamilton East and my own constituents of Lincoln a petition calling on Parliament to ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or of active or passive euthanasia.

HUMAN RIGHTS

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I have several petitions. The first is signed by 100 petitioners who pray and request that Parliament not amend the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights act to include in the prohibited grounds of discrimination the undefined term of sexual orientation.

PEDOPHILES

Mr. Art Hanger (Calgary Northeast, Ref.): Also, Mr. Speaker, 675 petitioners call upon Parliament to eliminate the right of a convicted pedophile being let out of jail on bail pending an appeal. This would thereby ensure the protection and safety of the victims and the community from such a convicted offender.

• (1530)

RIGHTS OF THE UNBORN

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I also have 100 petitioners calling on Parliament to act immediately to extend the protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

ASSISTED SUICIDE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I have 89 petitioners who pray that Parliament not repeal or amend section 241 of the Criminal Code in any way and to uphold the Supreme Court of Canada decision of September 30, 1993 to disallow assisted suicide and euthanasia.

HUMAN RIGHTS

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, I am pleased to present a petition on behalf of my constituents dealing with the amendment or the non-amendment of human rights code, the Canadian human rights act or the charter of rights, in any way which would tend to indicate societal approval of same sex relationships or of homosexuality.

INDIAN AFFAIRS

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, I have a second petition on an entirely different subject, very interestingly calling on Parliament to halt negotiations on native land claims in British Columbia and turn Indian reserves over to the bands, fee simple, and to make our natives come under the same laws as the rest of Canada.

These petitions come from a very central area in my riding, centred around Lake Cowichan, Honeymoon Bay and Youbou.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is it agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CORRECTIONS AND CONDITIONAL RELEASE ACT

The House proceeded to the consideration of Bill C-45, an act to amend the Corrections and Conditional Release Act, the Criminal Code, the Criminal Records Act, the Prisons and Reformatories Act and the Transfer of Offenders Act, as reported (with amendments) from the committee.

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SPEAKER'S RULING

The Speaker: Motion No. 1 will be debated and voted on separately.

[Translation]

Motions Nos. 2, 3, 6, 8, 12, 13, 18, 20, 21, 22 and 23 will be grouped for debate but voted on as follows:

(a) Motions Nos. 2, 3, 6, 8, 12, 13, 18, 20 and 21 will be voted on separately.

(b) A vote on Motion No. 22 applies to Motion No. 23.

[English]

Motions Nos. 4, 5, 7, 10, 11 and 17 will be grouped for debate but voted on as follows. Motions Nos. 4, 5, 7 and 17 will be voted on separately. An affirmative vote on Motion No. 10 obviates the necessity of the question being put on Motion No. 11. On the other hand, a negative vote on Motion No. 10 necessitates the question being put on Motion No. 11.

[Translation]

Motion No. 9 will be debated and voted on separately.

[English]

Motions Nos. 14 and 15 will be grouped for debate. A vote on Motion No. 14 applies to Motion No. 15.

[Translation]

Motion No. 16 will be debated and voted on separately.

● (1535)

[English]

Motion No. 19 will be debated and voted on separately.

[Translation]

Motions Nos. 24, 25 and 26 will be grouped for debate. A vote on Motion No. 24 applies to Motions Nos. 25 and 26.

[English]

I shall now propose Motion No. 1.

MOTIONS IN AMENDMENT

Mr. Myron Thompson (Wild Rose, Ref.) moved:

Motion No. 1

That Bill C-45, in Clause 21, be amended by adding after line 13, on page 8, the following:

“(3) Notwithstanding any other provision in this Act or the regulations, the Service

(a) shall require the offender to pay as restitution

(i) to the victim of an offence committed by the offender, or

(ii) to the family of the victim referred to in subparagraph (i) where the victim is killed or is unable to manage his or her financial affairs as a result of the offence,

thirty per cent of the gross payment referred to in subsection (1) or gross income; and

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(b) on the request of or made on behalf of any victim who wishes to undergo treatment or counselling for the purposes of relieving any physical or psychological trauma resulting from a sexual assault, an aggravated sexual assault or a sexual assault with a weapon committed by the offender against the victim, shall require the offender to pay towards the cost of that treatment or counselling an amount to be determined by the Service of the gross payment referred to in subsection (1) or gross income.

(4) Where an offender is required to make any payment under subsection (3), the offender shall not be required to make any payment under paragraph (2)(b).

(5) For the purposes of this section, "victim" means a person described in paragraph 2(1)(a)."

He said: Mr. Speaker, it has been a while since we have had a look at Bill C-45. It was introduced in March 1994. Most of us have pulled it off our shelves, blown the dust off and are having another look at it.

Bill C-45 happens to be, in truth, a bill that was presented once upon a time by the old Conservative group and the bill had a different title.

The government of today took the bill, watered it down, nursed it around and called it Bill C-45 and now is attempting to convince Canadians it will really do something about law and order once again.

In the two years we have been here I have already come to the conclusion, and I suspected right from the beginning but it is confirmed more and more, that the Liberals are tinkering around with criminals and legislation pertaining to them. This Mickey Mouse approach the government has had with regard to handling criminals has to come to an end.

I remind members of government and members of the separatist party as well, because they are always in bed together on these issues regarding crime and law and order, there are two parties to every crime, a criminal and a victim. Nowhere in any legislation has the government addressed what it will do with regard to victims. Never once, not even when the government received 2.5 million signatures from CAVEAT asking it to recognize the victims of crime.

It constantly considers the rights and privileges of the criminal: "We have to make sure the criminal is protected here and protected there in every aspect. His or her rights are really important".

I am talking about the Solicitor General and the Minister of Justice. They received thousands and thousands of letters trying to get them to realize there are victims of crime. There were letters from the Melanie Carpenter campaign. We keep adding to the list. Only recently a 10-year-old girl was abducted and murdered even while her family was at home.

No, we look at the legislation and it is a bunch of gobbledygook put together by a bunch of lawyers who run around in the little building over there called the justice hall of Canada. They put together a thick pile of documents which would take 14 Philadelphia lawyers to even interpret.

The whole basis of fighting crime is supposed to deal with the problems. Instead we come up with all this stuff that takes a bunch of bureaucrats, highly paid, to make sure we put all this flowery stuff on it which will not solve one thing. It has to start addressing some problems in the country which it is not now addressing.

Motion No. 1 is an attempt by our party to get the government to recognize there are victims in the country.

In my riding a student of mine was raped and had to live in fear afterward because the perpetrator was still free. She almost had a nervous breakdown, requiring medical and psychiatric attention.

• (1540)

The criminal was provided all of those services paid for by the taxpayers of Canada. The victim could get the same services. The only difference was she, her husband and their family had to dig into their purses and pockets to figure out how they would pay for this.

I recall a mother in Calgary whose five-year old daughter had her throat slashed, her body thrown in a garbage bag and dumped in a dumpster by a 37-year old perpetrator. He said he could not help himself because the little girl kept coming on to him.

The little girl got life while the perpetrator will get 10 years. In the meantime the mother of this little girl, a single parent with other children, has gone through a terrible trauma. Not one penny of taxpayers' dollars has gone to help the victim in this case. However, that 37-year old killer has had psychiatrists, psychologists, dozens of legal aid lawyers throughout the whole period helping him every whim of the way.

I see a section in the bill that says the government will start doing something about these guys when they are locked up in jail. It will let them work to earn some money. It will take 30 per cent of that money and see it goes back into the government to help pay for meals, et cetera.

This motion asks the people of the House to insist that any money collected from a perpetrator in prison will go to the victims to help them with their problems. Here is the chance for my Liberal friends to show their focus is on the victims of crime and not just the criminals day in and day out.

I look back over the last few months with the Bernardo and Homolka situation, I remember the Olson situation and the hundreds of victims touched by those kinds of actions. It is terrible when we talk about people like Mr. Olson, who are in prison. He killed one person which cost him a life sentence with 25 years before possible parole. The second murder was free, the third one was free, the fourth one was free, the fifth one was free, the sixth one was free, and on and on it goes. When will we stop making things free for these killers?

The least we can do is if we are to get any kind of money from them it ought to be directed to those most affected, the victims. I am really sick and tired of this Mickey Mouse pussy footing around while really not giving a hoot about anything but making sure we do this glorified stuff in the House. We make sure we present documents so thick that we do not even have the time to read them. Certainly any common, ordinary Canadian could not understand them.

It is time we got down to common sense and addressed the problem instead of creating 160 pages of gun law that will not do a stinking thing or creating another 45 pages of another law called Bill C-41. I am still trying to figure out what it will resolve. When will we acknowledge there are two people in crime, the victim and the criminal, and for a change concentrate on the victims instead of the criminal?

We will look after criminals' basic rights. They are entitled to them. They are innocent until proven guilty. When they are convicted they will be sent to jail. When they are in jail they ought to have to work. If they do not work they should not eat. That is what happens in the rest of the world. If they do earn money and if it is to be, as this bill says, 30 per cent of their earnings going back to the government, I say no. Let us put it toward the victim. Let us help them with the problems they face. Let us think about them for once.

• (1545)

We would be more popular in our ridings if we put the victim first instead of the criminal in our legislation. Here is the chance. I beg hon. members to support Motion No. 1.

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, the motion presented by the hon. member would have limited effectiveness and is considered unnecessary in light of other mechanisms already in place to deal with restitution to victims.

The Criminal Code also includes current provisions for compensation and restitution to victims by offenders. The proposal made by the opposition, which would make restitution commensurate with 30 per cent of inmates' total gross income, would have very little impact in compensating victims because of the low level of inmates' income.

I would also emphasize that this proposal would be very costly and difficult to administer, particularly since the Correctional Service of Canada is not in the business of assessing the validity of victims' claims.

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A similar motion was defeated by the Standing Committee on Justice and Legal Affairs, of which the hon. member is a part and where he had ample time to put forward his claims.

I would urge the House to reject the motion.

[*Translation*]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, I have decided not to speak on this issue quite simply because the parliamentary secretary has just spoken in exactly the same vein and I too find this motion inappropriate. To put it bluntly, we are against it.

[*English*]

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, today we are discussing Bill C-45 and the motion put forward by my colleague from Wild Rose.

The most important part of the bill is the rights of the victim. According to the Solicitor General, the amendments in Bill C-45 are intended to restore public confidence in the federal corrections process. When we talk about restore, that means to bring it back to its original state by rebuilding or repairing. Look at the work crew that is attempting to restore public confidence in the system. It is the same group that has perverted the justice system. It is the same group that has let Canadians down. It is the same group that has introduced things like section 45, allowing murderers back out on the streets in 15 years.

Now the members of this group come out and ask for the confidence of Canadians. "Trust us", they say. "We know what is wrong with the system. We will fix it because we have heard your concerns. We will ensure that your rights are protected". On and on we listen to this rhetoric. I say it is absolute nonsense.

The only thing the government is concerned about is looking good and sounding tough. It wants to look as if it is doing something to protect Canadians, to punish criminals and to make the streets and communities safe. "Let us pass gun law legislation. We will not have any more crimes committed with guns." This is the kind of gimmick politics we have been seeing coming from the government.

When it is gun control the government says that there is way too much crime. When Canadians are asking for the reinstatement of the death penalty, crime is on the decline. Where is it? Canadians are asking for the death penalty.

[*Translation*]

Mrs. Venne: Mr. Speaker, on a point of order, may I point out that the hon. member is not speaking on Motion No. 1 at this time. He is giving us a general speech on gun control and everything under the sun except Motion No. 1.

Government Orders

• (1550)

[English]

The Speaker: I listened to the hon. member for Calgary Northeast and I am sure he is coming to his point just about now.

Mr. Hanger: Mr. Speaker, I am indeed coming to the point if the hon. member would be patient enough to listen.

Bill C-45 calls for a full term detention of offenders who commit sexual offences against children. What about sexual offences against adults? What about sexual offences against women? What about sexual offences against anyone who is over the age of 12? Is that not a serious crime too? Of course it is. Yet it is not addressed in this bill. Why? All sexual assaults, regardless of the age of the victims, are serious and deserve full term sentences. Why are there no provisions for indefinite sentences once the offender has been incarcerated? This is also a part of the victims' compensation.

Now we are getting back to the compensation, seeing the criminals pay for the crimes they have committed. If this work crew wanted to build a strong foundation, the first thing they would do is demand full term detention for all dangerous offenders deemed capable of repeating their offence. In fact they would consider indefinite sentences for offenders who are deemed capable of being repeat serious violent offenders. This too is compensation. Some say it is cruel and unusual punishment. I say no way, as do the Canadian people.

The only thing I have seen that is cruel and unusual is a justice system that allows thugs and punks like this back out on to our streets to hassle, cause trouble, rape, assault and murder. Who should determine whether or not an offender should be released? How about trying a new approach? Ask the frontline workers instead of political hacks. Ask the victim or victims.

A politically appointed board consisting of persons owed political favours is not the best system. Remember, they are part of the same group that is asking for a chance to restore public confidence in the system. Let the institutional staff, the people who deal with the prisoners day in and day out, determine the possibility of reoffending.

Canadians are demanding real changes. Canadians are demanding that in all cases where a parole board decision results in an offender being released and reoffending a review must be mandatory. Taxpayers' dollars are going to be wasted to retain a bunch of political hacks who have no business sitting on a parole board. Put only qualified people in these important positions and use the money that is left for more important purposes, such as victims compensation.

Throughout this bill the victim is either forgotten or merely an afterthought. This is more of the same from the crew that is asking for trust that they will restore the system.

Bill C-45 states that offenders earning income while incarcerated can have up to 30 per cent of their earnings deducted to help with their upkeep. Let us talk a little bit about their so-called upkeep. Corrections spend \$67 million a year for health care for criminals. Some of that money is for sex changes and cosmetic surgery. Programs for special offenders, natives, females and the handicapped have \$23 million. Education and personal development programs cost \$65 million. Prisoners have cable TV, computer systems, babysitting services, conjugal visits with wives, girlfriends, and in some cases prostitutes they have golf courses, health spas, cottages. The list goes on and on.

Maybe the government should consider charging GST on some of those services to recoup some of the lost money. The government wants to claw back that money and support that system further? It is absolute nonsense. Prisoners get laptop computers and educational services costing millions and millions of dollars. On top of all this, these criminals get paid. Is that not decent of Canadian taxpayers? I am sure they are feeling good about the support they are offering to this criminal element.

• (1555)

I am sure there are some students out there who are struggling this September because they do not have computers and have had to take out loans to go to school. I would like to see some of that money directed to them. Meanwhile, the government gives out goodies to crooks. It is unbelievable.

The government wants to claw back some of the money it pays to criminals for sitting in jail. Do not pay them in the first place. These millions and millions of dollars should and could be spent more wisely helping victims instead of paying for prostitutes to visit prisons, helping victims instead of paying for sex changes, helping victims instead of helping the criminal. That is a novel idea for a Liberal.

This bill does nothing to offer treatment or compensation to victims. Instead it takes a little bit of money back from the criminals and puts it back into the pocket of the government, that will turn around and supply them with the same type of material.

The government claims that this bill will make offenders who are convicted of a new offence while on parole serve one-third of their new sentence before being eligible for release. What we need is a law that insists that any offender convicted of a new offence while on parole must serve the complete time left on the previous sentence, be sentenced with a minimum period of time for reoffending while on parole, and then serve the full term of

the new sentence. How else will these offenders be convinced that to be given a chance to be a member of society they must be a member of society in good standing.

According to the solicitor general, between 1989 and 1994 no fewer than 78 convicted murderers murdered again while they were out on conditional release. These programs cost money, and we are going to throw it back into the whole thing by clawing back. Close to 5,000 people convicted of a lesser violent offence, such as child molesting, manslaughter, rape, or attempted murder, repeated their crimes while out on conditional release.

Canadians are demanding that real sentences be imposed. The other side will scream that this will not work, that locking them up and throwing the key away is not the answer. It is part of the answer. Even the members on the other side realize that locking up criminals is the answer. They did ask for approval for harsher sentences for hate crimes. Why are they giving them higher sentences for hate crimes? Is it not the answer? If harsher sentences will reduce hate crime, full term sentences for crimes committed while society has given someone a second chance will go a long way to prevent that person from committing another crime and maybe it will stop them from committing the crime in the first place.

Mr. Thompson: Get out and visit some victims and you will not smile so much. You will not find anything to laugh about.

Mr. Hanger: It is interesting to read what is included in this bill. What is more intriguing is what is left out. The Reform Party has been demanding that crimes committed with a firearm be given a full term sentence. If the government is so concerned about gun control and crimes involving guns, why did it not include full term sentences for offenders convicted of using a gun while committing a crime?

In conclusion, Bill C-45 is nothing more than a lame attempt by the government to reassure Canadians that it cares. This bill could have been useful. The Liberals had their chance. It could have been effective. However, it is not even close to addressing the real problem, and that is compensation for victims.

Mr. Wappel: Mr. Speaker, a brief point of order. I did not want to interrupt my friend from Calgary, which is why I refrained, but I wanted to stand on the same point of order the hon. member for Saint-Hubert spoke of earlier.

We are on report stage on this bill. These amendments are very specific amendments to very specific sections.

• (1600)

With great respect, there will be ample opportunity to address the general principles of the bill in third reading debate and opportunities to address capital punishment, gun control, no parole, or whatever. But if we are dealing with a motion such as

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Motion No. 1 which talks very specifically about what to do with the compensation that is paid to prisoners, it is my respectful submission that the remarks should be confined to the motion and not to the principles of the bill in general.

I would ask with great respect that the Chair be vigilant in the speeches that follow, not only on this motion and this group but other motions and other groups.

The Speaker: The point of both hon. members is well taken. I would encourage all hon. members to be quite specific in their remarks. I was not being facetious when I said the hon. member was coming to his point. In my view toward the end he came to it.

I would encourage that it not take as long as the hon. member wanted to take in setting up where he is going. I am sure all hon. members will understand that these motions are very specific and I would ask you, my colleagues, to pay very close attention to what you are saying with regard to these motions.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, bearing in mind the comments that have been made with regard to the point of order, I intend to stick as closely as I can to Motion No. 1. However, if I stray too far from the topic, I will certainly be guided by the Speaker's admonition.

I rise today to speak to Motion No. 1 of Bill C-45. This amendment proposed by the Reform member would ensure that the victims of violence receive restitution. Without this amendment 30 per cent of all income earned by an inmate would go to Corrections Canada to pay for room and board while victims or the victims' families are left empty handed.

The financial burden placed on victims who require psychological counselling or medical treatment is an added assault upon the victim and the victim's family. If money is to be expropriated from criminals it should be directed to the victims first.

Placing the victim first is a concept that the bleeding hearts of this country have yet to grasp. The rights of criminals have superseded the rights of victims for far too long. This intolerable situation must be reversed. This however can only be accomplished through significant changes to the Corrections and Conditional Release Act of which Bill C-45 is devoid.

I would like to read an excerpt from an article that appeared in the *Montreal Gazette* yesterday:

A pedophile named Martin Dubuc was convicted last week for offences against children, again. This is the same Martin Dubuc who, as a boy's hockey coach in Laval, was convicted in 1986 for molesting team members, the same creep who, after his release from prison, did not let a lifetime ban on coaching in Quebec stop him.

He simply changed locales, becoming a coach and eventually president of Minor Hockey Association of Southwest Montreal. But that neglect by the recreation establishment is an old scandal. The new scandal involves the schools. It came to light last week when Dubuc pleaded guilty to using the telephone to threaten several boys aged 10 to 13 and to incite them to touch themselves

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sexually. Somehow, he had slithered his way into elementary schools as a substitute teacher. And this was not a slip up by just one organization. In recent years, three different school boards in the Montreal area had hired Dubuc.

The case illustrates the chilling ease with which predators with long criminal records can worm their way into positions of trust and authority to harm children.

The author says: "This was not a slip up by just one organization". One slip up occurred within our penal system and it is a slip up that occurs regularly because correctional services has not been empowered by legislation to keep dangerous offenders behind bars where they belong. However, the biggest slip up can be attributed to the federal government where there exists this warped mentality that places the rights of criminals before the protection of society.

• (1605)

Currently the Corrections and Conditional Release Act allows the National Parole Board to suspend the parole or statutory release of federally sentenced offenders. Conditional release can be suspended for a variety of reasons but for sex offenders it is usually because there are indications of impending further sexual offence.

This provision within the Corrections and Conditional Release Act is necessary particularly in the case of child sexual predators who prey upon the most innocent members of our society. Sex offenders have one of the highest repeat rates of any criminal group with an estimated 40 per cent reoffending within five years of release. However, this provision is not enough.

Bill C-45 is a watered down version of a Conservative bill. The Tory bill called for the full term detention of dangerous offenders and for the continued detention of those determined to be violent criminals at the end of their sentence. There are absolutely no provisions within the act nor are there any amendments in Bill C-45 to detain an offender identified through due process as being at high risk to reoffend. Unless someone is deemed a dangerous offender prior to sentencing, indefinite detention is not permissible afterward. This situation must be rectified.

The Correctional Service of Canada in co-operation with the National Parole Board, the appropriate attorney general and a judge must be given the power to examine the prison history of offenders, including reviewing the courses they have taken and the perceived impact of those courses in controlling their behaviour. They should be able to order a psychological assessment of an offender during the last year of the criminal sentence if they have reason to believe the inmate still poses a threat to society.

If the offender is deemed a high risk to reoffend they should have the authority to keep that individual locked up. An omission of this nature is indicative of a government that does not

understand that crime prevention includes the reduction of opportunities to commit crime. It is suggestive of a government that places the rights of the criminal ahead of the rights of the victim.

Last week the news media carried the admission of the Minister of Justice that he was somehow guilty of not funding crime preventive measures because of fiscal restraints imposed by his government. A provision of this nature, an amendment to the Corrections and Conditional Release Act which could be facilitated through Bill C-45 is a preventive measure, a measure with relatively low financial cost compared to the very high return of the saving of innocent lives.

This omission by the solicitor general was not missed by my colleague from Surrey—White Rock—South Langley. I would like to take this opportunity to commend my Reform colleague for filling this necessary gap in the corrections bill through her private member's bill.

Bill C-240 if passed would keep individuals convicted of serious violent crimes who are deemed to have a high risk of repeating their crime off the street, something Canadians are demanding. Canadians can no longer tolerate a corrections system that releases high risk offenders back into their communities. They can no longer tolerate it.

Statistics revealed yesterday by well-known columnist Diane Francis showed that between 1989 and 1994, 78 convicted murderers murdered again while on conditional release; 4,960 persons convicted of lesser violent offences such as child molestation, manslaughter, rape or attempted murder repeated their crimes while on conditional release. Ms. Francis points out that this includes only those who have been caught.

Canadians can no longer tolerate the likes of Wray Budreo, who psychiatrists diagnosed as a sadistic pedophile having a 30-year history of molesting children, being released unsupervised from a maximum security prison because correctional services did not have the power to detain him even though the parole board ruled him likely to reoffend. They cannot tolerate it because the cost is far too high.

Not being able to assess and detain Fernand Auger cost Melanie Carpenter her life. The release of Joseph Fredericks, a man with a 34-year history of sexual assault, assessed by case workers to likely commit further violent sexual crimes cost Christopher Stephenson his life.

• (1610)

I will end by quoting a letter written by Andrew Tate which appeared on February 16 of this year in the *Times-Colonist*, Victoria, British Columbia:

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My heart and support go out to Steve Carpenter, family and friends regarding the abduction and murder of his daughter Melanie. I support his crusade to change the parole system for convicted, violent sex offenders and I strongly agree with the two angry Reform justice critics' demands that there should be no parole for violent offenders. Our premier agrees on this serious matter. Violent sexual offenders should not be granted parole for any reason and should serve out their full sentences. The federal government must enact tougher legislation. I believe that Melanie Carpenter's death could have been avoided if we had a more competent, no-nonsense, justice minister.

I conclude by saying that I believe the words of this Canadian reflect sentiments which echo throughout the country.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, it gives me great pleasure to address the motion which was made by my hon. colleague from Wild Rose. In that motion he proposes that we require the offender to pay restitution to the victim of an offence committed by the offender. We cannot separate this motion from any of the other concerns which we have with respect to the bill.

I have stood in the House many times and said these very words: This bill is a step in the right direction, but it does not go far enough.

Who can argue with the intent and the measures proposed in the bill? For example, strengthening the power of the National Parole Board to detain high risk sex offenders until the end of their sentence. That is very good. Strengthening the sentencing provisions for any person convicted of an offence while out on conditional release. All right. Strengthening the accountability of members of the National Parole Board or expanding the list of offences which would allow the detaining of offenders to the end of their sentence, or allowing Correctional Services Canada to deduct the costs of incarceration from income earned from offenders while in penitentiary. Good. That is the point we come to. What is going to be done with that money?

The signal which needs to be sent to the criminal element is that their victims are hurting and the money which they earn should go to help those victims. Their crimes have hurt certain people. I would even go so far as to say that those people should not even be let out until they have compensated them.

The point I am trying to make is that many of these things are a step in the right direction, but they do not go nearly far enough.

While I was travelling and spending the last two years listening to my constituents, one of the people I talked to about the failings of our criminal justice system said: "You cannot argue with these proposals but the Liberals do not go far enough. What are they afraid of? Why do they not do what is right? Why do they not fix it completely and not just tinker with it? Why are the Liberals afraid to bring in legislation which is as tough as the people want?"

Liberal members have to be hearing the same pleas that we Reformers are hearing. Why would the government not bring in legislation which would make these people happy? Why would the Liberal government not bring in legislation that would get really tough on criminals? All the government has to do is do what the people are asking.

Here are some of the things they are telling me about the criminal justice system and what should be in the bill: Force these criminals to compensate their victims for the loss and suffering. I heard the Liberal member opposite say that it is already there. Why is it not happening? That is a very weak excuse for not approving the motion which the hon. member for Wild Rose has put forward.

There should also be no statutory release for violent criminals and sex offenders. When a prisoner has breached the conditions of their parole or conditional release once, they should be kept in prison until the end of their sentence. Details of released child sex offenders should be accessible to all police forces in Canada. That should be in here.

● (1615)

When prisoners receive an additional sentence while serving a prison term, the prisoner should serve the full term of the sentence remaining for the first offence and then the full term for the second offence. That is what people are telling us. Parole and conditional release should be revoked not just in the case of a conviction for another crime but for being suspected of another crime.

Parole board members should be held accountable and liable for the mistakes they make by releasing violent criminals who then go on to commit violent acts. They should be held accountable.

The number of appeals that go to the parole board by prisoners should be limited to no more than one appeal every two years. I realize that again we are taking a step in the right direction.

Violations of prohibition orders imposed on sex offenders should result in an additional prison term.

There should be automatic HIV or AIDS tests for all prisoners and all sex offenders. When I visited the prison in Prince Albert this summer I was appalled that these people did not have to submit to these tests. Prisoners should lose some of their rights. They should have to compensate their victims. They should not be putting other people in prison at risk because they will not submit to HIV tests.

Bad behaviour in prison should result in extended sentences or even corporal punishment. The guard that I talked to said this should happen. Otherwise what can be done with them is very ineffective. Corporal punishment should be reintroduced for prisoners who misbehave. They were saying to bring back the paddle.

Government Orders

I should like to give a case study on how the corrections system fails us. In June a person sent me a copy of a warning bulletin issued by the Metropolitan Toronto Police which reported the release of a habitual criminal from prison. The person had a record of over 100 criminal convictions, was a known member of a motorcycle club, was known to be involved in the distribution of heroin, and was considered by his case management team as a high risk to reoffend. The warning to police officers was as follows:

Warning! Subject is extremely violent and should be approached with caution! Any police contact whatsoever with the above named individual should be reported immediately to the reporting centre.

Canadians will find it incomprehensible that the National Parole Board let this guy out of prison. The solicitor general explained it this way:

In light of these legislative provisions, it was determined that this person did not meet the criteria for detention.

If this hardened criminal considered by his case management team as a high risk to reoffend and known to be extremely violent could not be kept in prison because of legislative provisions, who can be kept in jail? The people of Canada are demanding that this law be changed and changed now.

The solicitor general admitted the failure of the corrections and parole legislation and system by reporting that this dangerous drug trafficker had committed further crimes while on conditional release and that he had been arrested by police. There is no excuse for such legislative and bureaucratic incompetence. If the Liberals cannot fix it then Canadians will know which party to put in power that can fix it.

The Ottawa *Citizen* reported on August 19 the victim impact statements of two Ottawa city police who were shot during an armed robbery attempt. One of the officers had this to say during the sentencing of the man convicted of attempting to murder him:

I will never understand why a prisoner has to be statutorily released before completing their sentence when we have a parole system to decide if they are worthy of early release. Had these individuals served their full time for previous crimes they would not have been able to do this.

Maybe criminals should not be released until their victims have been fully compensated, until their victims have healed. It may make them think twice about what they are doing.

Frankly I just do not understand. No one I talked to can understand it either. The time to change is now. I appeal to Liberal members opposite and to the Bloc to support the proposed amendment that victims be compensated by the criminals for the crimes they have committed. I would like to see some real democracy in this place.

• (1620)

I would like to see some members opposite listening to the debate, listening to the arguments, judging for themselves, asking their constituents what they think about the amendment, and then voting accordingly. That is what should be happening and that is why I am making a speech saying that we do not go far enough in the House in fixing what is broke with the criminal justice system.

I was sent to Ottawa to be the voice of my constituents. If I voted for this bill I could not go back home and look my constituents in the eye. They demand better from me, and I suspect the Liberal members across the floor are being told the same thing.

I appeal to the House to support the amendment that would require criminals to compensate their victims more fully.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I rise to speak to Bill C-45, an omnibus bill which amends the Corrections and Conditional Release Act, the Criminal Code, the Criminal Records Act, the Prisons and Reformatories Act and the Transfer of Offenders Act.

I am pleased to support the amendment put forward by the hon. member for Wild Rose. It deals with placing responsibility and accountability for crime on the criminal, something which is sorely lacking in our justice system.

We are debating the bill as a result of Reform's focus on law and order and our belief and the belief of millions of Canadians we have received this message from that the rights of Canadians should be put first before those of the criminals.

The bill is not the government's idea. It borrowed the bill from the previous government and even watered it down somewhat. It contains some provisions that will help strengthen the justice system, for example the detention of offenders who commit sexual offences against children. However this provision does not go far enough. Why should offenders who commit sexual offences against women or even men be exempted from full term or continued detention? Are these not considered serious offences?

[Translation]

Mrs. Venne: Mr. Speaker, we are back to where we were a few minutes ago, that is speaking of Bill C-45 in general and not at all of Motion No. 1 which we have before us and which actually deals with inmates' income and the percentage that victims should receive.

This is not at all what the hon. member is in the process of speaking to us about. He is speaking of the bill in general. This is not the stage to be doing that, I believe. That is why I wished to draw your attention to this matter.

The Deputy Speaker: I thank the hon. member for Saint-Hubert. I am counting on the member for Vegreville to restrict his remarks to the motion before us at this time.

[*English*]

Mr. Silye: I rise on a point of order, Mr. Speaker. This is the second time the member has risen to make the same point.

I have sat in the House for two years now and have heard a lot of debate and comments on each issue. I believe it is in Your Honour's power to direct members on how close they have to stick to the exact meaning of a bill or an amendment. I have heard a lot of members stray. I cannot recall which speech but perhaps the member herself strayed sometimes to make a point, to get to a certain issue in a roundabout way. I think members are allowed to have that flexibility.

To continue to rise and object like this I do not think is in good taste. I feel members should be able to make their points. It is an important issue. It is something that is affecting the lives of victims of crime. I believe that you should allow—

The Deputy Speaker: The hon. member for Calgary Centre and other members will appreciate there is a standing order that requires members to be relevant to the matter before the House.

Most people would say that rule is observed more in the breach than in the observation of it. When we come to the report stage and we are dealing with specific motions I hope my friend would agree with me it is more important than in other stages that members try to speak to the debate.

I am sure the next remarks of the hon. member for Vegreville will relate directly to the motion before the House.

• (1625)

Mr. Benoit: Mr. Speaker, not only is that opposition party trying to take Quebec out of Canada but it is also disrupting the House, and I see no need for it.

I referred to the amendment of the hon. member for Wild Rose, the amendment we are debating today. It is absolutely and totally unjustified that the member from the Bloc would interrupt me after I made the connection.

The amendment of the member for Bonaventure—Îles-de-la-Madeleine which we will be debating later calls for full term detention for those convicted of sexual offences against children because serious harm is understood. For all other cases serious harm must be proved in court. It is time serious harm is understood for more of these serious crimes.

Government Orders

I fully support the amendment of the member for Wild Rose. His amendment will put some of the much needed common sense, accountability and responsibility back into our justice system. His amendment takes into account the rights of the victim, an individual who is all too often forgotten in our so-called justice system.

The Reform Party believes that the rights of victims instead of the rights of criminals must receive the highest priority in our justice system. When the rights of the victim and the rights of the criminal are in conflict, the rights of the victim must in all cases be given the highest priority.

The amendment calls for the offender to pay 30 per cent of his or her income as restitution or for psychological counselling for the victim of a sexual assault, aggravated assault or sexual assault with a weapon. This common sense puts some responsibility where it belongs, with the offender. Thinking about this amendment, I wonder why on earth the offender even gets a salary in the first place.

When we talk about common sense and accountability in our justice system, I am reminded of an interesting editorial written by Ted Byfield in the September 11 issue of the *Alberta Report* entitled "Memo to Allan Rock: Please check out what's going on in New York City". The editorial deals with the opposing concepts of the root cause of crime. I quote from it because it sums up the Liberal philosophy and shows why our justice system is in such a mess. The editorial discussed effective deterrents to crime as does the hon. member's amendment:

Back in the '60s our sociological experts made an amazing discovery. Crime, they found, is caused by poverty and social circumstance. Criminals are therefore not responsible for what they do; "society" is responsible. Any notion of "blame" for a crime was thereafter reflected, or at any rate, any blaming of criminals. The idea of "punishment" was summarily jettisoned. Crime called for counselling, understanding, sympathy, not punishment. No longer must we think primarily of protecting the public from the criminal; we must protect the criminal from the public.

This type of thinking has been the theme of the politically correct and is still held by the Liberal government as it was held by the Conservatives and the NDP before.

Mr. Byfield went on to explain that this type of thinking has placed us in the mess we find ourselves in today. He cited the experience of William J. Bratton, a former police officer who was the security director for the New York subway system and is now the police commissioner of New York City. Mr. Bratton took the advice of two rogue criminologists who advocated cracking down on petty crimes because it would send a firm message on what kind of behaviour would and would not be tolerated.

Government Orders

When Mr. Bratton was the security director for the subway system he began cracking down on so-called petty crimes like graffiti and panhandling. The incidence of crime on the subway fell almost immediately.

• (1630)

After five years, Mr. Byfield writes, serious felonies fell by 64 per cent and robberies by 75 per cent.

By giving harsh punishments for serious crimes, this also sends a message to criminals that serious crimes will be met with serious punishments. This is the theme the hon. member for Wild Rose carries into his amendment.

Mr. Bratton continued this policy as police commissioner and the city experienced very similar results. The drop in crime has been very dramatic. Yet as Mr. Byfield explains, the criminologists were not pleased with the results. In the words of one criminologist it would verify the contention that crime is somehow a voluntary activity, that crime does not represent in any way the drives and forces and compulsions that are beyond the individual's control.

This is a quote from a criminologist speaking out against the view that we should be tough on crime. To repeat, in the words of this criminologist, being tough on crime would, with the results found in New York City, in the subway system and later in the city, verify the contention that crime is somehow a voluntary activity, that crime does not represent in any way the drives and forces and compulsions that are beyond the individual's control.

This reminds me of the Liberal idea that crime is motivated by poverty and other socioeconomic factors; society is at fault, the criminal is not responsible for his or her actions. On the other hand, Commissioner Bratton's view about the root cause of crime is very simple. Mr. Byfield believes the root cause of crime is criminals. I agree with him, although I recognize there are individuals who have experienced abuse and neglect which may lead them toward a life of crime.

However, ultimately it is their own conscious decision to commit a crime. It is within the limits of our self-control to choose not to commit a crime. The choice is made by each one of us, every day, and each one of us should be held accountable for our actions and decisions. The law must be changed to recognize this, that each individual has the freedom of choice when it comes to committing crime.

As a result of the focus on the rehabilitation of criminals instead of protection of law-abiding citizens, our society is living in fear of criminals.

If we are looking to point a finger of blame for the breakdown of our justice system, or maybe it should be more accurately called our legal system, we could point to a lot of people. When looking at our law makers, members of Parliament who have sat in the House, we can point to all of those members who have supported legislation based on the politically correct but incor-

rect assumption that the cause of crime is anything but the criminal and that the criminal somehow does not have the power to choose not to commit a crime.

If I were to pick a pivotal time and a pivotal statement, I would look to a former Liberal solicitor general, I believe in 1972, Jean Goyer, who consciously changed the focus of our justice system from a top priority of the right of citizens to feel safe and be safe and the rights of the victim to a new focus in which the rights of the criminal and rehabilitation of criminals were given top priority.

This is a sad commentary not only on the Liberal government of the time but on all governments since that time. I believe it is time now for a political party that is willing to change the focus back to the right of citizens to feel safe and to be safe to take control.

• (1635)

If the government does not do what Canadians want and if it refuses to change the focus back to what it was before the Trudeau government, we will be the government that will make this change. It will happen sooner than most of the members across the floor would like to believe.

I support fully the amendment of the hon. member for Wild Rose.

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is: the hon. member for Frontenac—Agriculture.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, it is not my intention to take an undue amount of time in the Chamber this afternoon. However, there are two or three thoughts in my mind I would like to express to the members present.

There is an amazing paradox I would like to address for a moment. In an age when so many people benefit by proclaiming themselves to be victims of the system, victims of misfortune within their families and victims of circumstances, people who are victims caused by circumstances completely beyond their control, caused by the criminal activity of others, are almost if not totally ignored by the state and by their community.

People who have suffered enormous loss of property, health, vitality and life within themselves or of family members, which leaves them grieving for the rest of their lives, are given no credible attention. They are given no opportunity to express their loss. They are given no opportunity to recover from that loss. No one seems to be responsible for them. They are left to their own resources.

The attitude of some members of the House really startles me; an attitude of impatience as we talk about the victims who suffer the losses we all know about. The attitude in the House reminds me of a ruling class that does not care about what is happening to

the hurting of the people in our communities. I find that attitude deplorable.

When I hear the parliamentary secretary to the solicitor general say it would be too cumbersome, too problematic for some department of the government such as the parole board to figure out what compensation might be, I consider this to be nothing more than a lame excuse, not taking seriously the suffering of people who had this brought on them through no fault of their own.

There seems to be an attitude that those who commit crimes have no responsibility to the victims. They may be called to account by the courts but for the damage, the suffering, the hurt and the loss they have caused they have no responsibility.

We live in an era when we talk about people not being able to protect themselves; this is the job of the police. The consequence of that in rural areas like mine is that people are left defenceless if they keep the law. Yet when they become victims of this foolish notion there is no recourse for them. They are left to their own resources.

Until we as a nation of individuals are called to be accountable and responsible for what we do, what we do to other people particularly, we can see there is no motivation to care about what happens as a result of our misdeeds, of the crimes committed.

• (1640)

I call on the House to think about what responsibility means, to encourage our citizens as well as ourselves to be responsible in the small things certainly but in the large things as well.

I support this amendment because I believe those who commit horrible things and do irreparable damage and who cause victims should be responsible to those victims for the rest of their lives until those victims are on their feet or have regained what they have lost.

Let us in the Chamber be responsible. Let us be concerned about the victims in our communities. This is not an idle thought that has simply come to my mind. I as the member representing Cariboo—Chilcotin and Reform members are trying to represent the thoughts of our constituents who are saying give the victim a break. Give the real victim a break for a change. Take them into consideration when they have suffered loss and hurt. Simply wash the idea away that the criminal is the victim because the criminal is the one who has known what is right from wrong from the beginning and who chose to do the wrong thing. Make that person responsible. Give the victim the break.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I assure my hon. colleagues from the Bloc and from the Liberal side that I probably will refer to Motion No. 1 no less than eight or nine times during my speech. I am sure the hon. member will be checking that.

Government Orders

I am pleased to address Motion No. 1 to Bill C-45. The motion put forward by my colleague from Wild Rose deals with clause 25 of the bill. We find in the bill clause 21 in its current form that would see deductions from the paycheques of inmates who are involved in work programs within our prisons, deductions to go back to the prisons to pay for their room, board, clothing and things like that.

Like my hon. friend from Vegreville, I find it astounding, as I am sure do many Canadians who probably do not know about it today, that we are paying prisoners at all in our prisons. If someone commits a crime in Canada they are sent to prison as a punishment, although not for long enough, and now many Canadians will be astounded to find out they are actually getting paid.

The first thing that comes to my mind is whether this could possibly be another Liberal job creation program. The Liberals talk about their duty to create jobs. The Prime Minister has said they will give jobs, jobs, jobs. Now we find out our prisoners are getting paid. I did not know until today. The first thing I thought of was Liberal job creation. Now I understand. I find it unbelievable that prisoners are having a Canada pension plan. Are they having unemployment insurance deductions paid for them as well?

The main part of this is that they are being paid at all. Thirty per cent of their pay is being deducted and going back to the prisons. Nowhere in the bill can I see a significant acknowledgement as far as compensation to the victims of crime.

As my hon. colleague from Wild Rose stated in his motion, the least the government can do is recognize the victims in a meaningful way. The amendment put forward by the hon. member for Wild Rose would deal with that 30 per cent. I would rather my colleague had put 100 per cent in his amendment. One hundred per cent of anything paid to a prisoner should go to the victim of the crime that prisoner committed. I would have been happier with that than 30 per cent.

• (1645)

I would like to address the principle of the amendment. It is an amendment which would recognize compensation for the help which many victims have to obtain at their own expense following a crime. In the event that the victim of a crime has died, there should surely be compensation to the family to help them get over the trauma.

Motion No. 1 would see the clause amended so that the 30 per cent deduction would be redirected toward the victims. This is very important since we have seen that the bill does not effectively address the rights of victims. Motion No. 1 would see the 30 per cent turned directly over to the victim or the family of the victim should he or she be killed or the family is left in a difficult financial situation as a result of the offence.

Government Orders

Every day all across the country millions and millions of Canadians are crying out for justice. Every day across the country hundreds of thousands of victims of crime are left having to compensate themselves in some way for what has been taken away from them by a criminal act. Sadly, all across the country there are victims of crime who have died. They cannot cry out any more for compensation for the death which was caused by the crime. Their families are left to cry out for them and indeed they are crying out.

The government had an opportunity to do something about this situation but it has not in the bill. This is typical of the way Liberals deal with the criminal justice system.

It is always the victim who is left out when it comes to reforms to the Criminal Code, the Corrections Act or the Conditional Release Act. The Reform Party has said for years that the obligation of a government in formulating and creating a criminal justice system which works is to have as the number one priority of the criminal justice system the protection of society and indeed the protection and care of the victims of crime. In this country the number one priority of the criminal justice system is to look after the criminals, to look after the perpetrators of crime.

At one time we did have a criminal justice system. We had it until Mr. Trudeau and his Liberals came into the House. They thought they would rearrange things to make it a more just system. Just for whom? Just for the criminals. In this country when criminals need a friend they call a Liberal. That is the way it has been for more than 25 years. Those colleagues who sit on the opposite side of the House know it. There are many lawyers over there. They know it. They know what the criminal justice system is all about. They know it is made for the legal system.

Every once in a while a government gets a chance to do something about the criminal justice system and in this case a chance to address the victims of crime. Because of their weak-kneed, bleeding heart philosophy the Liberals do not have the guts to turn away from the Trudeauism which has been instilled in that party for the last 30 years. We have heard from the gutless wonders across the way.

• (1650)

Our policy on victims' rights has been clear from the very beginning. As I mentioned earlier Reformers have always stated that victims should be compensated for the crimes committed against them. We have even extended this principle into the stand we have taken on the Young Offenders Act. We have also argued that the Young Offenders Act should include the payment of some form of restitution to victims. The Liberals have not heard this because in their opinion someone who commits a crime is not really to blame because it is society that made them

that way. In the Liberals' minds individuals are not responsible for the criminal acts they commit because society has made them that way.

That is why we see our justice system in a complete shambles. We see serious criminals being let out on early parole. We see reoffence after reoffence because of the justice system members of this Liberal Party and the Liberals here before them chose to run with. They have ignored the cries of millions of Canadians. They are ignoring the cries of the victims of crime across this country.

As we talk about amending clause 21 in Motion No. 1 Liberals are making jest of it. They are making jest of the fact that our party believes that victims of crime deserve recognition and compensation. The very idea that they make jest of our motion which was put forward in a most sincere fashion to try to establish a form of compensation for victims of crime is an insult to the victims of crime. They should be ashamed of themselves.

As I have said before there are many lawyers in that party. In their real lives they dealt with crime on a daily basis. They have seen the victims of crime. They know what we are talking about but because their philosophy leans more toward the rights of the criminal than the victim they make jest of our motion.

I have no problem whatsoever in recognizing the many victims of crime, the people who become victims of crime on a daily basis. We ask that all members support Motion No. 1 which deals with clause 21 in Bill C-45.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure today to speak on Bill C-45, amendments to the Corrections and Conditional Release Act but it is also a disappointment. Once again we see another bill that shows the government is engaging in its usual *modus operandi* which is to do window dressing.

As I spoke about yesterday this bill can be viewed as a metaphor for governments not only here but in other parts of the world. There is one thing I have discovered since being in this House. When we have a problem do we address the problem? Do we find the best solutions in the country, apply them to that problem and implement those solutions if only on a pilot project? The answer is no. We nibble around the outside of the problem and make it look like we are actually doing something. We study it, examine it, report on it but do we truly act on it? No we do not.

The reason governments do not act on the problem is they are afraid of rocking the boat and incurring the wrath of usually a minority within the country. It is a shame and a disservice to every Canadian that we are engaging continually in this behaviour.

Government Orders

I would say to the government that you would win enormous points in the public's favour if you were truly to address the problems that affect us—

The Deputy Speaker: I would ask the hon. member to please put his remarks to the Chair rather than using that horrible word you.

Mr. Martin (Esquimalt—Juan de Fuca): Mr. Speaker, my apologies, it is early on in the year.

The amendment to clause 21 in Bill C-45 which we wish to put forward addresses the victims of crime. It ensures that they truly have a legal standing within the system. It is unfortunate that this bill does not truly do that.

• (1655)

We want to give this bill teeth. We want to make sure that this bill has action, that it is going to actually address the problem. Therefore my colleague has put this amendment that would enable victims to have 30 per cent of whatever moneys the offender earns during incarceration. Those moneys would be applied to the victim.

Personally I find that insufficient. The moneys that should be applied which are earned by an individual who is incarcerated—and personally I find it amazing that they are actually earning anything at all—should go to two areas: one, the victim and two, the state, to provide restitution to the state for moneys that are spent by the state to incarcerate that individual.

The public might be appalled to find out that for adults incarcerated in a federal institution it will cost \$60,000 to \$70,000 per person per year. If it is a young offender that number jumps to \$90,000 per young offender per year. Why should the public pay for that?

Here we have a solution which our party has put forward, that those moneys can be used for the victim. I believe other moneys should be used to be applied to the costs incurred by that individual being incarcerated.

When I worked as a physician and as a correctional officer in prisons, I found it absolutely appalling how the system failed in so many areas. It failed to prevent crimes from occurring. It failed in the restitution to the state and the restitution to the victim. It failed also in imparting to criminals that with their actions there is a responsibility for those actions. If a person is willing to commit a crime, no matter what their background is their past history does not exonerate them from the actions they have taken. The action they have taken almost always produces a victim.

That is why we are putting the amendments forth in this clause. It is to ensure those forgotten victims are achieving restitution, which I am sure in 95 per cent of the cases will be insufficient, to provide for the counselling, the loss of income,

the hurt, the pain that those victims have endured through no fault of their own whatsoever.

There are other things I would like to say with respect to failures of the justice system in this narrow area we are speaking about. One thing I did see is there are very few disincentives to crime. When I worked in the jails, time after time I saw repeat offenders coming in who have shown and continue to show a wilful disrespect for society and for their victims.

That is why we are putting this amendment forward. In a society where being a victim is in vogue, and I say victim in parenthesis, the true victims we have in our society, the victims of criminal acts of others, are indeed being forgotten.

I will give a simple case. A young boy in my riding who was about 11 or 12 years old, disabled and wore a brace was sexually abused by an older teenager. After all was said and done and the conviction went through, the older teenager who had committed these offences received an amount three times as much as the victim received. In fact the victim did not even have enough money to afford the counselling he required.

What does that say about our system? I did not have anything to say to the mother who came to my office because I was appalled and ashamed that we allow this to happen in this country.

It is true that many people who do commit acts of crime are indeed victims on their own. That though is a different topic. We are talking about the victims of those crimes. Again we must ensure that those victims' rights are held in the highest form over and beyond those of the criminals. Criminals do have rights, yes, but in balancing those off with the victims it is important to realize that it is the victims' rights that should be held in the highest esteem.

There are other things that we are not able to do, that is, preventing crimes before they happen, identifying the persons who commit crimes and doing something about that.

• (1700)

I strongly implore the Minister of Justice to work with his counterparts in the provinces to look at interventions that can be made at a very early age. The pillars of a normal psyche are developed in the first seven years of life. It is imperative that if down the line we are to reduce the incidence of criminal activity we address the children who are at risk of not developing those pillars of a normal psyche.

A lot has to do with the socioeconomic and family milieu these children tragically endure. Some of them go on to a life of crime and then there is a duality of innocent people being victimized and the criminals who if they had been caught at an early age perhaps would not have engaged in criminal behaviour. I encourage the hon. minister to please look at this. We could be very forward looking with this.

Government Orders

I draw attention to a private members' bill by my colleague to address a very important aspect of those individuals who when they are to be released from prison are known dangerous offenders in society. We must have the power within our justice system to incarcerate individuals beyond their length of sentence if at the time of their discharge they are proven to be a significant threat to society.

I encourage all members to support that bill. It is in the interest of public safety and all Canadians. I hope members will support my colleague's motion which will ensure victims receive the restitution they so justly deserve.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.):
Mr. Speaker, I am pleased to speak on Motion No. 1 of Bill C-45 today.

Bill C-45 amends a series of acts which deal with all types of offences and the release of offenders from incarceration. There are 26 amendments proposed to the bill which members of the House will address over the next few days. Today we are debating Motion No. 1 brought forward by my colleague, the member for Wild Rose.

The bill has many shortcomings. One way to rectify this would be to address the concerns of Canadians. The one I must stress is the one I hear from my constituents and other Canadians: the victims are forgotten. There is no greater threat to the faith Canadians have in their justice system than the belief many have that criminals have more rights than the victims.

In the aftermath of a terrible crime it is the victims who must pick up the pieces of their shattered lives and move on. The impact of a crime committed against them is immense. It covers every aspect of their life. There is the emotional toll, the physical toll and the economic toll. Motion No. 1 attempts to address some of these concerns.

Simply put, the motion calls for amendment to clause 21 of the bill so that 30 per cent of the income an inmate earns goes to the victim or the victim's family. It is a simple concept that calls for the offender to pay some sort of restitution for the crime he or she has committed. If criminals had to pay 30 per cent of their income to the victims it would make a connection to the criminals that they have to pay in two ways for their crime, through incarceration and financially.

In my community of Maple Ridge there is a youth and justice advocacy committee. It is patterned after a program that has existed in the United States for some years. It deals with first time young offenders. It requires them to make some restitution for their crimes. In these cases they are not violent young offenders, not using guns, they are first time offenders, stealing cars and so on. There is a volunteer group in my community that meets once a week with the young offender who has to also be

present with a guardian or a parent. The young offender is given a job and the minimum wage earned from that job goes to the victims. It has been very successful in the United States with an over 90 per cent success rate. In my community it has been operating for only a year but it is having a phenomenal amount of success.

• (1705)

In order for the impact to get to criminals on what they have done, whether they are young offenders or not, they have to somehow pay for their crimes. A financial payment always hits home.

In the more serious ones which we are talking about now, Motion No. 1 in Bill C-45, the criminal would have to make that financial payment to the victim. Victims would finally be getting some kind of recognition. That is very important.

In the case of sexual assault, aggravated sexual assault or sexual assault with a weapon, the victim can request that 30 per cent of the offender's earnings would help pay for treatment for the victim. I think members on both sides of the House can appreciate the long and painful recovery process from such an assault. Therapy can take years and it can be costly. We believe criminals convicted of the crime should help pay for the victim's restoration.

I urge members on both sides of the House to support this motion because it will send a message to Canadians that the victims of crime do count and that they are not ignored.

Every day Canadians are feeling let down by the justice system. They feel it is too lenient on the criminal and not enough emphasis is placed on the victim. This motion would send a powerful message to the victims that their concerns do count.

Accepting this motion would also help strike a balance with a provision in the bill that calls for the treatment of sexual offenders. It seems treating an offender to lessen if not eliminate the possibility of repeat offending is a good idea. However, it should not come at the expense of treating the victim. If funding for treatment or facilities is lacking the victims should receive priority.

The Liberal government always mentions the provisions for offenders to be kept beyond their treatment date. Let those provisions be implemented if there is a likelihood the offender will reoffend. As it stands now section 21 of the bill calls for 30 per cent of the offender's earnings to go toward paying Corrections Canada room and board.

In short, the government wants the criminal to help pay for his or her stay in jail. This is a good idea but we in the Reform Party believe the welfare of the victim is simply too important to be forgotten. There is no reason here for the government to reward itself over the well-being of the victim.

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The amendment proposed by the member for Wild Rose is an important step to show Canadians the justice system and we as parliamentarians can and will respond to their needs. I urge members on the government side of the House to support this amendment.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I will give the House a bit of history about why this 30 per cent for room and board is in Bill C-45.

About two years ago, shortly after the election, I found out prisoners in Canada were receiving certain payments. I asked the solicitor general why they were receiving those payments. His comment was to acknowledge it. He said that in his bill coming forward to the people of Canada he would address that. How he addressed it was to take 30 per cent out for room and board.

If we address a problem with an answer of 30 per cent I suggest that 70 per cent is wrong. He has left out 70 per cent. Our amendment is light. Although I am in favour of it, I wish our member for Wild Rose had put a higher percentage in it.

I will give 21 reasons why it is light. These 21 reasons are benefits, things given to inmates in our prisons. I have spent a lot of time going through prisons, at parole boards, at hearings and so on.

Inmates today receive a room. It is not much of a room but it is paid for by the taxpayer. They get meals. Check the menu sometime. The Liberals should go to some of the institutions and check what is on the menus. They would say it is not bad for people incarcerated for various crimes, and it is paid for by the taxpayers.

• (1710)

They get counselling. They should have counselling. After all, if they are to come out we should do something to improve on what went in. That is paid for by the taxpayers. They get education. Good old Karla Homolka has her education paid for by the taxpayer. They get their clothing, and it is not bad clothing, paid for by the taxpayer.

Let us get into some other things they get in our prisons courtesy of the government. They get the right to refuse work. In our prisons today if a prisoner does not want to work he says no. That is not bad. Most of us on the outside have to work.

They have access to legal aid. How many know Clifford Olson has about 30 litigation cases before the federal government today? The federal government tried to stop him by filing litigation to stop him from filing litigation. Talk about a government that has gone weird.

They get legal aid. You ought to see the lawyers inside those prisons, standing there saying: "You need my help".

The Deputy Speaker: Perhaps the hon. member was not here earlier when a colleague used the word "you". I know we are all back at school, but I ask the hon. member to refer to the Chair if the word "you" is being used.

Mr. White (Fraser Valley West): Mr. Speaker, I was using the word "you" in a different context. If I want to refer to the people who should be listening, I will say Liberals or government.

If a prisoner is incarcerated for less than two years in this country they can vote in British Columbia. Who has a litigation case before the crown that if they are in excess of two years in a federal penitentiary they will be able to vote? Yes, the inmates. I suppose they will get that. Next the Liberals will be in the institutions looking for the vote from the very people they gave it to.

An hon. member: They will parole people to run.

Mr. White (Fraser Valley West): Let us talk about the money inmates get in prisons. GST rebates, congratulations. They get old age security. They get the Canada pension plan. They get the guaranteed income supplement because they do not make enough money with old age security. They do get medical but you and you out there have to pay for it. They get dental coverage. How many people have to pay for dental work? The government is asking for 30 per cent of their income.

Let us not forget about the free condoms. Let us not forget they can grieve virtually anything they wish. In the observations I made last year there were in excess of 3,200 grievances by inmates in the Atlantic region and in the western region. When they file a grievance there must be a grievance committee assembled of staffers and inmates, the chairman of which may be an inmate. Congratulations.

How many people know about project bleach? That is where we give them a one ounce bottle of bleach to sterilize their needles for cocaine intake. Congratulations, Liberals.

This must have been a mistake, but I found that several inmates last year were getting UIC cheques when in federal penitentiaries in excess of two years. The problem was their stupidity because they usually mail them to an address outside the penitentiary where nobody can find it. These guys did not think. They sent it to the prison and got it from there.

• (1715)

Let us not forget subsidized cigarettes. From a study we did last year we found that cigarettes are cheaper inside penitentiaries. The difference between the cost of cigarettes inside a prison and in a store on the outside is anywhere from 42 cents a pack to \$1.62 a pack. I have had many people say that is not subsidization. However, when we checked with the solicitor general's department we found the reason they are cheaper by

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and large is because they are bought in bulk by government employees, they are stored or warehoused by government employees and delivered back to the prison by government employees. But that is not subsidization; that is a service provided to the penitentiary.

Last but not least, let us not forget number 21. Ferndale penitentiary has one of the best nine-hole golf courses in Canada on its grounds. Yes, indeed.

When the people on the outside think about all this, they wonder what the hell is going on in this country. When it comes down to us removing 30 per cent, I say that is small in proportion to what they get, compared to what our senior citizens in this country get from government. I say we should take the vast majority of that money to provide restitution to the victims. Or we should make them pay for golf. Let them buy their own darn golf balls.

Enough is enough. This Liberal government does not listen. This Liberal government is at fault for most of these 21 reasons. It is time this changed.

The victims in this system are virtually left on their own. I have gone through this with victim after victim. I want to provide one short case of some victims.

There is a fellow in this country by the name of Wayne Perkins. Good old Wayne was in my riding. He got a young lady, encouraged her to go into a little building in her backyard. Once he got her in there he beat her over the head with a hammer, taped her hands behind her back, injected her with cocaine and raped her. He was sentenced a meagre six years. That good old parole board let him out shortly after three years.

What did he do while he was on parole? This is where Angela Richards comes in. Innocent Angela Richards was stabbed to death. She was stabbed 21 times, injected with cocaine. There was the same MO as before. I looked at the parole report, which was disgusting. It said this guy was perhaps coming along.

To this day I often wonder. When I was sitting in that sentencing hearing I thought there was something missing in the room. It was the parole board that should have been sitting there with the other 50 of us crying and wondering what the heck happened. There is more to life than criminals in this country. We have to stop giving them a higher priority than the victims.

It is hard to believe that in this country a victim cannot even go into a parole hearing and give a verbal response to why a person should or should not get out of prison. It is truly hard to believe why a victim in this country is not advised at all times where a parolee is, if they want to know.

• (1720)

Mr. Thompson: I know. It is not the Liberal way.

Mr. White (Fraser Valley West): That is right, it is not the Liberal way. Bonnie Lucas in my riding found that out when her estranged husband went to her house, burned it down while they were sleeping, and she just got her two kids and herself out. The guy goes into the pen. She asks the parole board to tell her where he is, if it ever lets him out, in case he comes back, and it will not do it. Once again the victim is ignored in favour of the criminal. It is wrong, wrong, wrong. Wake up over there and do something about it.

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, I compliment the previous speaker for revealing some of the aspects of our prison system that perhaps a lot of the Liberal members on the other side are not aware of. Now, having been made aware of that, they would appreciate what we are attempting to do here by making amendments to Bill C-45, which is an act to amend the Corrections and Conditional Release Act, the Criminal Code, the Criminal Records Act, the Prisons and Reformatories Act, and the Transfer of Offenders Act.

The first amendment that is being put forth by my colleague from Wild Rose is an amendment that will require offenders to pay restitution to the victim of an offence committed by the offender or to the family of the victim where the victim is killed or is unable to manage his or her financial affairs as a result of the offence. We are recommending 30 per cent of the gross of the prisoners' salaries be put into this type of an account.

As my colleague from Fraser Valley West suggested, perhaps that is too low. I agree. I feel that for too long now and for too many years Liberal justice ministers have basically developed and created a system of law where the criminals have more rights than the victims. I know there are a lot of lawyers on the Liberal side, who when they are in court know that with the criminal's rights they have to be careful how they tread or the criminal gets off, whereas in the whole shuffle the victim's rights, the parents of the victim if there is a death, and the people who are suffering are often forgotten.

The purpose of this amendment in a lot of ways is not just 30 per cent of \$8 a day or 30 per cent of the GST rebate or 30 per cent of the compensation a prisoner gets. Perhaps it is something far beyond that. Perhaps it is something that is more symbolic and this is only a small step, as when they first landed on the moon: a small step for man but a large step for mankind. Perhaps this is a small step for justice but a big step for victims and victims' rights.

It is a symbolic gesture. If something like this is ever accepted and Bill C-45 amended then perhaps judges in the future will be able to apply this principle. Future parliamentarians will then perhaps be able to look for other ways to compensate the victims who have been slighted or hurt. Rather than the current system

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where victims have to sue in a civil case to get compensation or remuneration, if a criminal has any assets at all perhaps this would be the small step that would allow victims or families of murder victims to get some compensation.

Mr. Speaker, I do not believe you were in the chair, but earlier during the debate my colleague from Wild Rose was the first speaker. He spoke in his usual loud and boisterous voice and I had to take out my earphone. I certainly heard him loud and clear when he was talking about a phone call he received a few months back that caused his heart to sadden. It was from a former student of his whose wife had been raped at knifepoint and the fully identified accused was allowed bail. He stated that his wife was on the verge of a nervous breakdown, knowing that the rapist was at large.

• (1725)

This was not the only indignity to be experienced by this law-abiding woman. The constituent did not have the funds for counselling, treatment, or medical services that would reduce the trauma of the brutal assault. Yet the offender was receiving full funding out of taxpayers' dollars for whatever was needed.

We hope this amendment will assist that constituent to receive these medical services to assist and overcome the trauma resulting from the brutal assault by the rapist. This amendment will make the offender responsible for paying some of that care.

Perhaps it will help if offenders knew they would be deprived of 30 per cent of the tax dollars they receive in prison. Once again, I like what my colleague from Fraser Valley West said: it is too low. Why are we being so nice? Make it higher. Make it 50 per cent; make it something that hurts them. They do not get much, and what they get they spend on items like cigarettes and other amenities that were described, which I find obscene. Take that 30 per cent to 50 per cent away from them and have it go into a fund that is available for victims and their families. Those amenities and privileges offenders get they find very valuable while they are in prison. This means as much to them as an automobile means to somebody outside. Cigarettes or these other amenities become something they really need. Therefore, while it is not much in dollars and cents, it does have some value to the prisoners. As I said, it is symbolic. Hopefully the legal system can use this as a stepping stone.

If they knew they had to pay a price even while they were in prison, while it may not prevent the crime of future perpetrators, perhaps it will make the criminal realize that crime just does not pay as much. When I heard the speech by my colleague from

Fraser Valley West it almost sounded like some people have a better life in prison than out of prison.

For too long victims of crime have been an afterthought in our criminal justice system. Offenders receive full legal and medical support without regard to the hardships victims of crime are experiencing. This amendment will give victims of crime some consideration through this criminal justice system.

We have to start somewhere, and this is an opportunity to start, for the Liberal government to accept an amendment that is headed in the right direction. It is not huge. It is almost like we are recommending tinkering with the system by making such a small amount available to victims, as the Liberals do with the elimination of ferry services and with the introduction of these small taxes everywhere else.

The amendment will inform those who have committed crimes that there is a financial price to pay to the law-abiding citizen. Criminals are responsible for crime, not society. The amendment will make criminals realize that the justice system now accepts that if you break the law you pay two prices. One price is incarceration and the other price is paying money earned in jail from taxpayers' dollars to the victim for compensation or needed medical treatment.

For too long the government has talked about victims of crime but has done nothing for these victims. This is an opportunity for the government to put taxpayers' money where this government's mouth is. This is the opportunity for the government to finally do something meaningful for victims of crime. This is the opportunity for the government to really support women who have to try to live past a crime that has robbed these women of their peace of mind. This is finally an opportunity for the government to show Canadians that victims have rights and the government has a concern for victim suffering.

Once this principle is accepted in the Criminal Code it will help set the ball rolling, as I mentioned earlier. If the criminal has any assets, this is an opportunity for victims to at least get some compensation for what they have had to suffer. In some way, somehow and some day soon we have to do something for the victims. Far too long, far too often and far too much at a high cost to taxpayers we are supporting criminals and criminal activities and their rights over and above victims' rights.

[*Translation*]

The Deputy Speaker: I am sorry to interrupt the hon. member, but it being 5.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS***[English]***CAPITAL PUNISHMENT****Mr. Ted White (North Vancouver, Ref.)** moved:

That, in the opinion of this House, the government should support and work toward enabling legislation for a binding national referendum on capital punishment to be held concurrently with the next federal election.

He said: Mr. Speaker, there are very few things in democratic politics that stir up more contention and trepidation than the use of referenda. There are very few issues in politics that stir up more controversy and emotion than the issue of capital punishment.

That makes Motion No. 431 a motion with potentially far-reaching implications for Canadians. It combines the contention and trepidation associated with referenda with the controversy and emotion surrounding decisions about capital punishment.

However it is important to stress that Motion No. 431 is not calling for a return of the death penalty as some critics would claim. Yes, the issue is contentious, but the underlying principle of direct democracy which led to the filing of the motion is one of the founding principles of the Reform Party.

At a personal level, when I think back over the events of the last 25 years that underlying principle is the very reason I am standing in the House today. It started for me as a teenager in New Zealand 25 years ago when I worked on a campaign to help get elected an MP of the National Party in the Auckland area of New Zealand.

It did not take long for my innocent 18-year old belief in democracy to be shattered by the realization that within a very short space of time party line politics and the power of a party whip could destroy everything that my candidate had stood for. It killed the fires of change burning within him. It killed his resolve. It made him afraid to represent the very people who had placed him in that predicament.

I had a dream those 25 years ago that one day within these shackles we call a parliamentary democracy MPs would be free to represent their constituents and to invite them to help govern the country they work every day to support.

I never dreamed that I would one day be one of those MPs. It was never my ambition to work for change from within the system. Somehow the pieces just came together, one at a time. I joined the party which in 1989 had barely begun. Yet it had the principles of direct democracy as a cornerstone of everything that it stood for.

One of its first policy positions was to state that the people of Canada should have the right to make binding decisions through referenda on issues of personal conscience. Capital punishment is one of those issues of personal conscience and Reform policy material has always identified it as an issue to be put before the people.

I submitted Motion No. 431 in April of this year, well before the controversial Bernardo and Deley cases came before the public. It was selected in the random drawing of private members' business on May 29. In the first week of September I learned that it would be debated in the House today.

The motion reads:

That, in the opinion of this House, the government should support and work toward enabling legislation for a binding national referendum on capital punishment to be held concurrently with the next federal election.

Every poll taken over the last decade has shown a major divergence of opinion between politicians and the public on the issue of capital punishment. Like it or not, public pressure will continue to build until we address this divergence of opinion either by bringing Parliament into line with the public or the public into line with Parliament.

Telling Canadians that they will not be allowed to decide is not going to make the problem go away. We need to place a clear question in front of them and allow them to make the final decision. All it takes is for us to agree to have an open and public debate followed by a binding referendum which will do the task of either bringing the public into line with Parliament or Parliament into line with the public.

• (1735)

Unfortunately there is a small problem standing in the way of implementation. Motion No. 431 is not presently votable, which means that the House cannot make its intention clear to the government. Without a vote we will be failing in our duty to represent the people who sent us here. For this reason, before continuing I would like to ask the consent of the House to make the motion votable.

The Deputy Speaker: The hon. member has asked for the consent of members to make the matter votable. He will know as well as anyone that it requires unanimous consent. Is there unanimous consent by the members present to make it a votable motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: Having heard some members indicate no, the hon. member may continue with his intervention.

Mr. White (North Vancouver): Mr. Speaker, I do not suppose too many Canadians will be surprised that government members do not want to make the motion votable. The elitism of

an old line party is well entrenched and democracy does not easily penetrate its protective shell. In their hearts they must know that they have made a bad decision. They have ensured that we will face the wrath of the growing number of Canadians who see their justice system in disarray.

Canadians see a system unable to protect them from young punks who can commit crimes with immunity and hide anonymously behind the curtain of the Young Offenders Act. They see a system that releases dangerous offenders into their midst on bail or after minimum sentences for an outrageous crime.

They see representatives at a meeting of the Canadian Police Association in Vancouver telling the Minister of Justice that over 95 per cent of policemen want return of the death penalty. They see members of that same police association telling the minister that if he does not address their concerns they will make an election issue of capital punishment.

These are well informed law enforcement personnel telling us there is a problem. If they are telling us there is a problem, there is a problem. In the meantime it looks as though the government side will continue to hide its head in the sand, pretending that everything is working well and refusing to address the concerns of its citizens.

Canadians from coast to coast are sick of politicians and pointy headed professors telling them what to think about crime. They know that their streets are more dangerous than they were 20 years ago and all the statistics in the world will not convince them otherwise.

For example, Canadians hear academics arguing against the return of capital punishment by claiming that the murder rate has decreased since capital punishment was abolished in 1976. It is absolutely true that there has been a slight decrease in the murder rate since 1976. However those same academics seem to conveniently forget to mention that the last hanging in Canada took place in 1961, some 15 years before, and that there was a sharp jump in the murder rate in the 15 years following the last hanging. In fact it almost doubled. Even now, in 1995, the murder rate is still 50 per cent higher than it was in 1961 when the last hanging took place.

The slight drop in the murder rate since 1976 probably has more to do with demographics, the number of young males in society, than it does with the abolition of capital punishment. Are we going to allow the public to discuss these things and to learn the truth? No.

The House has let the people down again today. It has denied them a voice in the decision making of their government. Sadly the chances are that probably not many of them noticed. Their contempt for the system is well founded. They know that the outcome of virtually every vote in this place is predetermined long before the debate ever begins.

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I will try again another time with other motions and private members' bills designed to give the public a voice in government. This issue has not gone away and neither has the pressure for democratic change. The system has entered an irreversible period of evolution that I hope will soon see a majority of MPs insisting on their right to represent the people who sent them here instead of caving in to the orders of the whip.

• (1740)

The Deputy Speaker: Did the member indicate that he wished to share his time with a colleague?

Mr. White (North Vancouver): Mr. Speaker, it was my error. I meant to mention at the beginning of my speech that I would be splitting my time with the hon. member for Surrey—White Rock—South Langley.

The Deputy Speaker: I have never been in the chair when someone who is the first speaker on a private member's bill has divided his or her time. Is there unanimous consent to allow the hon. member to divide his time?

Some hon. members: Agreed.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I thank my colleagues for the opportunity to share the time of my colleague from North Vancouver.

It is a pleasure to speak on the motion of my colleague from North Vancouver calling for a binding referendum on the question of capital punishment. The motion has two very important elements: the use of referenda and the issue of capital punishment. First I would like to discuss the issue of a binding referendum.

While the old line parties prefer a system where the average citizen of Canada is entitled to exercise his or her franchise only at election time, the Reform Party believes in a more participatory electorate.

Central to the Reform Party's policies on political reform, we believe that the citizens of Canada should have the ability to directly participate in the formulating of legislation on such moral issues as abortion and capital punishment.

The old line parties say that their constituents elected MPs to represent them in Ottawa. That is true, but seldom in the past have MPs from the old line parties ever faithfully represented the views of their constituents. Maybe, if they had, there would not have had to have been the Reform Party. Instead MPs used what they perceived as a moral superiority to disregard the sentiment of their constituents and voted as they saw fit.

The previous free votes on capital punishment are typical of this attitude. How many of those who voted against the reinstatement of capital punishment voted in accordance with the views of their constituents? Considering the fact that the polls over the last 10 years have consistently shown that support for capital punishment hovers around the 70 per cent mark, that

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means the last time there was a free vote on the subject a number of MPs ignored their constituents.

It is this attitude that necessitates giving the electorate a direct vote on the issue of capital punishment. To object to a referendum is to say that the people cannot be trusted to make the right decision. If that is the case, these same people should not be trusted to elect their representatives or to vote on whether or not to separate from the rest of Canada. As the referendum on the Charlottetown accord showed, the average Canadian possesses a wisdom that frequently escapes those whom they elect.

I have no hesitancy in entrusting my constituents with the power to vote in a referendum. We put forth our position and we let the people decide whether they agree, like an election. Although it is extremely unlikely that the Liberal government will ever permit a referendum on capital punishment, I will nevertheless state my position for the record.

I believe the death penalty should be an option for the jury to decide after convicting an individual of first degree murder. Once again I am putting my faith and my confidence in the common sense of the common people. If we can entrust them to decide whether or not we should reinstate capital punishment, we should also provide them with the responsibility to determine if it is an appropriate sentence in a particular case. I am confident that jurors would use this power wisely.

• (1745)

One need only look at the Susan Smith trial held in South Carolina earlier this year. Smith was charged with murdering her two young sons by strapping them into her car and rolling it into a lake. At her trial it did not take a jury long to convict her. Then the jury was tasked with deciding if Susan Smith would be executed or would receive a life sentence.

Despite the horrific nature of her crime it did not take the jury long to reject the death penalty and impose the life sentence. This is a prime example of how the people when given the responsibility to make life or death decisions will exercise that responsibility judiciously.

It is my opinion that the 12 men and women who sat on the Bernardo trial jury should have been entrusted with that same responsibility. Who better than those 12 individuals, the people who sat through the videotapes, who listened to the testimony of both Paul Bernardo and Karla Homolka, should have determined his fate? If they had had that responsibility I am not sure what they would have decided but I am convinced they should have had that option.

However, I have little doubt about how a jury would have decided 14 years ago when Clifford Olson had his trial. Instead we have punished him by giving him a life sentence, one that is

costing Canadians close to \$100,000 a year to maintain. Thanks to a recent court ban, Canadians no longer are subjected to Olson's ramblings to the media. We no longer have to listen to his complaints about the quality of the popcorn he gets to eat while watching movies on his personal television.

Unfortunately next year Clifford Olson gets the spotlight once again. Thanks to section 745 of the Criminal Code, Olson gets to have a jury trial next year to see if his 25-year parole eligibility should be reduced. Although I doubt that anyone would ever consider releasing this monster the mere fact that Olson gets such a platform is an outrage.

Before commenting on arguments about whether or not capital punishment is a deterrent, I would like to state that the death penalty would serve a useful purpose if for no other reason than to dispatch the occasional monster like Clifford Olson.

With regard to the deterrence value of capital punishment, many opponents point to the United States as an example of where it has not been a deterrent. First, look at the numbers closely. Between 1977, the year the United States started to reapply the death penalty, and 1992 there were 188 executions carried out in the United States. During that same period there were 338,480 murders which means that a murderer in the U.S.A. has a 1 in 1,800 chance of being executed. With odds like that, how can there possibly be a deterrent?

No matter which argument is used we know the Liberals are not prepared to reintroduce capital punishment. The residents of Surrey have just suffered the third tragic murder of a young girl within the past year. When 10-year old Melissa Deley was abducted from her bedroom, sexually assaulted and murdered the citizens of Surrey said enough is enough.

I have received hundreds of calls from individuals telling me that if the federal government is not prepared to enact the laws to protect them then they will take whatever measures necessary to protect themselves. While I do not condone any form of vigilantism such acts are likely to occur because of inaction by this Liberal government.

My constituents elected me to ensure their voices would be heard in Parliament so they would be able to participate in the democratic process. To that end I ask for the unanimous consent of the members present that this motion be deemed votable for Thursday, September 28.

The Deputy Speaker: The motion is a little different from the motion made by the previous member. Is there unanimous consent to accede to the member's wish?

Some hon. members: No.

The Deputy Speaker: There not being unanimous consent the member's time has expired.

• (1750)

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am very pleased to have the opportunity to speak on this motion. It is one that has been mentioned many times in the House.

Members opposite have pointed to capital punishment as being the panacea, the solution to the problems of our criminal justice system and the crime that exists in our communities. I certainly do not agree with that. I think they are on the wrong track. The job is much bigger than that and we should not look to a simplistic solution that will not have the effect society wants which is the reduction of crime in our communities.

The member for North Vancouver said that the government will probably bring up the fact that the murder rate has gone down since capital punishment was abolished. He is right, I am. Before capital punishment was abolished the rate was 3 per cent. In 1987 when the last major debate on this subject took place the rate was 2.42 per cent. In 1994 it was 2.04 per cent. The murder rate is continuing to go down.

The member talks about the Canadian Police Association voting unanimously in favour of reinstating capital punishment. He is pleased to quote the Canadian Police Association when he talks about capital punishment but he is not pleased to quote the Canadian Police Association when he talks about gun control.

He also talks about the fact that there has not been an execution, capital punishment in Canada since 1951. Yet the rate was higher around 1965 when the debate started than it was in 1951 and the rate today is higher than in 1951. He is saying that it was not doing away with capital punishment that decreased the murder rate, but it had to be something. There were three debates on capital punishment between 1965 and 1976. Funny, strange, the murder rate started to go down when gun control was first introduced in 1978. The fact is if we are going to quote statistics there have to be reasons why these things happen.

The motion calls for a referendum at the time of a federal election. It has never been the policy in Canada to have a referendum at the time of a general election. It may be fine in California, but look what was brought forward in California, the three strikes law. A man stole a piece of pizza from a child and is now going to be serving 25 years because it was his third conviction. It did not matter that it was not a violent crime. It was his third offence and he is in prison for 25 years as a result of that. That law was the result of a referendum at the time of an election.

In Canada we want a federal election that is going to elect the politicians who are going to pass the laws. We want the people to concentrate on that. I do not think there is an overwhelming desire for a referendum on capital punishment. Members oppo-

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site may think there is, but I am not hearing that. I have to admit that I am not in favour of capital punishment. I do not think it is correct. Taking another life is not the answer.

Only the victims can tell you there is nothing more excruciating than losing a family member or a loved one through a violent crime. There is no question about that. It is completely hideous and absolutely indescribable. However there is nothing that is going to bring back a life. If anything could, there is no question the Minister of Justice and government members would do it.

• (1755)

What is the result of a death penalty? Half of the states in the United States that have reinstated the death penalty are not using it. In the ones that are sometimes year after year, appeal after appeal the death penalty is postponed. The execution is postponed and there are final appeals to the governor of the state.

These are emotional roller coasters for the families of the victims, no question. The constant appeals, the attention in the press of these delays are not in the interests of the families of the victims. That is not the answer.

What we need is a sound policy of crime prevention. The leader of the Reform Party talks about capital punishment and members of the Reform Party talk about capital punishment. We have to look at what is causing the crime. It is not going to do any good as far as the victim is concerned to punish the criminal. It will help society. It is a deterrent. It will give the family of the victim some feeling that society is conscious of the life that has been taken, but it is not going to do anything for the victim. The victim has been murdered.

What we want to do is protect potential victims, to stop these murders from happening. That is one of the reasons the Minister of Justice and this government have instituted a safe streets policy. Certainly gun control is one part of it and is a good part of it. Sentencing policy, Bill C-41, is part of it. The DNA provision is another part of it. We are going to be bringing forward more legislation regarding DNA.

We never hear about those things. All we hear about is the violence. Let us talk about how we can stop the violence. This is what the Minister of Justice wants to do. This is what this government wants to do and it is what the government is doing.

We also want to talk about how we can deal with young offenders, another very serious problem. Crime prevention is an integral part of the safe streets policy. Crime prevention begins with the day a child is born. Punishment is after the fact. Punishment is a part of it but the most important thing is to prevent crimes from happening. We never hear that from the Reform Party. We never hear discussion about how we can prevent crime from happening.

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The time a child can be most influenced from becoming a child at risk or a future young offender is from the day the child is born to its third birthday. We have to do more in the early formative years, even in the early years when a child is in school.

We have to have the co-operation of the provinces. We have to have co-operation and understanding of all members of the House of Commons on that very important principle and basic attack on young offenders, on future offenders and future murderers.

Certainly we have had great examples of hideous crimes in this country in the last few months. Homolka and Bernardo are hideous examples. The policy of this government is not to piggyback on the hideous nature of these crimes to sensationalize a proposal for a referendum that is not going to do what the people of Canada want.

I have a very strong interest in this because Donald Marshall is a constituent of mine. In that crime the murder happened in my constituency. Guy Paul Morin is another example. We can say that those are only isolated incidents but they are two people who are still alive as a result of those isolated incidents and there are others.

• (1800)

We need to find lasting solutions. That is what this government intends to do.

[*Translation*]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, the hon. member for North Vancouver moved a non-votable motion urging the government to hold a referendum on capital punishment concurrently with the next federal election. Reform members have outdone themselves once again. Since they realize they may be swept off the electoral map in the next election, they are trying to exercise their mandate as legislators beyond the term for which they were elected to this House.

If Reform members think we will not take this seriously, they are wrong. Their publicity-hungry leader took advantage of the summer recess to try to revive the debate on capital punishment. Once the debate on gun control had subsided, he had to find something else to keep him in front of the TV cameras. Burned by the debate on gun control where they finally showed their true colours, Reform members have completely lost their sense of reality, trapped in neanderthal attitudes where repression is the rule and rehabilitation and presumption of innocence are vague concepts thought up by criminologists.

The legitimacy of the penal system is largely based on its effectiveness and fairness. Its underlying principle is the presumption of innocence, a fundamental principle of law which

says that the accused is presumed innocent until found guilty following a trial.

Wrongful convictions undermine this fundamental principle. As the Parliamentary Secretary to the Minister of Justice said earlier, David Milgaard, Donald Marshall and Guy Paul Morin are three names we too often forget. Nevertheless, these individuals each paid an enormous debt to society, a debt they did not owe.

In Manitoba, David Milgaard spent 23 years of his life behind bars before his release. He was unjustly convicted of murder. The Crown's principal witness perjured himself at the trial.

In Nova Scotia, Donald Marshall served 11 years in the penitentiary for a murder he did not commit. Another inmate finally confessed. Thirty-five years old today, Guy Paul Morin paid a high price for a judicial error. He was falsely accused of the murder of young Christine Jessup. He was found guilty at his first trial. After nearly ten years in the penitentiary, Morin was acquitted thanks to considerable advances in science and DNA research.

These three men would have been dead and buried years ago if capital punishment was still the law in this country. Three innocent men sent to the gallows, murders ordered by the government. For all the Clifford Olsons and Paul Bernados that roam our streets, there will be innocent people convicted of crimes they did not commit.

In the United States, according to the Criminal Justice Research Centre, every year 6,000 people are wrongfully convicted of a serious crime. To my knowledge, there has been no similar study in Canada.

The trouble with capital punishment is that it is irreversible. I realize I am stating the obvious, but we must admit that once the injection has been administered, that is it. No appeal, no new evidence that would reverse the conviction and no opportunity to review an erroneous judicial decision.

If the conviction is, as in most cases, based on circumstantial evidence or even if the police manages to get an eye witness, the fact remains that mistakes are always possible and that a human life is at stake. And we cannot change our minds after the execution. I can see the headlines: "Posthumously acquitted".

• (1805)

But do not, above all, conclude that I am forgetting the victim in all of this. His or her life has also been taken. I want to see these murderers tracked down and sentenced severely, made an example of. I am thinking of cases like that of little Melissa Deley, barely ten years old, who was taken away from her home in Surrey, British Columbia, raped and murdered.

Calling for a referendum on the issue of the death penalty is a simplistic solution to a complex problem. Following the same logic, why not ask for a referendum on the budget or social reform?

Since they do not form the government nor are they the official opposition, the Reform members are trying in every possible way to usurp power by sneaky moves.

The Reform Party, especially the member for North Vancouver, wants to govern without being in power. Not content with representing a minority of the far right, for whom coercion is the solution for every ill, they now want to impose upon us their form of gang rule government. They want to pass statutes indirectly for which they have never received a mandate. Their hunger for power is equalled only by their cheap opportunism. You have to have a really colossal nerve to make political hay at the expense of victims and their families. In my opinion, calling for a referendum on all issues is not the way to fulfill the role of member of Parliament. Is this the only way the Reform Party has been able to find to divert attention from the only true referendum which will be held on October 30?

In 1994, 596 homicides were reported in Canada, 34 fewer than in 1993. This was the third year in a row that the number had gone down. The homicide rate was 6 per cent lower than the rate in 1993, the lowest rate recorded in Canada in the past 25 years.

Since we started gathering statistics nationally on homicides in 1961, two trends have emerged. Between 1961 and 1975, the rate of homicides rose consistently. Between 1975 and 1994, the rate decreased regularly, despite yearly fluctuations.

The transition period was therefore between 1975 and 1976. It was in 1976 that the death penalty was abolished in Canada. So much for those who contend that the death penalty is the way to reduce the number of homicides. Since the death penalty was abolished, murders in this country have decreased by 33 per cent.

The wind of the far right blowing over the United States is sending breezes of repression our way. Let us have a closer look. Many states already have legislation making it possible for a jury to condemn an individual found guilty of premeditated murder to death.

New York state has just joined the club and enacted legislation providing for the death penalty in cases of murder. Despite the fact that the United States has the death penalty, the homicide rate there has generally been three times the rate in Canada. The FBI reported more than 23,330 homicides last year, a rate of nine murders per 100,000 inhabitants. To give you an idea of what these figures mean, 18,390 homicides have been committed in Canada in the past 33 years.

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Let us be wary of handing over our criminal justice system to the Reformers. The Reform Party will put us back 1,000 years into the middle ages, when anarchy was the rule.

• (1810)

[English]

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.): Mr. Speaker, I want to commend my colleague and friend, the hon. member for North Vancouver, for his carefully considered motion.

It is an honour to speak on the issue of capital punishment, which has created a lot of debate in the country, perhaps even as far back as Confederation. It is not a pleasant topic to discuss. No one wishes to discuss the issues of death and tragedy. However, Parliament ought to be the place where we can freely discuss the issues that most concern Canadians.

Today in my area of British Columbia the issue discussed at coffee shops, in the barber shops, and in most local meeting places is the issue of accountability of murderers and how we as a community should respond.

Canadians are fed up with our justice system. Justice has gone. Perhaps it is seen as merely a legal system that does not represent mainstream Canadian values. Constituents observe how their local courts operate and how they produce fear and disgust rather than any sense of relief that officials are minding the store and doing their duty on behalf of the public.

The rationale that capital punishment does not deter really misses the point. It is 100 per cent effective to deter the individual murderer, as it would prevent the current practice where these kinds of criminals are released only to kill again. This happens in Canada.

My reason for speaking today is simple. The people have spoken. It is my duty as the member of Parliament for New Westminster—Burnaby to make those voices heard here in the House of Commons.

Reform MPs were elected because we agreed to vote the wishes of our constituents. That is something the Liberal government does not agree with. In fact, the Liberal government punishes its own members for doing so. The hon. member for Notre-Dame-de-Grâce was recently removed from his position as chair of the Standing Committee on Justice and Legal Affairs. It seems that if a member votes differently from the pack the Prime Minister will punish them.

My colleagues opposite do not agree with me that community representation is important. That really makes me begin to wonder who they represent. Do they represent the interests of those who elected them to sit in the House, or do they represent only themselves?

I know that the hon. member for North Vancouver did not put forward the motion simply to cause debate in the House, nor did

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he do it to put himself at the front and centre of some political column or controversy. The hon. member for North Vancouver put forward Motion No. 431 because his constituents are calling for Parliament to revisit the capital punishment debate.

The majority of Canadians who support the revisitation of the capital punishment question did not simply wake up one morning and remark that we should create a death row. They are quite upset to see a person murdered in cold blood only to see the murderer get out of prison on parole a few years later. Who can blame them for being upset?

Canadians have a right to a national referendum on capital punishment. They have a right on these types of matters to have policy reflect mainstream values.

Opponents are saying that the murder rate will not decrease if the death penalty is reinstated, that a murderer will still commit murders regardless. It is not possible to make the country free of murder. We will never live in a sinless world. Capital punishment is not put forward as a panacea, and neither is it a simplistic solution.

Canadians want one thing: they want real justice. I do not think that the Minister of Justice and the Solicitor General really know what that is. They have their thinking clouded by some misguided social philosophy as they go on and deride the democrats, the Reformers, for speaking up on behalf of Canadians.

Let us make it specific. On September 6, 1995, Melissa Deley was sexually assaulted and murdered in Surrey, British Columbia. She was kidnapped from her own home. There was no reason for that to happen. It was a senseless killing. The offender should have been in custody at the time. The murderer hanged himself in his own jail cell just days later. That was not justice; that was suicide. The justice system failed us in this case. The system fails again and again.

As is to be expected with such a heinous crime, many constituents in Surrey wrote letters to the editors of our local newspapers. In one column a citizen wrote:

Where are our lawmakers when these atrocious murders are taking place? Don't they hear the anguished cries of these parents for their children? Why are these monsters allowed to walk free while our country mourns its losses? For God's sake, wake up, people. The laws have to be changed to protect the innocent. Don't ignore what's happening because it hasn't happened directly to you. You could be next.

• (1815)

June 29, 1987 was the last time Parliament had a chance to debate capital punishment. When the motion came up for debate at that time it was defeated by only 21 votes: 148 to 127. Amazingly enough the Angus Reid poll taken in 1987 showed 73 per cent of Canadians in favour of the death penalty. One would assume that if 73 per cent of Canadians were in favour a similar statistic should have been displayed in the House at that time—not so.

If all MPs in the 1987 Parliament were true to the fact that they would represent their constituents perhaps the vote would have been more like 200 to 75.

This past month notorious murderer Paul Bernardo was sentenced to life imprisonment for the brutal slayings of two Ontario ladies. There was no disputing that Paul Bernardo committed the crimes. The evidence was black and white and the jury declared him guilty of first degree murder. The psychologist even showed that he was sane when he performed the murders and he remains sane today. If he is released from prison he will likely murder again.

On the witness stand observers said he showed no emotions and no remorse at all for the crimes. Now he will spend the rest of his life in a federal prison. Canadians are hopeful that Bernardo will not have the chance to murder again. However, they are sad he was given the chance to live while the innocent were not.

Opponents of capital punishment firmly state there is no need for any debate because the homicide rate in Canada is decreasing. The opponents may be correct in this statement according to Stats Canada. However the category of homicide includes first and second degree murder, manslaughter and infanticide. At the same time we checked that no person either in Canada or in the United States has ever been given the death penalty for a non-capital crime; that is, only those who commit first degree murder can be given the actual death penalty.

The vote on capital punishment in 1987 was not fair. The vote clearly did not represent the real wishes of Canadians. Members at that time did not consult with their constituents sufficiently. They simply came into the Chamber and voted for what they wanted. That historical action has never been accepted by the public as legitimate. Manipulation was rampant and every conceivable arcane rationalization was used by members to justify their vote. It was a day when the elected left their constituents behind and went their own way. We have suffered the consequences for the justice system ever since.

That is where Reformers are different. Not only do we try and listen to what the masses are telling us, we endeavour to put their words and aspirations into concrete action.

The motion is simple:

The government should support and work toward enabling legislation for a binding referendum on capital punishment to be held concurrently with the next federal election.

Let the people speak. The Prime Minister has enough excuses to ignore such a plea. There would be little extra cost since it would concur with the next election. Individual members of Parliament would not have to worry about party lines. The people of Canada would simply decide. There would be no blame on an individual political party since the people would be given the chance.

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Capital punishment is a special case of law making that transcends party politics. The Reform Party has no official position on the topic. However, a Reform government would be humble enough to bow to the will of the mainstream. Every voting citizen must examine their own conscience and solemnly enter that booth and make a choice for themselves for the kind of society they want to give to their children.

My appeal today is for democracy. My appeal today is for a referendum.

I now seek consent of the members present to have Motion M-431 referred to the Standing committee on justice for further examination.

The Deputy Speaker: Members have heard the terms of the motion. Is there unanimous consent to accept the motion?

Some hon. members: Agreed.

Some hon. members: No.

Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.): Mr. Speaker, in introducing this motion our colleagues from the Reform Party, the members for North Vancouver and Surrey—White Rock—South Langley, have argued capital punishment is necessary to protect the public against murder and that it should be re-established in Canada at least as an option. They also argue we should have a referendum at election time to decide this issue.

• (1820)

There is no doubt murder is a most serious and heinous crime, perhaps the worst crime we have on the books. We should do everything possible to reduce the rate of murder and protect the public from violent crime.

Capital punishment will not accomplish that goal. There is overwhelming evidence that capital punishment is not effective in controlling murder and protecting the public. The American states that have brought back capital punishment, particularly the southern states of Texas, Louisiana and Florida, have the highest murder rates in the United States and much higher than countries such as Canada and those in western Europe which do not have capital punishment.

The United States is the only country in the western world that has capital punishment. Capital punishment was brought back in those states following an American Supreme Court judgment in the middle 1970s. While the murder rate in those states has decreased in a minor way in recent years it is still much higher than in states without capital punishment. That we have lower rates in non-capital punishment states does not mean it is the result of not having capital punishment, but rather the result concentrating on other measures to reduce violent crime.

In Canada the rate of homicide is a little over 2 per 100,000 population, whereas in the states of Texas, Louisiana and Florida it is about 10 per 100,000 population. In western Europe it is about 2 per 100,000 population as well, with some countries at less than 2 per 100,000.

If capital punishment is argued as a means of protecting the public, it is not protecting the public in Louisiana, in Florida, in Texas and those other American states where capital punishment is there for that very reason. All one has to do is visit those states to find out.

When I went to New Orleans I was told not to leave the French Quarter. I was told not to go out at night because there were so many murders in that city. It is a sad thing because it is a beautiful city.

Capital punishment is not an effective means of protecting the public. Furthermore it is seriously objectionable on other grounds. For example, it is irreversible when a mistake is made and there have been mistakes. At least if somebody is convicted of murder and is sent to prison for life he or she can be released if later proven not guilty. Such was the case of Donald Marshall and others. In Britain such was the case with the Guildford four. There are many cases around the world in which this happens. When this happens they can be released from prison and given some damages, some compensation. Once a person is executed it is game over.

It is objectionable in that it has always been applied in an inequitable manner. It has always been applied more heavily on minorities, on the poor, on immigrants, on the illiterate. Those who have had the big lawyers, the great court pleaders, these outstanding lawyers who cost a lot of money, have got off. Those who have not been able to do that have not got off. I could refer to a case in the United States right now but I will not.

My colleagues from the Reform Party referred to statistics in the United States. Of the total number of murders committed there only a small percentage of those convicted, although it is a high number in total terms, have been executed. That points out the inequity of the whole system.

If left as an option in Canada we would have gross inequities. It would mean one murderer in one province would probably be executed and one in another province for almost the same crime would not be executed. There would be great unevenness in the application of this most serious irreversible penalty.

• (1825)

The motion calls for a referendum on these matters. I am not opposed to referendums in principle, but they are not provided for in our constitution as a means of legislating issues and they are not traditional in the British parliamentary system. In our system we are elected to office to represent the people, certainly to consult with them, to consult the evidence, to look at the facts, to inform ourselves, and then make a decision in the best

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interests of the public. The parliamentary system is not a system by referendum.

We have had three so-called referendums at the federal level in Canadian history, one on prohibition of liquor, one on conscription, and one on the Charlottetown accord. They were all advisory; none of them was binding. As a matter of fact, in the one on conscription and the one on prohibition the government of the day did not slavishly follow the results of the referendum. As a matter of fact, in the conscription case, although the country overwhelmingly voted yes for conscription, we ended up with a system where there was only conscription for service in Canada.

In any case, we have no system of binding referendums in this country. But if we are going to decide questions by referendum then it should be done according to a policy and not simply on an ad hoc basis. A referendum cannot be called only when you think you are going to win the case.

For example, would the hon. members in the Reform Party call for referendums on gun control or on medically assisted suicide? I notice that while they slavishly follow the polls with respect to who wants capital punishment, they ignored the popular polls with respect to gun control and also ignored the polls with respect to medically assisted suicide.

If we are going to have referendums we have to decide by policy or by legislation what matters are to be decided and not simply call for them when we think we are going to win. That is no way to run a government.

Mr. Calder: That is government by opportunism.

Mr. Allmand: My hon. colleague says that is government by opportunism, and that is what it is: if you think you can win a referendum you hold one and you do not call for it when you think you will not win. For example, would this Parliament or the people of Canada be willing to have a referendum on the GST or unemployment insurance or other difficult issues?

The Reform member spoke about keeping horrible murderers in prison at public expense. When we take the total number of inmates and divide it into the total cost of our prison system, it comes to about \$50,000 or \$60,000 a year for the most serious criminals. I know Reform members understand arithmetic. This does not mean that if one criminal is executed we would save \$60,000, because there are fixed costs in the system. If we are really going to save money we would have to execute about 100 criminals a year, I would surmise. Then we could close a prison. Most of our prisons hold about 300 or 400 inmates. If we were really going to save any money we would execute about 100 a year to save a decent amount of money. If we were to start doing that we would rank with the Republic of China in executions. The countries that led the world recently in executions were

South Africa and China. We would join that select club if we were to simply execute people to save money.

If we in the House are really serious about protecting the public from violent crime then we have to concentrate on preventive measures, concentrate on measures directed to the causes of violent crime. Capital punishment is a measure to be applied after the murder has taken place. It is a post factum penalty. Penalties are necessary in our criminal law. As I said, we should not have this extreme penalty because of the many objections to it. While penalties are necessary, they will not solve the crime problem. We will solve the crime problem by concentrating on measures to prevent crime and measures directed at the causes of crime.

In conclusion, we cannot convince a society that it is wrong to take a life when the state is ready and willing to take lives.

There are many more arguments and many more aspects to this debate, but we cannot cover them all in 10 minutes.

• (1830)

[*Translation*]

The Deputy Speaker: The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(1), this item is dropped from the Order Paper.

ADJOURNMENT PROCEEDINGS

[*Translation*]

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

AGRICULTURE

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, the word is out: Federal goodies are on their way to Western Canada. Cheques for a total amount of \$1.6 billion are being or will be sent directly to grain producers in the Prairies. This compensation for the loss of western grain transportation subsidies gives and will give western producers an unfair edge over farmers in Eastern Canada, especially in Quebec.

Many grain producers are taking advantage of this windfall to diversify production and flood Quebec with their products. Since part of the compensation is paid for through taxes they pay to Ottawa, Quebecers may be doubly penalized. Here is an example. Quebec's subsidies for industrial milk are being cut by

30 per cent, with no compensation for dairy producers in that province: clearly a double standard.

Last Friday I was in Princeville at an auction of slaughter calves. I met a producer from my riding, Gérald Turcotte, who explained in his own words how Quebec was being used by the rest of Canada. I will repeat what he said. Canada is so anxious to keep us because we pay well and do not take much money out. Imagine, he said, a farmer with ten Holsteins. Three are very good milkers: Ontario, Quebec and British Columbia. One of these cows eats little, is not a picky eater, requires little attention from its owner, is rarely sick, does not go outside the fence, is very docile, returns to the barn in time for morning and evening milking. In short, this cow is the best of the herd.

You will understand, Mr. Speaker, that the farmer would not let this famous and profitable cow go for all the gold in the world. Quebec too is very profitable for Ottawa and the rest of Canada. However, it is the victim of injustice: National Defence contracts, research and development funding, expenditures by the department of agriculture in Quebec that are lower than the economic activity generated by the sector. Quebec is therefore not getting its fair share of federal investment. Since 1984, its share has been only 15.9 per cent, despite the fact that the population of Quebec represents 25 per cent of Canada's population and that Quebec provides 23 per cent of federal revenues.

Quebec has never received more than 19.1 per cent of the federal government's expenditures on goods and services. In 1992, for example, the federal government spent a total of \$31.2 billion with only \$5.9 billion in Quebec, which represents 18.9 per cent. This figure is 6 per cent less than our demographic load. I have tonnes of such examples.

Yes, my friends, Quebec is very profitable for the rest of Canada. For the rest of Canada as it stands today. Quebec, as Gérald Turcotte put it so well, is a fine cash cow for Canada.

This is why we are not being allowed to have a tool box of our own so that one day we in Quebec can build our future as we ought, pass our own legislation, sign treaties and collect our own taxes.

[*English*]

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri-food, Lib.): Mr. Speaker, agricultural

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subsidies have been reduced as part of a broad government effort to reduce the deficit. However the government has taken great care to ensure that all regions and sectors of the industry have been treated as fairly and equitably as possible.

The western grain transition payment program and the western grain transportation adjustment fund will be used to partially offset the potential disruption that may result from the removal of the western grain transportation subsidy. The removal of the feed freight assistance program in eastern Canada and parts of British Columbia is being accompanied by a \$62 million adjustment program.

The impact of the repeal of both the Atlantic Region Freight Assistance Act and the Maritime Freight Rates Act in eastern Quebec and Atlantic Canada is being eased by a transition assistance program of \$326 million.

An adaptation fund of \$60 million per year on average will be used to help meet future adaptation requirements. The government has set aside \$17 million a year for the next four years from the adaptation fund to address concerns regarding the impacts of the reform of transportation subsidies in eastern Canada.

The answer to the hon. member's question is yes, there are funds available to address eastern Canadian farmers' concerns about transportation reform. The government is reducing the dairy subsidy by 15 per cent for each of the next two years. Thus at the end of two years the subsidy will still be at 70 per cent of the levy, where it is today. The continuation of the subsidy provides producers with a source of funds that can be used to ease the transition into a more market oriented system.

The government has ensured that all farmers, in fact all Canadians, are sharing equally in the responsibility for deficit reduction. The package of subsidy reform is fair and balanced with respect to different situations, different regions and different sectors within the Canadian agriculture and agri-food industry.

The Deputy Speaker: Pursuant to the standing orders, the motion is now deemed to have been adopted.

[*Translation*]

Therefore, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.37 p.m.)

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