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Friday, June 10, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Friday, June 10, 1994

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

ENVIRONMENT

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment) moved:

That the Standing Committee on Environment and Sustainable Development be designated as the committee referred to in section 139 of the Canadian Environment Protection Act.

She said: Mr. Speaker, I am very pleased to lead off this debate in Environment Week on the referral of the Canadian Environmental Protection Act to the Standing Committee on Environment and Sustainable Development.

The review itself is required by provisions of the act passed by Parliament in 1988. By moving this motion today our government is meeting our legislative duty, but we are also meeting another duty with this motion. We are keeping a promise we made to Canadians in the red book to give parliamentary committees more power in policy development and to allow members of Parliament more say in the development of laws that affect their constituents.

[*Translation*]

This motion makes no reference to the mandate, the reason being that we have decided to let the parliamentary committee draft its own mandate. The committee will have the latitude to decide on its own the scope of its review of the Canadian Environmental Protection Act. The government will not be recommending an approach. This will be for the committee to decide.

(1005)

We will not force the committee to choose from a series of options. We want members from all political parties to play a legitimate role in protecting our country's environment.

[*English*]

The review of the Canadian Environmental Protection Act is the first statutory review of an act undertaken by a parliamentary committee since the election. The Minister of Health and I who have joint responsibility for this legislation believe this is an excellent opportunity to provide individual members of the House of Commons with a greater voice in drafting our laws. This is an innovative approach, an experiment which we are confident will bear positive results.

[*Translation*]

The Minister of Health has occasionally had some differences of opinion with Bloc and Reform members, just as I have had, although I must admit that I have been impressed with the keen interest of the committee members, regardless of their political affiliation, in environmental protection. I know that the committee's contribution to the process will be quite significant.

I cannot begin to count the members of our Liberal caucus who have shown tremendous enthusiasm for, and extensive knowledge of, the issues.

[*English*]

The Canadian Environmental Protection Act was passed six years ago to respond to a number of concerns: the need to control toxic substances; the need to prevent environmental harm; the lack of coherence among federal laws; and the inadequacy of enforcement.

Since the passing of the act six years ago our understanding of the importance of sustainable development and biodiversity has increased dramatically. Throughout Canada and indeed the world there is an increasing desire to move from merely controlling or cleaning up pollution to preventing it in the first place.

Just as there is a heightened awareness that economic and environmental policies must be integrated, so there is a new appreciation that we must take an ecosystem approach to issues of air, land, water and living organisms. There is a widely held commitment to link issues of environmental health with issues of human health. There is a range of new international agreements to take this into account, agreements which affect the environmental health of our planet and more particularly the health of human beings. They must be considered when we review national legislation.

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I believe there is a new-found willingness among all levels of government in Canada to get our own act together through proper environmental practices and elimination of duplication and waste.

The Canadian public, the people of Canada, are demanding more information and more say on environmental protection. Green consumers are prompting the development of green technologies and green services, and those technologies and services are leading to exciting new possibilities for Canada in the realm of sustainable development.

The review of the Canadian Environmental Protection Act will allow a great opportunity to consider all these important new developments, in particular pollution prevention.

[*Translation*]

The parliamentary committee will give the provinces and territories, ecology groups, industry, labour unions, workers, natives and all Canadian citizens an excellent forum in which to voice their opinions of the handling of current environmental protection issues.

With this goal in mind, the committee will hear from Canadians, who will also have the opportunity to submit their views directly to their members of Parliament. You are undoubtedly aware, Mr. Speaker, that the Canadian Council of Ministers of the Environment has made remarkable progress in harmonizing environmental management practices in our country.

This work is the final stage in the parliamentary review process. Through the invaluable cooperation of provincial environment ministers, we have eliminated some instances of duplication which are costly to the taxpayers, which drive responsible companies crazy and which make it virtually impossible to penalize polluters.

The success of the CCME will be a great inspiration to the parliamentary committee as it goes about its work. However, I want to make myself very clear. This parliamentary review will not stop the government from following up its red book commitments.

In our view, these commitments lend support to the work of the committees and reflect the desire of all Canadians to enjoy a prosperous economy and a healthy environment.

(1010)

In fact, only yesterday we announced an expanded plan to protect North America's wetlands that will benefit wetlands species as well as the communities depending on wetlands for their livelihood.

The Minister of Industry and I are now working on an environmental industries strategy. The Minister of Finance has also undertaken with me a full review of obstacles to sustainable development and a study of new economic tools likely to promote good environmental practices.

The Minister of Foreign Affairs has already announced major Canadian contributions to environmental initiatives around the world.

[*English*]

All of these actions and others we have taken and will take are a sincere effort to make sure that we promote the twin goals of improving our environment and our economy. The government is acting quickly in areas where we believe action must be taken, but none of our actions should preclude the parliamentary committee from suggesting realistic improvements. All members of Parliament clearly want the government to take measures which safeguard the environment, create new jobs and encourage national and international co-operation.

In that spirit of co-operation, this summer I will be seriously reviewing the recommendations of the parliamentary committee for the federal commissioner of the environment and sustainable development. I have already had some preliminary discussions with the chair of the committee on that particular issue and we are encouraged that we will move quickly on a number of the recommendations.

[*Translation*]

Today, I am also pleased to table an outline of the issues to be considered by the committee. This document sets out in simple and objective language a rather exhaustive list of the concerns expressed about our Environmental Protection Act. It also summarizes a number of major developments that occurred in this country and abroad since our current law was adopted.

This document should give interested members and other Canadians a general idea of the range of problems to be taken into account if and when we decide to amend the Environmental Protection Act. It should not restrict in any way the issues that the members will want to examine. In fact, officials from the Environment and Health departments will be on hand to provide the committee with documentation on any other subject it deems important. Environment Canada and Health Canada employees will be there to help the committee as it sees fit.

[*English*]

To be a further help to the committee, the government will provide members with an independent assessment of the administration of the act. The committee will have an opportunity to consider a variety of mechanisms to advance pollution prevention, from voluntary actions to market based concepts, to mandatory rules.

There have been important international changes since the act was first introduced, from the climate change convention to the convention on biological diversity, to a number of other international agreements. Members of Parliament will have the opportunity to examine the scope and complexity of these recent

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international agreements and how they should influence changes within Canada.

The committee will be free to examine whether there are alternatives to court action in order to obtain speedy and effective results for obeying the law.

I know members of Parliament will not shy away from the thorny issues. From coastal zone management to environmental protection on reserve lands, in tackling these issues I know members of Parliament will listen first and foremost to the people who are affected by those difficult issues, be they representatives of First Nations, representatives of resource management, or others.

[*Translation*]

The government sincerely wants to hear the committee's advice on major pollution prevention issues, from prevention plans to the right of citizens to be informed, to technical assistance.

The parliamentary committee will probably want to consider seriously whether we can do better in preparing for and preventing environmental disasters.

Members have good ideas, and so do other Canadians. We want to listen to them. We want the parliamentary committee to make recommendations to strengthen the Canadian Environmental Protection Act, and recommendations are more than welcome.

(1015)

Pollution prevention and sustainable development must remain national objectives. Our standards must be fair, firm and enforceable. The review of our environmental legislation must be an open and transparent process. We must find ways to give the public better opportunities to be heard and to hold governments accountable for their environmental decisions. We must also find ways to move from an approach based on reaction and restoration to one focused on the prevention of environmental problems.

The committee will be free to tell the government how it thinks we can encourage people to make responsible environmental decisions, thus protecting us for generations to come.

[*English*]

The government's only requirement is that the committee report back to Parliament within the next 12 months so we may have an opportunity to respond to its report and to act on it forthwith.

Members of Parliament are of course free to criticize the government and I know they will at any time. However I am sure that when we launch this initiative with the committee of the environment on sustainable development, the committee members will take this initiative to work together to produce a world class review of the Canadian Environmental Protection Act. It is

an issue on which we have a real chance at winning a better future for our children.

[*Translation*]

Mr. Jean-Guy Chrétien (Frontenac): Mr. Speaker, at the request of the Minister of Environment, the Standing Committee on Environment and Sustainable Development will review the Canadian Environmental Protection Act.

Having considered creating an environment commissioner position and having examined the Wildlife Act as well as the legislation concerning migratory birds at length, the committee will now devote itself to reviewing this extremely complex act over the coming year.

When the CEPA was passed, it stirred up passionate debates, and it is to be expected that they will be every bit as heated during this first review which, by reason of its scope, includes many aspects which are not regulated and emphasizes structural problems within the Department of Environment.

Initially, this act was intended to fill regulatory gaps in certain environmental matters, particularly with regard to toxic substances, the consolidation of federal environmental statutes and performance improvement of the federal government in the area of environment.

The act is also aimed at enabling Canada to fulfil international commitments. This review following the first five years of operation of the act is automatic and mandatory. Pursuant to section 139 of the Act, its administration must be reviewed by Parliament within five years after enactment.

The CEPA came into force in 1988. The primary objective of this act is of course to protect the environment, but also to protect human health. That is why both Environment Canada and Health Canada are involved. Given the diversity of aspects to be reviewed, Environment Canada's evaluation directorate commissioned a study by Resource Futures International for this first review. The firm presented its report to the department's audit and evaluation committee on December 17, 1993, as well as at the January meeting of Environment Canada's Management Board.

(1020)

According to Environment Canada officials, this impartial report will give us a better idea of many aspects of the application of the Act. For those not familiar with the Canadian Environmental Protection Act, such a report shows us the shortcomings in this law. It examines, among other things, the effectiveness of the particular management mechanisms and provisions for implementing CEPA.

I noted the points in this report which I think give us a clear idea of possible problems. It is important to begin by noting a particular feature of this law. Despite what one might think at first, CEPA cannot be called an anti-pollution law, even though it brings together previous federal laws on dumping waste at sea and air and water pollution. Let me explain that many federal and provincial laws already regulate polluting activities. CEPA's

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scope is thus limited since it cannot deal with these activities that are already regulated.

You may suppose that this overlapping regulation by the provinces and the federal government concerns me as a member of the Bloc Québécois. I therefore read with interest the report's analysis of federal-provincial relations. Since environmental jurisdiction is not clearly defined in the Constitution, I am not telling you anything new when I say that the expanded environmental activities of both levels of government since the 1980s have created some tension.

In the beginning, the Canadian Environmental Protection Act contributed to this tension by increasing the federal presence in a field that was largely a provincial responsibility. Nevertheless, it seems that the disruptive intrusion feared by the provinces has not occurred. CEPA provides three mechanisms to harmonize federal and provincial responsibilities for environmental protection, but we are told that two of them are not yet in effect, so it is hard to assess how effective they will be.

Nevertheless, the report maintains that the many difficulties faced in negotiating equivalency agreements suggest that the mechanism is not effective in its present form. The report says that even if the law has already been harmonized with respect to the regulatory approach for certain matters, difficulties in co-ordinating federal departments, as well as the federal and provincial governments, still persist.

However, one body seems to be making quiet progress. It is the federal-provincial advisory committee whose members say that they are satisfied with the way it operates. Nevertheless, we must be careful not to mistake this attitude for provincial agreement with the status quo. Some provinces wonder if it would not be appropriate to merge this committee with the environmental protection committee.

(1025)

While we are on the subject of provincial jurisdiction, I should mention that the uncertainty about the future scope of federal jurisdiction in the field of environmental protection will probably have an impact on the implementation of the Act.

In recent years, the political climate has undoubtedly had the effect of slowing things down in terms of implementing regulations whose scope is close to that of the provinces' jurisdiction.

However, provinces must be involved in the process, since in these times of budget cuts, Environment Canada does not have sufficient resources to take full responsibility for the implementation of the Act, as pointed out in the same report. Needless to say that separating these regulations is like walking on eggs.

A thorough review of this issue by the committee is absolutely essential. It is true that environmental issues transcend boundaries, but this is no reason for the federal government to interfere in provincial affairs.

Each province can define its own policies and then conclude agreements with its neighbours. I want to point out another aspect of the report which is very interesting, namely the ambiguity of Environment Canada's mandate. On the one hand, this department must promote sound environmental practices and encourage businesses to implement them, while on the other hand, it must take action against offenders.

In other words, Environment Canada must say what should be done, but it must also take action if it is not already done. In the end, the department finds itself sitting on the fence. Generally speaking, the evaluation report contains the following conclusions.

The first one is that since the Canadian Environmental Protection Act does not cover all environmental aspects, its impact is limited. The second conclusion is that the government has not yet looked at all the problems targeted in the Act because of administrative decisions made concerning priorities. Third, it is too early to tell whether initiatives taken under this legislation have been directly responsible for improving health or the environment, except in a very limited number of cases. However, although we do not have extensive knowledge of the many aspects of the question, we could at least consider these three observations and try to find effective solutions to correct these problems.

Another point is that, apparently, it was not easy to evaluate how well the legislation functioned during the first six years it was in effect. The firm that conducted the study maintained it was very difficult to evaluate results, because the information required to evaluate the impact of this legislation was not already assembled with a view to establishing a connection between cause and effect.

However, the real problem is the absence of specific objectives in the legislation. Many were of course formulated during the past five years, but they were not regrouped to reflect specific priorities. We must not fall into the trap of evaluating the success of the CEPA on the basis of the number of activities it has generated rather than the results obtained. In that case, our conclusions and recommendations would be superficial.

(1030)

Another interesting point raised in the report was the public's perception of this legislation. It seems there is a substantial gap between the actual impact of the legislation and the way its benefits were extolled to the public.

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Expectations were very high because the powers provided under this legislation were not clearly explained to the public. It will be difficult to establish the level of satisfaction from statements that are made before the committee.

The report says that many environmental groups were very disappointed in the federal government's efforts to pass strict environmental legislation through the CEPA. They may be right or perhaps they overestimated the powers provided under this Act. However, the crux of the problem is quite straightforward, as presented in two fundamental questions put in the report.

The first question: Does the Canadian Environmental Protection Act allow the federal government to do what must be done about the environment? The second question: Does the federal government administer the Canadian Environmental Protection Act in an effective way?

As soon as we can answer both questions in the affirmative, we will have done our job. I intend to concentrate on the second question, because in my opinion, it is crucial. We can revamp legislation as much as we like, but if Environment Canada does not have the human and financial resources to implement the legislation, we are no further ahead.

According to an historian who has looked at how the Department of the Environment has progressed over the years, progress and effectiveness are limited by four factors.

First, the department's inability to establish and implement strict observation procedures; second, cuts in staff responsible for research and investigations and an increase in their workload; third, the element of uncertainty in federal-provincial and interdepartmental relations; and fourth and last, insufficient knowledge of the economic and legal aspects.

I am therefore doubtful as to the real impact of any recommendations or changes we might make with respect to the Canadian Environmental Protection Act. It is all very well to have plans, but if you cannot implement them they are not going to help the environment very much.

My point is that it seems, from the information I got from various sources, that the Department of the Environment is poorly equipped to enforce the legislation. I will repeat that: It seems to me that the Department of the Environment is poorly equipped to enforce the legislation.

I will give you a very concrete example which supports these allegations. During a sitting of the Standing Committee on the Environment and Sustainable Development, my friend and colleague, the hon. member for Terrebonne, questioned the deputy minister on the ability of Environment Canada to adequately enforce the legislation.

(1035)

The senior official explained to us that the department does not have the resources to fully enforce all the provisions contained in the legislation, that resource allocation to departments is done by the cabinet and Parliament. Therefore, technically, the minister, despite all her goodwill, cannot fully enforce the Canadian Environmental Protection Act. The same senior official also said that the Act is rather soft.

The logical conclusion is that we do what is specifically required by the legislation and we neglect the rest. The question I ask myself is this: To what extent can we make this evaluation effective? There are two alternatives. Either we relax the legislation, keeping only what the department can do, to have a real idea of the impact of the legislation, or we provide the department with legislation so good that cabinet will have no choice but to give Environment Canada what it needs to act.

This last alternative is by far the preferred one. The only way to adequately protect our environment is to put pressure on the mandarins in the finance department. However, with the creation of the job of environment commissioner, I fear that we might be told to limit the scope of the CEPA since some of its provisions will likely be in the environment commissioner act. However, the CEPA is probably the fundamental instrument of environmental protection and it is crucial to evaluate its first six years to be able to refine it.

It is very difficult to assess the results since the necessary data to evaluate the impact of this Act are gathered in such a way that it is impossible to link cause to effect. This review and the approach taken prove that it is essential to take all the time needed to make the legislation efficient. All I can do this morning is ponder over the themes which will lead our committee's reflection.

I hope that when I come back here next year to present our comments, I will be thoroughly convinced that I have contributed to advance the cause of environmental protection. In conclusion, I must say that I am pleased to see that the Minister of the Environment seems to be willing to let the committee on the environment and sustainable development play a greater role. I see that most committee members are in the House today. I recognize our chairman, the member for Davenport, and as the Official Opposition, we can already assure the standing committee of our complete co-operation in this review of the legislation which is the cornerstone of the Department of the Environment.

(1040)

My colleague, the member for Brome—Missisquoi, was telling me last night that he went to the Imax theatre to see "The Blue Planet" and that it gave him a lot of food for thought. When we watch programs of that kind and read about this issue, we realize that on this blue planet of ours, we are all in the same

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boat, we breathe the same air, we drink the same water. Since the creation of earth, the quantity of water has not changed.

As the great scientist Lavoisier said, matter is neither lost nor created. Of course, there is the natural cycle, like the cycle by which water purifies itself. Yesterday, all newspapers carried a Canadian Press report which said that Canadians were the fifth-largest consumers in the world and thus Canada is the fifth-largest producer of waste per capita. Canada is tied with the United States as the largest producer per capita of carbon dioxide, CO₂, a polluting gas which causes the greenhouse effect and global warming.

As the member for Lachine—Lac-Saint-Louis said in a speech, the greenhouse effect and global warming could wipe out some countries because it will melt glaciers and cause the sea level to rise. Low lying countries and islands could eventually disappear.

We are all together on this planet and we must pull together. We must reach out to one another. I would remind the Minister of the Environment that we must reach out to one another but that she must still be careful to respect others' jurisdiction. We as members of the Bloc will always make sure that Quebec's jurisdiction is respected. There can be agreements similar to those we have signed with the United States like the International Joint Commission for the Great Lakes. That can be done with Quebec, of course. It can be done now, as equal partners.

I encourage the environment committee, especially its chairman, to assess the Canadian Environmental Protection Act with all the wisdom for which he and his committee are known.

[*English*]

The Acting Speaker (Mr. Kilger): I remind the House that as we pursue this debate, members who will now participate will be limited to 20 minute interventions, of course subject to a 10-minute question and comment period.

Mr. Bill Gilmour (Comox—Alberni): Mr. Speaker, I am pleased to have this opportunity to speak on this motion before the House. I was particularly pleased to see the minister respond personally to this bill.

Canada's environment and natural heritage give Canadians a sense of pride and ownership. With that comes the responsibility to protect our environment for future generations as well as the obligation to clean up the ills that we have done in the past.

Protection of the environment in human life and health is clearly the top priority of any government. The relationship between the environment and the quality of Canadian life and the economy is integral and inseparable. The Canadian Environmental Protection Act is Canada's act respecting the protection of the environment and human life and health. It was proclaimed in 1988.

(1045)

CEPA replaces and incorporates several previously existing acts such as the Environmental Contaminants Act, the Ocean Dumping Control Act and the Clean Air Act. To summarize, CEPA gives the federal government authority to regulate toxic substances throughout their life cycle; establish environmental quality objectives, guidelines and codes of practice; regulate cleaning agents, nutrients and water conditioners; regulate waste handling and disposal practises, emissions and effluents for federal departments, crown corporations and federal agencies; and control of ocean dumping.

The main purpose of CEPA is to keep toxic substances out of the air, water and soil. For example, the law makes it illegal to dump anything into federally regulated waters that could harm fish. The act also regulates a list of toxic substances. Included are provisions for penalties and enforcement. Currently the maximum fine is \$200,000 and a six-month jail term.

When it was proclaimed six years ago the Conservative government bragged that it was the toughest environmental law in the western hemisphere. Yet according to several sources, including the final report on CEPA of December 1993, this has proven to be quite an exaggeration. I will address some of the concerns raised in the final report a bit later.

Included in its provisions was a section stating, as the minister has noted, that the act must be reviewed every five years. In fact that is why we are here today. Given the significance of the act this clause is crucial as it allows the government the opportunity to examine, evaluate, critique and amend where necessary sections of the act which hinder its successful implementation.

The question which now needs to be asked is how are the various activities under the act contributing to achieving the protection of the environment and human life and health? We need to examine whether the act is fulfilling its original intentions. Is the act being administered effectively? What is working and what is not working? This is what has to be looked at in committee.

I would like to take the opportunity to look at some of the criticisms of the act which I hope will be brought forward during committee and seriously addressed if necessary in the revisions to the act. Uncertain areas of federal and provincial jurisdiction with environmental issues remain one of the biggest challenges in regulating and enforcing environmental laws. This seems to have played a role in CEPA's performance over the past six years.

Environmental problems rarely respect geographic or jurisdictional boundaries. Environmental problems are never just regional concerns as what impacts one end of the country may affect us all. However the division of powers when dealing with environmental concerns is not always clear. Federal and provincial areas of jurisdiction have remained a complicating issue with the legislation. There is no explicit mention of environment in the division of powers laid out in the Constitution

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Act, 1867. In practice jurisdiction has been shared among the various levels of government. This partnership in responsibility is vital to the successful implementation of national environmental policies and objectives.

While the final CEPA report addresses this concern, the report points out that the lack of enforcement of this act may be due to uncertain constitutional grounds for federal action in this area.

One of the basic concepts behind CEPA was the promotion of federal-provincial harmonization. One way of promoting this was the development of working agreements among the federal and provincial governments. Equivalency agreements were to maximize efforts while minimizing overlap and duplication. This would allow both parties to achieve the desired results, protection of the environment and human health most effectively, while at the same time saving money.

Yet after six years only recently has the first agreement been signed with the province of Ontario. It has been suggested that perhaps equivalency agreements should focus more on equivalent efforts rather than on equivalent results. This is another area of the act which needs to be scrutinized. The development of working agreements with provincial environmental enforcement officials needs to be pursued more fully and more effectively. Federal-provincial overlap concerns must be addressed in this review and resolved as it is one of the recommendations in the final CEPA report.

(1050)

Another area of federal-provincial overlap which needs to be addressed is that of regulations and policies and the provinces. The preliminary findings of the regulatory review noted overlap with the provincial regulations concerning asbestos mills and mines, release regulations, secondary lead smelter release regulations, storage of PCB materials and ozone depleting substance regulations.

There are two sets of regulations which is one set too many. We must work toward one clear set of regulations as a second set not only complicates matters but weakens the efficiency of both the federal and provincial regulations. Both parties have the same common goal and as such the two levels of government must co-ordinate their efforts and work together.

It appears that the implementation of the act has also been slow at the start with the priority substances list. Back in 1988 the act provided for the compilation of the list. The priority substance list was intended to identify chemicals and other materials that required urgent assessment and evaluation in order to determine their toxicities. Once the toxicity was determined regulations were then to be recommended. Forty-four chemicals were identified as priorities for assessment on the priority substances list. Yet three years after the act was passed only two had been fully identified. Even as recent as this

February it was reported that the list of 44 chemicals was still awaiting assessment.

This week I learned from the environment department that of the 44 chemical substances approximately 33 had been assessed and reported. Yet information to properly assess the 11 remaining substances was still inadequate. This delay in chemical assessment and reporting needs to be evaluated as it is critical to the development of regulations and recommendations that guide the implementation of the act.

Toxic substances must be identified before they can be regulated. It is hoped that 100 chemical substances will be evaluated by the year 2000. That is 56 substances in six years or almost double the number which the department has barely managed to assess in an equivalent time. This is an issue which the committee will need to address carefully to get at the roots of this matter.

Not only the assessment of toxic substances but also the definition of toxic appear to be areas which may warrant further examination. Critics have noted that toxics are defined too narrowly in the act. One problem with this narrow definition has been its failure to deal with environmental emergencies. Perhaps an expanded definition may allow for greater application of the act. As a result this is certainly an area for discussion.

Another area of CEPA which needs to be addressed is that of its ability to address the harm that toxics cause to the environment and human health. CEPA needs to move forward to a more proactive position. Policies to date have been largely reactive.

One aspect of the act which I have mentioned is the regulation of the discharge of toxic substances. The act needs to take the next step forward and focus on discouraging the manufacture and use of these toxic substances. Rather than constantly cleaning up our mess afterward, we should stop making it in the first place. This will be an area on which the review should concentrate.

One of the main criticisms of the administration of CEPA has been the enforcement of its regulations. Out of more than 5,800 inspections carried out from June 1988 to March 1990, 300 violations were found. Of these only five companies or individuals were successfully prosecuted on nine charges. The average fine was less than \$3,000.

Following this track record, the auditor general made recommendations in his 1991 report that Environment Canada needed to make enforcement and compliance with its regulations top priorities. The report also noted that clear levels of compliance needed to be established. Yet a year later the auditor general in his 1992 report noted that the previous year's recommendations had not been carried out. The 1992 report emphasized that standards of environmental quality were still lacking. There was still a lack of knowledge surrounding the whole issue of compliance and enforcement. The department seemed unable to provide the facts on how well the act was being implemented, how many businesses and individuals were complying with the laws, where enforcement was necessary and who needed to be prosecuted. Four years after its enactment it was not possible to assess the effectiveness of these existing regulations.

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(1055)

In 1992 the department investigated 103 cases of polluting in the 12 months ending March 31, 1992 but only prosecuted 20 cases. A recent report notes that Environment Canada lays fewer than 30 pollution charges a year in the entire country. Most polluters are let off with warnings.

The auditor general's report of April 1990 to March 1991 stated that legislation and regulation were only as good as their enforcement. However when examining the act I should emphasize that this may not be the direction we would necessarily take.

Enforcement is not the key word here; it is compliance. A law may only be good if it successfully punishes the individual. However it is better if it deters the individual from breaking the law or, even better yet, if it encourages the individual to follow the law. The effectiveness of CEPA must be measured in its level of compliance.

This is the old carrot and stick principle. It is much better to lead the donkey with the carrot than to beat it with a stick. Not to confuse people with donkeys, people should be much more willing to comply with incentive than to be focusing their efforts on not getting caught.

What needs to be looked at here is how we can build incentives around the act as with all environmental legislation and principles. The December 1993 CEPA report makes many excuses for the lack of enforcement of CEPA. This says to me that something is drastically wrong. The difficulty is targeting what it is so that we can fix it.

Some environmental groups have complained that this law is not tough enough and needs a major overhaul. CEPA has been called toothless because it is so seldom enforced. Even a former policy adviser with the department called the approach wimpy as it allows industrial polluters to continue contaminating places such as the St. Lawrence River.

As we look at the bill we need to ask the question is the act not stiff enough or is the act not being enforced? There are three possibilities: first, that the penalties are too lenient; second, that the enforcement is inadequate; or, third, that there is not too much wrong out there at all, which I rather doubt. This enforcement dilemma should be examined in detail and I look forward to doing that in committee. The final report includes many excuses for its lack of implementation. Some of these excuses contain some valid concerns.

In conclusion, I would like to say that environmental laws can no longer be just reactive; they must be proactive. This

philosophy must be applied to all our environmental legislation if we are to achieve our goal of sustainable development. We must leave this planet to future generations in better condition than we inherited.

There are many concerns with CEPA that will be addressed. Some of the concerns I have mentioned, and it is not a comprehensive list, included federal-provincial overlaps, the priority substances list, and issues concerning enforcement and compliance of the act.

Over the next year as a member of the Standing Committee on Environment and Sustainable Development I look forward to participating in the task before us. We will take the act apart, examine it and look at it carefully. We will need a balanced perspective from both industry and environmental groups to help us with the task. In the end I hope we will put together a more efficient and effective act that does the job of cleaning up the environment which each and every one of us so much enjoys.

Some hon. members: Hear, hear.

Mr. Dennis J. Mills (Parliamentary Secretary to Minister of Industry): Mr. Speaker, I would like to ask the member a specific question about national standards. There are times when I get confused about the Reform Party's position on national standards.

The Speaker: The hon. member will have time to put his question when we resume after question period today.

It being 11 a.m., pursuant to Standing Order 30(5), the House will now proceed to Statements by Members, pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[English]

RIGHT TO LIFE

Ms. Roseanne Skoke (Central Nova): Mr. Speaker, I commend to the House private member's Bill C-235, an act to amend the Criminal Code relevant to the issue of abortion introduced by the hon. member for Glengarry—Prescott—Russell.

The purpose of the bill is to make it a criminal offence to require a physician, nurse, staff member or employee of a hospital or health facility to perform or participate in an abortion procedure.

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The bill would also make it a criminal offence to discriminate against any of these persons for refusing to perform or participate in an abortion procedure.

It is time Parliament exercised its jurisdiction to enact legislation to protect and safeguard the rights and life of a child *ventre sa mere*, the child within the womb.

Enact legislation now to guarantee the right to life at all stages from the moment of conception until natural death.

* * *

[Translation]

NORMROCK INDUSTRIES

Mr. Benoît Sauvageau (Terrebonne): Mr. Speaker, I rise today to praise the work of a company in my riding by the name of Normrock Industries.

This company specializes in environmental restoration projects. Recently, it finally received the go ahead for its Amphibex excavator project.

The unique feature of this piece of equipment is that it eliminates the need to use dynamite to clear ice debris, thereby safeguarding wildlife, aquatic and riparian habitats.

The Amphibex uses technological innovations that have been internationally tested to recover contaminated materials from an aquatic environment.

This new technology is environmentally friendly and geared to sustainable development.

What more can we say about this initiative other than bravo!

* * *

[English]

CHERRYVILLE, BRITISH COLUMBIA

Mr. Darrel Stinson (Okanagan—Shuswap): Mr. Speaker, last weekend I attended the 75th anniversary of Cherryville, a community of 1,200 people at the edge of the Monashee Mountains in my riding of Okanagan—Shuswap.

It rained all day so you did not have to go into their dunk tank to get wet. They had me decked out in a roaring twenties red and white striped bathing suit and I got dunked several times. More than the dunking, what impressed me was the spirit of small town fun and friendliness. They made me feel at home.

In its 75-year history this former gold mining community has heard many a shout of joy in English as well as Chinese when prospectors of both races found gold nuggets as heavy as four ounces in their gold pans.

As often happens, some who came for gold stayed for the rich soil, beautiful scenery and abundant water, going into farming, ranching and logging.

I want to say a special congratulations today to Cherryville and all the little communities to which mining has given birth across this great country.

* * *

AMATEUR SPORT

Mr. John Cannis (Scarborough Centre): Mr. Speaker, I recently had the opportunity to meet with Karen Nystrom, a member of the Canadian women's ice hockey team which captured the world championship for a third consecutive time.

Karen is a constituent of Scarborough Centre who worked diligently in preparing to represent Canada in international competition. The efforts of Karen and her teammates continue the fine tradition of Canada's excellence in international hockey and amateur sport. As we prepare ourselves for the 1998 Winter Olympic Games in Nagano, Japan, this repeat performance holds great promise for our athletes.

It is efforts like theirs that need and deserve our support. I urge the Minister of Canadian Heritage to improve the funding of our national teams.

I would also like to extend on behalf of the House to Karen and all her teammates, congratulations.

* * *

THE PHILIPPINES

Mr. Bill Graham (Rosedale): Mr. Speaker, as you may be aware, Sunday, June 12 marks independence day for the Philippines.

I want to express my sincere wishes for the joyful celebrations which will be taking place this weekend in my riding and across Canada to mark this event.

The Filipino community in Canada is a strong and vital one. They have made and are making a significant contribution to our national life. They are also a lively and vibrant presence in Rosedale and my involvement in their community over the past few years has been a truly rewarding part of my political life.

I hope members of the House will join me in congratulating the people of the Canadian Filipino community in saying *mabuhay* to them and in particular to the member for Winnipeg North who sits in this House.

(1105)

We wish them all the best in their celebrations at the multitude of events planned to mark this day and to their success in the rich contributions they make to Canadian society.

S. O. 31

GLOBAL VISION

Mr. Bob Wood (Nipissing): Mr. Speaker, as the parliamentary chairman for Global Vision, I would like to take this opportunity to congratulate all the young students from across the country who participated in the Global Vision regional seminars held in Halifax, Montreal, Toronto, North Bay, Winnipeg, Calgary and Vancouver.

These seminars brought young Canadians together to learn about international trade and commerce, and to encourage them to prepare themselves for the economy of tomorrow. Five hundred senior high school students from all regions of the country participated in these seminars.

I would also like to congratulate and thank the sponsors of Global Vision. I sincerely believe that by sponsoring a program such as Global Vision, they demonstrated their commitment to youth and the challenges they will be facing as our future leaders.

These sponsors are Canadian Airlines, Canadian Imperial Bank of Commerce, the Atlantic Canadian Opportunities Agencies, the ministries of multiculturalism, international trade, Industry Canada and natural resources.

I would also like to extend a special thank you to my fellow MPs, employees of the Canadian government and private company individuals who accepted our invitation to speak to the students at the seminars.

* * *

[Translation]

NATIONAL ACTION COMMITTEE ON THE STATUS OF WOMEN

Mrs. Maud Debien (Laval East): Mr. Speaker, this weekend the National Action Committee on the Status of Women will be holding its convention in Ottawa. Women will gather to discuss issues of critical importance to the harmonious development of our society.

The work of NAC compels governments to find solutions to the many economic, social and political problems that women face. The convention will be an opportunity for NAC to engage the attention of the various political parties and direct their focus toward the challenges associated with women's issues.

NAC is a pioneer in bringing to the forefront political, economic and social issues as they affect women. The committee's work benefits all Quebecers and Canadians and the Bloc Quebecois will be an interested participant in the annual convention.

[English]

THE FAMILY

Mr. Grant Hill (MacLeod): Mr. Speaker, this statement is a personal one reflecting on my family. Anyone who has raised children knows the highs and lows of family life, the joy of a newborn's first cry, indeed the heartbreak of a teen's major mistake. My wife and I have raised seven children and an aboriginal foster son. I miss them a lot as I stand today in the House.

The family is as powerful a force today as it has ever been and it deserves recognition and protection.

To families in every region of Canada, I salute you. To families in disarray, I anguish with you. To my own family, each of you is the reason for my existence, the focus of all my efforts when I am far away in Ottawa.

* * *

[Translation]

QUEBEC ECONOMY

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle): Mr. Speaker, today's newspapers report that the economist most often quoted by Quebec separatists when the question of the economic consequences of Quebec separation arises has taught Mr. Parizeau and the Bloc Quebecois a lesson in economics and given them a reality check.

Mr. Raymond Théoret, an economics professor at UQAM, is quoted as saying the following: "Obviously the climate of political uncertainty in Quebec will push up the high cost of borrowing on international markets. This will translate into higher costs for people taking out mortgages or bank loans. Anyone who says otherwise is trying to delude the public".

Furthermore, he had this to say about the statements made by the president of the Bank of Montreal: "The banks are not wrong". He concluded with the following remarks: "Quebec sovereignty is the worst-case scenario. Unfortunately, it could prove to be the straw that breaks the camel's back".

In light of these statements, is Mr. Parizeau planning to retaliate in some way against Mr. Théoret? Will he threaten to fire him should he become the Premier of Quebec?

* * *

[English]

HUMAN RIGHTS

Mr. Jack Iyerak Anawak (Nunatsiak): Mr. Speaker, I would like to start by acknowledging the presence in the gallery of the grade six Mutchmore enriched class.

S. O. 31

Intolerance, ignorance, misinformation, misunderstanding and racial stereotyping diminish this country and its people. Such attitudes are not acceptable outside or inside the House and all hon. members have a duty and responsibility to condemn them whenever and wherever they occur.

(1110)

In recent days in different forums Canada has witnessed divisive debates on subjects as diverse as headgear, the future of our nation, same sex benefits, et cetera.

Yesterday during debate on the Yukon land claim and self-government bills, unacceptable and denigrating remarks were made about the character and integrity of aboriginal peoples.

I and all aboriginal peoples are deeply pained and offended by these statements. Such remarks do not belong in this House of wisdom and justice.

The statements must be withdrawn and an apology issued. They are a blot on this House and this nation.

* * *

SOUTH AFRICA

Mrs. Dianne Brushett (Cumberland—Colchester): Mr. Speaker, it is with great pleasure that I rise today to acknowledge the recent readmission of the Republic of South Africa to the Commonwealth.

Because so many of its members, Canada included, found the policy of apartheid racist and repugnant, South Africa in 1961 under pressure withdrew from Commonwealth membership, the same year communist East Germany erected the Berlin wall.

During the early 1960s communist tyranny and racist oppression appeared set in stone; immutable and resistant to change. But in 1990 we have seen both the Berlin wall and apartheid fall, toppling before an irresistible worldwide surge to democracy.

Canada played a major role in ensuring that South Africa's first non-racial election in April was free and fair and we as Canadian parliamentarians should be proud of Canada's continuing help to the new South Africa as it makes the difficult transition to full democracy.

We welcome South Africa back into the family of free nations.

* * *

[Translation]

RWANDA

Mr. Philippe Paré (Louis-Hébert): Mr. Speaker, the political crisis in Rwanda is continuing to escalate. These past few days, the Rwandan Patriotic Front reported killing 13 clergymen, including the Archbishop of Kigali and two bishops.

Yesterday, UN officials said that fighting in Kigali had made nearly 100 new victims, including nine priests.

While hundreds of thousands of Rwandans have already been killed and several million others have fled to the countryside and into neighbouring countries, the international community seems to be turning a blind eye to this human drama.

We applaud however the UN's recent decision to deploy approximately 5,500 peacekeepers to Rwanda and we hope that Canada will actively support this major international peace effort.

I call upon the Minister of Foreign Affairs to urge the entire international community to come to the assistance of the Rwandan people.

* * *

[English]

THE FAMILY

Mr. Chuck Strahl (Fraser Valley East): Mr. Speaker, there seems to be confusion about defining the family.

Yet for a millennia the term has been understood worldwide. Ancient Assyrian, Babylonian, Hebrew, Hittite and Roman law refer often to the family and assume the common understanding. Current legal definitions also support what the vast majority of Canadians believe. From the Income Tax Act to the Oxford English Dictionary the definition is clear and I do not think we can improve on it.

The Dictionary of Canadian Law states: "Family includes a man and a woman living together as husband and wife, whether or not married in a permanent relationship, or the survivor of either, and includes the children of both or either, natural or adopted—and any person lawfully related to any of the aforementioned persons".

The Minister of Justice has indicated his great respect for jurisprudence. We hope he will take into account historic, global precedents, along with the volumes of western jurisprudence before responding to the demands of special interest groups to redefine the family.

* * *

[Translation]

FINANCIAL INSTITUTIONS

Mr. Benoît Serré (Timiskaming—French River): Mr. Speaker, I would like to compliment my colleagues from the Bloc Québécois.

In spite of our differences of opinion on federalism, I think that the Bloc members are great believers in the notion of democracy and the privileges that flow from it.

That is why I ask them today to collectively denounce the tactics used by the Parti Québécois Leader Jacques Parizeau, who bullies and utters shameful threats against financial insti-

Oral Questions

tutions that dare to speak out on the adverse economic costs of separation.

What does Mr. Parizeau fear? Why resort to blackmail to suppress the legitimate, democratic right to speak that these financial institutions have? Perhaps Mr. Parizeau is afraid that the people of Quebec will learn the truth and take an informed and democratic decision on the issue of separation.

* * *

[English]

FIRST NATIONS

Mrs. Karen Kraft Sloan (York—Simcoe): Mr. Speaker, the chief of the Chippewas of Georgina Island, Bill McCue, from my riding of York—Simcoe, extends an invitation to the member of Capilano—Howe Sound so he can visit his south sea island to witness the many people all actively working in and for their community, seeking employment and working hard to create employment. Chief McCue wants the member to know that if the federal government is sponsoring laziness, it is not evident in his band.

(1115)

First Nations people everywhere deserve an apology for this unacceptable accusation. The lack of enlightenment and sensitivity by members of the Reform Party was clearly demonstrated yesterday. I was personally outraged by the paternalistic attitudes exhibited in the many speeches of the Reform members. In particular the statements of the member for Capilano—Howe Sound were reprehensible, irresponsible and completely unworthy of our First Nations people.

* * *

PHILIPPINE INDEPENDENCE DAY

Mr. Rey D. Pagtakhan (Winnipeg North): Mr. Speaker, Sunday, June 12 is the 96th anniversary of Philippine Independence Day. Canadians of Filipino heritage across Canada celebrate this occasion with pride. I share this pride and find special meaning in our heritage and history.

Fellow members, we know that it is the dream of every people to live in a country which has the ability to shape its own economic, social, cultural and political destiny. This is only possible in an independent and democratic united country.

Filipino Canadians know too well the legacy of centuries of oppression their country of birth suffered. Because of that history we bring to Canada in our celebration of Philippine independence a reminder for the need for vigilance to ensure the security and permanence of freedom and the dignity of nationhood wherever we are.

Please join me in saluting the Filipino people and the Filipino Canadian community on this historic occasion.

* * *

PRESENCE IN GALLERY

The Speaker: My colleagues, in a slight departure from our normal procedure, I draw your attention to the presence in the gallery of my brother Speaker, le président de l'Assemblée nationale du Québec, l'honorable Jean-Pierre Saintonge.

Some hon. members: Hear, hear.

ORAL QUESTION PERIOD

[Translation]

REGIONAL ECONOMIC DEVELOPMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie): Mr. Speaker, my question is for the Minister of Industry. As we know, the federal-provincial conference on the reduction of interprovincial trade barriers ended without the parties coming to an agreement. In the National Assembly, Quebec's Minister of Industry spoke out against his federal colleague's desire to reduce Quebec's authority to act in matters of economic development.

Does the Minister of Industry confirm his government's intention to reduce the provinces' ability to promote regional development while Ottawa would still be free to support economic development in Western Canada and the Maritimes?

Hon. John Manley (Minister of Industry): Mr. Speaker, I took note of what Mr. Parizeau said in the National Assembly in reference to an article in the June 9 issue of the *Globe and Mail*; however, he did not indicate where the quotation marks were in the quote attributed to me. I can tell the hon. member that the internal trade agreement will indeed provide for an exception for regional economic development. The same clause applies to all the governments that will sign the agreement, including the federal government and all the provinces.

Mr. Gilles Duceppe (Laurier—Sainte-Marie): Mr. Speaker, the minister may have read or heard the opposition leader's comments but I do not know whether he has read or heard that Quebec's Minister of Industry, who, like himself, is a federalist and a Liberal, said yesterday: "It is unacceptable". It was not the Leader of the Opposition but the Liberal minister who made those comments. I imagine the minister must have read that too, as it is a large headline in the newspaper.

(1120)

I ask the minister whether he specifically promises to review his position so that the Quebec government can preserve all the

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powers it needs to help businesses and promote regional development, as not only the Leader of the Opposition but also Quebec's Liberal government have asked him.

[*English*]

Hon. John Manley (Minister of Industry): Mr. Speaker, I regret to inform the hon. member that the negotiations are not yet completed with respect to an internal trade agreement.

As I always understood the position of the Bloc Québécois, it favoured trade liberalizing agreements. Apparently it favours them with other countries but not with other provinces. This is a difficult thing for me to comprehend.

With respect to the specific question on regional economic development, let me say that we have conducted discussions throughout the process as a multilateral negotiation. The federal government is at the table with a position. Provincial governments of various political colours are at the table and they have different positions.

Our position from the point of view of the federal government is we want the maximum possible trade liberalizing measures within the internal trade agreement. We believe that is essential in order to enable Canadian firms to develop the domestic market to make them competitive in the international trading arenas in which they find themselves, whether we talk of NAFTA or whether we talk of the General Agreement on Tariffs and Trade, the Uruguay round which was concluded recently. That is our objective.

At the end of the day, the provinces and the federal government are going to have to look at the deal that has been negotiated. The provinces are entitled to put forward what they want. Collectively we will have to decide whether we have an agreement which makes a measurable improvement both in economic terms as well as in the structured terms over the existing conditions.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie): Mr. Speaker, I understand that the minister has trouble conceiving that the Bloc Québécois could be against the abolition of provincial trade barriers because the Bloc Québécois never said that and has always favoured expanded trade. Of course, he cannot comprehend that we never said that. It is rather easy to understand.

I would also remind the minister that Quebec approved the free trade agreement while the people opposite were always against it. I ask him for a little more transparency from someone claiming that the federal government and the provinces are about to reach an agreement when Quebec's Minister of Industry, I remind you, finds it unacceptable that Ottawa should impose its will in matters of interprovincial trade. Is he willing to make the proposed agreement public to ensure transparency

and enlighten the debate, so that Quebecers and Canadians can judge what is in the agreement?

[*English*]

Hon. John Manley (Minister of Industry): Mr. Speaker, I can understand that perhaps the hon. member does not understand that much about interprovincial trade. The point I was trying to make was that clearly if the Bloc Québécois favours international trading agreements then it must be prepared to see a liberalization of trade within Canada. If that is not the case then perhaps the Bloc should make that clear.

With respect to the specific response that was given, I understand the question that is being put. I will try to put this as clearly and as simply as possible. The federal government is not endeavouring to dictate measures to anybody. The federal government is approaching this internal trade agreement from the point of view that we wish to find a negotiated agreement among all parties voluntarily.

The federal government is quite entitled to take a position at the bargaining table, as are other parties to the discussion. That, in simple terms, is what a negotiation is all about. We are trying to facilitate, but we are also there with a negotiating position which is that we want the most trade liberalizing agreement that we can get.

The measures which the hon. member first raised—and I take time because I believe this is very important—we have agreed on an exception for regional economic development. It will apply to the federal government and to the provincial governments.

(1125)

Mr. Tremblay of Quebec asked for the time and is assuring himself that the measures he takes by way of industrial policy within his province will not be unduly hampered by the internal trade agreement based on reliance upon this exception.

The Speaker: I can understand that some questions take longer answers and I can understand that some questions have to be long. However I would ask all hon. members to please curtail their questions and answers so that we might get more questioners on and more questions answered.

* * *

AGRICULTURE

Mr. Jean-Paul Marchand (Québec—Est): Mr. Speaker, in documents tabled at Geneva, Canada identified the Crows Nest as both a subsidy for export and a domestic support measure. Accordingly, this subsidy is subject to reductions.

However, in respect to domestic support, Canada has already fulfilled its obligations toward GATT. Furthermore, it is wrong to maintain, as did the Minister of Transport, that Canada must abolish these agricultural subsidies in order to meet GATT requirements.

Oral Questions

My question is for the Minister of Transport. Does he recognize that he is misleading grain producers by stating that Canada is obliged to abolish Crows Nest subsidies in order to meet GATT requirements?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, the last thing the Minister of Transport would want to do is to mislead the western grain farmers. We understand the importance of programs that assist western farmers in the production and the transportation of grain.

What I did say is that we are also aware of the changes that will have to be implemented with respect to the role that Transport Canada plays in the payment of direct subsidies to railroads. That is what we said and that is what we are going to have to address.

I do want to say, with all respect to my hon. colleague, that in the area of providing support and being very sensitive to the needs of the western grain farmers, the Minister of Transport always gives way to the very capable Minister of Agriculture and Agri-Food.

[Translation]

Mr. Jean-Paul Marchand (Québec-Est): Mr. Speaker, does the Minister of Transport admit that any solution concerning the Crow's Nest subsidy must respect east-west equity among producers and avoid exposing eastern producers to unfair competition from western producers as a result of alternative federal subsidies?

[English]

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food): Mr. Speaker, it is at least in part because of the great complexity of this issue that we intend to take the necessary time in order to consider all points of view and arrive at a very considered judgment as to what any future reform measures ought to be.

The hon. member has touched upon some of the complexities. There are many others. That is why the Minister of Transport and I have repeatedly said that we have processes under way already. There will be additional processes started later this year and continued through the fall and winter to hear all of the stakeholders who are involved in this very complicated and difficult matter. We will make sure that all points of view are taken into account. When the Government of Canada makes a decision with respect to transportation reform, it will make sure all of the issues are appropriately and fully addressed.

* * *

JUSTICE

Mr. Stephen Harper (Calgary West): Mr. Speaker, according to an Angus Reid and Southam News poll on criminal justice released yesterday, 82 per cent of Canadians say the justice

system is too soft on crime, while only one per cent think it is too harsh.

[Translation]

This is the case in all regions of the country. For example, in Quebec, 74 per cent say that the system is too permissive and only 2 per cent say that it is too strict.

[English]

My question is for the Minister of Justice. What concrete measures will the minister be introducing to address these very clear concerns of Canadians about the criminal justice system?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, in short, this government will be following through on its commitments made during last year's election campaign in which we dealt at length with steps we intend to take to achieve safe homes and safe streets, as we put it. The changes that were introduced last week with respect to the Young Offenders Act are the first example that I would proffer to the hon. member.

(1130)

I may mention as well that in the days ahead we intend to table legislation that will significantly reform the sentencing provisions in the Criminal Code. We intend to bring forward a variety of other amendments to the code to make it more effective in terms of prescribing and enforcing the criminal law.

May I emphasize perhaps most of all the initiative that I expect the Solicitor General and I will be announcing in the coming weeks concerning the forging of a national strategy for crime prevention and the creation of a national crime prevention council, which I think is the most constructive response to the concern in the community to which the hon. member has referred.

Mr. Stephen Harper (Calgary West): Mr. Speaker, Canadians are clear in their belief that the number one solution to these problems is in the criminal justice system.

One in four Canadians reports having been the victim of crime in the past two years; 44 per cent of Canadians have taken measures to protect themselves including the purchasing of weapons, 73 per cent want the death penalty restored for the killing of police officers and 86 per cent want laws to make it more difficult to get parole.

Are these some of the concerns that the minister plans to bring forward in his criminal justice reforms?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, very much so. May I say that it will also be part of our response to emphasize that the criminal justice system, while it has an important part in all of this, cannot by itself resolve the question of crime or respond to the concern of Canadians.

Oral Questions

Ultimately this government recognizes that to meet those concerns to improve the quality of life in this country, to achieve the safe homes and safe streets of which we spoke last year, we must come to grips with the underlying causes of crime. We must have both an effective justice system that is enforced properly and a comprehensive strategy for crime prevention. That is the agenda of this government.

Mr. Stephen Harper (Calgary West): Mr. Speaker, Canadians are clear that one of the, if not the root cause of crime is the criminal himself. We expect to see that addressed.

[Translation]

Yesterday, the separatist member for Saint-Hubert referred to the unanimous opposition of Quebec's so-called experts on crime to minor amendments to the Young Offenders Act.

What will the government do to ensure that the real voice of the great majority of Quebecers and Canadians who favour tougher action against crime is indeed heard by the government in these endless studies?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, the measures that we will propose will be effective throughout all of Canada.

* * *

[Translation]

CANADIAN RADIO-TELEVISION & TELECOMMUNICATIONS COMMISSION

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, yesterday the Minister of Canadian Heritage confirmed he had received a letter from the Fédération des communautés francophones et acadiennes asking him to intervene through the governor in council, in order to change a decision by the CRTC regarding the French all-news network.

Now that he has a letter from the fédération, does the Minister of Canadian Heritage intend to defend the interests of the fédération himself, in cabinet and recommend that cabinet act on this request and demand that the CRTC change its discriminatory decision as soon as possible?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, yesterday I agreed to raise the question in cabinet and to make a recommendation. I am now looking at the formulation of this recommendation and as soon as I have something to announce on the subject, I will do so right away.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, considering his responsibilities, can the minister give the assurance that he will defend the interests of francophone

communities and will he undertake to provide these communities with access to a genuine, all news network in French?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, I weigh these decisions carefully, and consider the representations that are made, but there is no doubt, and I can repeat here what I have said elsewhere, that francophone and Acadian communities can count on the support of their minister.

* * *

(1135)

[English]

CLIFFORD OLSON

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, my question is for the solicitor general.

On New Year's Day 1981, serial killer Clifford Olson picked up a 16-year old female hitchhiker, pulled out a gun and then proceeded to repeatedly rape her over a 12-hour period. This incident took place two weeks after the first of 11 murders Olson committed.

The victim reported the incident to the Squamish RCMP detachment and Olson was arrested. When it was learned that the victim was a prostitute there were no further proceedings. As the RCMP were the police force involved in this incident, is the minister prepared to tell Canadians why this case did not proceed?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, I have read the news report which has been summarized by the hon. member in her question but I know nothing more about it than was reported in the press.

The press report does raise troubling questions and I am certain that the solicitor general will want to consider the matter and inquire to determine the facts. I do not know that the premise upon which the question is based is factually correct, that is to say that the investigation was dropped because the victim was a prostitute. I know that was the suggestion in the news story.

I am sure the solicitor general will want to look into the facts and respond when they are known.

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, one of the underlying causes of crime is that the justice system does not work.

I would like to ask the Minister of Justice if he is prepared to ensure Canadians that a victim's lifestyle will not be considered a determining factor of whether criminal charges should be laid.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, before responding to the question, let me respond to the hon. member's assertion with respect to the justice system.

Oral Questions

The criminal justice system in this country works very well indeed. That notwithstanding, the positions taken from time to time with respect to isolated cases are referred to in the House.

In response to the question, let me say that I fully agree it must be a fundamental part of the justice system that it responds equally regardless of the lifestyle of the victim. I would earnestly hope and expect that no matter what the lifestyle of the victim, allegations of crime are investigated and prosecuted and punished without reference to such a consideration.

* * *

[*Translation*]

**CANADIAN RADIO-TELEVISION &
TELECOMMUNICATIONS COMMISSION**

Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies): Mr. Speaker, my question is directed to the Minister of Canadian Heritage.

The minister, who received a lot of mail this week, apparently received a letter from his Quebec counterpart, the Minister of Culture and Communications, who asked him to intervene through cabinet to obtain a review of the CRTC's decision not to issue a license for pay per view tv in French.

Considering his Quebec counterpart's request and a statement by the chairman of the CRTC who, despite the position taken by anglophone commissioners, also prefers the Chapiteau project from Quebec, will the Minister of Canadian Heritage undertake to act on the request from the Government of Quebec that cabinet review the CRTC's decision?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, I already said that I react quickly as soon as I receive a communication with the kind of request mentioned by the hon. member. So far, I have yet to receive such a communication.

Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies): Mr. Speaker, will the minister confirm a statement by Keith Spicer, chairman of the CRTC, that the pay per view decision is already being appealed? Could he indicate who filed this appeal and whether he intends to act on it?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, I do not make a habit of commenting on statements by the chairman of the CRTC.

As I said yesterday, yes, an appeal has come from the Fédération des communautés francophones et acadiennes du Canada.

(1140)

If the chairman of the CRTC was referring to this particular appeal, I have already acted on this request. However, I have received no other requests.

[*English*]

TRANSPORTATION SUBSIDIES

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, yesterday in the Manitoba legislature the Minister of Transport was quoted as saying that the federal government is selling out to the United States if it scraps the \$600 million Crow subsidy and in fact it will shut down the grain industry in western Canada.

Farmers all across Canada are asking themselves a question and they want and need to know the answer. I would ask the Minister of Transport who farmers should believe. Should they believe him when he says that the WGTA of some \$600 million will be cut by July 1, 1995 or should they believe the minister of agriculture who says that this has not yet been decided? This is not the kind of double talk that farmers want or need to hear.

Will the Minister of Transport stand in this House today and clearly explain what his plans are for the WGTA?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I think to continue to cast doubt on the capacity of the Government of Canada to participate in supporting Canadian farmers is not terribly helpful.

What we have said and what we want to confirm is that the Department of Transport in the budget document and elsewhere has indicated that we have to change the way we subsidize transportation in this country. We have made that very clear.

The hon. member in his question asked who should you believe. As I indicated in an answer to a question earlier, in dealing with agriculture in this country I do not think there is any doubt that farmers and people interested in the agriculture industry should listen and believe the minister of agriculture.

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, my supplementary question is for the Minister of Agriculture and Agri-Food.

The producer payment panel and others studying this matter, including our party, are trying to develop a new program that would ensure that funding to the railways would not simply be cut and lost but reallocated to the agriculture department and paid to farmers as part of a GATT green program.

Will the minister of agriculture assure this House that farmers will still benefit from the \$600 million that his colleague is cutting from the Department of Transport?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food): Mr. Speaker, in the course of the last several weeks I have been in touch with probably 30 or 35 farm organizations across this country, including a very large number in western Canada, inviting them to join with me in the common cause to develop for the future of our industry in Canada a well thought out, well prepared game plan so that we can approach the turn of the century in Canadian agriculture with confidence that our

industry will be well prepared to tackle not only the domestic marketing opportunities we have but also those internationally.

In the process of that development of the long term vision for Canadian agriculture, including the western Canadian grains industry, I will be looking for the useful, constructive advice of all of the players and all of the stakeholders who want to have a part to play in developing that plan for the future, including not only the farm organizations and the provincial governments across this country which are vitally interested but every member of this House, including the Reform Party if it has constructive observations to offer.

* * *

[Translation]

SOCIAL HOUSING

Mrs. Monique Guay (Laurentides): Mr. Speaker, my question is for the Deputy Prime Minister. The day before yesterday the ministers responsible for housing were meeting in Bathurst. The Minister of Public Works may have a miraculous solution to propose to his counterparts, but we heard only empty rhetoric. He said, among other things: "We have made concrete moves to improve the quality of life of low-income Canadians everywhere".

Could the Deputy Prime Minister tell us, now that the housing conference in Bathurst has ended, whether the federal government and the provinces have agreed to implement new social housing initiatives?

[English]

Hon. Douglas Young (Minister of Transport): Mr. Speaker, as I indicated yesterday on behalf of the minister, certainly progress was made at the meeting in Bathurst.

The Government of Canada has reintroduced the residential rehabilitation assistance program and that is \$100 million over two years to assist low income Canadians.

(1145)

We have also identified \$120 million in savings over the next four years to be retained in the social housing envelope. Yes, indeed, considerable progress was made.

[Translation]

Mrs. Monique Guay (Laurentides): Mr. Speaker, the promises just made by the Minister of Transport are not new, they do no represent any input of new money.

Oral Questions

How can he seriously and sincerely make such statements when his government has not spent a penny, since January of this year, on social housing and when CMHC tells us that 1,200,000 families have substandard housing?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, everybody in this country agrees that there is much to do to help those in need of decent housing. All members in this House as well as people familiar with the subject know that there are urgent needs.

I can assure my hon. colleague that the minister responsible is trying, in co-operation with his provincial counterparts, to find solutions compatible with the fiscal reality in Canada. He understands the problem fully, but we are not hearing much by way of solutions from our colleagues across the floor.

* * *

[English]

FISHERIES

Mr. Ted McWhinney (Vancouver Quadra): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. I would like first to congratulate the minister on the action he took yesterday to safeguard Canada's west coast salmon resource.

Some hon. members: Hear, hear.

Mr. McWhinney: This has the support of virtually every sector of the B.C. fishing industry. The minister stated that this was but the first step toward resolving the issue.

Could he tell the House what additional measures he has in mind to bring the Americans back to the negotiating table and to resolve the issue without further destruction of this precious Canadian natural resource?

Hon. Brian Tobin (Minister of Fisheries and Oceans): Mr. Speaker, I thank the member for his question.

I want to note that the action taken yesterday was on the advice of industry stakeholders in the province of British Columbia. The idea originates with the stakeholders. It has been endorsed and embraced by the government and put into place quickly because of the decisive nature of the industry consultation that has occurred.

The Government of Canada is prepared to consider both fishing and non-fishing measures as a means of demonstrating to our friends south of the border that both our nations' interest is served by having bilateral rather than unilateral fish plans.

We make it clear, in demonstrating that interest on both our parts, that this government will ensure the pressure is put on fishermen and not on the endangered fish.

*Oral Questions***SOCIAL SCIENCES AND HUMANITIES
RESEARCH COUNCIL**

Mr. Chuck Strahl (Fraser Valley East): Mr. Speaker, my question is for the Minister of Industry.

On Wednesday my colleague from Vancouver North demanded that funding for many Social Sciences and Humanities Research Council projects should be eliminated. In her response the Deputy Prime Minister disagreed, suggesting that questioning these decisions is somehow highly unethical.

This program costs the Canadian taxpayers \$100 million per year. It is our responsibility to question and scrutinize public spending. Does the minister not agree it is his responsibility to ensure the money is not wasted?

Hon. John Manley (Minister of Industry): Mr. Speaker, yes, indeed it is.

The Social Sciences and Humanities Research Council appeared before the industry committee on May 24. There was an opportunity at that time for members of all parties to ask questions. Certainly the member for Okanagan Centre, who is on that committee, asked among other things: "Why is the SSHRC funded so much less than the other councils?". He also said: "I am not debating the merits of your research. All of you have made an excellent case for the humanities and social sciences. I would not debate that the need is there. There is absolutely no question about that".

I am very pleased to note that the Reform Party supports the work that is being done by this granting council.

Mr. Chuck Strahl (Fraser Valley East): Mr. Speaker, nobody denies that research into the social sciences is a good thing. The people that are represented at that meeting perhaps are doing a good job as far as questioning social science issues.

(1150)

However, when we see examples like \$33,700 to study parades and demonstrations in 19th century Toronto, or \$21,000 to study communication among English country workers in the use of rural song, perhaps the minister would answer the question.

Somebody must be questioning the use of Canadian taxpayers' funds. If he is not going to do it, who is?

Hon. John Manley (Minister of Industry): Mr. Speaker, as I say, it is indeed open to all members of the House, particularly members of that committee, to raise questions such as those the member has raised with the council when they come before the committee.

I think that would be well worthwhile. It is unfortunate Reform Party members perhaps did not do their research before

the Social Sciences and Humanities Research Council appeared before them. That was their chance. Perhaps they will do it next year.

* * *

[Translation]

HUMAN RIGHTS

Mr. Réal Ménard (Hochelaga—Maisonneuve): Mr. Speaker, yesterday Mr. Win, democratically elected Prime Minister of the provisional government of the Union of Burma, which is prevented from taking office by a military junta, was the guest of the human rights committee. The committee members learned that Burma has one of the worst human rights records in Asia, and holds hundreds of people prisoner for political reasons, including a Nobel peace prize winner.

My question is for the Deputy Prime Minister. Could she tell us whether the Canadian government intends to agree to the main request of the National Democracy League and oppose any form of financial support to the military junta through various UN agencies?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, if I understand the first part of his question, the member is making a request on behalf of democratic peoples who are fighting for the return of democracy in Burma? Do I understand him correctly?

I met their leaders yesterday, and they asked me just about the opposite of what the member is asking today. They asked that financial support be granted not to the government but to non-governmental agencies. The Canadian government offered the democracy movement the resources of the Human Rights Commission, here in Montreal. We are, of course, aware of their request and are taking it into consideration.

Mr. Réal Ménard (Hochelaga—Maisonneuve): Through you, Mr. Speaker, I must tell the Deputy Prime Minister that she did not understand. There is a military junta in power in Burma, and the league is asking that UN agencies not give it any support. My first question dealt with that request, and we are counting on the Deputy Prime Minister to agree to it.

My supplementary is this: We are told by the Department of International Trade that, in view of Burma's human rights abuse record, Canadian corporations are encouraged not to do business with that country. However, its neighbour, China, which is supplying the junta with arms, is not subject to any trade restriction. How can the Deputy Prime Minister justify her government's ambiguous position? I can say it again if it is not clear enough.

[English]

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I had an opportunity to personally meet with the leaders of the democracy movement yesterday.

They congratulated the Canadian government and in particular the Department of Foreign Affairs for the work we were doing in assisting them in getting their case brought to the United Nations through the auspices of the human rights commission headed by Mr. Ed Broadbent in Montreal; for the strong stand we have taken in ensuring that no direct government assistance goes to the Government of Burma; and for promoting at the ASEAN meeting that is going to be coming up very shortly a renewed call for the return of democratic government in Burma.

* * *

IMMIGRATION

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

According to a confidential report leaked from the minister's office, the overall acceptance rate for the first quarter of 1994 for inland refugee applicants rose from 49 to 67 per cent, an increase of 18 per cent. The report contains the first statistics available since new board appointments were made by the minister.

On the basis of this increase in the acceptance rate for inland refugee applications, Canada will surpass its stated annual intake for 1994 in less than nine months. Does this increase concern the minister or, if not, is he prepared to revise his refugee estimates for 1994 to reflect this new information?

(1155)

[Translation]

Hon. Fernand Robichaud (Secretary of State (Parliamentary Affairs)): Mr. Speaker, on behalf of the Minister of Citizenship and Immigration, I want to reassure the hon. member and tell her that I will certainly provide her with the information requested. Indeed, I will make sure that the minister answers her concerns.

[English]

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, I thank the member for his response.

A refugee program includes both the inland refugee system and our UNHCR commitment to offshore refugees. If this current inland rate persists is the minister determined to in-

Oral Questions

crease our total refugee numbers, or will he renege on Canada's international obligation to needy refugees around the world?

[Translation]

Hon. Fernand Robichaud (Secretary of State (Parliamentary Affairs)): Mr. Speaker, unless I am mistaken, the Reform Party proposes to reduce immigration levels by half.

I think that the minister of immigration does not share that view. However, I want to assure the hon. member that I will inform the minister of her concerns, and I am convinced that he will provide an answer at the earliest opportunity.

* * *

[English]

YOUTH

Mr. Walt Lastewka (St. Catharines): Mr. Speaker, my question is for the Secretary of State for Training and Youth. A few weeks ago the secretary of state and the Minister of Human Resources Development announced some 37 youth services corps lead sites, including one for my own riding with the Institute for Enterprise Education which will help young people obtain entrepreneurial skills.

Given the great enthusiasm expressed by young Canadians for the program, could the secretary of state report to the House on the progress being made in its implementation? Could she also give us an indication when other lead sites might be announced?

Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth)): Mr. Speaker, the hon. member's riding is one of six lead sites which are being implemented in Ontario. The Institute for Enterprise Education will provide 15 young Canadians with the opportunity to develop business and entrepreneurial skills. All lead sites will be up and running by the end of July.

I am also pleased to announce that another set of 20 to 30 lead sites will be announced at the beginning of next month.

* * *

[Translation]

FORESTRY

Mr. Gérard Asselin (Charlevoix): Mr. Speaker, my question is for the Deputy Prime Minister. On Wednesday, the Minister of Natural Resources announced that she intended to develop federal standards on sustainable forest management, with a view to introduce a national certification program for forest products.

Since forests are a strictly provincial field of jurisdiction, does the Deputy Prime Minister feel that such an initiative is legitimate without the agreement of all provinces? Does she not think that the provinces should, together, agree on common

Privilege

standards for sustainable forest management, instead of the federal government getting involved?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment): Mr. Speaker, my colleague, the Minister of Natural Resources, took on that task at the request of the provinces, precisely to clarify, for the international market, existing practices in all Canadian provinces. I am convinced that the hon. member for Abitibi—Témiscamingue, among others, knows that the international market for forest products is important, not only for Quebec, but also for Canada.

* * *

[English]

CANADA HEALTH ACT

Mr. Grant Hill (Macleod): Mr. Speaker, a question for the health minister.

One of the planks of the Canada Health Act is accessibility. Accessibility is measurable. The waiting list for cataract surgery one year ago in Ontario was three and one-third months, with 4,065 people on that waiting list. Today the waiting list is four and a half months, with 4,662 patients on the waiting list. How does that fit into reasonable access?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, we are always concerned that there be reasonable access to services. We continue to work with the provinces. As a matter of fact, one of the things we did in the last budget was maintain transfer payments in health to give an indication of our commitment toward the funding of proper health care services in the provinces.

* * *

(1200)

ABORIGINAL AFFAIRS

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development.

Yesterday in the House we heard that the policy of the Reform Party was based on the premise that First Nations' members are lazy children. The speaker from Capilano—Howe Sound also said that this might be against conventional wisdom. I would suggest it is unconventional ignorance.

The New Democratic Party's position is that the Government of Canada has a longstanding historic obligation, shared by provinces and territories, to negotiate land claims in good faith with aboriginal people.

Would the parliament secretary tell the House what the federal government's interpretation is of the obligations to First Nations?

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, from the Prime Minister on down the government is committed to ensuring that aboriginal people are given a fair representation in the House. That commitment has been made clear in the last six months that the government has been in power.

The government will continue to ensure that the aboriginal people are fairly represented in the House as long as we are here.

The Speaker: I have a point of privilege and a point of order which I will hear forthwith.

The hon. member for Nunatsiak on a point of privilege.

* * *

PRIVILEGE

DEBATE ON BILL C-34

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development):

[*Editor's Note: Member spoke in Inuktitut.*]

[English]

I rise today on a point of privilege stemming from remarks made yesterday in the House by the member for Capilano—Howe Sound. The member's comments about aboriginal people have denigrated me, my work and my value to the House. As an aboriginal person, my character, my background, my credibility, my values, my motivations and my capabilities have been questioned.

Slurs, aspersions and racial stereotypes were tossed out yesterday with no regard for the injurious effects upon myself, the hon. member for Western Arctic and the hon. member for Churchill. I and they have been discredited and dishonoured because of our racial background.

As a consequence, the House has also been brought into disrepute. The member should have kept the people of Canada thinking that maybe he is merely ignorant of aboriginal issues, instead of proving it.

The Speaker: The hon. member surely has a grievance. I do not think it is a point of privilege.

I would remind all hon. members that one of our most treasured privileges and rights is the freedom of speech. I would rule that there would be no point of privilege in this particular case. However I would advise that perhaps the hon. member, in view of the fact that debate is not finished, could make his point of view known in future debate.

Hon. Douglas Young (Minister of Transport): Mr. Speaker, on a point of order, as a matter of clarification.

Am I to understand that when one raises a point of privilege in this place that a decision will be taken before the point of privilege can be fully made? I think it would be instructive for members on both sides to recognize just how far we can go—

Points of Order

The Speaker: I believe that the Chair is more than willing to hear a full report on a point of privilege.

(1205)

The Chair is guided of course by the fact that privilege is very narrow. Far be it from me to lecture this honourable House but I would like to point out that privilege has to do with the impediment of a member of Parliament carrying out his or her responsibilities and duties.

Among these duties is for all hon. members to be able to speak freely, to be able to come to the House and to committees and to vote. As the hon. member is present, as the hon. member is speaking, I do not see any question of privilege. That is why I interceded as quickly as I did.

I hope hon. members will take this into consideration. My ruling is simply that it is not a question of privilege.

* * *

POINTS OF ORDER

MEMBER FOR CAPILANO—HOWE SOUND

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, I rise today on a point of order.

Yesterday in the House, the member for Capilano—Howe Sound used what I consider to be language of profound disrespect and fundamental bias against the First Nations of this country, in particular the people of Yukon. I advised the member for Capilano—Howe Sound that I would be raising this point of order today.

In particular, I refer to the phrase that First Nations people are to be seen as “lazy children”. I would ask whether the member was referring, by using that phrase, to the late Elijah Smith who fought in World War II for this country and who came back to fight the struggle within for his people in Yukon; whether he was referring to the aboriginal members of the Legislature of the Yukon Assembly, Speaker Johnny Abel, Danny Joe, Margaret Commodore, the first Indian Speaker in Canada, Sam Johnston, and Norma Kassi who fights for the environment.

Some hon. members: Hear, hear.

Ms. McLaughlin: I am concluding but I would ask if he was referring Skookum Jim, one of the discoverers of gold. Perhaps he was referring to the Yukon chiefs, the aboriginal lawyers, aboriginal nurses, miners, truckers, farmers, teachers, board members, clerks, secretaries, businessmen, businesswomen, writers, artists, trappers, mothers, fathers, grandmothers and grandfathers.

The Speaker: The Chair is very much aware that in the process of debate very strong positions are put forward. What

the Chair must ensure is that there is a chance for all hon. members to speak in the House. The hon. member brings up her point of order. Perhaps the hon. member could defer until the hon. member who made the statements is in the House.

The hon. member indicated that she was concluding. I will permit her to conclude and we will go from there.

Ms. McLaughlin: Mr. Speaker, I appreciate that very much.

Members will understand that as the member of Parliament for Yukon, I feel very strongly about this. I will be very brief.

It is clear to the House, it is certainly clear to me as the member for the Yukon and to the people of Yukon, aboriginal and non-aboriginal, that the Reform Party will come to a discussion of this issue with a prior prejudice against First Nations’ people as lazy children.

Therefore, as the member for Yukon, I ask the House to remove the Reform Party members from the committee struck—

The Speaker: Order. When these statements were made in the House, as far as I can ascertain they caused no disorder. A few remarks were made. I would encourage all hon. members, in view of the fact that the debate on this bill is ongoing for the next little while, that they can make their views known there.

(1210)

As a ruling, I find there is no point of order in this particular case. Again I would encourage all hon. members to be very judicious in their remarks as some remarks made in the heat of debate can be very hurtful to different groups.

I would again encourage all hon. members to be very judicious in all of the remarks they make in the House.

Hon. Brian Tobin (Minister of Fisheries and Oceans): Mr. Speaker, I rise on a point of order.

I accept the advice and accept fully the caution of the Chair for all members to keep the tone and level of discussion on this matter at a level where it is productive and constructive. Mr. Speaker, let me begin by saying that because it is hurtful to all members of the House in every party, including the Reform Party I hope and believe.

When one member speaks in such a manner about an entire group of people, it casts aspersions on the whole House. It calls into question the character, integrity and dignity of the whole House. I hope that all members, without exception, from every party will dissociate themselves from the words of this one member who has clearly lost any connection to decency and to intelligence and the dignity of this debate.

The Speaker: My colleagues, I guess it proves a point. I know that we want to get into this debate because it is really debate now. That is what has opened up.

Routine Proceedings

I submit with all respect to all of you, my colleagues, that this debate continues and I expect all points of view strongly held to be put forth in the House. But I would suggest at this point this is becoming debate. We are beyond the points of order. That is clearly not a point of order. It is a point of debate.

I would again caution all members to be very judicious in their remarks.

Is this the same point of order? I have heard quite a bit. This is not a point of order. We are into debate now.

Order. Is the member rising on the same point of order? I would rule the hon. member out of order.

The hon. member for Carleton—Gloucester.

[*Translation*]

Mr. Bellemare: Mr. Speaker, I have a question for the minister of heritage. May I put my question?

The Speaker: I would like to continue with question period, but perhaps the question could be put in some other way. Is there unanimous consent?

Some hon. members: No.

ROUTINE PROCEEDINGS

[*English*]

COLUMBIA RIVER TREATY PERMANENT ENGINEERING BOARD

Mr. George S. Rideout (Parliamentary Secretary to Minister of Natural Resources): Mr. Speaker, pursuant to Standing Order 32(2), I am pleased to table, in both official languages, the annual report of the Governments of the United States and Canada for the Columbia River Treaty Permanent Engineering Board.

The report sets out results achieved and benefits produced under the treaty for the period from October 1, 1992 to September 30, 1993.

* * *

CANADIAN ENVIRONMENTAL PROTECTION ACT

Mr. Clifford Lincoln (Parliamentary Secretary to Deputy Prime Minister and Minister of the Environment): Mr. Speaker, I am pleased to table the report on the Canadian Environmental Protection Act, in both official languages, for the period April 1992 to March 1993.

* * *

GOVERNMENT RESPONSE TO PETITIONS

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

(1215)

[*Translation*]

COMMITTEES OF THE HOUSE

TRANSPORT

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I have the honour to table in both official languages the report of the Standing Committee on Transport on Bill C-22, an act respecting certain agreements concerning the redevelopment and operation of terminals 1 and 2 at Lester B. Pearson International Airport.

[*English*]

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, I have the honour to present the 28th report of the Standing Committee on Procedure and House Affairs regarding priority usage in committee rooms.

* * *

MISCELLANEOUS STATUTE LAW AMENDMENT ACT, 1994

Hon. Allan Rock (Minister of Justice and Attorney General of Canada) moved for leave to introduce Bill C-40, an act to correct certain anomalies, inconsistencies and errors in the Statutes of Canada, to deal with other matters of a non-controversial and uncomplicated nature in those statutes and to repeal certain provisions of those statutes that have expired, lapsed or otherwise ceased to have effect.

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

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, I move that the 27th report of the Standing Committee on Procedure and House Affairs presented to the House on Wednesday, June 8, 1994 be concurred in. I believe the hon. member for Kindersley—Lloydminster will second the motion. I also believe there is consent in the House for the adoption of this motion.

The motion is one which deals with concurrence in a report that recommends a series of technical changes to the standing orders of the House that were approved unanimously in the procedure and House affairs committee. The changes in the rules will not come into effect until after the House adjourns at the end of June, but I think they are ones that will be helpful to

members in their dealings in the House. I will not go into the details of them at this point.

(Motion agreed to.)

* * *

PETITIONS

RIGHTS OF THE UNBORN

Mr. Francis G. LeBlanc (Cape Breton Highlands—Canso): Mr. Speaker, pursuant to Standing Order 36, it is my honour to present two petitions signed by several hundred constituents.

The first petition, which has over 800 signatures, wishes to draw the attention of the House to the following: That the majority of Canadians respect the sanctity of human life and that human life at the pre-born stage is not protected in Canadian society. Therefore the petitioners pray that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

ASSISTED SUICIDE

Mr. Francis G. LeBlanc (Cape Breton Highlands—Canso): The second petition has some 670 signatures and draws the attention of the House to the following: That the majority of Canadians are law-abiding citizens who respect the law and the majority of Canadians respect the sanctity of human life. The majority of Canadians believe that physicians in Canada should be working to save lives not to end them.

The petitioners therefore pray that Parliament will ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced rigorously, and that Parliament makes no changes to the law which would sanction or allow the abiding or abetting of suicide or active or passive euthanasia.

HUMAN RIGHTS

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, it is my pleasure to rise today and present four petitions to the government requesting that the Government of Canada not amend the Human Rights Act to include the phrase sexual orientation. The petitioners are concerned about the undefined phrase sexual orientation. There is a legitimate concern that such a broad term could include all kinds of sexual behaviour.

(1220)

ASSISTED SUICIDE

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, it is my pleasure to present a petition on behalf of some of my constituents. They are asking this government not to repeal or amend section 241 of the Criminal Code in any way and to uphold the Supreme Court of Canada's decision of September 30, 1993 to disallow doctor assisted suicide or euthanasia.

Government Orders

[Translation]

POSTAL SERVICE

Mr. Philippe Paré (Louis-Hébert): Mr. Speaker, pursuant to Standing Order 36, I have the honour to table a petition from a group of senior citizens in my riding who are calling upon the Canada Post Corporation to restore a service which has been modified.

[English]

HUMAN RIGHTS

Mr. Grant Hill (MacLeod): Mr. Speaker, I have a petition today also. This particular petition comes from MacLeod, Clare-sholm, Pincher Creek and a number of other communities in my constituency.

The specific issue is the change of the human rights act to allow the undefined phrase sexual orientation. This petition decries such a step and I agree with this petition.

KILLER CARDS

Mr. Bob Wood (Nipissing): Mr. Speaker, I rise pursuant to Standing Order 36 to present a petition signed by roughly 800 constituents in my riding of Nipissing. They call upon the government to support the efforts of Mrs. Debbie Mahaffy in her quest to have the importation of killer cards seized at the Canada-United States border and to stop the distribution in Canada.

They also would like to call upon the government to amend the laws of Canada to prohibit the importation, distribution, sale and manufacture of killer cards in law and to advise producers of killer cards that their product, if destined for Canada, will be seized and destroyed.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

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

The Acting Speaker (Mr. Kilger): Shall all questions stand?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

ENVIRONMENT

The House resumed consideration of the motion.

The Acting Speaker (Mr. Kilger): I do not want to delay debate but I want to remind all members that it being Friday and under normal circumstances the debate will conclude at 1.30 p.m. I would therefore ask members who are participating that

Government Orders

their questions and answers be as brief as possible so that I might allow on your behalf as many of you to participate in the debate as possible.

The clock will start on the 10-minute question and comment period to the member for Comox—Alberni and I will recognize first the Parliamentary Secretary to the Minister of Industry.

Mr. Dennis J. Mills (Parliamentary Secretary to Minister of Industry): Mr. Speaker, I take your remarks under advisement.

The question has to do with national standards in the area of the environment. There have been times in the last week during the unity debate, et cetera, where we as members of Parliament were getting mixed signals from the Reform Party as to its commitment for national standards.

Quite simply, would the member tell this House if he shares the view of this side of the House? We believe in the area of the environment that we should commit to national standards and this House of Commons, the Government of Canada, is the best place to make sure those national standards are maintained.

Mr. Gilmour: Mr. Speaker, I thank the member for the opportunity to respond because the Reform Party does indeed believe in national standards.

Part of the problem with the Canadian Environmental Protection Act has been the overlap between provincial and federal government regulations. There is one party in this House which would choose to have it all in the provinces, but we do not take that position. We feel strongly that the role of the federal government is to provide the umbrella for overseeing documents.

I look forward to looking at this area of overlap in the standing committee. Clearly over the last six years it has been an area of disagreement in CEPA. The overlap has not in my view been to the benefit of the implementation of the act because it is grinding things down rather than helping to get the work done.

I hope I have answered the member's question. If not, we can deal with it further in the lobby.

(1225)

Hon. Diane Marleau (Minister of Health): Mr. Speaker, I ask that if I do not take up all my time I be allowed to share it with the member for York—Simcoe.

[Translation]

I support the motion put forward by my colleague, the Minister of the Environment, to refer the Canadian Environmental Protection Act to the Standing Committee on Environment and Sustainable Development for review.

One of my responsibilities as Minister of Health consist in protecting the health of Canadians against hazards posed by environmental contaminants. As part of my mandate, I share responsibility with the Minister of the Environment for the administration of the Canadian Environmental Protection Act.

Health Canada looks after protecting the health and well-being of Canadians against any adverse effect of pollution. I believe that the Canadian Environmental Protection Act is and will continue to be a major legislative tool when it comes to protecting public health.

Canadians are concerned about adverse effects the environment may have on their health. Such concerns were clearly expressed during the 1990 consultations on the green plan.

At that time, Canadians were invited to express their views on the subject in public fora. They suggested that certain priorities be recognized with respect to actions to be taken to deal with environmental problems and their health implications.

Canadians stated unequivocally that they wanted the government not only to clean up the environment, but also to protect human health. They also told us they wanted to have the information and knowledge required to take action, individually and collectively, regarding the environment.

Canadians have realized that their health and well-being depend not only on the environment, but on environmentally sustainable development. Canadians count on the leadership the government can provide in that area by developing appropriate protection mechanisms.

Every Canadian is at risk in his or her daily life. Some risks are related to behaviour while others are related to the social or physical environment in which we live and work.

Health Canada is responsible for informing the public as to the risks over which each of us can, to a certain extent, have direct control.

[English]

CEPA is an important tool for protection against the health risks of environmental contamination. Individuals have little direct control over some of these. Clean air and water and a safe and nutritious food supply are the basic requirements for health. Without them how can we have sustainable development?

During the green plan consultation chemical contamination of air, water and food was high on the list of concerns of Canadians. The resulting green plan program made clear the connection between the environment and health. It embodied an action plan on health and the environment for which I am responsible. A number of activities under the action plan address the issue of environmental contaminants and health.

For example, in the latest phase of the Great Lakes program, Great Lakes 2000, \$25.5 million is allotted for addressing health

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concerns. The goal is to reduce human exposure and risk to pollution by 30 per cent by the year 2000.

Another program under the action plan concerns drinking water. I would like to bring to Parliament Canada's first federal legislation covering drinking water safety. The act would legislate drinking water quality in the federal domain, for example on reserves. It would also establish standards for materials and chemicals used in water and water treatment devices.

The action plan also gave additional support to CEPA in order to accelerate the risk assessment of high priority environmental contaminants. These examples show clearly that the primary concern of my department in all of these activities is the threat posed to the health and well-being of Canadians by exposure to environmental contaminants.

On the issue of chemicals they can bestow enormous benefits, indeed a host of substances enhance our standard of living. However some chemicals may pose risks to health. In our pursuit of progress we must ensure that human health is not compromised. Such protection is part of the essential fabric of CEPA, particularly in part II of the act where, in concert with the Minister of the Environment, we have responsibilities for the assessment and management of toxic substances.

(1230)

We need to seek new ways to deal with these increasingly complex problems. Hence the timeliness of the parliamentary review which provides an opportunity to examine ways to better deal with these chemicals.

For many Canadians environmental quality is seen largely from a health perspective. Public opinion polls conducted over the past few years have found that a large majority were very concerned about toxic chemicals for health reasons.

Canadians are living longer, healthier lives than ever before. We are already among the healthiest people in the world. We enjoy a high standard of living in a beautiful country, blessed with abundant natural resources. In order to sustain and further improve our health and well-being we must never let down our guard and become complacent about the risks posed by environmental pollution.

I believe that CEPA has been an important step in addressing these concerns. CEPA deals with the issue of toxic substances in the environment through a powerful framework for identifying, assessing and managing toxic substances.

Prevention has a long history in public health where a basic tenet has been the need for measures to prevent illness and disease. Our concepts of health and environment are broadening and expanding.

As recently as half a century ago health meant simply not being ill. Health is now seen as a resource for everyday living, an essential part of the quality of life. Good health is no longer simply the responsibility of the individual. It has come to involve the interaction between individuals, their communities and the environment.

Our concept of the environment has also expanded and includes not only our natural surroundings but also our homes, our work places and our communities.

These broadened concepts of health and environment need to be considered in the renewal of CEPA. Over the years the federal government has enacted a number of statutes which exercise some form of control over toxic substances. My department carries out its health promotion role primarily by enforcing various federal laws and regulations. Some are our sole responsibility, for example the Food and Drugs Act, the Hazardous Products Act, and of course the Tobacco Products Control Act.

I would be remiss if I did not mention some of the achievements to date: The development of regulations in partnership with Environment Canada for ozone depleting substances, PCBs, vinyl chloride, dioxins and furans from pulp and paper mills, the notification regulations for new chemicals and polymers and, last, gasoline regulations which required the accelerated phase-out of leaded fuel which has a significant impact in reducing human exposure to lead.

As well, earlier this year with Environment Canada we released the remaining assessments of the original 44 substances on the first priority substances list to meet the five-year deadline imposed by the act. I understand that no other jurisdiction in the world has completed a comparable task in so short a time.

In closing, let me reaffirm my support for the referral of CEPA to the parliamentary committee. I recognize the importance and magnitude of the task before it and I look forward to contributing the knowledge and expertise of my department to its work.

I look forward to supporting the committee as it looks at how a renewed Canadian Environmental Protection Act may contribute to creating and sustaining an environment that will not only maintain but enhance our health.

Mrs. Karen Kraft Sloan (York—Simcoe): Mr. Speaker, pollution has been a prominent threat to Canada's environment for many decades. Since 1988 the Canadian Environmental Protection Act has enabled the federal Minister of the Environment to regulate environmental pollution at the national level. Through an ecosystem approach it addresses pollution problems on land, in water and in all layers of the atmosphere.

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CEPA was designed to improve the government's environment record and standards on federal lands as well as First Nations lands and to enable Canada to fulfil its international environmental protection obligations.

(1235)

The act covers a number of regulations ranging from controls on CFCs through pulp and paper effluence to PCB storage. In the red book a Liberal government pledged to use the five-year review of the Canadian Environmental Protection Act to make pollution prevention a national goal and to strengthen the enforcement of federal pollution standards. This is exactly what this government intends to do.

The Standing Committee on the Environment and Sustainable Development is an excellent choice to undertake this review. The committee will be able to assess the effects of toxic substances on the health of entire ecosystems. We must take advantage of this opportunity to review CEPA and learn more about the effects of toxic substances on the environment.

We must identify and improve our understanding of atmospheric pollutants. The health of our ecosystems ultimately affects human health. Although the link between ecosystem health and human health is complex, we cannot ignore an ecosystem which is ailing. We cannot ignore fish with tumours caused by toxins, birds with crossed bills caused by eating contaminated fish and reproductive problems in wildlife that eat fish.

We cannot help but fear that human health is also in jeopardy since they are so inextricably linked. Fortunately Canada still has a number of rivers and lakes which can be considered clean. Yet we also have ecosystems that have been contaminated by industrial effluence, agricultural and urban run-off. There has been some progress made in slowing the degradation of Canada's ecosystems.

In order to ensure a healthy environment for future generations, we must develop new ways to protect our resources. I believe we must review CEPA as one part of our strategy to create a sustainable environment. We must make appropriate amendments in order to meet the environmental challenges of the 21st century.

In the past, Canada has concentrated on regulating the release of pollutants. This approach has had success. However I also feel that we must develop new approaches that target pollution prevention at the source to complement CEPA. Manufacturing innovations and other environmental technologies are needed to correct the problem where it is created.

Currently Canada has about 4,500 environmental firms employing 150,000 people with combined revenues in excess of \$11 billion. By the year 2000 the International Monetary Fund

has forecasted that the environmental technology market is anticipated to reach \$600 billion.

I believe that this government should support Canadian entrepreneurs and their endeavours to seize opportunities in this industry. Canada has developed a global reputation as an environmental leader and we must continue to build on this role. New environmental technologies and services will promote economic growth in Canada. New technologies will also enable us to clean up and prevent environmental problems.

In the pulp and paper industry, new technology has reduced the quantity of suspended solids and oxygen depleting material in mill effluent. Just a few weeks ago I had the wonderful opportunity to tour a pulp and paper mill which is committed to cleaner production technologies and improved waste treatment.

The hon. member for Thunder Bay—Atikokan was kind enough to extend an invitation to Avenor mill in his riding. I was very impressed by its water treatment system and recycling efforts. This plant has significantly reduced the concentration of toxic substances in mill effluents.

Representatives from across the country have come to see the remarkable technological innovations this company has undertaken. We must applaud its effort and support future endeavours like this. I believe that CEPA has played a major role in identifying problems and forcing companies to realize that old environmentally harmful practices are not acceptable. However it is environmental technologies that have enabled companies to remedy the problem and promote more sustainable futures.

In the review of CEPA we must ensure that the federal government does not overlap and duplicate provincial regulations. We must work with the provinces to streamline and harmonize our efforts in order to cut costs and reduce confusion and frustration for environmentalists and industrialists.

Currently the Canadian Council of Environmental Ministers is in the process of working toward this end. Government and regulation are not just top down policies. I firmly believe that action at the community level is where real change occurs.

(1240)

In the riding of York—Simcoe which I represent, the SOS Alliance has launched a public awareness of Lake Simcoe's serious phosphorous pollution problem in order to save Lake Simcoe.

Currently thousands of tonnes of sediment and phosphorous are being dumped into the lake every year from urban and rural sources, twice the amount that the lake requires to evolve naturally. Evidence proves that the water quality has deteriorated.

The SOS Alliance realizes that protecting Lake Simcoe ultimately protects our way of life and the entire ecosystem in the Lake Simcoe basin. In addition, by saving Lake Simcoe, a

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natural resource worth \$500 million annually to the economy of the Lake Simcoe watershed will also be saved.

A healthy economy and standard of living are dependent upon a healthy environment. The public has shared an interest and a responsibility in the environment. Therefore, the public should be able to access information easily and should also play a role in the shaping of new laws and policies as well as becoming involved in community based environmental projects.

Once the Standing Committee on the Environment and Sustainable Development is given the task to review CEPA, I, as vice-chair of this committee, will work with my colleagues to ensure that all sectors are consulted in our review process. I firmly believe that a review of CEPA with extensive consultation is a step in the right direction to ensure that Canada as a nation will be able to meet the environmental challenges of the 21st century.

[*Translation*]

Mr. Benoît Sauvageau (Terrebonne): Mr. Speaker, as a member of the Committee on Environment and Sustainable Development, I think it is essential and very appropriate to make a comprehensive review of the Canadian Environmental Protection Act. Our future depends on the measures taken today. This is why it is vital to review the effectiveness of the act and, consequently, the effectiveness of the departments concerned by this legislation.

The location of my beautiful riding of Terrebonne, which is bordered by the Prairies River, the Mille-Îles River and the majestic St. Lawrence River, and which is close to the island of Montreal, leads me to give particular attention to the management of our environment.

My constituents are directly affected by the environmental decisions and policies implemented here. It is therefore essential for them, and for me, that we take a close look at how the act has evolved and how it has been managed. As I said earlier, given its location, my riding would be an appropriate place for the establishment of institutions dedicated to the environment and environmental technologies. This would make of one of the most populated ridings in the country a leader in the field of environment.

Environmental protection depends on the sound management of allocated budgets. The idea is not to pass a law and then vote a budget to ensure its efficiency. Rather, we must closely monitor the implementation of the act, as well as the activities of the various organizations, and the departmental policies. Since the environment and health departments are the two responsible for the implementation of the act, it is essential that they both send experts to testify before the committee. This will enable us to better check and monitor how the act is being implemented.

The Canadian Environmental Protection Act provides the necessary tools to protect the environment. It includes both preventive and corrective measures. We, members of the Standing Committee on Environment and Sustainable Development, must see to what extent these tools are being used. It should be remembered that the Department of the Environment has a budget of close to three quarters of a billion dollars. With that kind of money, some great things can surely be achieved.

Our review of the Canadian Environmental Protection Act will certainly give us an opportunity to determine whether these goals and objectives have been achieved after five years of implementation. This act was sanctioned on June 28, 1988. Its ultimate goal was to help Canadians enjoy a healthy environment. It replaced and broadened the Environmental Contaminants Act. The new act has led to uniform guidelines, standards and regulations across the country.

I should explain some of its provisions to help people better understand what the Environmental Protection Act stands for.

(1245)

When it came into effect five years ago, the Canadian Environmental Protection Act was aimed chiefly at regulating toxic products. It listed the products that were considered to be harmful to the environment, as well as the implementing regulations and standards designed to ensure that these products are used wisely.

Another part of the act banned other toxic products that were not listed so that any product entering or made in Canada had to undergo a review to determine whether it should be included in the list of toxic products.

The act emphasizes what we call toxic products. One of the deficiencies we will have to address is that the act does not contain any reference to the concept of sustainable development.

The people who introduced the Canadian Environmental Protection Act in 1988 were certainly full of good intentions, but the concept of sustainable development was not yet in force. In reviewing the Canadian Environmental Protection Act, the Committee on Environment and Sustainable Development will surely give the principle of sustainable development all the importance it deserves.

In explaining this to you, I will avoid explaining the whole Act, and I will conclude right away, because we have a little agreement with my friends opposite so that they too can conclude on this. That is why I would like to say that it is rather strange that under the Canadian Environmental Protection Act, the minister is supposed to make an annual report on how it was applied and on the state of the environment.

This was probably the favourite argument trotted out by Liberal members of the environment committee when we talked about the environment commissioner. The Liberals then put

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forward their argument that an environment commissioner would issue an annual report on the environment, which is already being done.

But we will surely be able to discuss it when the Act is reviewed. I now want to particularly emphasize the importance of working non-stop for the environment. A report published a few days ago by Statistics Canada, on Human Activities and the Environment, 1994, which we had a chance to read this week, leaves me and, I am sure, other hon. members uncertain as to whether the money invested in the environment is well spent.

It says that Canada is among the top seven producers of waste per capita. With nearly \$2 billion spent on the environment by all federal departments, Canada should do better in this regard.

In the review of the Act which the committee is about to undertake, we absolutely must consider the many international conventions signed by Canada. A reform is already required to avoid overlapping among the various agencies of the Department of the Environment. These overlaps often cost taxpayers too much.

To conclude, as I said before, this review must absolutely not overlook the concept of sustainable development adopted by Canada since the Canadian Environmental Protection Act took effect. This law is the key to environmental protection and it is essential that it achieve the objectives set by Quebecers and Canadians.

[English]

Mr. Randy White (Fraser Valley West): Mr. Speaker, it is a pleasure once again to speak to such an act. In fact it is one of the few times since coming to the House of Commons that I have been able to congratulate the government for at least initiating a process that should do Canada so well. In my role I end up critiquing a lot of things that happen in the government and I do not have a lot of good things to say at times. But this time I do.

(1250)

It is really time to amend the Canadian Environmental Protection Act. Many of the things I am going to speak about today will exemplify just what I am talking about.

In looking yesterday at a report from StatsCanada about Canada's environment, which I want to quote from, I would emphasize what the changes to this act could do to help Canadians.

Some of the comments that I get from the StatsCanada report are as follows: Canada is among the top five producers per capita in the world of industrial and household garbage, and among the highest in the production of hazardous waste. That comment speaks for itself. It is so very important that we deal

with the issues at hand such as the Environmental Protection Act, and that is what this does in fact.

In 1991 each Canadian generated about 360 kilograms of urban solid waste. That is one heck of a lot of solid waste. This is not just disposed of ad hoc, it has to be controlled, monitored, legislated.

Ontario leads in the production of hazardous waste in Canada. Its total output ranks far above and ahead of some other industrialized nations such as Japan. I believe British Columbia is well up there as well, but Ontario with its large population looks at hazardous waste in a way that must be examined by the Environmental Protection Act.

Canada, Australia and the United States generate between 360 and 828 kilograms of urban solid waste per person each year. That is just astonishing. Much of the waste in Canada consists of plastics, packaging and newspapers, which must be collected and disposed of at municipal facilities. It is just not the Canadian act that is at stake here, there are other environmental agencies in different levels of government that must be examined as well. This emphasizes the importance of the committee discussing, relating and working with all these different layers of government when it examines this act.

Canada is also a major producer of hazardous wastes, which are substances posing a risk to human health or the environment, and requiring special disposal techniques to make them harmless or less dangerous. In 1991 Canada generated about 5,770 kilograms of hazardous waste for each million U.S. of gross domestic product. That again is just an astonishing number when you think about what kind of hazardous waste is coming from our country.

I have a few other comments and then I will get on to my local area in Fraser Valley West. In 1991, about one-half of Canadian households had access to curbside or depot recycling services. This access varied greatly across the country; access to recycling was highest in Ontario, which it should be congratulated for. British Columbia ranked second in paper recycling which is available at 64 per cent of households.

We are doing what we can but there is a lot more to do. I sincerely hope that when the environmental committee meets, as the minister said a little while ago, that she is going to give authority to this committee to investigate, look and discuss all of these issues and report back.

It is important to remember that when this committee reports back to the House and to the minister that the minister take positive action. I could stand here and complain about the input that we have received across the country relative to the Young Offenders Act where we see an act that was designed and is weak, to say the least—I used the word flaccid. I sincerely hope when we get into this act and these changes that we do not cop out like we did in the Young Offenders Act.

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We have talked about what the act covered, the regulation of toxic substances, priority substances. My colleague who spoke earlier this morning discussed those in some detail and I do not plan to do that here. Substances new to Canada, export–import toxic substances and waste, regulation, cleaning agents, water conditioners, nutrients, international air pollution, ocean dumping; this is a very sweeping act indeed and it is incumbent upon us to give it very detailed study.

(1255)

I want to take this opportunity to spend a few minutes and discuss a serious environmental problem in Fraser Valley West. Fraser Valley West is an area nestled against the mountains in British Columbia. It encompasses the communities of Langley, Aldergrove, and Matsqui.

We are also the home of the Abbotsford International Air Show. I can remember in the early eighties standing on the tarmac in Abbotsford and looking up at Mount Baker which is just a pristine beautiful mountain, snow capped all year round. You could see it as clearly as any clear day on the ocean. Today there is this brown haze over our community that is not just disgusting but it is scary. It is scary for most people in our community. We are fearful for our young. We are fearful for those who have asthma, bronchitis and other respiratory diseases.

It is nothing in my community to walk outside after two or three days of not cleaning off your patio furniture, for instance, and getting this black scourge that comes from the air. Washing homes is a common reality in the Fraser Valley. Air pollution is a serious concern there.

If there is any one thing we will be watching from my perspective from the Fraser Valley it will be this air pollution that is a serious problem.

The cause is by and large the air drifting from the ocean over Vancouver and the clouds in the air nestling up against the mountains, dropping back, and dropping the contents in our community. A lot of it is a result of vehicle emissions.

Although the provincial government has done its best to look at vehicle emissions it still remains a significant problem. Therefore on behalf of the parents, the children and everybody else in our community I will be watchdogging this aspect of the environmental act very carefully.

The other thing in our community that is very much a concern is water quality. We have many farms in our beautiful riding. The water quality has been proven in some cases and some areas to be quite deficient and people have been unable to drink it.

What do we want to see out of this? Our vision for the future is inspired by the importance to our well–being of exploring, developing, renewing and conserving—

[Translation]

The Acting Speaker (Mr. Kilger): Order. I would like to remind members that—

[English]

I just want to remind members that the microphones on our desks are very sensitive and when people close by the person who has the floor speaks, it does sometimes get picked up on the microphones. It certainly blurs my capacity and possibly the capacity of other members to hear correctly and clearly.

[Translation]

I would ask those members seated near the Chair to remember that the microphones are very sensitive. Therefore, if they wish to carry on a conversation, perhaps they should—

[English]

Mr. White (Fraser Valley West) Mr. Speaker, I am sure that was not intentional. These gentlemen were listening so intently to what I had to say which I think I just excited them a little bit.

The Reform Party strongly supports ensuring that all Canadians and their descendants live in a clean and healthy environment. We are working on environmental policies that go much more in depth than what many may think and understand.

The environment is a national concern. I am sure it is a concern of the parties in the House today.

(1300)

We support the concept of a public education program of environmentally conscious purchasing. In fact we believe the federal government should take a leadership role in that environmentally conscious purchasing while encouraging the private sector to follow. That is absolutely necessary. So often today we talk, talk, talk and we legislate from a government perspective but we do not lead by example.

We have to meet the needs of the present without compromising our ability to meet the needs of the future. In other words, we are looking for some action now and we cannot compromise the legislative things we are doing for the future. We need a long term perspective on this environmental program.

We believe environmental considerations must carry equal weight with the economic, social and technical considerations of any project that is put into place. It is a major step forward if we can finally judge things not just on the economics and the social viability but on the environmental viability as well. All programs, whether government or private industry, should make that assessment.

I have some other things to say, but before my time runs out I want to read something that I read in the House not too long ago in statements. I think it bears repeating. It was given to me by a young lady who very much believes in the improvement and the

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quality of her environment. I read it several times and it touched me so much that I think it should be repeated again.

The words on this document are actually printed in a circle as though they were a small ball. It states: "If the earth were only a few feet in diameter, floating a few feet above a field somewhere, people would come from everywhere to marvel at it. People would walk around it, marvelling at its big pools of water, its little pools of water flowing between the pools. People would marvel at the bumps on it, at the holes in it, and they would marvel at the very thin layer of gas surrounding it and the water suspended in the gas. People would marvel at all the creatures walking around the surface of the ball and at the creatures in the water. People would declare it as sacred because it was the only one and they would protect it so that it would not be hurt. The ball would be the greatest wonder known and people would come to pray to it, to be healed, to gain knowledge, to know beauty and to wonder how it could be. People would love it and defend it with their lives because they would somehow know that their lives, their own roundness, could be nothing without. If the earth were only a few feet in diameter".

I think that says it all about environmental legislation. What we have here is only one precious resource in the universal globe. It is somewhat like a ball. We would cherish it so much if it were that size, but today to some extent we do not cherish it enough.

Finally there are several other items I want to talk about on where the Reform Party comes from in establishing some policy. We support the establishment of clear federal-provincial jurisdiction over environmental matters to reduce duplication, confusion and unnecessary regulation. We know this exists today. I sincerely hope the committee addresses that major important point.

The Reform Party supports promoting partnerships with provincial governments, private industry, our educational institutions and the public to promote environmental protection. The Reform Party supports the development of environmental regulations through consultation with industry and the public.

There is another item and that is ozone depletion. Much has been said about ozone depletion. In fact there are those who say it is not a problem at all. There are still no accurate measurements available today to determine whether or not ozone depletion is a fact or a myth. Conclusions that have been drawn about ozone depletion are based upon inaccurate computer models. Whether or not one believes the ozone layer is depleted, it is conclusive the items we use in society today do nothing but harm to our environment. Another issue is that of hazardous materials, whether they are considered commercially hazardous or industrially hazardous materials. It is another issue the committee should give great consideration to.

(1305)

I would congratulate the government this one time for at least initiating something that will be very positive to communities throughout the country. I look forward to some action being taken that is positive, and if it is not many of us from the Reform Party in particular will be watchdogging it very closely.

Mr. Clifford Lincoln (Parliamentary Secretary to Deputy Prime Minister and Minister of the Environment): Mr. Speaker, before I start my address to the House I want to thank my colleagues from Terrebonne and Fraser Valley for having graciously accepted to cut their time so that some of us on the Liberal side could speak at least 10 minutes.

I notice that it is 1.05 p.m. Would I be able to ask for the consent of the House to extend the debate by just a few minutes after 1.30 p.m. so that the three of us could have 10 minutes each?

The Acting Speaker (Mr. Kilger): In the spirit of the suggestion by the parliamentary secretary—I do not want to put words in anyone's mouth; correct me if I stray too far—my understanding would be that the parliamentary secretary, the member for Cumberland—Colchester and the member for Daventry would each speak for 10 minutes without questions or comments and we would conclude at 1.35 p.m. Is that agreed?

Some hon. members: Agreed.

[*Translation*]

Mr. Lincoln: Mr. Speaker, I would like to thank my colleagues.

In the last 50 years since the end of the war, that is, in the latter part of this century, man has conquered space, broken the sound barrier, walked on the moon and plumbed the depths of the oceans. In a few brief seconds, we can send documents around the world. In our homes, our televisions give us a front row seat to global events.

Truly remarkable, even extraordinary, technological advances have taken place during the second half of this century.

And yet, according to an eminent scientist from Harvard University by the name of Edward Wilson, during this same time span, the earth's environment has suffered the most damage since the dinosaur age.

Each year, 27 million acres of forests, an area twice the size of Nova Scotia, are devastated. Desertification swallows up 15 million acres each year, an area slightly larger the Nova Scotia. Some three billion inhabitants of this planet do not have adequate sanitation facilities. More than one billion people do not have clean drinking water.

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In 1930 the world was producing 7 million tonnes of chemicals; in 1950 just after the war, 7 million tonnes of chemicals; in 1970, 63 million tonnes of chemicals; and in 1985, 250 million tonnes of chemicals. In this decade of the 1990s the world will be producing 500 million tonnes of chemicals. According to UNEP statistics this figure is likely to double every decade from now on.

All of us enjoy the benefits of the use of chemicals. Our telephones, our appliances and our homes contain all sorts of products derived from chemicals. What we failed to do as a people, as a society, as all societies around the world, was to assess the impact of the use of chemicals before we started to produce them. The objective of CEPA, the Canadian Environmental Protection Act, is to control the management of toxic substances from their creation right through to elimination. The act is now five years old.

(1310)

After five years we must address the following questions. Is the act as effective as it could be? What must members of the House and of the Standing Committee on the Environment and Sustainable Development recommend and do to eliminate the 11 critical toxic substances flagged by the International Joint Commission as the most harmful and hazardous to human health? What must we do to deal with the hundreds and thousands of other toxic substances that bioaccumulate every day in our streams and ecosystems and that destroy our environment?

I would suggest that we need a two tier approach. First we need to control and to eliminate gradually and as soon as possible existing toxic substances that have accumulated and continue to fester our lakes, our streams, our air and our land. At the same time as these exist, all over our countryside there lies toxic waste at the bottom of our streams and on our land. We have to prevent disasters from arising.

Sadly enough I experienced a disaster in Saint-Basile-le-Grand a few years ago. For three weeks thousands of people had to be moved from their homes because of a PCB fire. We have to make sure that environmental catastrophes arising from toxic substances already produced are controlled and that disasters are avoided.

We must make sure above all not to add to what is already in our ecosystems and in the atmosphere. We must use all our laws in an intelligent way through co-ordinated action. We must use impact assessment clauses intelligently enough to assess our programs, our policies, our activities and our advance planning to arrive together at prevention because prevention is the cure.

We must use the act intelligently so that a national prevention policy takes place that ensures our industries use clean technologies and closed loop technologies in manufacturing processes to

prevent toxic substances from reaching the atmosphere and the ecosystems.

[Translation]

Above all, we must have an integrated approach and muster all resources in the system. We must realize that we cannot do anything about the environment without talking about health, we cannot do anything about the economy without talking about the environment and we can do nothing at all without talking about education, since education forms the very basis of any action in our society. All the elements of a societal policy are tied together, and the environment, the functioning of the ecosystems, is at the root of all this. We must therefore have an ecosystemic approach and involve all those concerned, not only the federal, provincial and municipal levels of government but all stakeholders in our society, including industry, academics, environmental groups and the public.

That is why I want to strongly support this initiative of the hon. ministers of health and the environment who are giving us, in the Standing Committee on Environment and Sustainable Development, considerable leeway to consult all Canadian stakeholders to upgrade this act which is the basis of our environmental policy regarding toxic substances.

Together, we must work relentlessly to successfully eliminate toxic substances from our environment because the environment knows no political boundaries. This is a golden opportunity for all of us, from the various political parties, to co-operate to achieve a common goal.

[English]

The environment after all is a matter of equity.

(1315)

In closing, I would like to quote the great British theologian, David Attenborough: "As far as we are aware we are the only human beings in the black immensities of the universe. We are alone in space. And the fate of our planet and indeed of all of us is in our own hands".

I suggest that these hands must be caring hands, must be helping hands, must be hands that work very hard to build a society where equity and environmental justice are synonymous, where we build, we conserve, we preserve, we enhance nature, the ecosystems that provide life and living and not destroy them because the environment from start to finish is a matter of living and of quality of life.

We owe it not only to ourselves but especially to generations to follow that we do a very, very positive, concerted job among all of us to reform CEPA in the most effective way possible.

Hon. Charles Caccia (Davenport): Mr. Speaker, the debate today starts from the premise that the health condition of air, water, soil and atmosphere as we all agree is an indispensable precondition for a sustained economy and a healthy nation. The

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question that arises is whether federal policies are helping in this respect and whether our values in society do so.

Today's debate on this environmental protection act is intended to come to grips with this question and to lay the foundation for our work in the months ahead.

[*Translation*]

The hon. member for Frontenac referred to the blue planet which we share. He said that we are all in the same boat, and I fully agree with him. However, I wonder how he can, in the same breath, allude to federal intrusions and accuse Ottawa of interfering in provincial affairs. When it comes to the environment, we cannot stoop to politicking.

I also want to say that I really appreciated the comments made by the hon. member for Terrebonne, as well as the feelings he expressed. I want to thank him for his co-operation and his ideas in committee.

[*English*]

I would also congratulate the member for Comox—Alberni for his helpful and constructive analysis of the legislation and for his concluding remarks which will certainly guide us in our deliberations in committee.

As to the act, if we are to put our economic activities on the right track so as not to damage health, natural resources and our long term economic prospects, I suggest that we must make this legislation work for the benefit of Canadians.

There are a number of points which must be noted with regard to this legislation. First, that it allow the ministers of the environment and health and welfare broad powers to gather detailed information about toxic substances from manufacturers, importers, transporters, distributors and users.

Second, this legislation requires the compilation of a priority substance list of suspect toxins for which assessment priority must be given and assessment reports prepared with intent of control by national regulation.

Third, if the government adds the names of toxic substances to the list then the government has broad regulatory powers to control all aspects including manufacturing, importing, exporting, packaging, labelling, transportation and storage. Persons who fail to give the required information or to comply with this regulation are liable to conviction of up to a \$1 million fine or up to three years in prison and or both.

Fourth, a limitation in the legislation is the broad ministerial discretion to name substances to the priority list and to recommend regulatory action. There are an estimated 30,000 to 40,000 chemicals manufactured or imported into Canada. What constitutes a manageable number of chemicals for assessment priority is in itself a big challenge.

(1320)

Fifth, where a substance has been on the priority substance list for five years and not yet assessed, any person may request a board of review but the resultant report would be recommendatory only. Only 44 substances have been listed over the past six years under the appropriate schedule of this act and subject to very limited regulations.

In March a number of organizations filed notices of objections because of 44 substances assessed under the priority substance list. Eleven were deemed neither toxic nor non-toxic because of the lack of data. These organizations argue that this unproven status violates section 14 of the act which states that within five years all substances on the priority substance list must be assessed and that the ministers have not fulfilled their statutory duty. These organizations can expect a board of review to investigate these 11 specific cases.

Then there is the international joint commission concerning the Great Lakes. It recommends: one, the virtual elimination of persistent toxic substances from the Great Lakes, including the use of chlorine and chlorine containing compounds as chemical feed stocks in industry; two, the elimination of other chlorine uses or at least their reduction and, three, a shift in the onus of proof. Instead of government or the public having to prove that a product is dangerous, why not have the manufacturers prove that the product or substance is not harmful? In addition the commission is urging industry to re-evaluate both the material and processes it uses.

At this stage the precautionary principle comes to mind as adopted in Rio 1992 in the declaration which reads: "When there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation. The question is: Should this principle be included in the environment protection legislation?"

There are in this legislation a number of hurdles to speedy action. Before regulations for toxic substances are imposed by cabinet a federal-provincial advisory committee must have an opportunity to tender its advice. If the Minister of the Environment and a provincial government agree that the province and the federal government regulations for a toxic substance are equivalent and both governments have similar investigative provisions, cabinet may declare that the federal regulations are non-applicable in that province. The application of this concept of equivalency continues to be controversial.

No wonder, I repeat no wonder, that as of today over the last six years not one such agreement has been entered into. A number of reasons account for the delay in implementation and provincial reticence among them to admit to any federal authority coupled with an overriding concern with a capacity for

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control through the powers flowing from the constitutional concepts and precepts of peace, order and good government.

Next is the international scene. Where there is a reason to believe that an air contaminant in Canada is creating pollution in another country or violating an international agreement, the Minister of the Environment can recommend prohibitions or controls by way of regulations. However except for federal works or undertakings the minister is not allowed to make a recommendation unless consultations occur with the province where pollution is occurring as to whether regulatory steps may be taken under provincial laws.

The minister must endeavour to bring about provincial prevention or control if possible. Any federal regulation passed to control international air pollution may be made inapplicable to a province where equivalent provisions and investigative provisions and procedures are in place.

Mr. Speaker, this is quite a jungle to walk your way through, you will admit.

(1325)

To conclude, this legislation of course is part of a broader picture. The parliamentary secretary has just given us a terrific framework against which we ought to approach this legislation. It is just one instrument in which we placed a lot of faith when producing it in 1987 and 1988.

Today we have to ask ourselves some tough questions, whether it can work, whether the idea of equivalency can be made to work, whether in the experience gathered so far it is sufficient to enable us and the legislators of today to conclude that CEPA can be improved by way of amendments or whether we need to start thinking of an alternative piece of legislation that would achieve the goal of environmental sustainability but through different means.

We are all aware of the significance of the assignment that the government has given to the committee. I am sure that the collective wisdom of all members of all parties in this House will help us to come back eventually with a report that will be for the benefit of Canadians from coast to coast.

Mrs. Dianne Brushett (Cumberland—Colchester): Mr. Speaker, maintaining a healthy environment is as sacred a duty as maintaining the health of our bodies.

The 18th century poets continually wrote about the man and nature, the harmony that must exist between the two to find inner peace. As a girl growing up in Atlantic Canada in the 1950s, we were very much aware, very directly involved in nature: today, the environment.

As I so fondly remember, nearly every Sunday afternoon was spent cruising timber lands hand selecting each tree that was ready for harvest based on size, age, disease, overgrowth or

whatever else of this evidence there was to the eyes and to the touch of the experienced lumbermen, the experienced logger.

My father was a lumberman in rural New Brunswick. My brother carries on the lumbering business today as his sons will in decades to come when he is gone. This is the saga of sustainability, taking enough natural resource today to meet one's needs but leaving enough for the next generation to sustain its needs.

Although it was never called sustainable development, that is exactly what it was and it was practised best by the aboriginal people, the First Nations people of this country. In rural Canada, many lumbermen, many fishermen and farmers did the same thing.

The saying went among the older people: "If you look after the earth, the earth will look after you". Mother nature has paid the bills for Canadians, in particular Atlantic Canadians, for centuries and today we have fished the seas dry. We have cut the forests. It is mother earth that has sustained this Canadian lifestyle through need and then through a period of greed we lost sight of our real basic resource.

Through greed and desire for economic growth we lost the balance, the harmony between man and his environment. Yet those committed environmentalists who have badgered the society for the last two decades are the ones whom we have to thank for creating the public awareness and sensitizing us to the urgency of maintaining the health of the environment. They have urged us to solve the problems through policies and regulations that achieve sustainable resources and sustainable environment. That is the implementation of conservation.

In many instances, we do not agree completely with the purist environmentalists. However we must acknowledge that it was they who through their persistent determination that caused legislatures to focus on a sustainable economy within a sustainable environment.

In the forest sector Canada is a leading example of applying the challenge of sustainable development, of balancing the environment and the economy. We must through this legislation today study the bill and take on the process of doing business and cost of maintaining the environment and the cost of the economy.

Through our national focus, forest strategy and model forests and through research we will demonstrate international leadership.

(1330)

I do not claim to speak on behalf of the Minister of Natural Resources, but I do believe it is her intent to let the world know that Canada's forestry industry is working in partnership with the environment and that we will be the leaders in sustainable forestry.

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We will work through new federal and provincial pulp and paper regulations. There are mills, such as the Scott paper mill in Nova Scotia, that discharge effluent into the waterways. Scott Maritime Limited has been one of those mills. It has been discharging effluent into Boat Harbour.

Stakeholders meetings are scheduled for June. Fishermen, aboriginal representatives and environmental groups will meet to identify and resolve these problems.

We will establish leadership through land use and through resource conflicts, through utilization of technology and research to manage these forests. Through increased demands and through the U.S. legislation of recycled products we are meeting the demands of using recycled paper. We will harmonize legislation to the federal government and the provinces in environmental acts.

Above all we will deal with public concern over the impact of forest practices. For example, clear cutting is not always as bad as it may appear. Cosmetically it does not look good and we are appalled at what we see. But depending on the growth stand, the species diversity, the slope and other variables, it may be the best choice for the ecosystem involved and environmental protection.

Forests are increasingly seen as a global resource. Given time, I personally believe we will have international legislation on global resources such as forestry to protect the global society. Canada can lead the global debate on sustainable development and global resources. Being the sensible nation we are, Canadians are well positioned to emerge as world leaders with environmental technology phasing in sustainable development.

The Canadian forest sector employs more than 730,000. We are the world's largest exporter of forest products and the Canadian forest is a backdrop for more than a \$26 billion tourism and recreation industry.

Not only is the forest the key to Canada's economy and trade, it is vital to our health by cleaning the air, specifically by combating global warming. Did you know that use of fossil fuels to power cars, heat homes and produce electricity contributes to global warming? Few Canadians are aware that burning one gallon of gasoline, eight pounds, sucks 12 pounds of oxygen from the air. Then it releases 20 pounds of carbon dioxide back into the atmosphere and we depend on our green plants and our trees to absorb this carbon dioxide and fix it into the woody tissue.

We appreciate the value of our trees. That is why today in Nova Scotia we still practise Arbour Day in the month of May having every elementary school child go out and plant a tree. Sustainability begins with one single person planting one single tree in one single community.

We look at renewable resources such as tidal power in Nova Scotia. The Bay of Fundy has the highest tides in the world in which technology is present whereby we can take those tides and turn turbines as the water churns through and generate electricity. This is a natural phenomena. This puts out no pollution and it costs no money to harness the tide. There is a large capital cost and it will not be done in the immediate future as we have a surplus of energy at the present time. However I look forward in the future to bringing tidal power into the debate of this House as a renewable source of energy.

This government has just introduced an infrastructure program of some \$2 billion throughout the provinces. In my riding of Cumberland—Colchester we set up 10 projects through our municipalities. Each and every one of these projects was a pollution abatement project, or a sewage treatment plant, or fresh water.

When we developed a clean water system in the town of Truro, we also made donations from our construction people and our municipal government to CUSO and Watercan to set up a fresh supply of water in a third world country. This was co-operation. This is sustainability for a global society.

In closing, it is the policy of this government coming from the throne speech of January 18 to promote sustainable development as an integral component of decision making at all levels of society. Special emphasis will be placed on pollution prevention and the development of green infrastructures and industries and their associated high technology jobs.

The Canadian environmental assessment act will be proclaimed. We must be vigilant caretakers of this earth to protect the future of our youth. It is their inheritance. The challenge belongs to all of us in this House and as legislators we must be held responsible for our future.

The Acting Speaker (Mr. Kilger): I would like to pick up on the theme of co-operation and thank all members this afternoon for the co-operation demonstrated to one another so that as many of you as possible could speak on this important debate in the limited time we had.

I have barely a minute before I have to close the debate. I would simply like to ask: Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to.)

The Acting Speaker (Mr. Kilger): It being 1.35 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

(1340)

*[English]***CORRECTIONS AND CONDITIONAL RELEASE ACT**

Ms. Val Meredith (Surrey—White Rock—South Langley) moved that Bill C-240, an act to amend the Corrections and Conditional Release Act and the Criminal Code, be read the second time and referred to a committee.

She said: Mr. Speaker, I want to impress upon this House why I believe this private member's Bill C-240 must be supported by all members of this House. I will start by relating one offender's history as outlined by Ian MacLeod of the Ottawa *Citizen*.

On the night of June 17, 1988, 11-year old Christopher Stephenson was kidnapped from a Brampton shopping mall. His kidnapper was 45-year old Joseph Fredericks. Fredericks took Christopher to his nearby rented room, walking right by Christopher's house. Once in the room Fredericks proceeded to torture and rape Christopher over the next 24 hours. The next evening Fredericks took Christopher into a wooded area where he choked him into unconsciousness and then stabbed him in the neck. Christopher bled to death.

As terrifying as this story is, it is made doubly worse by the fact that Fredericks was a known and convicted pedophile. Prior to his murdering Christopher Stephenson, many psychiatric and corrections officials believed it was only a matter of time before Fredericks struck again. Despite this belief, officials felt that there was little they could do and there was little that they could do, until he killed Christopher Stephenson. With the crime committed, Fredericks was quickly arrested, convicted of first-degree murder and received a life sentence without parole for 25 years.

Today society can rest somewhat easier knowing that Joseph Fredericks will never pose a threat to any more children. However, this assurance is not due to any law or court decision or efforts by Correctional Services Canada or by the National Parole Board. No, the threat posed by Joseph Fredericks was removed in January 1992 by another inmate at Kingston Penitentiary who stabbed Fredericks to death.

The death of Christopher Stephenson could have ended there like so many unfortunate murders of other children. But due to pressure by Christopher's parents, Jim and Anna Stephenson, a coroner's inquest was called to examine how Fredericks could have been walking the streets of their community and in a position to kidnap their son. For five months in 1992 the inquest heard testimony about Joseph Roger Fredericks.

Fredericks' background is not a pretty one. Born in Ottawa in 1943 Fredericks was handed to the Children's Aid Society nine months after his birth. For the next nine years he bounced from one Ottawa area foster home to another. By the summer of 1953 after a brief stint at St. Joseph's Training School for Boys the 10-year old Fredericks was a constant runaway and in trouble with the police.

By the time he was 11, Fredericks had committed his first sexual assault. Between 1954 and 1959 Fredericks committed several sexual misdemeanours with younger children at the Ontario hospital school in Smiths Falls. In addition to the sexual misdemeanours, Fredericks also escaped and sexually assaulted an 11-year old girl. On another occasion he threatened a 9-year old boy at gunpoint.

In April 1959 Fredericks was shipped to the maximum security Oak Ridge unit at the Penetanguishene mental health centre after being diagnosed as a psychopathic homosexual pedophile. He would spend most of the next 24 years there.

When he turned 20 Fredericks was transferred to a minimum security facility, but he escaped within a month. While on the loose he sexually assaulted a 6-year old girl at knifepoint and committed buggery on a 15-year old at gunpoint. Since he was already incarcerated under the Mental Health Act Fredericks was not criminally charged for these acts.

After being transferred back to the maximum security facility at Oak Ridge he told a doctor he wished he had killed that little girl. For the next 16 years Fredericks remained at Oak Ridge undergoing drug therapy. For 18 months beginning in late 1979 he received heavy doses of a tranquillizer to control his sex drive. However doctors believe he was taking the drug only to appear well enough to be transferred to a lower security institution.

In September 1980 Fredericks was transferred to a more open psychiatric hospital in St. Thomas. While there he sexually assaulted a mentally handicapped childlike female patient. This attack got Fredericks sent back to Oak Ridge. Diagnosed as a sociopath and a violent homosexual pedophile Fredericks was certified as an involuntary patient under Ontario's Mental Health Act. However, since psychopathy is not considered a mental disorder it became more and more difficult to keep him certified.

There were only two ways that Fredericks could have been confined indefinitely: by being unfit to stand trial, or found not guilty by reason of insanity. For that he could have been kept indefinitely at a psychiatric hospital, or he could have been declared to have been a dangerous offender under the Criminal Code. Either way Fredericks would first have to commit another criminal offence.

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Well, it did not take him long. Within days of leaving the Oak Ridge facility in 1983, Fredericks sexually assaulted a 10-year old boy and a 15-year old girl at knifepoint. Despite all his previous sexual assaults he had no official criminal record. Therefore, he only received a 22-month sentence and was sent to a minimum security provincial jail in Brampton. Within a year he was sent to the maximum security Millbrook Correctional Centre near Peterborough because of behavioural problems.

In August 1984 Fredericks was granted day parole and sent to an Ottawa halfway house. For the first time in 30 years he was living outside an institution. Even though a condition of his parole was to receive treatment for pedophilia at the Royal Ottawa Hospital arrangements were never made at that hospital. Despite warnings that Fredericks would continue attacking children, parole officers were never told of the dangers he presented.

Only 10 days after arriving in Ottawa Fredericks came across an 11-year old boy and sodomized him. After his arrest the crown attorney wanted to have Fredericks declared a dangerous offender. He certainly had the evidence. Dr. John Bradford from the Royal Ottawa Hospital and one of the country's leading experts on sexual offenders called Fredericks the worst and most sadistic and most impulsive pedophile he had seen. But the sexual assault victim's parents did not want their son to go through the ordeal of testifying, so the crown accepted a plea bargain from Fredericks lawyer for a 5-year sentence. The dangerous offender application was abandoned. Three years into a sentence Fredericks was transferred to a halfway house in Toronto. Once again, none of the sexual assaults that occurred while he was a psychiatric patient appeared on his criminal record.

(1345)

Part of Fredericks' release plan included his participation in a hospital sex therapy program, the taking of a sex drive suppressant drug and an order to stay away from children. His parole officer was unaware that Fredericks was trying to coach a children's sports team at a nearby security centre. However before anything could happen another parolee at a different halfway house raped and murdered a Toronto woman.

In response to public outrage the federal Solicitor General ordered that all violent and sexual offenders on parole in Toronto halfway houses were to be removed. Three weeks later Fredericks was released again, this time on mandatory supervision and he chose to move to the Brampton area.

Prior to his release all four members of the case management team believed there was a high probability that Fredericks would commit another crime. Three months later Fredericks picked up a knife, headed for the local mall and spotted Christopher Stephenson.

In January 1993 the coroner's jury made 71 recommendations to help prevent such tragic deaths as Christopher's. Chief among

the recommendations was a call for a new law to keep violent predators behind bars after their prison terms expired if they still pose a public risk. Then Solicitor General Doug Lewis announced that he hoped to have such a law in Canada by the end of June 1993. The legislation was never introduced by the Conservative government as its leadership convention disrupted the legislative agenda.

One year later the need for this legislation has not decreased. The recent release of Larry Fisher from a British Columbia prison is another example of the need for such legislation. Here we have an individual who was sentenced to a total of 23 years for raping seven women.

While incarcerated he refused to participate in any treatment programs. The National Parole Board considered him to be such a threat to society that they denied him statutory release.

Larry Fisher served every single day of his 23-year sentence. Two weeks ago his sentence was over. Larry Fisher walked out of a prison a free man, a completely free man. He is not under any form of community supervision. He does not report to a parole officer or the police. He does not have to inform anyone where he is living or travelling to.

He is creating a lot of frightened people. This past weekend he was spotted in Dawson Creek, British Columbia, and very quickly citizens' groups sprang up to get him out of their town. Four thousand homemade posters with Fisher's picture, criminal record and a description of his vehicle were displayed at grocery stores, gas stations, convenience stores and restaurants. Schools were asked to make the students aware of Fisher's presence. On Sunday Fisher was on his way out of town apparently on his way to Edmonton.

These are just two examples of individuals who should have been designated dangerous offenders, but since it was not done at the time of the original conviction it could not be done later. In one instance they had to wait for Fredericks to commit another crime and it was a fatal one. With Fisher only time will tell.

Some may ask how widespread will this legislation be. Not very. This legislation is designed only for the most dangerous inmates in our system. There are currently about 13,000 federal inmates incarcerated in Canada and another 9,500 on some form of community release programs.

According to the correctional service only 111 are classified as dangerous offenders. In addition there are currently 115 offenders who are being detained; that is, they have been denied statutory release. It is these individuals who this legislation is targeting, individuals who are not designated as dangerous offenders at the time of their original sentence, but their behaviour subsequent to incarceration coupled with their criminal record has led the Correctional Service Canada and the National Parole Board to deem them too dangerous to be released into society.

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(1350)

In essence, this legislation is designed for only the most dangerous 1 per cent of the current federal inmate population. What will this legislation do with these individuals? It gives us an opportunity to prevent further tragedies. It gives us the ability to obtain post sentence detention orders.

The process uses every conceivable check and balance. First, as an offender nears the end of his sentence, the correctional service shall refer the case of an individual it deems to be dangerous to the National Parole Board.

Second, after reviewing the case and if in agreement with the referral from the correctional service, the National Parole Board may in turn refer the case to the attorney general of the province in which the offender was most recently sentenced for a serious personal injury offence. This referral cannot take place more than one year prior to the expiration of the offender's sentence.

Third, if the attorney general is in agreement, then a dangerous offender application can be made. The requirements for an application will be the same as they are for current dangerous offender legislation under section 753 of the Criminal Code.

Fourth, on hearing the application the court may find an offender to be a dangerous offender.

Under this legislation before an individual is deemed to be a dangerous offender, one needs the unanimous agreement of the Correctional Service Canada, the National Parole Board, the provincial attorney general and the court. I suggest that if all these four bodies together come to the conclusion that an offender is a dangerous offender the individual should be declared one.

Members may be asking what happens to an offender once he has been labelled a dangerous offender. The court may make one of the following orders; first, that the offender be detained in a penitentiary for an indeterminate period, second, that at the expiration of the offender's current sentence, he may be detained for a determinate period and then may subsequently be released under community supervision for a period of not more than 10 years, subject to any conditions that the court may prescribe.

Third, he may be released under community supervision for a period of 10 years and subject to any conditions that the court may prescribe. Thus there is a great deal of judicial discretion on how the offender is dealt with. What we would avoid happening is what occurred in the Fisher case where he was kept until the end of his sentence and then released with absolutely no supervision.

There is one other major aspect to this bill. For an individual to be declared a dangerous offender today, the crown must show

that the offender is likely to commit an offence causing the death or serious bodily harm to another person. Bill C-240 would remove this necessity in those cases that involve sexual offences against children.

The reason for this change is twofold. First, the actual harm to child victims of sexual assault may not be apparent for several years and second, given a child's limited ability to clearly communicate the effects of a sexual crime, serious harm is very difficult to detect.

I have outlined the problem and in true Reform fashion I have provided the House with an alternative. I believe this bill is fair and balanced. It cannot be used in a haphazard manner or on a whim. While some may argue that it infringes on the offender's charter of rights, I respond that this bill does not create new dangerous offender legislation. It only changes the timing when it can be applied.

The change as it applies to pedophiles where there is no longer a need to prove serious harm I believe is long overdue and is a significant step in protecting our children. For those who argue that this is just another Reform Party attempt to lock them up and throw away the key I remind them that the indeterminate sentence is only one of three options. Quite frankly, there are people in our prisons who deserve to have the key thrown away on them. But most important, I believe that this bill adds to the level of protection of society. It corrects what has been a flaw in the system and unfortunately it has been a fatal flaw.

(1355)

I believe that if this bill can save even one life then it is worth it.

[Translation]

Mr. Benoît Serré (Timiskaming—French River): Mr. Speaker, I would like to say first of all that although I support the objectives of Bill C-240, I strongly object to its approach, since it has a number of deficiencies and is a contradiction of the terms of the Canadian Charter of Rights and Freedoms.

The present government is committed to making public safety one of its priorities, and an important part of this commitment consists in taking steps to respond to the concerns raised by high risk violent offenders.

The bill would allow post-sentence detention of such criminals, based on current provisions in the Criminal Code for dangerous offenders serving the last year of their sentence.

Some of you may recall that the provisions of Bill C-240 on post-sentence detention were among the proposals tabled by the previous government in this House in May 1993. The proposals were given thorough consideration by a wide range of groups and individuals and were carefully examined by a federal-provincial-territorial task force, created specifically to find ways

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to improve the protection of the public against high-risk violent offenders.

[English]

Consultations were conducted in August and September 1993 and ministry officials met with more than 200 groups in 44 separate consultative sessions. Included in those sessions were representatives of the judiciary, defence counsel, crown prosecutors, provincial and territorial corrections and justice officials, police, victims, voluntary agencies, municipal agencies, women's groups, aboriginal groups, inmate committees, mental health professionals and academics.

While there was a general consensus on the need to do something about a small group of dangerous offenders, there was no agreement that the post-sentence proposal would right some things. There was significant support for an examination of the current dangerous offender provisions, strengthening their applicability and ensuring appropriate use of these provisions at the time of sentencing.

The vast majority of those consulted, including members of the task force on high risk violent offenders, had serious concerns about the charter implications and potential ineffectiveness of the post-sentence detention proposals.

The main concern with these proposals, Mr. Speaker, can be summarized. The proposals permit what amounts to a re-sentencing of someone who has already served his or her sentence, contrary to section 11(8) of the Canadian Charter of Rights and Freedoms. That section states:

If finally acquitted of the offence, not to be tried for it again, and if finally found guilty and punished for the offence not to be tried or punished for it again.

There is concern that a prediction of future dangerousness would result in a violation of a person's charter rights.

There remains doubt that the proposed scheme would capture the target group of federal offenders who are identified as posing a significant risk upon release.

The requirement for new evidence of dangerousness is thought likely to have a negative impact on treatment participation. Since offenders' disclosures to treatment professionals could be used to substantiate a dangerous offender application under the post-detention sentence scheme, offenders may be reluctant to participate in treatment programs.

The expense of such proceedings is of concern to the provinces, particularly because of the requirement to link the application to the original offence, which may have occurred many years ago.

As you can see, Mr. Speaker, the concept of post-sentence detention has raised numerous concerns. The government recognizes that controlling high risk violent offenders is a complex problem. This requires us to look not for a single solution that will address all cases but to take a broader view of all aspects of the criminal justice process and the links between the criminal justice and mental health systems.

(1400)

[Translation]

Mr. Speaker, as you know, the federal government and the provinces share responsibility for Canada's criminal justice system, while mental health comes under provincial jurisdiction. Since the problems caused by high-risk violent offenders are a shared responsibility, it was decided to establish the federal-provincial-territorial task force on high-risk violent offenders, which I mentioned earlier.

The task force is looking into a range of legal solutions and policies for treating, managing and supervising high-risk violent offenders. We admit there is no single solution to the complex and difficult problem of violent repeat offenders and that there must be co-operation between the federal government and the provinces, especially between our criminal justice and mental health systems. That is why the task force has looked into a number of measures that would protect the public more adequately against repeat offenders who commit acts of violence and sexual assault.

I agree with the task force that even if the proposed legislation were found to be constitutional, something I do not expect because of the problems raised by dual punishment and other measures in terms of the charter, these proposals create a problem that is even worse: they would apply to a relatively limited number of the repeat offenders in question. In order to treat high risk violent offenders as effectively as possible, we must reinforce our present system for treating dangerous offenders.

It is a fact that the provinces are increasingly using the provisions of the Criminal Code concerning dangerous offenders, hence the increase in indeterminate sentencing. The provisions regarding dangerous offenders allow a judge to sentence, for an indeterminate period, an offender believed to be likely to commit other violent offences. At a March meeting of federal-provincial justice ministers, it was agreed to continue to make every effort so that such requests be presented whenever appropriate.

Moreover, the provinces are in the process of establishing a system to identify high risk violent offenders and monitor them. This information will be made available to crown prosecutors, even if offenders move to another province; this will ensure that repeat offenders do not fall through the cracks and that they will be prosecuted as dangerous offenders.

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We believe that, instead of detaining offenders at the end of their sentence, as proposed in this bill, when an offender has finished serving a sentence of determinate imprisonment and is believed to be still dangerous when released, he might be committed under provincial mental health legislation. Even if the situation varies widely between provinces, they all permit mandatory confinement of persons considered a threat to themselves or others, because of mental illness.

The mental health of prisoners who are detained until the end of their sentence because the National Parole Board believes that they are too dangerous to be released, is carefully assessed to determine whether they should be committed to a psychiatric institution. If they meet the criteria, they are transferred to a provincial psychiatric hospital.

[*English*]

The federal-provincial task force on high risk violent offenders is looking to see if changes to provincial mental health legislation could be recommended to improve the system's ability to commit and hold mentally disordered dangerous people.

In addition it is studying the extent to which other factors such as the lack of appropriate secure facilities play a role in preventing mentally disordered dangerous people from being civilly committed. I would like to mention another initiative in this area. A federal-provincial joint action committee on corrections and mental health is reviewing operational issues related to the management of mentally disordered and sex offenders.

(1405)

The mandate of the action committee is to examine alternative methods to manage, treat, and supervise offenders with a disorder be it mental, sexual or behavioural. The aim is to find solutions that bridge the correctional and mental health fields and aid in the co-ordination of effort.

In conclusion, the post sentence detention provision of Bill C-240 does not present a realistic option for our federal structure. Detaining offenders in penitentiaries after they have served their court imposed sentences raises serious charter concerns. Solutions to this problem lie with the link between the criminal justice and mental health systems.

In Canada, mental health legislation is the constitutional responsibility of the provinces and therefore the federal government cannot act alone in this area. That is why the government is committed to working closely with the provinces to find real solutions. In order to bring about meaningful, effective reform in protecting the public from the threat of high risk violent offenders, the federal and provincial governments are working together to advance solutions that tackle the problem in a comprehensive fashion.

This government is committed to the work currently under way which brings the federal and provincial governments and the criminal justice and mental health systems together to ensure the best protection for all Canadians.

[*Translation*]

Mr. Maurice Bernier (Mégantic—Compton—Stanstead): Mr. Speaker, it is a pleasure to talk to this bill presented by my colleague, the member for Surrey—White Rock—South Langley. First, I listened carefully to her presentation and I would like to briefly comment on it.

She spent a good three quarters of her time describing fully, some details being more lurid than others, events which occurred during the last few years in Canada, and she particularly brought back to mind the tragic case of the young Stephenson boy; finally, during five minutes, at the very end of her speech, she talked about her bill.

I mention this because I personally wonder what kind of consequences might result from this constant rehashing, day after day, of such sordid cases which, in my view, give rise to heated debates and appeal to our most primal instincts. I respect my colleague's opinion of course, but I wonder. As a member of Parliament, I think it is quite proper to question our method of debating such important subjects which have an impact on the daily life of our fellow Canadians.

I want to stress that the Official Opposition believes that we must send a clear message to all Canadians saying that it is absolutely necessary for the government and Parliament to ensure the security of our children and our families and, of course, the protection of society as a whole. All necessary measures must be taken in order to reach that goal.

I also want to stress that the Official Opposition certainly does not want to leave itself open to criticism that its attitude towards cases like the one mentioned by our colleague from the Reform Party is too lenient.

(1410)

No parliamentarian in this House would ever endorse such actions. The bill before us is identical to a bill introduced last year by the solicitor general of the previous government, Doug Lewis, the first objective of which was to permit the revision of the sentence, while it was being served, imposed on an individual found guilty of a violent crime, to allow for an indeterminate period of imprisonment.

Such a provision already exists in our Criminal Code, as mentioned by the hon. member for Témiscamingue a short while ago. There is, in the Criminal Code, a provision that allows the court to find an offender to be a dangerous offender and thereupon impose a sentence of imprisonment for an indeter-

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minate period, which means until we are convinced that the person is no longer a threat to society.

The difference is that the individual must be found to be a dangerous offender at the time of sentencing, whereas the bill before us would permit that at any time, even a few days before the end of the sentence, so that the individual could stay in jail all his life.

It seems to me that such a provision is contrary to fundamental principles of Canadian law, in particular the one according to which you cannot be tried twice for the same offence. In other words, case heard case tried, meaning that once you have been brought before the court for a given offence, found guilty and sentenced, you cannot be charged again with the same offence.

To act in accordance with this bill would depart from this principle. Moreover, clause 26 of the bill provides, and I quote: "The evidence relied on by the court in making a finding under subsection (2) must include evidence that could not reasonably have been presented to the court that sentenced the offender for the serious personal injury offence".

In my view, this provision departs from another principle, namely that of reasonable doubt, which is fundamental, especially in criminal law. In every court case, to be on the safe side, the judge reminds the jury that a decision must be rendered based on the fact that, if there is any doubt left in their minds, they must let the accused go free.

What this means is that, if years down the road it turns out that some evidence had not been presented to the court because the Crown had not done its job or had botched it, it would be possible to reopen the case to have the sentence extended and the offender retried on the same charges.

The Parole Board would also be given powers of investigation in that respect. The bill's sponsor would want the Parole Board not only to be permitted but required to investigate to find out if, in fact, there are further developments that warrant reopening the case.

(1415)

We already know the huge workload of the parole board. I think that adding this mandate would further hinder or impede the work of the parole board and, besides, the parole board is not an investigating body. Its mandate is to rehabilitate people, criminals who for one reason or another are behind bars.

I think that this provision significantly changes the Parole Board's responsibilities.

I conclude by repeating—and this is the crux of my remarks—that we must question the approach we are now taking. It is not that the goal in itself is unacceptable or unworthy of our support. We fully agree that criminals who commit such heinous crimes should remain behind bars as long as possible or until society is assured that these people will not commit such crimes again. But

I think that the current laws can now provide such assurances and properly protect society.

One final comment, Mr. Speaker, if you allow me. Such an approach must be part of a total strategy and not just an attempt to give the impression that we parliamentarians or members of this House want to act out of vengeance. It must be part of an overall strategy. That is what the former Solicitor General wanted to do when he put forward a series of measures. During these debates, I would like us to refer to this total strategy as well.

[English]

Mr. Randy White (Fraser Valley West): Mr. Speaker, I am privileged and proud to be asked to speak to private member's Bill C-240 put forth by my colleague from Surrey—White Rock—South Langley.

My colleague previously spoke briefly about stirring up passions and primal instincts when talking about such a subject. I guess my colleague would do well to live in a community like mine, surrounded by seven prisons and correctional institutes. He would know what passions would be in a community that has many offenders wandering the streets on day parole.

My colleague has given a picture of what ails the criminal justice system specifically in the area of detaining dangerous offenders. I would like to tell a story that illustrates just how bad things have become. Bureaucratic mismanagement in itself is not much of a story. Unfortunately people are killed in these stories, innocent people who leave behind families filled with rage and sorrow. Let me be absolutely clear that although these tales read like detective novels, the real reason we in the Reform Party are focusing on them is the human suffering caused by the criminal justice system that we feel has fallen apart. I was quite incensed today to see the justice minister stand in question period and suggest that the system is working well. It is not working well.

My first story is this one. In a basement apartment in Seattle at the end of a hallway, out of sight of windows and doorways, rests a chair. At the base of the chair is a pool of blood three inches in diameter. The trail leads upward to a stab wound in the chest of a 57-year old man slumped slightly to the right and forward. A large band of masking tape covers his mouth and the rope used to strangle him dangles loosely around his neck.

(1420)

Although this may sound like fiction it is not. This is fact. It is a description taken directly from the police report and documents I have received from prosecuting attorney Norm Maleng of King County, Washington.

Why Washington? The two men charged with the first degree murder of Elijo Cantu on June 5 were escapees from a minimum security facility in the Fraser Valley where my home is. The corrections system classified these men as low risk offenders yet one of them had been convicted of attempted murder of a police

officer and had killed another inmate. The story we get from the government is that these escapes are rare and not statistically significant. I would challenge any member of the government to tell that to the family of the victim.

I have another story that comes from a woman in the same town the prison is in. Two young men walk into a pizza place in Abbotsford, British Columbia, where I live. One of them is armed with a sawed off shotgun. No one is shot during the robbery but the restaurant employee who had to stare down the business end of a sawed off shotgun testified he will never be the same. However the story does not end there.

Rosalie Turcotte's son was 19 years old when he was savagely beaten to death with a baseball bat and buried in a shallow grave near Mill Pond in Mission, British Columbia, just a few miles from my house. The young man who was recently convicted of the murder is the one who wielded the sawed off shotgun in the pizza place robbery. He was trying to silence his accomplice, Ken Turcotte, who had told his friends he wanted to confess to his mother about the robbery.

Zachary Finley who killed Rosalie Turcotte's son, Ken, will be eligible to apply for temporary absences immediately. He will be eligible to apply for day parole three full years before the date set by the judge for parole.

Zachary Finley killed Rosalie Turcotte's son, Ken, and was convicted of second degree murder which carries a maximum sentence of life with parole eligibility set at a minimum of 10 years. When the crown's request to increase that to 15 years was denied, a member of the victim's family became distraught. The convicted criminal who committed the brutal act laughed.

What does Rosalie Turcotte have to say about our criminal justice system after her ordeal? Let me quote, and I have talked to Rosalie a number of times: "This is supposed to be our system, paid for and accountable to us. How has it eroded to such a sorry state of affairs? The only ones being served by the system as it stands now are the offenders and their lawyers who are laughing all the way to the bank".

I find this funny. No, let me rephrase that. I find it ironic. It is really the criminals who find it funny. Last week I was asked to debate the head of the John Howard Society over the rights of prisoners to receive old age security, GST rebates, Canada pension plan and other payments. During that interview he was adamant, and I quote: "The prisoners are not laughing at the system". I said it then and, just in case the John Howard Society or any other prisoners rights groups are listening, I will say it again. Listen closely. They are laughing at us.

Private Members' Business

There is another story that my colleague spoke about previously but I want to indicate some more details that I have been given from certain sources. The House may have heard a bit about the saga of Larry Fisher from my colleague and in the newspapers. He has been released recently after serving his full sentence. Mr. Fisher who has reportedly been sighted in the riding of another one of my colleagues this week has a history familiar to anyone not living in a cave.

Mr. Fisher was released from his latest prison term two weeks ago. It was a 10-year sentence for the rape, stabbing and attempted strangulation of a Saskatchewan woman. Mr. Fisher has been behind bars for 23 years except for a brief taste of freedom on 1980 when he was granted escorted parole. He grabbed a 56-year old woman, dragged her into an abandoned house, raped her, stabbed her three times, slit her throat, tried to suffocate her and left her for dead. He was convicted of six previous rapes.

(1425)

Let me quote from yet another significant document I have received on the parole board's official reasons for denying Mr. Fisher's parole on April 1, 1993. Mr. Speaker, note the date, April 1, 1993, April Fool's Day, and ask yourself, when I am finished with the story who is fooling whom.

At the time the board said of Mr. Fisher: "There are no significant changes to demonstrate that your release can be managed in the community on any form of conditional release or that your likelihood of reoffending and causing serious harm has been lessened in any way. Therefore detention is confirmed".

Let us jump ahead in the story to February 1994, not too long after that, the next time the board ruled on his case: "There is no new information on file to suggest that your risk of reoffending in a violent manner has been mitigated or reduced since your last review and the detention order is confirmed".

Just a few weeks later this man was released into the community because his sentence had expired. Let us think about this for a moment. After issuing two clear statements about the dangers this man would pose to society if released, the system is forced to release him anyway.

Our question is simple: Why? Why can the system not take its own advice and keep high risk offenders like this where they belong, behind bars? The criminals are laughing at the government whose members day after day stand in the House to tell a story. Their story is that the system works, everything is okay, and the Reform Party is playing politics. Our story is that the system is laughable. It is beneath contempt.

More important, I want to stress before closing that our story is not really our story. It is the story of Rosalie Turcotte who lost her son. It is the story of a man in Seattle who lost his life. It is

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the story of Larry Fisher and all the people living in fear in the communities where he is sighted. Increasingly it is becoming the story of a government that has not only lost touch with reality but has lost the courage to act responsibly and to make the necessary corrections.

My colleague's bill is an excellent one. We need the courage to stand up to the naysayers, those who will do nothing, and send a clear message to the justice system that these dangerous offenders must not and cannot be allowed back on the streets until they have proven they are ready.

[*Translation*]

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle): Mr. Speaker, I am glad that the bill tabled by the hon. member gives us an opportunity to address important issues central to the efforts to make Canadians safer.

We clearly need effective measures to reduce the crime rate, especially violent crime. The government is moving in that direction, as its recent legislative initiatives demonstrate. Its actions in other areas are just as important.

Today I would like to go over the progress the government has been making on the important issues of risk assessment and the treatment of offenders to better protect people in the long term.

But first I would like to consider for a few moments the situation now prevailing in federal penitentiaries, particularly the effectiveness of imprisonment as punishment. As we all know, Canada has one of the highest incarceration rates in the world, around 130 per 100,000 people on average. The number of offenders under federal responsibility has risen rapidly in the last five years. The annual increase jumped from 1.6 per cent in 1989-90 to 4 per cent in 1993-94. A 5.1 per cent increase is forecast for next year. Keep in mind that this increase is occurring at a time when federal correctional services face substantial budget cuts.

In this era of fiscal restraint, we must remember that incarceration is extremely expensive, much more in fact than the supervision of offenders in the community. It costs Canadian taxpayers \$47,760 a year on average to keep an offender in jail compared with only \$9,400 to keep him under supervision in society for the same period of time.

(1430)

We must therefore resort to incarceration only to the extent necessary to protect the public. While it is true that some offenders must be jailed for a long time in the interest of the public, the fact remains that the vast majority of criminals serve definite sentences and that most of them can be released without danger to society, provided they receive appropriate treatment and are under adequate supervision.

Parliament recognized this reality when it passed the Corrections and Conditional Release Act, which favours using the least restrictive measures without jeopardizing public safety.

[*English*]

Conditional release under the Corrections and Conditional Release Act is effective in protecting the public. While I do not desire to minimize certain tragic incidents, released offenders are not becoming more dangerous.

Although this perception may result from media reports on crime, statistics simply do not support this position. For example, in 1991 only 1 per cent of admissions to federal custody were the result of a new violent offence committed while on release. Indeed, keeping offenders in prison longer instead of gradually integrating them into the community may in fact increase public risk over the long term.

Research evidence shows that strictly punitive measures which result in longer terms of incarceration have little deterrent effect on serious offenders and do not lead to a reduction in reoffending.

I believe that the key to improving public protection lies in our ability to develop effective treatment programs and to effectively assess offenders in their ability to benefit from treatment and the level of risk they present to the community.

The research strongly supports this approach. Risk which one could define as a likelihood that an offender will engage in dangerous behaviour upon release is the overriding consideration of correctional authorities and parole board members.

Because of its central importance to the correctional process risk is managed and assessed throughout an offender's sentence. In brief, risk is managed by identifying factors that contribute to an offender's criminal behaviour, determining an offender's treatment and program needs, developing correctional plans that address these needs, matching treatment programs and services to the needs and risk level of the offender, and providing the necessary level of custody.

It is on the basis of risk assessment that offenders are moved from higher security to lower security and eventually considered for conditional release on the basis of their changing level of risk.

Prediction of human behaviour is not a perfect science nor will it ever be. However, the effectiveness of the tools that have been developed to assist professionals in assessing offenders have improved dramatically over the past few years.

Efforts continue to be made to improve the system's capacity to monitor changes in an offender's behaviour, situation, and circumstances which are clearly related to the likelihood of further criminal behaviour. Today we have a much better understanding of what factors may be valid risk predictors. Over time our capacity to better distinguish between high and low risk offenders will continue to improve.

I would also like to bring to the attention of hon. members that individual offenders who at one time represented a high public risk can with appropriate treatment both in an institution and in the community be safely released to the community.

There is a growing body of research pointing to the rehabilitative potential of well formulated research based treatment programming. Some things do work.

[*Translation*]

Correctional Service Canada has invested a lot of time and money to develop programs with a proven record as regards their usefulness to help reduce the number of repeat offenders. Based on these data, the service designed and implemented a number of programs to meet the various needs of the federal inmate population. Here are some of them.

An education program has been established. According to a classification test, about 80 per cent of offenders under federal jurisdiction have less than a grade 10 level of education when they are admitted. This low level is a major obstacle in their rehabilitation, because it greatly affects their chances of finding work.

A treatment program was instituted for sex offenders. At the end of last year, 17 per cent of the inmates in federal penitentiaries were classified as sex offenders. The correctional service now has more ways of meeting their needs and can offer treatment to nearly 1,800 such offenders every year, compared to 200 in 1988.

A program aimed at developing cognitive abilities was created in 1989 to help offenders alter their modes of thought which lead to criminal behaviour. The program is offered in 71 locations and the number of participants has increased from 50 to over 3,000.

The correctional service also offers a drug treatment program to nearly 5,000 inmates and to roughly 1,800 people in the community. It endeavours to ensure that programs are geared to the different needs of offenders.

Another initiative is the program for native offenders. While natives account for only 3 per cent of Canada's population, they represent up to 12 per cent of the federal inmate population. Studies have shown that native inmates are more receptive to programs that are specifically designed for them and the Correctional Service is working to increase the number of such programs.

A program aimed at helping offenders with mental disorders has also been established. According to a survey of the federal inmate population covering the past four years, a significant proportion of inmates suffer from acute psychosis, depression or

Routine Proceedings

anxiety. Since there is a definite need, in the years to come it will be vital to establish appropriate evaluation services, various types of specialized care in institutions and support programs in the community.

A family violence initiative has been taken. Research has shown that federal offenders are very likely to commit acts of violence within their family, especially those who abuse or have previously abused family members, who have committed assault in the past or are judged to be very likely to commit abuse. Community pilot projects for the evaluation and treatment of these offenders have already been set up in a number of cities, the necessary resources are being assembled to be able to treat 300 offenders, compared with 100 in 1992-93.

In concluding, I want to emphasize the importance of risk evaluation methods and therapy programs in achieving our main objective, which is to protect the public.

[*English*]

The Acting Speaker (Mr. Kilger): The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(3), the order is dropped to the bottom of the order of precedence on the Order Paper.

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, I rise on a point of order. I made a mistake earlier today when I moved concurrence in the 27th report of the Standing Committee on Procedure and House Affairs.

I indicated to the House that the changes would not come into effect until the end of June. It is not true. They came into effect today. They are minor changes but they did come into effect today. I am sorry for having made that error in my presentation at that time.

The Acting Speaker (Mr. Kilger): I am sure the House appreciates the correction. It will be duly noted.

[*Translation*]

It being 2.37 p.m., the House stands adjourned until Monday at 11 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 2.37 p.m.)

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