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OFFICIAL REPORT
(HANSARD)

Thursday, May 11, 2000

Speaker: The Honourable Gilbert Parent

CONTENTS

(Table of Contents appears at back of this issue.)

HOUSE OF COMMONS

Thursday, May 11, 2000

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1005)

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

[*English*]

HEALTH

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I rise today in the House to make a statement on the Government of Canada's position following the adoption yesterday in Alberta of bill 11, legislation that provides for the expansion of the role of private for profit facilities in delivering surgical services in that province.

Let me first put this issue into a broader context. We all know that the time has come to strengthen and renew Canadian medicare. Indeed, governments across the country accept that the status quo is no longer an option. The Government of Canada recognizes that it must do its part and is prepared to commit to long term stable increases in funding to support a common plan and set of priorities.

The improvements and the changes required can and must occur within the context of our public medicare system. The principles of the Canada Health Act are broad and flexible enough to allow for innovation while building on the strengths of our single payer system. It is clear from the reaction of the majority of Albertans to bill 11 that they strongly agree. They know that we need not imperil our principles in order to improve our practices.

For our part, the Government of Canada, has repeatedly expressed the view that bill 11 is not the direction in which we should be heading to strengthen our publicly funded health care system. We have grave reservations about investing public funds in private for profit facilities, particularly where they offer services that involve overnight stays.

[*Translation*]

I would like to reiterate for the House the concerns that I have outlined to the Government of Alberta and the steps we plan to take to safeguard the interests of Albertans, and all Canadians, with regard to the principles of the Canada Health Act.

[*English*]

First, we have already informed the Government of Alberta that surgical facilities as defined in bill 11 will be considered for our purposes to be hospitals within the meaning of that term in the Canada Health Act. The practical effect of what that means is that any charges to patients or insured health services in these facilities will be considered a violation of the Canada Health Act. I want to make it clear that should that happen I have the power required to fulfil my responsibilities as Minister of Health and enforce the Canada Health Act in that regard.

On a second matter, we suggested some weeks ago to the Government of Alberta that bill 11 be amended to reflect legislation in Saskatchewan and Ontario that prohibits charging for enhanced services in private for profit facilities. To permit for profit facilities to sell enhanced services in combination with insured services may create a circumstance that represents a serious concern in relation to the principle of accessibility in our health care system.

● (1010)

The Government of Alberta has chosen not to make such an amendment. We are therefore serving notice today that we will monitor closely what may happen on the ground in private for profit facilities permitted under Bill 11 to ensure that queue jumping and other accessibility issues do not arise.

We are not singling out Alberta, but we will ensure compliance with the Canada Health Act in Alberta as in any other province. If violations of the Canada Health Act occur we have the authority to act and we will do so.

[*Translation*]

Let me say a word about the way in which the Government of Canada is permitted to enforce the principles of the Canada Health Act. We cannot withhold funds based only on a suspicion that practices might develop under the bill that might contravene the Canada Health Act.

The process to be followed is clearly outlined in the CHA. A case must be built; concrete evidence must be collected and shared with the province in question; efforts must be made to resolve the conflict and, should that fail, then funds will be withheld.

We will continue to work openly and transparently with all provinces, in accordance with our social union framework commitments.

[*English*]

On the subject of Canada Health Act compliance, the auditor general has recently expressed his view that Health Canada does not have the capacity to enforce its responsibilities under that act. I am therefore immediately allocating an additional $4 million to an existing budget of $1.5 million annually to monitor, assess and ensure compliance with the Canada Health Act.

As a result, Health Canada will have increased staff across the country to monitor compliance with the act's principles and conditions and to develop a capacity to investigate potential non-compliance issues and to assess the facts.

The message of the Government of Canada today is clear. We intend to meet our responsibilities to protect public medicare in this country. The health care system does not belong to governments or to political parties, it belongs to Canadians. Parliament has given us the tools to enforce the Canada Health Act. Canadians expect us to use those tools when necessary to protect our principles. I will make certain that those principles are respected in Alberta and throughout the country.

Let me close by saying that while we are prepared to act if there are violations, I also hope that we do not reach that point.

I began by saying that the time has come to renew and strengthen public medicare in Canada. That is a process that will require collaboration and co-operation among all governments. In the last analysis, we will not preserve medicare simply by enforcing rules. We will do so by renewing our common commitment toward its principles and objectives. That involves, among other things, the proper level of funding, including appropriate funding from the Government of Canada.

I will devote my efforts in the weeks and months ahead toward building a constructive working relationship with Alberta and other provinces focusing on the creativity and innovation that will be required if we are to preserve for all Canadians what they cherish most, a strong public health care system.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, I listened with interest to the statement by the health minister. His rhetoric was excellent. He talked about co-operation. He talked about protecting the Canada Health Act. He has made the statement over and over that the status quo is not good enough. I would like to go over a few of the objective facts which I do not think the minister mentioned. He probably would not like them mentioned in this forum.

● (1015)

In 1993 health and education transfers to the provinces were $18.8 billion. That was when the Liberals took office. Today in 2000 they are $15.5 billion, and they went down to as low as $12.5 billion. Most important are statistics regarding per capita spending under health, which under the federal Liberals has dropped. That comes directly from the health institute. We have dropped from number two in health care spending in the world. We are now number five and dropping. Those statistics are not up to date. They are about three years old.

The private share of health in Canada when the Liberals took power was 27%. It is now over 30%. Fewer procedures are covered under medicare today compared to 1993. Public confidence in health care today is at the lowest level in Canadian history. The final and probably the worst issue is that the waiting lists in Canada are longer today than they have ever been.

I am optimistic about health care because I do not believe Canadians will let health care be lost. Even some high profile Liberals have come out lately and said that the status quo was not enough. They are not willing to leave it at a statement like that. I do not agree with this, but Tom Kent said that user fees might be necessary in Canada.

What is the Liberal response to the bill in Alberta, a place where I practised medicine for 25 years? More health police, that is the commitment. More threats, that is the commitment. More protection of the system instead of the patient.

I should like to spend just a brief minute on bill 11. It is a very tentative step toward innovation, a very modest step. I believe that provinces which try to innovate, try to improve waiting lines, and try to bring in fresh new thinking should be rewarded rather than threatened.

What would I do if I were the health minister in this case? I would say to Alberta, if I did not agree with bill 11, that it has two years to prove that the bill will do something. Alberta believes that this bill will shorten waiting lines. Can we measure the waiting lines today and can we measure them in two years? If bill 11 reduces waiting lines in Alberta, I would reward the province. I would give it a big pat on the back.

The Liberal government will not be judged by its rhetoric. It will be judged by its actions. What should the government do? I should like to be constructive in this regard. Funding should not be covered in a big Canada health and social transfer, but federal funding should be specific for health so that every Canadian could judge whether or not the funding was appropriate. There should be a growth factor for inflation and for population growth.

I said before that we should reward provinces that reduce waits. Would I have health police to monitor how Alberta is doing? No, I would let the citizens of Alberta decide whether or not their provincial government was looking after medicare in the way they felt was appropriate.

I direct this comment to the health minister. I would beg the health minister to put the patient first rather than the system. If he will do that, medicare will survive.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I wish to begin by stating that the intervention by the Minister of Health is, at the very least, paradoxical.

Here we have a minister proposing the addition of $4 million extra to hire more staff for inspection and monitoring purposes relating to the enforcement of the Canada Health Act. The five principles set out in that act include universality, portability, and public funding, as we are entitled to expect for public services.

At the same time, the federal government is not fulfilling its part of the contract as far as health is concerned. Take Quebec for example. As we speak, the federal government contributes a little over 20 cents, 22 to be exact, of every dollar invested in health.

• (1020)

Yet when the public plans were set up in the 1960s, the federal government committed to a 50% contribution. On a number of occasions, all provincial premiers have demanded that this government re-establish transfer payments to their 1993-94 level.

As a party, we do not subscribe to the reflex of privatization of certain provinces. Thank heavens, the Government of Quebec is very far removed from such a desire for privatization. It is our profound belief that governments have the responsibility to use public funds and public resources to put into place a generous, universal, accessible health system, one which meets the needs of our fellow citizens, particularly in today's context, with not just the elderly but also another group more advanced in age, the old elderly, and with people wanting to remain in their natural communities as long as possible.

We are forced to see a connection between the fact that this government has cut transfer payments to the provinces and the fact that that the provinces did not always get their share of the resources they were entitled to expect from it in order to keep the system viable.

How can the minister be surprised at this point? How can the minister play wounded innocent? How can he be so hypocritical today as to oppose this in the role of defender of the public health system, when he himself is not fulfilling his part of the contract?

I say to the minister that we are prepared to go along with him in certain instances, such as the case of smoking, where we do not want young people to be the primary victims of inadequate information when their health is concerned. But we will go after this minister to get him to assume his responsibilities and reinstate the transfer payments at their 1993-94 level.

It is not surprising today, since the federal government has failed to honour its part of the contract, that certain provinces are tempted to privatize. We might have wished that, in addition to announcing the increase in staff for inspection work, what we might call the health police, the government would assume its share of the responsibility.

In terms of transfer payments, for Quebec alone, $1.4 billion has been cut in health care. If the Minister of Health is serious and concerned about the integrity of the public health care systems, his first responsibility is to rise in this House and say that he will lead the battle in Cabinet to have the transfer payments returned and that he will deliver the money he owes the provinces.

For Quebec alone, the figure of $500 million is at issue annually, for health care alone. That is the equivalent of Quebec's entire budget for home care, and about half the budget for the CLSCs.

If the minister wants to have some credibility, if he wants opposition parties to work with him, if he wants to be a respected voice in the health sector, his number one responsibility is to support the provinces, which are urging him to be a strong voice within cabinet and demand that transfer payments be restored. That is the minister's primary responsibility, and I hope that he will work on that in the coming days.

It is all too easy to be concerned about what is going on in the provinces. It is all too easy to want to encroach.

The minister sent a letter to the Standing Committee on Health asking us to set up a national mental health strategy. What business does the federal government have with mental health? Read the letter sent to us by the minister. He wants a national mental health strategy. But this area does not come under his jurisdiction. Let us not be hypocrites.

It is all too easy to be concerned about the provinces violating the law, considering that in 1966 the government itself, as a partner, pledged to contribute 50% to health care programs, but does not do so. It is all too easy to be concerned like that.

• (1025)

I do not expect this minister to be a tormented soul, but like all my Bloc Quebecois colleagues and, I am sure, all the opposition members, I do expect him to loosen the purse strings, resist the temptation to set up new national programs, avoid any future encroachment and assume his responsibilities, which are to restore health transfer payments to their 1993-94 level.

[*English*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, it is with a profound sense of sadness that I rise today to address the remarks of the Minister of Health. It is ironic and disappointing in the extreme that I am responding to remarks.

Since bill 11 was unveiled last fall on November 17, to be exact, the Minister of Health has offered nothing but remarks on how the bill is bad policy, remarks on how he wanted Ralph Klein to withdraw the bill, and remarks on how important it is to protect our public accessible health care system. Today, as the biggest threat ever to medicare has now passed into law, what is the government's response? More remarks.

On November 17, 1999, the NDP called for action. The minister's response at the time was ''The proposals that came from Alberta arrived today. We are looking at them''. On December 13, 1999, the NDP called for action. The minister's response was ''We will react to it as soon as we have completed our examination''. On March 2 the NDP called for action. The minister's response was ''We are awaiting tabling of the legislation later today''. On March 15 the NDP called for action. The minister's response was ''We have yet to see the regulations''. Again on Tuesday the NDP called for action. The minister's response was ''We will monitor what happens''.

Today is an historic day, a sad day, a shameful day, a day when Canada's health minister has said that a parallel for profit health care system can proceed.

[*Translation*]

It is a day when the Minister of Health has said that a hospital can exist and operate on a for-profit basis.

An hon. member: Unbelievable.

Ms. Alexa McDonough: He has said that our country is now one where the wealthy can get health care ahead of the less wealthy.

[*English*]

He said that the content of bill 11 is not bad, not a problem, but that there may be dangers in its implementation. This is the minister's ticket into the history books because according to his own words private for profit hospitals are not in and of themselves bad.

Let us examine the facts. For months the minister said today would be the day of action. Yet all we have is more talk, more remarks about how he might act tomorrow. There is not a word on his secret 12 point privatization deal with Alberta. There is not a word on NAFTA's implication. There is not a word on his own $24.7 billion in federal cuts that Ralph Klein uses as an excuse. There is not one word on the fact that Ralph Klein introduced bill 11 just two days after the federal Liberal budget gave a mere two cents for health care for every dollar in tax cuts.

It is clear the minister has dropped the ball, as my kids would say, big time. We welcome today's long overdue announcement that real enforcement of the Canada Health Act will finally begin, but the fact is that on November 30, 1999, the NDP called for enforcement of the Canada Health Act. The fact that the government is finally paying for health care monitoring is not a response to bill 11, because a real response to bill 11 would take action. It would not just speak about the possibility of taking action at some future date. A real response would be for the minister not to be outsmarted by Ralph Klein. If it is the minister's opinion that bill 11 complies with the Canada Health Act, then amend the Canada Health Act to give it the teeth needed to protect medicare.

• (1030)

On April 12 the minister said that bill 11 imperils the principle of accessibility. I would argue that it kills the principles of accessibility but let us stick with the minister's words. If it imperils medicare's foundation, then for heaven's sake, take action. If the minister does not think he can take action, then change the Canada Health Act to allow it.

[*Translation*]

This government has already amended the Canada Health Act. In 1995, section 6 was removed in order to allow greater privatization. It could be amended again so as to prevent greater privatization.

[*English*]

Instead the minister chooses to posture. It is posture because the NDP raised existing violations of the Canada Health Act both in Calgary and Montreal recently and the minister chose to do nothing. It is posture because four years ago the last time a Liberal health minister went to Alberta to supposedly save medicare, we got a secret deal facilitating two tier and privatization. It was a secret deal that paved the way for bill 11 today. If the minister had wanted to act, he could have cancelled that secret deal.

It is astounding that the minister still has not tabled and today did not even mention a single legal opinion on the NAFTA implications of bill 11. He announced a medicare police force but he ignored the fact that if NAFTA takes effect, the lawmaker will not be him, the lawmaker will be an unelected, unaccountable trade tribunal.

On November 26, 1999 the minister said ''Bill 11 may run afoul of provisions of NAFTA''. On April 12 the minister actually boasted about raising with Alberta a definite problem with NAFTA. On April 13 the minister said the situation was so serious that two other ministries and their experts were studying the NAFTA implications. We do not have these studies. The minister now says that the Canadian right to regulate and protect our health care system is not affected by NAFTA.

[*Translation*]

Where are the studies to support this brave statement? Where are they?

[*English*]

Barry Appleton says that bill 11 loses our NAFTA exemption. His study is public. The last time the Liberals said he was wrong, they lost it at NAFTA. If the minister is saying Appleton is wrong and he is right, where are the studies? Show us the studies. If Appleton is right and the minister is wrong, he can have a million cops to police medicare but a NAFTA tribunal can overrule them all.

Today's statement by the minister does nothing to stop the massive threat that bill 11 presents. It does nothing to stop Mike Harris from doing his own bill 11, nothing to stop John Hamm from doing the same, and nothing to stop Bernard Lord. Ralph Klein's bill sadly is now law; it is unchanged, it will affect Albertans and thanks to this minister, it will affect us all. The minister's legacy and the Prime Minister's legacy will be the destruction of medicare.

On behalf of the thousands of Albertans who bravely fought Ralph Klein, I condemn the minister's cowardice. On behalf of millions of Canadians, we will not forget.

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, there is a crisis in health care and the blame for that can be laid right at the door of the government and specifically the health minister. The government has had seven years to do something, seven years with not one single idea. If that is not frightening in itself, just consider this. If the Liberals stay in power until 2004, and hopefully they will not, but if they do, the Liberal government will have surgically removed $30 billion from health care alone.

● (1035)

Given the fact that Ralph Klein and other premiers have had to scramble, the question would be why not? They have had no choice. Funding has been drastically reduced to the point where the provinces are going to have to make up the shortfall. The government has created this crisis.

The approach by the government has been ad hoc, making it up as it goes along. The Liberal government has never had a plan and it has been going on seven years without a plan. The health minister should consider calling a national symposium on health care with all of the stakeholders in one room. It should include health care professionals, caregivers and doctors along with the first ministers, the health ministers and most important, the Prime Minister. Why has that not been done? The government has conveniently blamed the provinces for the past seven years. That approach is not going to work. It is going to cost the Liberal Party its power. Canadians are not going to take any more. It reminds me of the famous phrase, no ideas, no votes. The government is devoid of ideas in the health care field.

The federal government has violated the five principles of the Canada Health Act not to mention what the provincial governments have done. Just to remind the health minister, the five principles are a system that is accessible, universal, comprehensive, portable and publicly funded. If the system is not publicly funded as it has to be by the federal government, what choice do the provinces have? The answer is simply no choice.

I want to read into the record a couple of questions that my leader, Joe Clark, had on this issue. These drive the point home quite well. Why does the Liberal government not restore the health care funding that was taken away without consultation right now? Why does the Liberal government not restore the stability of funding so that hospitals and health care professionals and provinces can plan with some certainty?

Our party and our leader suggest that we need a sixth principle in health care which would be stable, long term, sustainable funding so the provinces know where they are going and what they can do. Making it up as we go along is simply not good enough. We are asking for leadership on this issue. We have had absolutely no leadership from the minister or the government.

I read the minister's statement. What has he come up with? A paltry $4 million for what is now called health care police. The government is going to spend $4 million to peek around the corners, lift up the carpets and find out what is going on within the hospital system. Is that the best the government can do after seven years? It is not good enough. I am suggesting that the government immediately call together all the principal stakeholders in the health care field and get to work to come up with a long term sustainable plan.

The government has basically taken $30 billion out of the system and downloaded it on the backs of the taxpayer. At the end of the day where does that money go? What is done with it? Where is the shortfall? Is it ever used? Does it show up? Of course it does. The Liberals are bragging about balancing the books, fiscal responsibility. It is fiscal responsibility on the backs of the taxpayers. The government has no plan.

The U.S. system scares the heck out of Canadians and that system is the way our system is headed if the Liberals stay in power. The U.S. system is fueled by two things: litigation and insurance companies. We do not want to see that happen here.

Unfortunately if the minister stays in his present job and the Liberal government stays in power, that is exactly where we are headed.

• (1040)

The provinces are scrambling to make up the difference. Examine everything that has happened in Alberta and all the other provinces. Incidentally, Alberta is not alone in this. In my home province of New Brunswick, the private sector accounts for about 35% of all spending. In Alberta it is slightly less than that. The problem is not isolated in Alberta alone. It affects all provinces and jurisdictions simply because the federal government has refused to act on the number one issue or the number one challenge in the minds of all Canadians. Young or old, we are all suggesting that the federal government can do more.

The underlying theme to our position is let us see the plan. The Liberals have been here for seven years. The backbenchers love to yak, but they are devoid of ideas themselves. They are nothing more than lapdogs to the minister who has consistently done nothing about this problem. If they have something constructive to say, then they should get up on their hind legs and let us hear them. They have not done a single thing. They are nothing more than the peanut gallery. They are trained seals who prop up the health minister whenever he needs it. Today is no exception. Let them come across and we will give them some ideas. Let them be brave enough to stand up on their hind legs and suggest what some of those ideas might be.

We want leadership on this issue. Canadians are demanding leadership. There has been no leadership. No ideas, no votes. The jury is out. The Canadian public will decide whether the Liberals have handled this file properly or not. I suggest they have not.

Mr. Derek Lee: Mr. Speaker, I rise on a point of order. Would there be a disposition in the House to return to tabling of documents to allow the Parliamentary Secretary to the Minister for International Trade to table a government document?

The Deputy Speaker: Is there unanimous consent to return to tabling of documents?

Some hon. members: Agreed.

* * *

TRADE

Mr. Bob Speller (Parliamentary Secretary to Minister for International Trade Lib.): Mr. Speaker, pursuant to Standing Order 32(2) and 32(4), I would like to table in both official languages the first ever trade report ''Trade Update 2000'', the annual report of Canada's state of trade.

COMMITTEES OF THE HOUSE

TRANSPORT

Mr. Stan Keyes (Hamilton West, Lib.): Mr. Speaker, I have the honour and duty to present in both official languages the second report of the Standing Committee on Transport.

Pursuant to its order of reference of Tuesday, February 29, 2000, your committee has considered Bill C-26, an act to amend the Canada Transportation Act, the Competition Act, the Competition Tribunal Act and the Air Canada Public Participation Act and to amend another act in consequence, and reports Bill C-26 with amendments.

I would be remiss if I did not recognize the hard work of certain people in the formulation of Bill C-26 and its amendments. First, I would like to thank Guyanne Desforges, the clerk of the Standing Committee on Transport and to John Christopher and June Dewetering our researchers from the Library of Parliament. I would also like to thank the Minister of Transport, his staff and the officials of the Ministry of Transport whose participation and co-operation with the committee are greatly appreciated. Finally, I would like to acknowledge the efforts of my colleagues from all parties in the House, the members of the Standing Committee on Transport.

* * *

• (1045)

PETITIONS

NUCLEAR DISARMAMENT

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, it is a pleasure to stand on behalf of my constituents today to present two petitions pursuant to Standing Order 36.

The first petition is from a group of citizens in Macklin, which is on the west side of my riding. They are quite concerned about the nuclear capabilities of a lot of countries that really do not seem to have the strength to handle that type of power in the world. They, therefore, ask the Canadian government to look into the situation.

STATUTES OF CANADA

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the second petition concerns the supremacy of God. The petitioners would like the supremacy of God to remain in the statutes of Canada. They are very concerned that the government is softening its stance in that regard.

POST-1901 CENSUS

Mr. Murray Calder (Dufferin—Peel—Wellington—Grey, Lib.): Mr. Speaker, I am pleased to present a petition not signed by 100 Canadians, not signed by 3,000 Canadians, but signed by 6,000 Canadians. The petitioners call for the release of the post-1901 census records after a reasonable period of time has passed.

The census records are a tremendous resource for more than 7.5 million citizens who are currently engaged in family research. The post-1901 census records contain facts about the everyday lives of average Canadians. They tell about Canada's collective past, present and future. These records are not only the reference point for descendants of many immigrants wishing to trace their heritage, they are also an essential tool for genealogists everywhere.

Therefore, the petitioners ask parliament to amend the Statistics Act to allow for the public release of the post-1901 census records.

CHILD PORNOGRAPHY

Mr. Leon E. Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I am happy to present a petition on behalf of hundreds of people from the Lakeland constituency, mostly from the Cold Lake area.

The petitioners are extremely upset with the inaction of the government regarding child pornography. They ask that parliament deal with the issue of pornography by using section 33 of the charter of rights and freedoms to invoke the notwithstanding clause to override the B.C. court decision which legalized pornography.

I fully support this petition.

RIGHTS AND FREEDOMS

Mr. Maurice Vellacott (Wanuskewin, Canadian Alliance): Mr. Speaker, I have about 750 signatures of individuals who call to the attention of parliament the rights of freedom of religion and freedom of conscience. They ask for protection for health care workers, and those seeking training for careers in the health care sector, who have been stripped of those rights.

They call upon parliament to enact legislation against such violations of conscience rights by administrators in medical facilities and educational institutions.

MARRIAGE

Mr. Maurice Vellacott (Wanuskewin, Canadian Alliance): Mr. Speaker, the second petition is related to Bill C-23. These citizens of Canada lament its passage, but it is still not too late as it is now being studied by the Senate.

The petitioners want us to affirm the opposite sex definition of marriage in legislation and ensure that marriage is recognized as having been a unique institution of great good to society historically. They want that to be recognized by the Parliament of Canada to the good of our nation.

IMMIGRATION

Mr. Maurice Vellacott (Wanuskewin, Canadian Alliance): Mr. Speaker, I have a third petition. These petitioners ask for the removal of the head tax. They say that it is a discriminatory tax and should not be imposed. They want it to be withdrawn.

The petitioners think it is contradictory and does not protect the rights of immigrants coming to our country, particularly those who are destitute.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Question No. 102 will be answered today.

[*Text*]

Question No. 102—**Mr. Leon E. Benoit:**

Which of the groups the Minister of Citizenship and Immigration consulted with during the period from February 27, 1998, through March 11, 1998 inclusive regarding the legislative review ministerial consultations, have received government issued grants and/or subsidies, and of those: (*a*) what was the total grant/subsidy; (*b*) the reason for the grant/subsidy; and (*c*) which government department issued the grant/subsidy?

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): With regard to each of the groups consulted by the Minister of Citizenship and Immigration during the period from February 27, 1998 through to March 11, 1998, the following received contribution funds (Citizenship and Immigration Canada, CIC, does not provide grants or subsidies to organizations) in fiscal year 1997-98* under one or more of CIC's settlement programs or services: Immigrant settlement and Adaptation Program, ISAP, which provides a variety of settlement services to immigrants, such as orientation, community information, interpretation/translation, para-professional counseling, employment-related services; Language Instruction for Newcomers to Canada, LINC, which provides training in one of Canada's official languages to adult immigrants; the Host Program which matches immigrants to Canadians who help them with various aspects of life in Canada; and Reception House, RH, which provides temporary accomodation to government assisted refugees.

	Contribution $ by Program				
	ISAP	LINC	Host	RH	Total
Action Group for New Canadians	20,000				20,000
Alberta Association of Immigrant Serving Agencies	2,500				2,500
Atlantic Regional Association of Immigrant Serving Agencies	24,800				24,800
Calgary Immigrant Aid Society	199,035	317,202			516,237
Calgary Mennonite Centre for Newcomers	30,000	352,624			382,624
Canadian Arab Federation		206,552			206,552
Canadian Centre for Victims of Torture	179,927	78,442			258,369
Canadian Council for Refugees	28,070				28,070
Canadian Ukrainian Immigrant Aid Services	34,510	323,039			357,549
Citizenship Council of Manitoba	248,139	25,787	64,000		337,926

	Contribution $ by Program				
	ISAP	LINC	Host	RH	Total
COSTI Immigrant Services	224,946	1,539,037		1,061,078	2,825,061
Edmonton Mennonite Centre for Newcomers	184,257	251,059			435,316
Fort Erie Heritage Council		70,187			70,187
Manitoba Interfaith Immigration Council	238,751	18,805	64,000	545,517	867,073
Metro ESL Association		133,231			133,231
Metropolitan Immigrant Settlement Association	314,211	44,705	50,526		409,442
Multilingual Orientation Services Association for Immigrant Communities MOSAIC	178,552	779,809			958,361
Multicultural Association of Fredericton	64,692	178,396	19,626		262,714
Ontario Council of Agencies Serving Immigrants OCASI	90,181				90,181
Regina Open Door Society Inc.	145,960	470,000	40,000	23,295	679,255
United Chinese Community Enrichment Services Society SUCCESS	774,816	708,097	39,051		1,521,964
TESL Ontario Teachers of English as a Second Language		26,279			26,279

Organizations in Quebec do not receive contribution funds from CIC. As per the Canada-Quebec accord, the province of Quebec assumes responsibility for providing settlement services.

*Contribution agreements are signed for a total amount which covers the duration of the agreement. As the period of time for which the funding information was requested does not coincide with the periods covered by the contribution agreements, we are unable to give dollar figures for the exact period requested by the hon. member.

[*English*]

Mr. Derek Lee: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

The Deputy Speaker: I wish to inform the House that because of the ministerial statement Government Orders will be extended by 36 minutes.

GOVERNMENT ORDERS

[*English*]

CITIZENSHIP OF CANADA ACT

The House resumed from May 10 consideration of Bill C-16, an act respecting Canadian citizenship, as reported (with amendment) from the committee; and of Group No. 3.

● (1050)

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, it is a pleasure for me to rise today to speak to the Group No. 3 amendments to Bill C-16, the citizenship bill.

Motion No. 6 refers to the review committee and the appointment by the governor in council of retired judges. The amendment asks that opposition parties have a real say. In other words, the opposition parties should have the chance to consent, not simply for the government to consult them, as happens most of the time. We hear about what is going on, but in the end it ends up being a partisan appointment, hopefully of a qualified person, but that is not always the case.

Granted this position will be rarely used, since it would only be in the case where the review committee cannot come to a decision. I will be supporting this motion.

Motion No. 7, concerning clause 31, is an amendment that is totally logical. It states:

> ''(1.1) The Governor in Council shall not appoint a person who has been convicted of an offence under section 39 or 40 as a Citizenship Commissioner.''

It seems so logical that I wonder why it has to be there. However, with the cases we have seen in the past it is probably a good idea.

Motion No. 8, referring to clause 32, is again an amendment that would give some input to the Standing Committee on Citizenship and Immigration. In a good democracy that is the way it should be.

Motions Nos. 15 to 20, referring to clause 43, would bring the work on regulations back to the committee and the House. I agree, and that should be adopted also.

Motion No. 21 comes back to what all opposition parties have been saying probably forever, that the committees concerned should have a real and positive input, especially after all the time that is spent in committees reviewing, interviewing witnesses and doing their best to get the views of ordinary Canadians. The committees have to be more involved.

I will be supporting all of the motions in Group No. 3.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am happy to address the motions in Group No. 3, put forward by various parties seeking to amend Bill C-16.

I think it is worthwhile to start by pointing out what a great level of community interest there has been in Bill C-16 and the issue of citizenship. When the bill was first introduced as Bill C-63, over 37 groups and organizations made representations before the Standing Committee on Citizenship and Immigration. I would say there was an overwhelming amount of public interest demonstrated by

Canadians who feel very passionately about the whole concept of citizenship.

I believe the reason these people were so motivated is because the whole idea of being a citizen of Canada hearkens to the idea of national pride, of being part of something great, like the country of Canada, where the sum of the parts is greater than the whole.

What we saw was a great outpouring of emotion. These people said to the committee, to the House of Commons, that when we amend the citizenship and immigration legislation we must ensure that the changes reflect accurately how much we value our citizenship, not just as a right, but also the duties, obligations and responsibilities that come with citizenship.

● (1055)

We found it necessary to move many amendments to Bill C-63, the predecessor to Bill C-16, and we were pleased when most of the recommendations, amendments and details that we found necessary to raise were incorporated into Bill C-16. In fact, the NDP caucus is now satisfied that Bill C-16 accurately reflects what Canadians told us. The changes we asked for were incorporated into the new bill, so we were quite pleased to see the new Bill C-16 in its current form. It is something that we can support as it goes through the House. In fact we hope for its speedy passage.

I note, though, that many of my colleagues in opposition parties and even some on the Liberal side are moving amendments. Group No. 3 deals with six or seven different clusters of amendments. I will comment on some of them and point out whether our caucus will be able to support them.

Motion No. 6 we would support. It was put forward by the immigration critic for the Canadian Alliance and it simply seeks to have all appointments ratified by parliament. Appointments of citizenship judges or any other type of appointment made by order in council should really come to parliament or at least to the standing committee where parliamentarians, elected officials, can approve and ratify those appointments. It is something that most Canadians would support and our party recommends supporting the motion.

Motion No. 7 seeks to amend the legislation so that a person cannot be a citizenship commissioner if that person has been convicted of the crime of defrauding immigration or smuggling or trafficking people, or any type of crime under the Citizenship Act. This is only common sense. I would like to think that the powers that be would have come to that conclusion already without having it stated in legislation. I cannot imagine anyone appointing a citizenship commissioner who had been convicted of fraud under the Citizenship Act. We support that amendment put forward by the Canadian Alliance as well.

Motion No. 8 states that the standing committee must approve the appointment of citizenship commissioners. Again we support this idea. We believe that there is a role for the standing committee to ratify and approve appointments to ensure that these appointments are not some kind of political patronage and to ensure that the right people occupy these important positions.

Motion No. 15 is clustered into this group as well. We oppose this motion put forward by the Canadian Alliance. We believe that either there was a typographical error or it simply makes no sense. The words ''alternative'' and ''affirmative'' seem to be mixed up in the way it is written. It is absolute gibberish and not worthy of anybody's support. It was either an error or the drafters were deliberately putting it forward as some kind of nuisance motion.

Motions Nos. 16, 17 and 18 are similar in nature.

We support Motion No. 20. I would rather dwell on the motions that we see fit to support rather than oppose because I think that warrants more comment. This motion, again put forward by the Canadian Alliance, would allow the governor in council to define public interest for the purposes of the act. It would actually mandate the governor in council to define what is meant by public interest. There is a whole section of articles regarding public interest in the act and we believe that it does need further clarification, for transparency if nothing else. It could be that lawyers can glean from the current act what the intent of the act is in terms of public interest, but we see no harm in further clarifying that definition so that the general public can also easily and readily see what is truly meant by that term.

● (1100)

We see that Motion No. 21 is also clustered into Group No. 3. We support this motion. Some of the things raised by my colleague in the Canadian Alliance are legitimate points of view that would improve and enhance the act. This particular motion seeks to make the standing committee responsible for the approving of any regulations that pertain to fixing fees for any services offered by the department, whether it is citizenship papers or whatever. We believe the standing committee should have a role in setting fees. It is the opinion of our party that the fees are far to onerous currently.

We would like the opportunity to bring forward at the committee level that the fees should be adjusted and adjusted down. It is the same as the hated head tax. We should abolish the head tax on all immigrants and refugees. We note that the government has seen fit to listen to us and has recently abolished the head tax on refugees. However it has not abolished the other service charges associated with being a refugee. It has abolished the $975 head tax but it has not abolished the many other fees which add up to more than $500.

I think that Motion No. 21, which would give the standing committee the opportunity to have some input into the fixing of any fee schedule, would be very appropriate.

I want to raise a point that I think has not been raised enough in the House of Commons. The whole concept of citizenship is tied directly to the whole concept of the nation state obviously. We are proud to be Canadian citizens because of the borders that define our geographic country.

The whole concept of the nation state, democracy and citizenship are intertwined in an inexorable way. We believe that all three of those things are jeopardized by the globalization of capital and the demise of the nation state in that free trade agreements do not recognize borders. Capital does not recognize borders. The free movement of goods, services and capital ignores borders and often ignores freely elected governments.

I raise, as a cautionary note, that as we give more and more international authority to the WTO, to the MAI, to NAFTA and to liberalized trade agreements, we diminish the authority that citizens enjoy in their democracy within their nation state. I think there is a growing awareness of this issue. We saw the battle in Seattle recently where young people were raising this very point. They were sounding the alarm that they would not tolerate this idea of diminishing democracy by diminishing the nation state and the citizen's role in controlling their own economic sovereignty.

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

Some hon. members: Question.

The Deputy Speaker: The question is on Motion No. 6. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen

The Deputy Speaker: The recorded division on Motion No. 6 stands deferred.

Ms. Marlene Catterall: Mr. Speaker, I rise on a point of order. Discussions have taken place between all parties and I think you will find agreement, pursuant to Standing Order 45(7), to defer the recorded divisions if requested on report stage of Bill C-16 until the end of Government Orders on Tuesday, May 16, 2000.

The Deputy Speaker: We have not reached the end of the deferrals yet. That may or may not happen today. Does the hon. member want to move her motion now or does she want to wait until we have completed all the groups? We still have Groups Nos. 4 and 5 to do.

Ms. Marlene Catterall: Mr. Speaker, a recorded division has just been requested. I suppose we can do it en masse at the end for any that are requested.

• (1105)

The Deputy Speaker: As long as the hon. member is going to be here, perhaps we could leave it until we have completed Groups No. 4 and 5. Once the motions in those groups have been deferred, I will be able to defer them further. This might be more convenient.

Mr. Chuck Strahl: Mr. Speaker, there may be a way to speed things up on this bill. When no other member rises to speak to any of these groups, the question would be deemed put and a division deemed requested and deferred until Tuesday at the end of Government Orders.

If there is unanimous consent, we could speed through this relatively quickly. We would not have to do the standing and the yeaing and the naying. We could just assume they are all deferred and divisions requested.

The Deputy Speaker: Is it agreed that divisions have been deemed demanded and deferred on each of the motions in Group No. 3 and that the same will happen when we get to Groups No. 4 and 5?

Some hon. members: Agreed.

The Deputy Speaker: Once we get to the end of Group No. 5, the recorded divisions will take place on Tuesday, May 16 at the conclusion of Government Orders. Is that agreed?

Some hon. members: Agreed.

The Deputy Speaker: We will now move to Group No. 4. I will remind hon. members that the motions in Group No. 4 have already been put to the House.

Mr. Leon E. Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I want to thank the member from Winnipeg for pointing out a typographical error in one of the motions in the last grouping. The word ''alternative'' appears in the phrase ''alternative resolution''. It should read ''affirmative resolution''. In all the similar resolutions it was written as ''affirmative''.

The way this was organized by the government, report stage was scheduled to come up next week. We found out on Tuesday afternoon, a couple of hours before the deadline for submitting resolutions, that the government had bumped report stage up to

Wednesday afternoon. At the same time, the Minister for Citizenship and Immigration was in committee, where many of us expected we could speak to the report stage motions. Because of that rush, we did not see the error. I thank the member for pointing it out. I hope the error can be corrected as it would be consistent with the other motions presented.

We are dealing with only two motions in Group No. 4, Motion No. 9, presented by the Bloc critic, and Motion No. 23, presented by a Liberal member.

The Bloc motion suggests that along with the citizenship certificate given out at the ceremony, there would be some information from the Government of Quebec given out as well. It is really interesting that we have a party, which wants Quebec to separate from Canada and wants more authority given to the Quebec government, that is now asking the federal government to intervene and ensure that it can hand out this information with the certificates.

The province can decide in any way it wants and in any form it wants to hand out this information if it feels it is something its citizens need to have. It really does not make any sense at all having that included in this bill. I know I certainly will not be supporting this motion. It really does not make any sense.

What we are talking about in this bill is Canadian citizenship, something that most Canadians value very deeply. I would also suggest that it is something most Canadians from Quebec value at a very high level. When we have a citizenship ceremony, we should be accepting certificates that we can proudly display indicating that we are citizens of Canada. I therefore cannot support the motion.

● (1110)

Motion No. 23, which was presented by a Liberal MP, calls for a change to the proposed new citizenship oath. I do not have any particular disagreement with the oath that is in the bill. What is really wrong is the process. How many Canadians were ever asked to take part in developing the oath? The minister said that there were some. I would like to ask Canadians if they were asked to take part. I know I was not.

I do not believe the oath is the real issue. The member is proposing an alternative oath but I do not think it is any better. In fact, it is less acceptable and does not fix the problem. The government thinks it can present an oath that has had no support or input from Canadians. I think the member is taking the same position. He, as a government member, seems to think he knows better than Canadians what should be in the oath. It really is the process that is at issue here. I certainly will not be supporting this motion. I do not think it improves the oath nor does it improve the process.

The Deputy Speaker: I apologize to the two members who moved motions. I assumed there was a Reform motion in the group. It was my mistake.

[*Translation*]

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, I will, if I may, read Motion No. 9 moved by the Bloc Quebecois. Perhaps the Canadian Alliance member will really understand the impact and the concept of citizenship that the Bloc Quebecois is trying to defend.

> (2.1) The Commissioner presiding over a citizenship ceremony shall, during the ceremony and in the presence of a representative of the Government of Quebec, give to every new citizen residing in Quebec a copy of the following documents and an explanation of their purpose:
>
> (i) the Charter of the French Language (R.S.Q., c. C-11);
>
> (ii) the Charter of Human Rights and Freedoms (R.S.Q., c. C-12);
>
> (iii) the Election Act (R.S.Q., c. E-3.3); and
>
> (iv) the Declaration by the Government of Quebec on Ethnic and Race Relations, signed on December 10, 1986.

Why are we asking that new Canadian citizens be given these documents?

There exists naturally, and we would agree with this, a citizenship which, by definition, is a legal citizenship, one which is granted to members of a political community, with civic, political and social rights.

There is also a citizenship that is part of a political community, with rights and obligations as well, which enables citizens to establish relations with one another. We all agree with this civic and legal definition of citizenship.

What we are proposing here is to extend this citizenship. We fundamentally believe that citizenship can and should be based on a collective identity that would not be built solely on rights and responsibilities but could also incorporate concepts such as the potential for citizens to exercise those rights and responsibilities.

● (1115)

This might involve giving people, through all sorts of tools and documents that we have created, a chance to take part in Quebec social and collective life. We also believe that this citizenship should include the possibility for all citizens to become fully integrated into a community.

What we are proposing is a new type of citizenship based on notions of inclusion, pluralism and openness, and of course on notions that would be unifying and open. What we are calling for is for citizenship not to exist only in legal terms, but to be more widely recognized and included in the bill, through this clause and this amendment.

We believe that the amendment we are proposing today should gain support from both those in favour of one big Canada and those fighting for a sovereign Quebec, which would control its own destiny. This amendment stems from a legacy, a consensus and a recognition of the fact that there is a common public culture particular to Quebec. This culture is the most important spur to

action at our disposal to take up the challenge of the integration of new Quebecers. This common public culture defines the way and the method by which the citizens who chose to settle in Quebec can and must participate to the public life.

Personally, I do not think I am mistaken when I say this culture is comprised of three major components, three major lines of force at the heart of Quebec society. What are they? First, it is a society where French is the common public language.

It is a democratic society where participation and contribution of all people are expected and promoted. This democratic participation is recognized and guaranteed by the Loi sur les droits et libertés de la personne, which has the value of a charter.

It is also a pluralistic society that, although having rejected multiculturalism, remains definitely open to numerous contributions from the outside, within limits imposed by the respect of democratic values and the need for intercommunity sharing.

In the name of this common public culture, which is exclusive to Quebec, and the development of French society, whose destiny is so special in America, we ask the federal government to agree to this amendment, which is not only moved by the Bloc Quebecois, but which also has been supported by a number of members of the Quebec community and society.

This amendment has already received, in the context of consideration of Bill C-63, the support of a number of stakeholders. I am talking, among others, of the Haitian Christian community of Quebec, which supported the Bloc amendment during consideration of Bill C-63.

I believe this expresses the will of Quebecers to belong to a society that is open to the world, pluralistic and able to protect citizens' democratic freedoms and rights. Our belief in this fundamental values is what prompted us to create the Charter of Human Rights and Freedoms. It is precisely our fundamental belief in democracy which moved us to create the Quebec Election Act. It is our belief that pluralism is one of the fundamental values to integration which led the Government of Quebec to issue its declaration on interethnic relations.

What we are calling for today is for the fundamental values of Quebec society, which are characterized by and set out in certain very specific documents, to be handed out to new citizens.

● (1120)

As for Motion No. 23, it is rather odd that my colleague from Wentworth—Burlington would submit such a proposal. His motion reads as follows:

> In pledging allegiance to Canada, I take my place among Canadians, a people united in God—

I would remind hon. members of the basic values and concepts to which I have already referred. These are values of openness and pluralism. Nothing must be done that would exclude a group of people who do not believe in God, who do not belong to that community.

In my opinion, this is fundamental. And the notions of inclusion, of pluralism must be included in this bill. I fear that Motion No. 23 would really exclude a number of citizens who do not have such belief in God.

My party will vote against Motion No. 23. Needless to say, my colleagues will support Motion No. 9 proposed by the Bloc Quebecois.

Regarding this motion, I thought it was important to recall the fundamental values enshrined in official instruments passed by Quebec's national assembly. This was done simply to inform new Canadian citizens of the democratic, pluralistic values specific to Quebec's society. These values were accepted unanimously by Quebecers.

Let us inform new citizens of their democratic rights. Let us inform them of their rights and freedoms. Let us allow them to understand clearly that we belong to a French speaking society established in America. The French speaking community in Quebec accounts for 2% of the population of the North American continent. We have expressed our desire to develop and to prosper in French.

Quebec's charter of rights and freedoms shows that. We want new Canadian citizens to know about it.

[*English*]

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I am speaking to Motion No. 23 which would change the oath of citizenship as it is in the current bill to another version.

I have to correct the member for Lakeland. The second version that I will read presently is very much a version that was created in this parliament in answer to the fact that after extensive consultation with Canadians the government failed to listen to what Canadians were saying about their oath of citizenship and continued with an oath that is essentially the very same British oath that has been with this country since the expulsion of the Acadians in the mid-1750s.

I will read the oath that is in the bill now. Then I will read the oath that I propose. The oath that is in the bill now says:

> From this day forward, I pledge my loyalty and allegiance to Canada and Her Majesty Elizabeth the Second, Queen of Canada. I promise to respect our country's rights and freedoms, to uphold our democratic values, to faithfully observe our laws and fulfil my duties and obligations as a Canadian citizen.

To repeat, this is a direct descendant of the British oath that began two centuries ago. This is in its tone and content an oath that is not born in Canada.

After all the consultation that occurred—I was on the citizenship committee in 1994-95—we received many, many Canadians and many, many ethnic groups that spoke about the current oath and made suggestions. The citizenship committee cycled through this discussion yet again just a couple of years ago and the government did extensive studies. All said that the oath containing the allegiance to the Queen was no longer something that resonated with current Canadians, much less with those new Canadians who come to our country and have to take this oath.

● (1125)

When the citizenship bill was first presented to parliament last year as Bill C-63, and we saw this oath that I just read, a number of us on this side were scandalized. We were absolutely scandalized. Right here the member from Brampton West on this side and the member from Dufferin—Peel—Wellington, we put our heads together and we wrote a new version of the oath based on what we believe in our heart of hearts as parliamentarians is what Canada is all about and based also on what we heard people tell the citizenship committee over three years.

What we came up with is an oath that has three components. It eliminates reference to the Queen. It restores reference to God and it attempts to summarize the principles that are contained in the charter of rights and freedoms which I believe are the principles that motivate Canadians and describe our unique identity. The oath that we came up with, and I will read it now, is this:

> In pledging allegiance to Canada, I take my place among Canadians, a people united by God whose sacred trust is to uphold these five principles: equality of opportunity, freedom of speech, democracy, basic human rights, and the rule of law.

I propose to deal with each of those three elements and first the Queen. One of the themes that came out of the hearings on citizenship that was absolutely consistent was that people come from all over the world to Canada and when they come to swear an oath of citizenship to Canada they cannot understand the reference to the Queen. In fact the government's own opinion polls find that most new Canadians coming to Canada cannot understand the reference to the Queen.

The Queen is a foreign monarch. It is certainly true the monarchy has a role in Canadian society in terms of our legal entity and our functions as parliament and eliminating the reference to the Queen, as the Australians did in 1993, in no way affects our parliamentary traditions or the operation of this parliament or the governor general or anything else.

The reality is, as we heard in testimony, that many people come to Canada from other lands in which they associate the British monarchy with slavery. Indeed I point out that the original oath of allegiance that was required of francophones, of French Canadians and of Acadians, was required in 1755 and when they failed to swear allegiance to the monarchy of the time the Acadians were expelled. They were taken out of Nova Scotia and scattered down the coast of the United States.

[*Translation*]

I think most Acadians would now refuse to take an oath containing a reference to the monarchy, because of this dark period in our history.

[*English*]

What are we doing having the Queen, the monarchy, in an oath that describes Canada when we are inviting these people to Canada? I think what I am saying here is that the Queen no longer captures the spirit of what it is to be Canadian. In fact in the context of an oath of citizenship I wonder whether the Queen ever did.

I do not think it is out of place to eliminate the Queen from the oath of citizenship. I think when we do so we repatriate the oath of citizenship, because new people coming to this land realize that it is Canada that they are coming to, not Britain, not to some foreign monarch, not to the British monarchy. They are coming to Canada. That is the first point.

The second point is the oath I propose has the words that new Canadians come and take their places among Canadians, a people united by God. I was very careful in using this reference to God. I point out first that all the other major oaths of citizenships, in the United States, Australia, New Zealand and Great Britain have a reference to God. What happened in Canada was when we last went through the oath of citizenship we took the reference to God out.

● (1130)

In proposing to put the reference back in, all I am doing is reflecting the fact that we have the reference to God in the Canadian Charter of Rights and Freedoms. I am not suggesting that a new Canadian coming to Canada should feel that in taking this oath that the person is indicating he or she believes in God or the person is assigning an association with one religion or another.

The reality about the Canadian history, our life, is that every kind of Canadian has had an association with God. Whether we are a Christian, or a Muslim, or an aboriginal, actually 80% of Canadians believe that there is some sort of higher authority. We as Canadians owe our good fortune of having one of the most wonderful countries in the world to something more than just NASDAQ, the stock exchange or our mining riches.

Canadians are more than meat and potatoes. This land is more than fire and water. This land is something that is above our human intellect. Generally speaking, Canadians as a society have held that belief. What we do here is say that a new Canadian who comes to this land is going to be a part of this tradition of a faith in God. This is not an ideology. It is still open to opportunity. The person does not have to believe in God because this is a land where we accept people of all points of view. That is one of the reasons why we can

have a room of such tolerance here. We can have separatists and people of different ideologies. That is the genius of this country.

Finally, there are the five principles of equality of opportunity, freedom of speech, democracy, basic human rights and the rule of law. These derive directly from our charter of rights and liberties. This is what we are as Canadians. This is the spirit of being Canadian. This is what defines our tolerance. It is not just being equal, it is having equality of opportuntiy. That is why we believe in medicare and why we believe in universal education. Freedom of speech, democracy and all these things are essential to the Canadian spirit.

I say to you, Mr. Speaker, these are what define Canadians; these are the principles that define Canadian. I urge all party leaders to allow a free vote on this issue. I heard the member for Rosemont and respect his point of view. But for heaven's sake, this opportunity to repatriate the constitution, to repatriate the oath of citizenship and to bring it back to Canada should surely be a free vote allowed by all party leaders.

[*Translation*]

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, I am pleased to rise today to speak to Group No. 4 of amendments to Bill C-16.

I will first talk about Motion No. 9 by the member for Rosemont. He will perhaps find this a bit surprising, but I agree with much of what he is proposing, although I think that the citizenship ceremony is perhaps not the right time for these documents to be given out. This should be done long before.

In his motion, the members asks to have new citizens given:

> (i) the Charter of the French Language;
>
> (ii) the Charter of Human Rights and Freedoms;
>
> (iii) the Election Act;
>
> (iv) the Declaration by the Government of Quebec on Ethnic and Race Relations. . .

These are documents it would be appropriate to give to people coming to Quebec. I would go even further and say that this would be useful for any province. However, we are talking about Quebec here. I think that people arriving in Quebec as immigrants should get all these documents. I think they already do, but they should at least be aware of them and their content.

● (1135)

From the time they applied for citizenship, seven years have passed, on average. This is why I think it is a bit late for them to be getting these documents at that point.

As a party, we must unfortunately vote against this motion.

The member for Rosemont also talks of having a representative of the Province of Quebec at the swearing in ceremony, but his presence must not be vital to the holding of the ceremony.

I know that a number of MPs do not attend swearing in ceremonies. I think that it should be important, even a duty. I attend these ceremonies myself at least once a year, and I then send letters of congratulations to all new citizens in my riding.

[*English*]

I would like to talk about Motion No. 23 presented by the hon. member for Wentworth—Burlington. I definitely have a problem with this motion. I cannot support it and our party will not support it. It is certainly not because I am or am not a monarchist, which is what I will touch on first.

If we were going to get into changing anything as significant as this, we would have to change our constitution first. The Queen is still in the constitution and until we make a major change in it we cannot remove that from the oath. The member talked about different oppressed countries where royalty is feared but it goes a lot further than royalty. It can also extend to politicians and people's fear of them. We have to be careful about how far we go on that.

He referred to a people united by God. I have no problem saying that I am a Christian and I strongly believe in God. But in this day and age, with all the different religions in Canada, I feel we are putting them totally aside by adding that type of phrase to the oath. Because of that, there is no way I can support that.

The other points the member made about the oath are very interesting. I think they are nice, but we have to stick with certain parts of this right now that are already there and a part of a constitution. Therefore, we will be voting against this motion.

Ms. Carolyn Parrish (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, I rise to speak against both of the proposed amendments.

First, Motion No. 9 concerns the guidelines for ceremonies celebrating passing the citizenship test. We have to remember that is what these ceremonies are for, a celebration. The testing has been completed. Participants at those ceremonies are there to be celebrated and not to be politicized. They have passed a test. They are there with their families. I have attended many of these ceremonies. They are very joyous occasions particularly for people who have come from countries where there has been heavy persecution and they have had a very difficult time getting here.

The materials for distribution go through the local offices and they are very flexible. No one says that the Government of Quebec cannot, particularly on application for the citizenship test, be

aware of this and make sure that the materials are distributed. We do not have any objections to that.

The other thing I would point out is that residents have to live in Quebec for three years before they are able to go through a ceremony. Therefore, there are three full years to make sure that they understand how valuable the French language is and how valuable the culture of Quebec is, and I do not disagree with that.

We cannot force the Quebec government, the Ontario government or the Manitoba government through federal citizenship laws to make sure they have an official at a ceremony that is strictly federal.

● (1140)

I do not think a ceremony of celebration is the place to bring in political debate. I do not think it is the place to try to force other levels of government to attend. We have a hard time in many cases getting MPs to attend some of these ceremonies so we are not in a position to order other governments around and I do not believe the member opposite would want that.

As far as Motion No. 23 is concerned, I am sorry the member for Wentworth—Burlington left because the third part of it is a very interesting proposal. His amendment is much like a smorgasbord; he has too much in there.

I agree with the member opposite that this is not the place or the time to debate the relevance of the monarchy. Many of the people who come to this country come from Commonwealth countries and would not be the least bit surprised to pledge allegiance to the Queen. She is still a very significant part of our Canadian psyche. Regardless, as I said, this is not the appropriate place to get into a debate on that.

Concerning the relevance of God, I also agree with the member from the Tory party who suggested that people have a vastly different image of God. There are many titles for a superior being and 20% or 30% of people who come from other countries actually do not believe in God. The concept that an oath can be sworn to an individual's own God within his or her own heart is very much a part of the ceremony. It is nothing to be excluded. Both of these amendments will not be supported by the government for very good reason.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, it is a pleasure to take part in the debate on Bill C-16, the Citizenship of Canada Act, previously known as Bill C-63.

I want to take this opportunity to thank our young and dynamic colleague for Outremont. Besides taking an interest in the issue of violence on television and introducing an excellent bill—one I am sure you will insist on supporting, Mr. Speaker, since you have always been against violence—he is our critic for citizenship and immigration.

I think it was very wise on his part to follow in the steps of his predecessor and to revive an amendment which reminds us of the importance of citizenship. Citizenship is important to a society. It is, first, the conviction that we live together, that our way of living together forms a common public culture. In such a common public culture, there is a number of elements.

Members will understand that knowledge of history is important. Otherwise, not only would nobody be able to understand Quebec but nobody would understand why Quebecers aspire to a national destiny. If you would be so good as to nod, Mr. Speaker, this would greatly encourage me to continue.

When we talk about Quebec's national destiny, we are referring to an unfulfilled, uninterrupted quest that will inevitably lead it, in the coming years, to achieve sovereignty and, of course, to create a country. The Premier of Quebec reminded us of that when he said that this whole process was now back on the political agenda.

Our common public culture is our history. It is also our language. No one can ignore that by choosing to live in Quebec, they are also choosing to speak a vernacular language, a language that is not the language spoken by North America's majority, but by a minority, the French minority. There can be no common public culture without participation through a common language. I will get back to this issue, which is rather central to today's proposal before the House.

When it comes to Quebec citizenship, another component of a common public culture that is just as essential as the language is a commitment to democracy. I hope Canadian Alliance members, government members and Progressive Conservative members—who will hold their convention this weekend—are well aware that there is a deep, fundamental attachment to democracy in Quebec.

● (1145)

We hope that all citizens will participate in our institutions and we say that democracy is a very real and dynamic component of the concept of citizenship.

How is that citizenship exercised? If I asked that question to hon. members, they would tell me that citizenship is exercised through the right to vote, through the choice that we make to have elected representatives speak on our behalf on major public issues and voice our concerns in the various assemblies.

We know that the National Assembly is among the most important assemblies in North America. My colleague, the member for Argenteuil—Papineau—Mirabel, knows about this issue better than I do, because he is a member of the world interparliamentary association. I think I can say that the National Assembly is among the oldest parliaments of North America. Parliamentarism was

born with the Constitutional Act, 1791. Back then, there were few parliaments in North America. Therefore, Quebec can pride itself upon a long and deep rooted tradition of democracy.

Another element of our public culture is intercommunity relationships. We do not see Quebec as an homogenous mass where there is no place for input from other communities. Quebec is a land of immigration for various reasons. Of course, there is the inherent attraction of Quebec because it is at the crossroads of several major cultures, including the United States and France. Our francophile and francophone roots are of course very much present in our heritage and our society, because we still speak French, but also because this language is the expression of our culture. Quebec is a point of contact with North American society. It is no small matter to be the neighbour of the first economic power of the world.

Let us remember what Kennedy said. Mr. Speaker, I am sure that when you were a child, a long time ago, you were an admirer of John Fitzgerald Kennedy. What did he say? Here is what he said about the relations between Canada and U.S. ''Geography made us neighbours, and history made us friends''.

This is an elegant way of saying that we did not choose to be the neighbours of the most powerful nation in the world. This has its advantages and its disadvantages. This was a disadvantage as far as foreign investment is concerned, but it was also an advantage in terms of sharing a common market that has a potential to be expanded, a potential that has always been recognized by sovereignists. This is why, early in the process, sovereignists supported the previous government in the free trade initiative.

Having said that, I want to discuss our perception of citizenship in terms of the contribution of various cultural communities. For instance, a member representing a Montreal riding—I am a member from Montreal as are my colleague, the hon. member for Rosemont, and those from greater Montreal, though I will leave it to Mrs. Harel to define its boundaries—cannot do his or her work without acknowledging the presence of cultural communities that are very dynamic in everyday life.

For example, in the northern part of my riding, there is a Haitian community. I think there is a large Ukrainian community in the riding of Rosemont. In the eastern part of my riding, in Bourget, there is also a small Portuguese community. What does this mean?

I have to make a fundamental distinction here. We are sovereignists who believe in the existence of a political citizenship in Quebec that has to be recognized. I will get back to this later. However, we also believe that Quebec society should benefit from the contribution of various communities.

● (1150)

Unlike multiculturalism, we do not define society as the co-existence of several cultures without a common thread. We believe that, for instance, Haitians who immigrate to Quebec, Portuguese who settle in Montreal or Ukrainians who live in Rosemont may have strong feelings about their culture, but we nevertheless expect them to adhere to a public common culture.

The best proof of adhesion to this public culture is, of course, making the effort to master the language sufficiently to be able to communicate in daily life.

Multiculturalism allows for the co-existence of several cultures and for everyone to continue to master their own culture while considering themselves Canadians. We do not share this vision. It is not the vision of the Government of Quebec and, of course, we do not believe it is not the vision that is most promising for Quebecers.

The proposal of our colleague from Rosemont is extremely reasonable and I cannot imagine that anyone would oppose it. The amendment proposes that, during swearing in ceremonies, the four main symbolic documents underlying the common public culture of Quebec, namely the Charter of the French Language of Quebec, the Charter of Human Rights and Freedoms, the Elections Act and the Declaration by the Government of Quebec on Ethnic and Race Relations, be distributed. An official of the Government of Quebec would be there to explain their importance.

Again, Quebec is an land of immigration. Montreal, Toronto and Vancouver are three major centres of immigration. This means there are three provinces where there is a major centre of immigration. Quebec is one of them. We hope that immigrants will come to Quebec in large numbers and will take an active part in this common public culture.

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

Some hon. members: Question.

The Deputy Speaker: A division on the motions in Group No. 4 is deemed to have been demanded. The recorded division stands deferred until the end of the period allotted for consideration of Government Orders on Tuesday, May 16, 2000.

[*English*]

Pursuant to order made on Wednesday, May 10, the motions in Group No. 5 have been previously moved, seconded and are now before the House. Motions Nos. 10 to 14 are now available for debate.

Mr. Leon E. Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I am pleased to speak to these motions, all of which have been presented by the Canadian Alliance party. They deal with the issue of appropriate punishment for dealing with crimes committed under the citizenship act.

My general feeling is that the penalties are extremely weak, particularly in a situation where a citizenship official breaks the law, takes bribes and so on under the citizenship act. I will speak a bit more about that later but that is the general problem.

The Minister of Citizenship and Immigration says often that citizenship is something to be valued, but she does not have penalties which reflect this when it comes to people who fraudulently trade in citizenship and that type of thing. That is regrettable.

The chair of the committee and other government members told me to bring my amendments to the bill forward at committee rather than at report stage. I did that with this group of motions. They did even not listen. They shot them down automatically. So much for committee functioning. I brought them back at report stage to show the Canadian public what was rejected by the Liberal members at committee. It is important that they know. It demonstrates to the Canadian public just how the government views breaches which allow people to become Canadian citizens through fraud and how weak the punishment is that it puts in place in that regard. That is what this whole group of motions is about, but they are dealing with slightly different things.

● (1155)

First, Motions Nos. 10 and 11 deal with clause 39 which deals with various offences regarding the obtaining of citizenship. They include making false representation, committing fraud or knowingly concealing material circumstances. They include obtaining or using another person's certificate. They include knowingly permitting one's certificate to be used by someone else so the person will be identified as a Canadian citizen. We can all understand the kinds of problems that would cause. They include offences of trafficking and offering to traffic in citizenship documents.

These are extremely serious offences. Yet what types of punishment has the government put forth in its legislation to deal with these offences? It has put in place fines of not more than $10,000 and/or five years in jail. Hon. members will know that the maximum penalty is five years in jail. We can certainly see with sentences handed out under the immigration act and under the citizenship act that the penalty which is usually imposed by the courts is very weak and often includes no prison time and a very minor fine.

It is extremely important to increase the penalties which could be imposed to demonstrate clearly that it is a serious offence when one traffics in documents, falsifies documents or gets into the country fraudulently in some way and is recognized as a citizen of Canada fraudulently. Yet the government does not take it seriously enough to put in place appropriate punishments.

One area in particular that I find really offensive is the area of citizenship officials, people who are put into a position of trust in the citizenship department and break citizenship laws by doing things like issuing false documents or false statements that apply to citizenship issues, or commit offences like accepting bribes or encouraging someone else to accept a bribe so that citizenship can be obtained falsely and fraudulently.

Offences such as contravening various provisions of the act by dealing with people who try to bribe citizenship officials and those who impersonate citizenship officials are dealt with in Motions Nos. 13 and 14. I find it surprising that under the bill, the way the government has presented it, that it would impose exactly the same penalty, no more, for departmental officials in that position of trust who break the law as it does for anyone else who is not in a position of trust and is breaking the law. I cannot understand the reasoning of a government that thinks like that. It is completely beyond me.

If we want to deter people who are in a position which lends itself to making a lot of money accepting bribes and handing out citizenship falsely and fraudulently, we have to put in place very serious penalties. They certainly should be more serious than the penalties given to anyone else for the same type of activity. Yet that is not what has happened. I believe what is proposed in here is unacceptable.

Let us think of this in terms of the way the real world is operating right now and in terms of people wanting to enter Canada illegally. If people wanting to enter our country illegally pay to obtain the services of a people smuggler or a people trafficker, they will have to pay between $20,000 and $70,000 to do that. It is a lot of money. That is the going rate for people, depending from which country they are coming, to come into our country illegally with the help of people smugglers or people traffickers. Yet because of the way the government has dealt with that in this law, for a few thousand dollars a person can bribe an official, get a false citizenship document and not only be allowed to come into the country, but become a citizen of the country in the eyes of the officials, if it is done properly, because the person will have the appropriate citizenship documents to be recognized as a citizen.

● (1200)

In any government department, in any business, there will be those people who, for some reason or another, are willing to break the law to make money. There are usually not very many. I would suggest that in the citizenship and immigration departments there would be very few people who would be willing to do that, but they are there.

If given the opportunity, and if the penalties are weak, then the temptation increases. For people so inclined, I believe that a weak penalty would encourage them to become involved in this illicit activity whereby people would become recognized as Canadian citizens by obtaining false documents.

For that reason my motion calls for increasing the fines. The government is proposing a maximum fine of $10,000 and/or not more than five years in jail. What a joke that is. A person could make $10,000 in a good day's work of issuing a couple of false documents.

We know how these things work in the immigration department, and I assume it would be the same in the citizenship department. When cases like this come up they are swept under the rug. The person may or may not be dismissed. Seldom will people ever actually end up in court, but when they do the courts view these things lightly. They look at a five year maximum jail sentence and they do not think it really means that. The courts seem to think that means maybe a suspended sentence or some type of probation.

I think it is important, because of all these factors, that the maximum penalty be increased substantially. We are proposing that when it comes to citizenship officials there should be a maximum fine of $150,000, which is a real threat, a maximum jail sentence of 10 years and/or both.

I think a higher maximum penalty would cause officials working in the department to think twice. Of course, that in itself would not solve the problem. I recognize that, but we have to have a department which is administered and managed properly. That is up to the minister to ensure. The minister has failed miserably, as did the previous minister, as did the one before. The three Liberal ministers of immigration have failed miserably in terms of improving management and administration in the departments. It is not me saying that; it is the auditor general.

The auditor general issued, just a couple of weeks ago, the most damning report he has ever issued, to the immigration department. He said that management was absolutely in shambles, that administration was not working and that enforcement was weak. Many people have said it is the most damning report the auditor general has ever issued.

Putting these more serious penalties in place may cause people to think twice about committing the very serious offence of allowing people to become Canadian citizens when the law would not allow it.

It is shameful that the government is so weak in terms of protecting the security of our country.

How do organized crime figures get into this country? They are the first ones who would be willing to bribe officials. They have done it and they will do it again. They are the first ones who would use people smugglers to get into the country. The top individuals of course have other ways to get in, but certainly they would not hesitate to bribe officials. It happens all the time. It is a sad commentary on the government that it takes this issue so lightly.

Through these weak penalties that the government has put in the bill, it is accommodating organized crime and terrorists, and in a way encouraging them to bribe officials to become citizens of our country completely fraudulently.

● (1205)

Before I end my remarks I want to mention that the member for Wentworth—Burlington spoke to his proposal for a new citizenship oath, and although I did speak out against his oath, there is one aspect of the oath that I really did appreciate, and that is including the reference to God in the oath. God of course is the term that many religions, in fact I would suggest all religions, could consider to be pretty much a generic term. Recognizing that supreme being is extremely important. I think that should be in the oath.

I regret that I did not put an amendment forward myself to do that. I talked about this and I have proposed this several times throughout this two year process which the bill has gone through. It is something that I would like to see changed.

I have talked to members from all parties in the House and I would ask for unanimous consent to make a very minor change. I believe it is a typographical error either on my part or on the part of the clerks. I wish to amend Motion No. 15, which now reads:

> ''(b) subject to alternative resolution of the House of Commons. . .''

I wish to change ''alternative'' to ''affirmative''. Therefore, I move:

> That Bill C-16, in Clause 43, be amended by replacing line 40 on page 21 with the following:
>
> ''(b) subject to affirmative resolution of the House of Commons, specifying who may make an applica—''

That is completely consistent with the other motions. Clearly it is a little typographical error. I think, Mr. Speaker, you would find unanimous consent to make that change.

The Acting Speaker (Mr. McClelland): The hon. member for Lakeland has asked for the unanimous consent of the House to move the amendment. Does the hon. member have consent?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Amendment agreed to)

Ms. Carolyn Parrish (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, this series of amendments would considerably increase fines and

penalties for citizenship related offences. They are very consistent. They would all do the same thing.

Bill C-16 already increases the penalties rather appreciatively. The new penalties are also in line with penalties proposed for existing offences within other federal legislation, including the criminal code.

I am going to resist the urge to editorialize on the propensity for the party opposite to look for incarceration as its punishment of choice. Filling our jails and building new ones would probably be very good for the economy, but not particularly good for the people involved.

Therefore, I would suggest that the government oppose this series of amendments.

The Acting Speaker (Mr. McClelland): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): Pursuant to order made earlier today the questions on Motions Nos. 10 to 14 in Group No. 5 are deemed put and recorded divisions deemed demanded and deferred to Tuesday, May 16, 2000, at the expiry of the time provided for Government Orders.

* * *

● (1210)

CRIMINAL CODE

The House resumed from December 3, 1999 consideration of the motion that Bill C-18, an act to amend the criminal code (impaired driving causing death and other matters), be read the second time and referred to a committee.

Mr. Richard M. Harris (Prince George—Bulkley Valley, Canadian Alliance): Mr. Speaker, it has been a long and arduous road to reach this stage of Bill C-18. This provision was part of a private member's bill that I submitted a couple of years ago. However, the bill was lost due to the 1997 election. The official opposition brought the bill back to the Parliament of Canada in the form of a votable supply day motion, which motion was carried unanimously in the House.

We then had a delay getting the original bill to committee. We finally dealt with it last year, just prior to the summer recess of 1999. Indeed, we were able to put through this House about 98% of the original supply day motion dealing with impaired driving. I believe at that time we made a giant leap forward in taking leadership in addressing the issue of impaired driving in Canada.

We were seeking unanimous consent so that we would not lose the previous bill to the summer recess and more delays. We were able to put it through, for the most part. However, members of the Bloc were not prepared to accept the provision in the original bill which provided judges with the discretionary power to deliver a sentence of life imprisonment for someone convicted of impaired driving causing death where aggravating factors were present.

This bill is designed to address simply that, impaired drivers who have multiple convictions, who have refused treatment, who have spent time in prison, who have perhaps driven while their drivers' licences were under suspension, who perhaps have been in an accident causing bodily injury, leading up to the point where they were once again impaired on the road. With all of these aggravating factors behind them, perhaps they then took the life of someone through their criminal act.

This is the tool that we have sought for three or four years to send a clear message to society that the federal government does not regard the incidence of impaired driving as simply another social ill. Rather, it is regarded as a very serious crime, and the crime of impaired driving causing death is the most serious crime of all. We read in our newspapers, we see on our televisions and through the electronic media every day it seems that some innocent life or lives have been taken because of the stupid and criminal act of driving while impaired.

To review, Bill C-18 would amend the criminal code with respect to impaired driving causing death and other matters. The bill would make impaired driving causing death subject to a maximum sentence of life imprisonment.

At the present time the latitude a judge has is a sentence of imprisonment of zero to 14 years. Unfortunately the precedents that have been set by judges in this country in dealing with impaired driving causing death have most often been at the very low end of that scale, anywhere from six months to two and a half or three years.

● (1215)

There is one case on record where an impaired driver got eight years. Unfortunately that precedent has not been followed as often as it should have been.

This would increase the latitude of judges from zero to a life imprisonment sentence. When there were some extreme aggravating factors, a judge could say to the person upon whom he was to deliver a sentence, ''You are a menace to society. You have taken a life through your criminal act. You have taken a life through your stupidity. You have taken a life because you have refused treatment. You have taken a life because you have not learned through the consequences of your previous actions that it is not acceptable in our society to behave in the manner that you you have been. Therefore, I will give you a sentence of life imprisonment''.

I want to relate some numbers in case anyone may have forgotten the human cost of impaired driving in our country. In 1996 3,420 people were killed in automobile crashes. Where the drivers were tested, nearly 40% had alcohol in their blood for an estimation of about 1,360 fatalities. That means that Canadians are more than twice as likely to die in an accident involving alcohol than they are to be murdered.

The monetary cost for motor vehicle incidents is $390,000 per fatal crash and about $12,000 per injury. Considering the incredibly dire straits of our health care system, would it not be something if we could put forward yet another deterrent against impaired driving that would save lives and prevent the injuries caused by impaired driving. It would also save a lot of money that could be put into health care services.

Let me read another statistic. It is important that we have these numbers to recognize the frequency of impaired driving. In 1998 over 70,000 Canadians were charged with impaired driving. Statistics also show that it takes a repetition of about 20 incidents of impaired driving before there may be a chance of getting caught. These numbers really do not tell us how many people are actually driving while impaired. The numbers are only the people who got caught. It is pretty scary when driving down the street with our families to imagine there could be in any given block at least one and maybe two people who are driving having consumed alcohol.

The alliance party strongly supports this bill. We believe that if ever there was a solid case for deterrence in the criminal code, it is on the issue of impaired driving.

The penalties that we have been able to put forward in the criminal code and the amendments we have made coupled with this final part of this bill which was put forward and part of it passed, would be a wonderful first step. It would send the strongest possible message out to Canadians that if they intend to drive after they have been drinking and they are caught, we intend to deal with that crime in the strongest possible terms. This will give the judges yet another very heavy tool in the fight against impaired driving.

● (1220)

Bill C-82 was the original bill on which we made some serious progress. I want to go over some of the provisions. It is important that Canadians know there have been some changes made. The federal government through the insistence of the alliance party has worked very well to ensure that parts of Bill C-82 went through.

At the federal criminal code level, the mandatory minimum fine for a first offence was been doubled from $300 to $600. Driving prohibitions for a second offence have been increased from two to five years imprisonment and from six months to three years for a third offence. For impaired driving causing death, the sentence has been changed in Bill C-18 from one year to three years, to three years to life.

One part of the bill said that the judge may impose a sentence of from three years up to life driving prohibition for an offence where there was no injury or fatality involved. We should be prepared to look at this and say that is a serious penalty the judges have been given to use. In the event where there has been a death as a result of impaired driving by a person who has simply disregarded the laws of our society, the judge should have the discretion to impose a sentence of life imprisonment.

In Bill C-82 we also passed a provision for the use of an alcohol ignition interlock system. The Canadian public is becoming more aware of this device. It provides that someone may not operate a motor vehicle without giving a breath sample into the device. If alcohol is present in the person's breath sample, the vehicle will not start.

In Bill C-82 the penalty for leaving the scene of an accident that caused bodily harm was also increased. The maximum was increased to 10 years from the previous five years. We in the alliance party were happy about that. We also increased the time limit for law enforcement officers to demand a breath sample. That was increased from two hours to three hours. Many times because of the shortage of officers and the logistics, it has not been possible within the two hour limit to get a breath sample. There is now another hour to work with.

Something I am very happy about is the penalty for driving while disqualified was increased from two years to five years. For so many years all over the country people have lost their licences due to impaired driving. For whatever reason so many of these people have disregarded the fact that they have been prohibited from driving and have chosen to drive anyway. Instead of a two year sentence, which seems a long time to me but maybe to some people they do not think it is too long, it was increased to five years. That was an important change.

A number of changes that we wanted did not make it to Bill C-82. I will go through some of them before I wrap up by addressing the urgency of Bill C-18.

Bill C-82 was a good first step to take. It sent a stronger message to impaired drivers. While we would have wanted to go further in many cases, I think we are going to see some results of the amendments to the criminal code.

● (1225)

Before Bill C-82 got to committee it had been 13 years since the federal government had reviewed the criminal code as it applied to impaired driving. Given the human cost and the monetary cost that impaired driving causes year after year, it was very much overdue but finally it got there after 13 years.

We would have wanted to increase at the federal level the mandatory minimum fine for an impaired driving first offence to $1,000 up from $300. We did not quite make it. We made $600 but we would have liked to have seen it at $1,000.

Another thing we wanted to pursue was to change the criminal code so that only evidence that the breathalyzer was malfunctioning would be permitted as a defence against a charge for a reading of over .08. This would be to eliminate the so-called two beers defence. Too often in the courts judges accept this defence, notwithstanding that the crown has put forward certificate evidence of the breathalyzer results, notwithstanding the report of the arresting officer who clearly gave testimony that the person arrested seemed to be incapable of performing some simple required tests, notwithstanding evidence which the average person would think was enough to convict.

Defence lawyers have been putting forward witnesses for their clients who have said that they were with old George or Jane the whole evening and all he or she had was two beers. In the face of certificate evidence which showed a 0.15 breathalyzer test, judges have been saying ''Two beers, are you sure?'' ''Yes your honour, two beers''. Believe it or not, in far more cases than we can possibly imagine, judges have been accepting the two beers defence. This is absolutely irresponsible on the part of many judges. They simply have not gotten the message.

We had hoped we would also get the BAC, the blood alcohol content limit lowered from .08 to .05. The reason is that while evidence shows clearly that at .08 the person was indeed impaired, there is a built-in margin of error used by defence that has been set by precedence over the years. Judges have accepted a margin of error to the effect that no one, unless he or she blows .1 or more, ever much ends up with a criminal conviction. Had we lowered the BAC to .05 and left a margin of error that would have taken it up to .08, that would have looked after the problem. Unfortunately far too many lawyers were present at the standing committee when we examined this. They rolled their eyes and said that this could be a legal nightmare so we did not proceed in that way.

Bill C-18 is a major step for the Parliament of Canada. It gives notice to Canadians, victims of impaired driving and their families who are left to mourn the loss of their children or other loved ones that this parliament has taken some leadership.

● (1230)

If there ever was a time to address a criminal problem, it is through the passing of Bill C-18, and we support it whole-heartedly.

In closing, I would like to move:

That the question be now put.

The Acting Speaker (Mr. McClelland): The motion is in order. The routine is that we would go right back to debate and that there be no amendment.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, I am pleased to take part in the debate on Bill C-18, concerning impaired driving causing death.

First, I would like to take this opportunity to congratulate my colleague from Berthier—Montcalm for his work as justice critic for the Bloc. He works tirelessly on this issue, and I thank him very much.

I want to state clearly that the Bloc is against Bill C-18. I want our position to be very clear. I would like the House to know, from the outset, that the Bloc does not in any way condone driving a motor vehicle under the influence of alcohol or any other substance.

I can already imagine the big guns from the right, not to say big guns at my right, that is to say some members of the Canadian Alliance, getting themselves in a state and crying ''This does not make sense. The Bloc should not be against this bill. Drunk driving is a scourge in society. There are organizations like MADD''.

Hon. members receive many documents from MADD, Mothers Against Drunk Driving. A women who lost her son and her husband in road accidents caused by drunk drivers founded the association.

I want to stress that the Bloc does not encourage drunk driving. However, we think that the proposed sentence for impaired driving causing death is unrealistic and unenforceable. It is one thing to have a sentence in the Criminal Code, but if it does not mean anything, if judges find it is unenforceable, why bother amending the code?

● (1235)

Members may be surprised to see a transport critic speak to this issue, but there is a connection between driving and road transportation, by car or truck.

I must also specify that my training and my experience as a lawyer before I got involved in politics made me realize that it is important that lawmakers make changes to the Criminal Code or any other law that are enforceable. This holds true for Bill C-18. What the government proposes is impossible to enforce and is also incompatible with other types of sentences provided for in the Criminal Code, and I will come back to this later.

The Bloc Quebecois believes that impaired driving causing death is a very serious offence. Nevertheless, if we were to pass Bill C-18, we would be denying the specific nature of this offence and creating a profound imbalance in our penal system. We will prove this later.

Statistics show that the courts still have lots of room to manoeuvre with the provisions of the Criminal Code. The longest sentence imposed by courts for impaired driving causing death is, currently, 10 years.

The courts, which are in the best position to analyze the characteristics of every delinquent, have not exhausted the resources of the Criminal Code, which sets at 14 years the maximum sentence for impaired driving causing death.

The percentage of people sentenced to jail upon conviction, by the courts, for impaired driving decreased from 22% to 19% between 1994-95 and 1997-98. The terms of imprisonment imposed in the majority of these cases were less than two years.

There is a provision in the law providing for a much higher maximum penalty, but in all logic and in all justice most of our magistrates and our courts impose penalties of less than two years.

Let us not forget the deterrent effect of the penalty. Let us not forget society's repulsion for offences it punishes. That is why people who do wrong must be punished by having the courts impose penalties on them. That is why we have a penal code, the Criminal Code.

Taking into account what I was saying earlier, namely that most judges impose sentences of less than two years of imprisonment, why should we, as parliamentarians, legislate to allow life imprisonment when the courts are not inclined to fully use the tools currently at their disposal?

Although impaired driving causing death is a very serious offence, it is wrong to suggest that we are now faced with a criminal outburst in that area.

In 1998 in Canada, 103 people were charged with impaired driving causing death, which is the fewest since 1989. I understand that 103 convicted offenders is still too many and that we should aim for zero. But do 103 convicted offenders really represent a problematic situation in Canada, although it is still too many? There had not been this few since 1989.

● (1240)

With the wind from the right wing, the Canadian Alliance, blowing on our Liberal colleagues opposite, we get the impression they feel bound to react with much stronger legislation.

We may only be 12 to 15 months away from a general election in Canada, and we know the Liberals feel threatened by the rise of the Canadian Alliance in western Canada. They feel they have to use the same language, the same words, but with different actors.

With this wind from the right wing blowing ever stronger in Canada, this country has become a champion of incarceration. It ranks second for the rate of incarceration. Behind which country? Which country ranks first? Is this a model of social peace and tranquillity, with safe neighbourhoods, and kids in high school packing guns and killing people?

I am talking about murder, but I could also be talking about all violent crimes. The country in the world that puts the most people behind bars is the United States, and Canada ranks second. We have to wonder what this means.

Let us compare Canada with European countries. As far as I know, it is not the law of the jungle in European countries like France, England, Germany and Italy. They do not play havoc with the legal system. They are not in a state of anarchy. I think that there is a reasonable societal balance in Europe. In Canada, nowadays, our incarceration rate is twice the rate in most European countries.

Even the Supreme Court justice condemn the fact that federal lawmakers are too ready to resort to incarceration in order to resolve delinquency problems. Even the Supreme Court justices, appointed by the federal government on the recommendation of the Minister of Justice who wants to amend the Criminal Code in this way, condemn the increased reliance on incarceration.

This is what the Justices Cory and Iacobucci of the Supreme Court said in the Gladue ruling:

> Canada is a world leader in many fields, particularly in the areas of progressive social policy and human rights. Unfortunately, our country is also distinguished as being a world leader in putting people in prison. Although the United States has by far the highest rate of incarceration among industrialized democracies, at over 600 inmates per 100,000 population—

In the United States, there are 600 inmates per 100,000 inhabitants. They put plenty of the people in prison. Is everything going well in the United States, when we see what happens every day at McDonald's, where lunatics who are able to easily obtain weapons shoot people who were quietly eating their hamburgers or what happens to people going for a walk in a shopping mall? Such things are happening more and more frequently in the United States. That is not to mention the 10, 12 and 14 year olds who commit crimes with firearms. In the United States, however, there are 600 inmates per 100,000 population.

● (1245)

The supreme court judges go on to say:

> Although the United States have by far the highest rate of incarceration among industrialised democracies, at over 600 inmates per 100,000 population, Canada's rate of approximately 130 inmates per 100,000 population places it second or third highest. . .
>
> Moreover, the rate at which Canadian courts have been imprisoning offenders as risen sharply in recent years, although there has been a slight decline of late. . .

In the same vein, the Canadian Sentencing Commission, in its 1987 report entitled ''Sentencing Reform: A Canadian approach'', says the following:

> Canada does not imprison as high a portion of its population as do the United States. However we do imprison more people than most other western democracies.

The Canadian Sentencing Commission Report states further:

> In the past few decades, many groups and federally appointed committees and commissions given the responsibility of studying various aspects of the criminal justice system have argued that imprisonment should be used only as a last resort and should be limited to the most serious offenders.

These words are important because they set the tone for the next part of my speech, where I will compare this type of offence to other types of offences. If we consider it a serious offence, then we must look at the way the Criminal Code deals with other serious offences.

The Canadian Sentencing Commission goes on:

> However, in spite of the number of times this recommendation was made, very few steps have been made in this direction.

As I was saying earlier, by proposing life imprisonment for those who are convicted of impaired driving causing death, the Minister of Justice is ignoring the comments of her own supreme court.

The only solution is prevention. Incarceration should be a last resort. However, the Minister of Justice has not shown that she has used up all the tools at her disposal to fight impaired driving and to protect the public. She has opted for the easy way out by increasing prison sentences. She has opted for the line of least resistance suggested by the Canadian Alliance, when she could have acted otherwise.

There are effective ways other than imprisonment to lower the number of offences related to impaired driving. For instance, there is the ignition interlock device, greater use of which we support.

Alberta and Quebec are currently the only provinces to impose the use of an interlock device as a condition for a restricted licence for drivers who have had their licence suspended by the province.

An ignition interlock device—we remind our listeners—is a device that determines the blood alcohol level by a simple breath sample from the driver. This system prevents the vehicle from starting if the alcohol level exceeds a certain level.

Currently, only people accused of a first impaired driving offence can have the period during which their licence is suspended shortened by court order if an ignition interlock system is installed.

The Bloc Quebecois believes that the Criminal Code should be amended to make it mandatory to install an ignition interlock system on all repeat offenders' vehicles. The hon. member for Berthier—Montcalm, the Bloc critic for justice, will soon introduce a bill to this effect.

This type of program would be much more effective than imprisonment. Not only does this system prevent the offender from committing an offence, but it also allows for consciousness-raising activities. Imposing life imprisonment for impaired driving could generate nonsensical situations.

● (1250)

For instance, an impaired driver, who is undoubtedly negligent— we agree on this—could be sentenced more severely than a hired killer who, having skilfully planned a murder, would be given a reduced sentence by becoming an informer.

Should someone who has celebrated a bit too much on New Year's Eve be treated the same way as a member of organized crime? Granted, both individuals have acted wrongfully but it must be recognized that they have very different profiles, a reality which is denied by Bill C-18.

Furthermore, one must take into consideration certain types of sentences related to other offences with characteristics similar to those of impaired driving causing death. In the case of dangerous driving causing death, a prison sentence of 14 years is prescribed by section 249(4) of the Criminal Code.

Other types of offences could be mentioned. For instance, an individual who commits attempted murder is liable to a 14 year sentence; the offence of accessory after the fact may result in a maximum sentence of 14 years; participation in a criminal organization—involving hardened criminals—may result in a 14 year sentence; a person committing aggravated assault is also liable to a 14 year sentence.

The federal government knows only one way to do things about criminal justice, and that is to overdo things. Whether it is about young offenders or impaired driving, the Minister of Justice has once more shown her incapacity to deal with complex problems without using dangerously repressive measures.

This approach is totally unjustified, since criminality has been on the decline in Canada over the last few years. Furthermore, no study proves the effectiveness of such an approach.

In conclusion, we know that a law and order policy yields lots of good results, politically speaking, something the Minister of Justice is very aware of.

[*English*]

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am not sure if it is a pleasure to rise on this issue, but it is certainly one we should all be involved in. I feel it is important for our party and all members to take interest in this issue. It is a very serious issue that involves fatalities and injuries to human beings and accidents that just should not happen.

I am certainly pleased to rise on Bill C-18 and to speak strongly in support of all its aspects. Bill C-18 amends the criminal code by increasing the maximum penalty for impaired driving causing death to life imprisonment. It also provides for the taking of blood samples for the purpose of testing for the presence of a drug. The amendment gives police the power to take a sample from the person in question even if this person is incapable of giving consent.

I was a car dealer for 18 years and even before that I was involved in the car business. Part of our business was accidents. Part of our business was wrecks. Many of those wrecks were as a result of drunk driving and most of them involved fatalities. I still remember each one of them. I still remember every day that they came in on the back end of a tow truck, smashed to smithereens and reflecting the injuries and even the fatalities of the people who were involved in the accidents. The losses of life were not necessary.

● (1255)

I think of the young people especially that were involved in many accidents. I think of all those lives that were lost. I think of some of the young people whom I knew well that are gone. They should be here, those tremendous young people, but they are gone and never will be.

In my view there should be zero tolerance for this offence. I totally support the increase in penalties proposed in Bill C-18. We were anxious to see the bill come forth earlier, but even with this delay we are pleased that it is now here. We are pleased to return to the debate on this bill.

It was last debated in December 1999. At that time the party pushed for the government to come forth with legislation that introduces the life imprisonment clause for impaired driving causing death. Since then one year has almost passed and parliament has yet to make much headway.

We are pleased to be back here, but we are worried about the delay and wonder about the priorities of the government. We understand now that it is anxious to bring in Bill C-17 respecting cruelty to animals. Meanwhile this bill, which is such an important one in my view and in the view of my party, lies dormant. It is difficult to justify how the bill on cruelty to animals is more important and should take priority over this one, although cruelty to animals is certainly an important issue that should be addressed.

Yesterday the government raised the question of providing $175 million for road work in western Canada to accommodate the grain industry when in fact provinces all across the country have been asking for money for road work, for highway improvements and reconstruction from one end of the country to the other to help save lives.

The best example is Highway 101 in Nova Scotia where over 50 people have been killed in just six or seven years. Most of those people were in their twenties or younger. Again the government has chosen not to do anything for those highway problems, even though they involved fatalities, and instead put its priority on moving grain. It is putting money in highway improvement for grain but it continues to refuse to put money into highway improvement to avoid deaths and injuries. That points to the government's priority in bills. It is difficult to justify or to figure out what thought pattern it uses when it comes up with priorities.

Another one that often concerns me is that there are 3,400 deaths per year on highways in Canada. There is no federal input or direct investigation into these accidents to find out what caused them. Yet we have the Transportation Safety Board of Canada that investigates every train crash, every plane crash, whether there is death or injury. Even at that there were on average for the last five years approximately 100 deaths per year in plane crashes whereas there were 3,400 on highways. There is no focus on those accidents. Perhaps there should be. I feel strongly there should be more attention on the highway aspects of fatalities than on transportation.

Bill C-18 which will increase the penalties for impaired driving should be a top priority. It should go through the House very quickly. It deals with the life imprisonment provision, which was originally part of Bill C-82, an act to amend the criminal code for impaired driving. That became law in the last parliament. Bill C-18 will allow a judge leeway to invoke life sentences. It does not impose the life sentence, but it gives the judge, after reviewing all the circumstances of the case, the leeway to invoke a life sentence for impaired driving causing death, and we totally support it.

We were disappointed when all parties softened their position in the original debate on Bill C-82 and dropped the life imprisonment provisions in exchange for speedy passage. It was a mistake in my view and in the view of our party, and that is why we support Bill C-18. We hope that it goes through.

We supported Bill C-82 but we wanted it improved. We were disappointed to see it watered down. We wanted the current outdated legislation improved upon by including tougher sanctions, fines and suspensions. The bill did not give police enough power to protect society from hard core drinkers who are resistant to change. When we look at the statistics, it is not the younger people now who are the repeat offenders. It is the older drivers who are into a lifestyle and a habit that are finding it difficult to change. Young people are benefiting from the education programs on impaired driving that the government, the provinces and the education system provides. However it is the older repeat offenders who are causing the problems.

● (1300)

High school proms and summer vacation are quickly approaching. Statistics from MADD, Mothers Against Drunk Driving, show that one in every eight deaths and injuries in road crashes is a

teenager. In my former occupation in the car business and now in my position as transport critic, it seems to me that the statistics are worse than that. I refer to Highway 101 in Nova Scotia where more than 50% of the people killed on that highway were in their twenties or younger. It does seem to affect younger drivers more than any other. MADD feels that alcohol plays a key role in a great many of these accidents.

In 1997, the most recent year for which statistics are available, 404 youths aged 15 to 19 were killed and another 28,780 were injured in road crashes. The troubling statistic is that 40% of the teenage drivers killed had been drinking. Three-quarters of them had alcohol levels in excess of the legal limit, in excess of 150 milligrams. Dangerous habits developed at an early age become a chronic problem. It is not the younger drivers who are the repeat offenders, it is the older drivers.

Groups like MADD are working hard to deal with this problem at an early age with some success. They are trying to raise the minimum age for drinking. They are trying to raise the minimum age for driving. Many provinces have instituted systems where young drivers get conditional licences and are only approved after a certain period of time when they have proven they can handle the responsibility of a driver's licence. Some provinces have introduced smart card technology to verify the age of an individual trying to buy alcohol.

MADD is not getting enough attention nor enough co-operation from the federal government even though this organization is extremely well-respected and appreciated for the good work it does. Its only purpose is to prevent drunk drivers from killing more people.

MADD is working hard to stop impaired driving among all ages of the population. However, it will not be effective if it does not get the legislation to back up its position and if the police do not get the tools to work with. It appears that the provinces are leading the battle with innovative approaches to drunk driving and impaired driving.

The Nova Scotia government recently passed a tough impaired driving legislation under the Motor Vehicle Act which came into effect on December 1 last year. In Nova Scotia, any driver pulled over with a blood alcohol level between .05 and .08 receives a 24-hour licence suspension. That is not an infraction or an offence. Infractions start at .08, but even before that, Nova Scotia has a new stage where licences are immediately suspended for a 24 hour period. There is no charge laid but it is a good solid warning and gets the attention of drivers. In Halifax last Christmas, the police did 8,000 roadside checks and no one was charged with impaired driving. That was a quite a successful approach for the Halifax police.

Continuing with the get tough approach, the Nova Scotia Conservative government is considering whether it can charge room and board at $100 a day to incarcerate drunk drivers. This idea is only in the initial stages, but putting the extra burden on the impaired driver is seriously being considered. Impaired drivers should be responsible for their actions.

Ontario is another province that is leading the way. It grew tired of waiting for the feds to act so in 1997, with the province's statistics showing more than 300 people killed in drunk driving related accidents, it took action. As a result, in Ontario, if drivers are caught three times for impaired driving, they will get a lifetime licence suspension. It will be lifted after 12 years if the driver installs an ignition interlock. A lifetime suspension takes drivers off the road forever. It has also increased fines to at least $2,000 from $300. This gives judges the leeway to decide what the appropriate penalty will be for the individual and it gives them the tools to work with. The federal government is not giving the judges and the police the tools they need.

It is time the federal government followed the leads of these two provinces. It is time to deal with the issue, to get tough and to took a stand. This is such an important thing because it involves fatalities and injuries, and mostly to young people.

• (1305)

The federal government had an opportunity to send the message that drinking and driving will no longer be tolerated but it has not done it. Every one of these accidents can either take a human life or cause terrible injuries. People who choose to drink and drive and cause an accident or death should be treated the same as if someone took a life in any other fashion. To take a life is to take a life. There should be no excuse and they should be treated the same.

However, the Liberals continue to delay Bill C-18. They show their reluctance to take action on this. They drag their feet. We say that we should not let up on our efforts in the House until the drinking and driving statistics are brought down to zero.

There are positives in Bill C-18 that we endorse and support. Increasing the time limit for the breathalyzer and the ASD testing to three hours, and strictly enforcing the .08 blood alcohol concentration limit are effective amendments that will help police in performing their duties.

Early education is the only way to really begin this process. We support the education aspect. We also support the education of older drivers, those between 35 and 45, who are currently the most frequently charged re-offenders for this charge. It is not the 16 to 21 year old drivers who are causing most of the problem, but the drivers between 35 and 45 remain a startling problem for driving while impaired.

There are also financial consequences that are becoming more substantial all the time. Over a two year period an impaired driving conviction costs at least $5,000 extra in premiums for insurance to any consumer involved. Yet, with all the financial hardship, embarrassment and everything else, it is still not getting through to those drivers 35 to 45 who should know better.

The police have many problems dealing with this issue. It is one of the issues they find most difficult to deal with. It takes a police officer an average of two hours and 48 minutes to process a criminal code charge. They also need the use of mobile breathalysers, physical sobriety testing and passive alcohol sensors to make their jobs more efficient and effective. They do the best they can with the tools they have to work with but presently they just do not have enough to do the job.

Even in light of the one year delay, I would like to thank the Minister of Justice for keeping her promise and reintroducing the life imprisonment provision through Bill C-18. We can only hope that all parties will see the importance of this legislation and give the bill swift passage through the House. Speaking on behalf of the Conservative Party, we certainly will support it.

Bill C-18 amends the criminal code by increasing the maximum penalty for impaired driving causing death to life imprisonment. It also provides for the taking of blood samples for the purpose of testing for the presence of a drug. The amendment gives police the power to take a sample from the person in question, even if that person is incapable of giving consent.

In closing, I want to say that these are all necessary tools which we must put into the hands of the police. The whole goal is to stop fatalities and injuries. The whole goal is to stop impaired driving and make our highways safer.

In the words of MADD president, Carolyn Swinson, in her correspondence to my colleague's office dated March 31, 2000, she summed up the public sentiment with regard to Bill C-18. She states that her:

> . . .personal goal is to push for the legislation to be passed and receive royal assent in the Senate before summer arrives and the roads are filled with vacationing families.

I and my party concurs with MADD's position on this.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, it is always a pleasure to speak when you are in the Chair. It seems to me that you are doing a lot of overtime there these days.

Before I get into the substance of the bill before us, I would like to remind hon. members that on May 13, this coming Saturday, I will be turning 38. I would like to thank all of my colleagues who have sent me birthday wishes.

● (1310)

The Chair has been so kind as to send me a little greeting. I want to remind those who have not already done so that there is only one day left. It is always a great pleasure to know that people are thinking of us on the very personal occasion of a birthday. I have not yet had many cards from the NDP, but there is still time to remedy that. I would therefore like to issue a reminder to them. On the government side, things have also been pretty quiet, but anyway they have one more day. Since I have a twin brother, I will share your wishes with him as well.

Now, getting down to business. Sadly, I must inform the House that, despite the traditional co-operation the Bloc Quebecois has always shown when bills were reasonable, we will not be able to support Bill C-18.

A few weeks ago, I shared my concerns about the Criminal Code with the hon. member for Notre-Dame-de-Grâce—Lachine. As she knows, I even went so far as to register for a course in criminal law given by Mrs. Grondin, at the University of Ottawa. She is an excellent professor.

The exam was really a tough one, I must admit, but a person cannot have too much knowledge when he has to reach decisions here as a legislator. I can say that readily because I know that the hon. member for Notre-Dame-de-Grâce—Lachine herself studied law at UQAM in the early 1980. Those were the days when the hon. member for Notre-Dame-de-Grâce—Lachine was not only Liberal, but perhaps even a little Bolshevik at times. That being said, she has always had social concerns, which is, I must say, to her credit.

We cannot support Bill C-18, because it is unreasonable. A bill requires a degree of measure, flexibility, rigour and balance.

Before getting to the core of the issue, I want to say how much the Bloc Quebecois caucus benefited from the expertise of the hon. member for Berthier—Montcalm, who is himself a great legal expert, one of the brightest of his generation, even though he can sometimes be stubborn. Still, I think he is one of the most brilliant legal experts in the House.

I express, on behalf of us all, the hope that the hon. member for Berthier—Montcalm will seek a third mandate. I know that he can count on the support of the president of the Liberal association in his riding, who had extremely harsh words for the Prime Minister. The riding of Berthier—Montcalm is a breeding ground for dissenters, a riding where critics are very vocal. I would not be surprised to learn that, in that school where criticism is a requirement, the member for Berthier—Montcalm taught a few classes.

I salute the hon. member for Burnaby—Douglas, whom I would ask to send me his wishes for a happy birthday on May 13, since he is no doubt the member of this House to whom I am closest.

Coming back to the substance, Bill C-18 goes too far. How can the government ask us, parliamentarians, to impose life imprisonment—these words have a meaning after all—for impaired driving

causing death or bodily harm resulting in death? We must set things back in their proper context.

• (1315)

Let us examine what the Criminal Code is all about. The Criminal Code is a law. Some might think it is not a law, but it is. It is a law containing several hundred sections—on procuring, on criminal interest rates, on property given as security, on homicide, on defamatory libel, section 347 on criminal interest rates. It is a key piece of legislation. But in a society that wants criminal law to be taken seriously, there must be a balance between the sentences proposed to us as lawmakers and the offences committed.

We know that our justice system is an adversarial system, with the crown, represented by those defending the government, on one side, and the defence on the other. Even though lawmakers have suggested a number of sentences within the Criminal Code, these are always discretionary.

I would like to interrupt my speech to read a message which I will not hesitate to make public, with the kind permission of the House. I am touched. It reads: ''Happy birthday, love and kisses, Svend Robinson''.

I would like a round of applause because May 13 will be my birthday. Thank you to all those who remembered to send their good wishes to me and my twin brother. It is this sort of thoughtfulness that makes it all the nicer to work together. I thank all my colleagues. I will be 38, and 40 is just around the corner, but I must say that I think I am in rather good shape for my age. Once again, I thank our colleague, Svend Robinson.

The Criminal Code must therefore reflect what we see as effective sentences. The House will remember how, a few years back, we amended the Criminal Code. I must pause again for all the congratulations.

A man much liked by the House, one of the most brilliant defenders of the working class, has sent me another birthday telegram ''Happy birthday, and many more, Yvon Godin, Acadie—Bathurst''. I thank my colleague, and on behalf of—

The Deputy Speaker: Order, please. The hon. member knows very well that we cannot read out the names of members, only their ridings. Everyone knows that, and the hon. member for Acadie—Bathurst may be cited without the need to mention his name. I hope the hon. member for Hochelaga—Maisonneuve will comply with the Standing Orders.

Mr. Réal Ménard: You are right, Mr. Speaker, but I thought that, in this special moment of celebration as we focus a bit on our private lives, you might be a bit more indulgent. I want to thank the member for Acadie—Bathurst, who, as we know, has been an outspoken advocate of workers in the House. I think he deserves our recognition. That, I think, closes the birthday period.

I want to return to the extremely important Bill C-18, in which there has to be a balance between sentencing and the offence being considered. This is so true that, a few years ago, we amended the Criminal Code to provide that in social terms there were certain circumstances and certain offences that would result in a harsher sentence.

We adopted provisions on crimes of hatred, for example. We agreed as a society and as parliamentarians that in certain instances, such as when people beat others up because of their sexual orientation, the judiciary would have no choice but to mete out a harsher sentence to those doing so.

The question today is whether it might be a bit excessive to want to put a person in prison for life for impaired driving causing the death of another.

• (1320)

Obviously we must take every measure available to us to prevent people from driving under the influence. The Bloc Quebecois supports measures that are along the lines of education campaigns.

We remember the education campaigns aimed at drinking and driving carried out in co-operation with a number of cable companies. We all recall the campaign ''Drinking and driving is a crime''. I believe we are right not to tolerate this kind of behaviour. But it seems to me that between trying to deter people from driving under the influence and sentencing them to life in prison, there is quite a step that we as parliamentarians should not take.

The member for Berthier—Montcalm, whose huge talent we all appreciate, did tell us in caucus that it was extremely important.

I must stop once again to bring to the attention of the House that I have received a gift of flowers, little red roses from an anonymous donor. As we are all a little bit on the socialist side in this House, I wish to thank the anonymous source, it gives me a great pleasure nonetheless.

I resume by saying that the Bloc Quebecois cannot agree with the government members who want us to allow the judges to sentence to life in prison individuals guilty of impaired driving causing death.

In spite of the deep emotions I am feeling right now, allow me to share with the House an editorial from *La Presse*.

This is really unbelievable. I hardly know how to react, but I will share this message with those listening ''Happy birthday to a brilliant and charming colleague. Vive le Québec libre''. And it is

signed ''the premier''. Well, really, my life is complete. And I have the piece of paper to prove it. But, moving on.

Journalist Pierre Gravel, who is not on the payroll of the Bloc Quebecois and who is known for his seriousness, integrity and analytical mind, wrote the following editorial a while back, on June 3, 1999. It is therefore fairly recent. He said:

> The Bloc Quebecois has often been criticized for systematically blocking Ottawa's every move just to prove that the federal system cannot work. But this is a charge that will not stick in the case of its stand in the debate on sentences for impaired drivers.
>
> On the contrary, in this debate, it is the Bloc Quebecois' firm stand that has been largely responsible for tempering the excessive zeal—

I repeat:

> —for tempering the excessive zeal of the champions of zero tolerance and thus putting the entire debate into a reasonable perspective, in which the sentences handed out for impaired driving will not be out of proportion to those for equally serious crimes with much lighter sentences.
>
> With the number of serious accidents due to impaired driving climbing year after year until there is now a crisis, federal authorities have been concerned about this problem for some time now. In 1997 alone, there were no fewer than 193 accidents in Canada related to alcohol consumption that resulted in the death of at least one person.
>
> The publication of statistics like this would have been a signal to any responsible government to review the preventive and punitive measures that might stop the slaughter.

● (1325)

The article also says:

> This was in fact the mandate of a Commons committee on justice, which, in recent months, applied itself reviewing all laws that might have an effect on this so as to make recommendations to Minister Anne McLellan in preparation for the tabling of a proposal to change existing legislation.
>
> But, when the government—

Mr. Speaker, I ask you to be especially attentive, along with my colleagues in government. I will not read too quickly so it will not be too difficult for the interpreters. I will table this document so it will be easier for debates.

It says:

> But when the government, as is the case at the moment, runs headlong into an ultraconservative and populist opposition such as the Reform Party—

Members will understand that this was before the day the right united in the hope of one day forming the government. All this, members will understand, is just wishful thinking, but this is not what the author was getting at.

> But when the government, as is the case at the moment, runs headlong into an ultraconservative and populist opposition such as the Reform Party, which always advocates stiffer sentences to ensure that law and order prevail everywhere, we run the risk inevitably of having—

This is the heart of the author's argument.

> —really radical solutions emerge, which do not always take into account the whole picture. And their main merit is quiet the rumblings of an exasperated public whose desire for vengeance is constantly thwarted by a bunch of demagogues.

The expression does not come from the Bloc Quebecois, I remind members, but from journalist Pierre Gravel.

> When, moreover, the party in power—

I am talking about Liberals, including you, Mr. Speaker.

> —feels an urgent need to increase its popularity with a group of people who support the intractable attitude of the opposition, we end up with an unacceptable bill—

I hope the members of the government have understood.

[*English*]

I wish members on the government side would open their ears and hear correctly.

[*Translation*]

I have said it in English to make sure the Liberals get it. Continuing, then:

> —we find ourselves faced with an unacceptable and vehemently opposed bill, the opposition by the Bloc Quebecois being totally justified in this case.

Here then we have a tribute to the lucidity of the Bloc Quebecois being made by *La Presse*, a paper that cannot of course be suspected of any sympathy for the sovereignty cause.

Continuing to quote the editorial:

> It must have been obvious to those drafting it that, regardless of the opinion of the supporters of unqualified severity, it was total madness to call for life imprisonment for impaired drivers involved in a fatal accident. All one needs to do to convince oneself of this is to look at how any murderer or hit man can reach deals with the authorities, plea bargaining for a lesser sentence in exchange for some co-operation, or some more or less spontaneous admission. As the leader of the Bloc Quebecois has in fact pointed out, it is a kind of aberration to insist on a life sentence for a driver who has done something stupid, something of enormity but nevertheless unpremeditated, while a criminal who has carefully planned someone's death can get off with fourteen years in the penitentiary.

This is the most basic of inconsistencies. Continuing to quote Mr. Gravel:

> Undeniably, a clear message must be sent to all those who are irresponsible enough to drive when they are drunk. But if wisdom starts with fear, we ought perhaps to start out by letting them know that judges will have more leeway in future for imposing more severe sentences. They also need to know, however, that these sentences will really have to be served.

I will stop for another brief aside, as I have received another message of good wishes. I shall make it public because we are paid to make our points of view public:

Dear colleague,

Have a happy birthday.
Best wishes for a happy day to you and your twin brother.
From an MP who keeps an eye on you and who is far better looking than you.

I thank the hon. member for Notre-Dame-de-Grâce-Lachine on your behalf. It is always nice to enjoy an atmosphere of open camaraderie.

● (1330)

We will, therefore, not be in a position to support this bill. We hope that the government will rediscover the character of reasonableness the taxpayers expect from the party in power. I thank all those who have made this speech possible.

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Mr. Speaker, I listened carefully to the speech made by my colleague, who lost his concentration a few times because of his birthday, but who made serious remarks about this issue, since we must also think about the victims who die in accidents caused by impaired drivers.

As my colleague mentioned, we must avoid going too far because sentences that are too harsh may have a negative effect. I was at the committee last year because there were cases that had to be mentioned, in my riding as well as elsewhere.

If the sentence is too harsh, it will encourage what is called hit and runs. Imagine someone who causes such an accident. If the sentence is too harsh, such as life in prison, that person will be inclined not to face up to his or her responsibilities, to flee the scene of the accident without trying to come to the victim's aid, even if it is just by calling for help as soon as possible.

In applying such a harsh sentence, I think we must look at the negative effect it can have. I would like my colleague to comment on that.

Last year, the House rectified one situation, and we all agreed that people involved in hit and run incidents had to be dealt with as harshly as those who caused death, involuntarily of course, because they were driving while impaired. There is a new balance. It was something that had to be changed.

It seems to me that if a life sentence is maintained in such cases, it will encourage people to flee the scene of an accident. I would like my colleague to comment on that.

Mr. Réal Ménard: Mr. Speaker, I fully endorse the very qualified and judicious comments of the hon. member for Lévis-Chutes-de-la-Chaudière, whose pragmatism has always benefited this House.

My colleague reflects the view of our caucus when he says that there is a point beyond which sentencing, because of its excessive nature, becomes counterproductive. I also heard the hon. member for Chambly, who is also a legal expert, and whose comments were just as judicious. He reminded us that the practical consequence of a bill like this one, if it is passed, is to authorize and encourage hit and run offences.

Is this what we, as parliamentarians, want? As I remember, the Criminal Code includes a provision requiring people to provide assistance when a person's life is in danger, although I cannot tell members which section it is.

We are acutely aware of the fact that we must deter people from driving under the influence. We do not believe that, from a social perspective, that objective can be achieved through excessive sentencing. We must think about it: life imprisonment.

The sentence is of course imposed by the bench, but the practical consequence of the proposed legislation is to allow a judge to impose life imprisonment on a person who drove under the influence, when those who commit the most serious crimes— those who terrorize us—can get away with a 14 year sentence.

It does not take a rocket scientist to understand. It seems to me that the point of view defended by the Bloc Quebecois is a balanced, reasonable and rational one that calls for a fair trade-off between what the Criminal Code allows and the integrity to which we must aspire as individuals.

● (1335)

What I am asking the government to do—and I do not think it excessive—is to recall the bill, not to put it on the Order Paper for consideration by members of the Standing Committee on Justice and Human Rights.

We are not in any way minimizing its importance. I would not like it myself if my sister, my brother or my little nephew were killed in a collision with a drunk driver. As parliamentarians, we do not wish to experience this in our personal lives, but I think that we must not go to extremes and pass bills as radically unreasonable as this.

I think that the Parliamentary Secretary to the Minister of Justice is with us today. I say to him, as we have always done—we are a responsible opposition—that when the government introduces balanced bills, bills that are in the best interests of Quebec, we vote in favour. The list of bills that we have supported is a long one. We have always done so with this same sense of proportion and responsibility that must transcend political differences.

I repeat: this bill cannot be supported because, as the member for Lévis-et-Chutes-de-la-Chaudière has said, it goes too far.

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I cannot ask my question without first wishing my colleague from Hochelaga—Maisonneuve happy birthday.

I would like to know if my learned colleague, who knows and studies every single piece of legislation introduced in the House, would agree that, in the responsibility placed on citizens and in the degree of criminality assigned to the actions of citizens, there should be some kind of gradation whereby sentences should also take criminal intent into account?

I totally agree that nobody should drive while impaired. Only a fool would say that it is acceptable, except that in Quebec—and the same thing must be happening throughout Canada—there is an increase in hit and run incidents.

Will the harsher sentences provided for in this bill cause a further increase in hit and run incidents? For example, when the person who inadvertently exceeds the speed limit has to pay a heavier fine than the man who assaulted his neighbour with a baseball bat, there must be something wrong.

I would like the member for Hochelaga—Maisonneuve to tell us if it is fair to say that the penalty imposed for a reprehensible act must be proportionate not only to the act itself but also to the intent of committing that act? The mens rea, or guilty intent, principle seems to be totally ignored in this bill. We know that there is no crime without the two main elements, namely actus reus and mens rea, the act and the intent.

Here is an example I studied in law school. Someone breaks into a residence, stabs the occupant in the back—and it has happened—and the occupant panics and jumps from the second floor to escape the aggressor and dies from the fall.

The courts said that the actus reus, or the act of stabbing the person, was not the cause of death. Some will say that this is an aberration. The bill before us must not lead to similar aberrations. Perhaps the member for Hochelaga—Maisonneuve, who is celebrating his birthday today—time flies—could tell us if this is one of his concerns. Could our brilliant colleague, who is also a legal expert, tell us that?

● (1340)

Mr. Réal Ménard: Mr. Speaker, I would like to thank the member for Chambly for his erudition. We all know that he is one of the few people in this House who can talk about the history of France and the last referendum and quote from the criminal code from memory.

I think his is one of the most brilliant minds in this House, are there are not too many of them. However, we can say there are quite a few on this side.

In conclusion, I must say that the member for Chambly has understood the main part of the Bloc Quebecois position. He touched the essential of our preoccupations. We believe that there is a huge gap between the objectives of the bill and the means used to achieve them.

I do not know if I have enough time left to explain briefly the notions of actus reus and mens rea.

Mr. Ghislain Lebel: For the benefit of this House.

Mr. Antoine Dubé: Mr. Speaker, I rise on a point of order. Having heard all the birthday wishes that were made to the member for Hochelaga—Maisonneuve, I wonder if we could offer him a gift. With the unanimous consent of the House, we could perhaps allow him five more minutes to explain those notions.

The Deputy Speaker: Perhaps, but he can always do so at another time. As we all know, his time is now over.

Is there unanimous consent to authorize the member for Hochelaga—Maisonneuve to continue for a minute?

Some hon. members: Agreed.

Some hon. members: No.

[*English*]

Mr. Lynn Myers: Mr. Speaker, I am not rising on debate, but I wanted to take a quick opportunity to wish the brilliant and charming member opposite a happy birthday from this side of the House.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, today, it is important to discuss Bill C-18, a bill dealing with impaired driving causing death.

This bill introduced by the federal government goes too far. It provides for life imprisonment for an offender who is condemned for impaired driving causing death. I think this is going beyond the objectives we should have in the criminal code.

The Bloc Quebecois opposes Bill C-18, even if it considers impaired driving a very serious offence. We think that, by passing Bill C-18, we would negate the specific nature of this offence, and create a serious imbalance in our criminal justice system.

Sentences already provided for are said to be underused by the courts. Statistics show that the courts have not used, far from it, the full range of the sentences provided for in the criminal code.

The most severe sentence ever imposed by the courts for impaired driving causing death is ten years. The judges are in the best position to analyse the specific case of each offender, because it is their responsibility to do so, and they have not used the full range of what is already provided for in the criminal code, which sets at 14 years the maximum sentence for impaired driving causing death. In other words, there is a gap between what is

actually being done and what is allowed in the code. Right now, the average sentence is 10 years, but sentences could go up to 14 years.

On top of that, the ratio of offenders sentenced to prison for impaired driving has dropped from 22% in 1994-95 to 19% in 1997-98. Most prison sentences are less than two years.

● (1345)

Why should we pass legislation to allow life imprisonment sentences when the courts are not fully using the tools they already have?

In Canada, partly because of the practice in the United States and partly under the influence of the right wing movement represented here by the Canadian Alliance, we have often believed that we would solve problems by imposing harsher sentences under the Code. Each time we have a problem with the behaviour of offenders in our society, we think the best way to deal with the problem is to amend the criminal code and increase the sentence.

The legislation before us today is a case in point, and so was the bill on young offenders; the Liberal government was somehow intoxicated by this right-wing approach according to which it is absolutely necessary to strengthen discipline, make it very harsh, and offenders will only change their behaviour if we strike them hard.

Today's case is a perfect example of this new philosophy which is influencing law in Canada. I think we can safely say that this approach is more widespread in the provinces with a majority of English-speaking people and much less so in Quebec.

We have shown that showing compassion and openness, by giving young offenders a chance to rehabilitate themselves for instance, often produces better results in the end. It actually allows us to have a more just society, which is always the purpose of the law. The purpose of the law is not just to punish as much as possible.

The purpose is to create a just and balanced society and, in this case, the Liberal government's attitude appears to be based much more on its desire to please people, namely the right wing in Canada, who are asking for stiffer sentences. This does not seem to be an interesting solution.

The number of offences involving impaired driving causing death is not rising. No one denies the fact that impaired driving causing death is a very serious offence. We must judge these situations very carefully and make sure we find the right solutions.

However, it is false to claim that we are facing a rash of crimes in that area. In 1998, 103 individuals were charged with impaired driving causing death, and this is the lowest number of cases since 1989.

We have a situation where rumour has it that things are terrible. Rumour is often magnified by the media and by the focus which is put on events. However, statistics based on a 10 year period show a situation which does not correspond to the isolated events reported on TV. From that perspective, the current situation in Canada does not justify such a serious measure to deal with the issue.

I referred earlier to the right wing. It appears that Canada is becoming a champion of incarceration, second only to the United States. Canada incarcerates twice as many people as most European countries.

Besides, in the Gladue case, the supreme court justices condemned the federal lawmakers' excessive reliance on prison sentences to deal with delinquency problems.

This is yet another example of our need to be responsible in this parliament. We are not here only to ride social trends. We are here also to legislate and make decisions that reflect reality.

We have realize that, under this legislation, we would treat a drunk driver like a hitman. We have a double standard, here.

Members who spoke before me have made it clear that for a crime to be committed, there must be an act and an intent. A hitman, for example, has clear intent from the beginning and his act is deliberate. On the other hand, in the case of the person who commits the crime of impaired driving causing death, something horrible that must be punished, motivation and full knowledge are not as obvious.

● (1350)

I believe it would be a mistake to give, under the criminal code, equal importance to these two things. This could lead to discrepancies. For instance, a drunk driver, who has undeniably been negligent, could receive a harsher sentence that a hired killer who, after skilfully plotting the death of his victim, can be given a reduced sentence as an informer.

Members can imagine this: an individual is given life for impaired driving causing death, and even though it is his first offence, he receives a very harsh sentence for an offence which is certainly serious but which, in our opinion, does not warrant such a sentence, whereas a hired killer would be sentenced to less time in prison because of his being an informer. This is a double standard and it is unacceptable.

Both individuals committed very reprehensible acts. However, their profiles are quite different, a fact Bill C-18 does not recognize. This is why the Bloc Quebecois will vote against the bill.

Moreover, one must take into account other sentences related to offences the characteristics of which are comparable to impaired driving causing death. For instance, under the criminal code, dangerous driving causing death is punishable by a 14 year

sentence. Since 1985, for this kind of offence, the average sentence handed down by appeal courts in Canada has been 19 months.

How can the minister justify sentencing an offender who killed someone in cold blood and in full possession of his faculties to a shorter prison term than a driver whose faculties were diminished by alcohol? Again, this is not consistent with the rules on which our laws are based.

Here are further examples of serious offences, the perpetrators of which are fully aware of what they are doing, leading to lesser sentences than impaired driving should Bill C-18 become law.

First, let us look at attempted murder. An individual who has attempted, without success, to murder someone would get a lighter sentence than someone convicted of impaired driving causing death. Pursuant to section 463(*a*) of the criminal code, this individual would be liable to imprisonment for a term of 14 years. As members can see, an individual who attempted knowingly to murder someone would face a lighter sentence than someone convicted of impaired driving causing death. There is a double standard here, and it is unacceptable.

Another example is the case of accessories after the fact. Someone who has helped a murderer to elude the authorities would face a lighter sentence than someone convicted of impaired driving causing death. Pursuant to section 463(*a*) of the criminal code, this person is now liable to imprisonment for a term not exceeding 14 years.

Another type of crime is participation in a criminal organization. As everyone knows, the issue of organized crime is dramatic and terrible nowadays. A confirmed criminal who is part of a criminal organization and who participates in its illegal activities is liable to imprisonment for a term not exceeding 14 years, pursuant to section 467.1(2) of the criminal code.

These are three examples of a double standard in comparison with what is proposed in Bill C-18: attempted murder, accessory after the fact and participation in a criminal organization.

I will add a fourth one: aggravated assault. An individual who wounds, maims, disfigures or endangers the life of someone commits an aggravated assault. Pursuant to section 268 of the criminal code, an individual who commits such an offence is liable to imprisonment for a term not exceeding 14 years.

This bill would impose a life sentence on a person who causes death in an accident because of impaired driving, while a person who assaults, injures, maims or disfigures someone or puts their life in danger gets a maximum of 14 years.

There is a clear lack of logic in the current position. The reason for that is that this position is not based on legal considerations, but rather on political considerations, in that the Liberal government wants to please the right wing, which is found mainly in English Canada.

Like the person accused of impaired driving causing death, the person accused of causing bodily harm did not foresee the consequences of the offence. Yet, one is given a much harsher sentence than the other: ten years for the one who caused bodily harm and life for the one who caused death.

• (1355)

What makes impaired driving causing death more negligent than impaired driving causing bodily harm? Both offences are identical in terms of intent, with regard to the consequences of the offence.

Even though the Bloc Quebecois is of the opinion that the sentences for both offences must remain different, it does not want that difference to be disproportionate. In maintaining the sentence at 14 years imprisonment, as is the case now, for impaired driving causing death, we would make a distinction that is proportionate to the consequences of both offences, while recognizing their similarity in terms of intent.

All that, when we already have in Quebec and Alberta the possibility of using far less drastic means that would produce equally satisfactory results: the ignition interlock system.

Alberta and Quebec are currently the only provinces to impose ignition interlock systems as a condition for the issue of a restricted driver's license for drivers whose driver's license has been suspended. In other words, someone whose license is suspended, known to be a repeat offender is obliged to use an ignition interlock system, and the problem is solved at source in most cases.

Rather than send someone to prison for life for something he did not intend to do—it is a serious act and should be punished—it might be a good idea to try to prevent the recurrence of this act by applying practical solutions such as the ignition interlock.

This system determines blood alcohol level from a sample of the driver's breath. It prevents the vehicle from starting if the driver's alcohol level is higher than a set level.

The Bloc Quebecois believes that the criminal code should be amended to make it mandatory to install these interlock systems in the case of a repeat offender. I think this is a practical solution that could be implemented. It is a preventive measure that eliminates the problem at source and limits potentially tragic mistakes as well.

People who are very responsible citizens could do something unacceptable in a given situation, such as driving while intoxicated and by doing so have caused a death. The situation is not necessarily the result of a life of crime. It is not the result of continual delinquency, but a situation that occurred once in a person's life. Few people in this House could say that they might not do the same thing.

The practical solution proposed by the Bloc Quebecois, and I hope the government agrees to it, is the alcohol ignition interlock system, to put a stop to these situations at the source. In ten years, we will see, if the Bloc proposal is chosen, fewer and fewer sentences and fewer and fewer deaths caused by the irresponsibility of a drunken driver.

The Speaker: The hon. member still has five minutes left. If he wishes, he may conclude his remarks after Oral Question Period. We will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*Translation*]

LACHINE WHARF

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, last Thursday, May 4, I made an announcement on behalf of the Minister of Transport on the transfer of the ownership of the Lachine wharf from Transport Canada to the City of Lachine.

Under the terms of this transfer, Transport Canada will make a $250,000 financial contribution, which represents the costs of repairs slated for completion within the next year.

Under the national marine policy announced in December 1995, regional/local port sites, 37 of which are in the Quebec Region, are being transferred to other interests over a six-year period ending on March 31, 2002. In some cases, ports are being transferred as operating ports; in other cases, for other uses.

The Lachine wharf is used regularly for sport fishing and other leisure activities. This infrastructure is used as an extension of the municipal park facilities. It also serves as a sheltering structure for a pleasure boat ramp.

The transfer of the Lachine wharf to the City—

The Hon. the Speaker: The hon. member for Prince George—Peace River.

* * *

[*English*]

NORTHWEST CORRIDOR DEVELOPMENT CORPORATION

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, I rise today to recognize the hard work and vision of the Northwest Corridor Development Corporation headquartered in Prince George, B.C.

S. O. 31

The NCDC was established in 1998 as a self-sustaining organization aimed at promoting Canadian trade to and from Asia Pacific markets through this capable route.

• (1400)

The northwest transportation and trade corridor spans four western provinces providing an existing system of northern road, rail, air, pipeline, marine and telecommunications from the prairies to the Pacific. Currently the corridor services Canada's major resource sectors yet it is severely underutilized.

Western Canadians have always been at the cutting edge of political and commercial innovation. The northwest corridor is a shining example of public and private sector partnership.

I want to congratulate Jeff Burghardt, chair of NCDC, and his team for taking routes travelled in the 19th century and turning them into economic arteries for the 21st.

* * *

YOUTH

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I recently attended a seminar entitled ''There's Something About Money''. Two schools in my riding, Lisgar Collegiate and Nepean High School, hosted sessions. The seminars drew on the talents of community volunteers like Tammy Drapeau from Scotiabank.

I compliment the Canadian Bankers Association for developing this timely seminar series. This partnership between business and the community is helping young people make wise decisions about their financial future.

During National Youth Week, this is one more example of youth getting involved in preparing themselves for the future. I encourage organizers and participants to keep up the great work.

* * *

MANITOBA

Mr. John Harvard (Charleswood St. James—Assiniboia, Lib.): Mr. Speaker, tomorrow marks the 130th anniversary of the creation of my province of Manitoba. Thanks to the efforts of Louis Riel and his provisional government, the province was carved out of what was then the North-West Territories.

Since May 12, 1870 Manitoba has grown and prospered. Its ethnically diverse population comes from every corner of the world, a fact celebrated in Winnipeg's annual Folklorama festival.

As the gateway to the west, Manitoba has grown from its early dependence on agriculture to one of the most diversified economies in the country with strong manufacturing, transportation, financial and high tech sectors. Despite the growth, Manitoba remains a land of unspoiled natural beauty. It is a land where the lakes and forests

of the Canadian shield meet the tall grass and wheat fields of the prairies. It is a land that truly bridges east and west.

Please join me in congratulating Manitoba on its 130th birthday.

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SIERRA LEONE

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, the tragedy unfolding yet again in Sierra Leone is an outrage as the Minister of Foreign Affairs has said. It is also an international scandal having regard to the inaction of the international community undermining the integrity and efficacy of the United Nations and the doctrine of human security.

The minister has said ''This is where we must take a stand''. I urge the government to take the lead in organizing a human security package for Sierra Leone including buttressing the mandate, the numbers and resources of the UN peacekeeping force and establishing a rapid action force with our participation.

After the tragedy of our inaction in Rwanda we said never again. The time to act is now. Qui s'excuse, s'accuse.

* * *

FETAL ALCOHOL SYNDROME

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, a pregnant woman who drinks alcohol to excess can permanently harm her baby. Fetal alcohol syndrome and fetal alcohol effect today are well understood by scientists and health care workers. Learning is blunted. Many youth so afflicted are antisocial. A significant number of people who commit crimes are FAS youth.

Many women have no idea about the difficulties alcohol can cause to infants in the womb. One way to educate the public would be to label alcoholic beverages. A graphic label showing a pregnant woman in profile with an *x* across her would be a warning even for illiterate Canadians to be cautious.

The recent murder of little Jessica Russell in B.C. by an alleged FAS victim should be a clear reminder to all brewers and distillers that they have a responsibility to act voluntarily to educate and prevent fetal alcohol syndrome.

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CHILD SAFETY

Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.): Mr. Speaker, I stand to offer condolences to two families in my riding of Barrie—Simcoe—Bradford who are undergoing the horrific tragedy of the suffocation deaths of their small children in a trunk in the attic of one of the family homes. These little playmates were inseparable and during a game of hide and seek clambered into an old trunk with a hasp that locked and thus sealed their fate.

In spite of their heartache, these families have indicated their wish to heighten awareness of the potential dangers posed by common household items.

● (1405)

A trust fund has been set up and proceeds will go to Codrington Public School, where two of the children attended, to educate children about safety issues.

No parent, grandparent or guardian can afford not to be continuously on guard in their homes, cottages, garages and sheds to ensure that there are no potential risks to the health and safety of our children.

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[*Translation*]

IMPORTATION OF PLUTONIUM

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, it is no secret that the Liberal government's environmental management is insufficient in a number of ways. The importing of MOX is a good example.

After last-minute changes relating to Atomic Energy of Canada Ltd's shipping plan, the federal government imported 120 grams of plutonium by plane, a procedure that is illegal in the United States.

Yet shipping by air had been judged far too dangerous last fall during consultations with Atomic Energy of Canada.

Russia is now preparing to ship 600 grams of plutonium over here, which is five times more than initially planned. The federal government has a duty to consult people on the principle of importing plutonium.

To date, 152 municipalities and regional municipalities in Quebec have passed resolutions in opposition to this. I would invite the public to come and sign petitions available in all riding offices of the Bloc Quebecois members.

* * *

[*English*]

BEN SOAVE

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, on May 6, Superintendent Ben Soave, who has had a long and brilliant career with the RCMP, was awarded the Order of the Italian Republic and named a Knight Officer of the Order of Merit, an order similar to the Order of Canada, by the Consul General of Italy.

Superintendent Ben Soave heads the Toronto based Combined Forces Special Enforcement Unit. This unit is made up of provincial and federal police forces, Citizenship and Immigration Canada and the Criminal Intelligence Service of Ontario.

Under Superintendent Soave's leadership, this unit was responsible for the arrest of some of the world's most notorious criminals.

In June 1998 project Omertà dealt a significant blow to one of the largest and most established drug smuggling and money laundering organizations in the world.

Today the government is honoured to recognize the award bestowed upon Superintendent Soave.

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CAMILLE MONTPETIT

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, today the House pays tribute to one of its dedicated and loyal servants, Camille Montpetit, senior adviser to the Clerk of the House of Commons, who has decided to take on the challenge of retirement. His new status will dovetail well with his new title of grandfather. This title was recently bestowed upon him by Chloe Montpetit who was born on April 8.

Chloe is very proud of her grandfather's parliamentary record. She cooed when she discovered that he joined the Committee Reporting Service in 1968, and she burbled to find out that he was head of the transcription section from 1971 to 1975. She almost spit up though when she learned he became a committee clerk and later was appointed deputy principal clerk in June 1983. When she heard that in 1986 he became a table officer and a principal clerk, only to move on in 1994 to clerk assistant and later deputy clerk of the House of Commons in 1998, she could not hold back her tears.

When her dear mother told Chloe of her grandfather's role as co-editor of the new procedural book *House of Commons Procedure and Practice*, well, it was more than just tears that Chloe failed to hold back.

Not to worry. Camille has guided many of us members of parliament through our parliamentary problems and that experience will help him assist little Chloe with her Pamper problems in the future.

All of us in the House wish Camille Montpetit the very best in his retirement. On behalf of all MPs, I thank him for his many years of service to the House and to Canada.

Some hon. members: Hear, hear.

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WATERLOO REGIONAL CHILDREN'S MUSEUM

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, I am pleased to rise today to congratulate the Waterloo Regional Children's Museum.

Through the local labour market partnerships program of Human Resources Development, the museum will receive $36,000 to help establish a workshop which will be used for carpentry, metal working and graphics development.

The workshop will be occupied by artists and technologists. They will build the many diverse and educational exhibits on display at the museum. The government's funding will help create five permanent jobs for the workshop.

The museum will provide interactive, creative and technological activities and exhibits for children and their families. They will have the opportunity to explore and learn in a dynamic and safe environment.

This is an ambitious project. I would like to commend all of those individuals, and specifically Rosemary Aicher, for their dedication in providing this facility which encourages learning and invests in our children.

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• (1410)

TRANS-CANADA HIGHWAY

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Mr. Speaker, the Trans-Canada Highway once proudly symbolized the national yearning to unite our country from coast to coast.

Sadly in Maple Creek, Saskatchewan it symbolizes injury, death and the indifference of the federal Liberal government. On this one stretch of the Trans-Canada Highway alone there have been 900 accidents in the last 12 years resulting in 26 deaths and 356 serious injuries. In fact some 40 people have died on this one stretch of highway since 1979.

On Thursday, April 13 Saskatchewan highways minister Maynard Sonntag demanded again that the Liberals participate in the twinning of the Trans-Canada Highway. Tragically the next day there was another accident killing three people and closing the highway for over 12 hours.

The province of Saskatchewan carries 96% of highway spending. Canada is the only industrialized country with no national highways program.

Saskatchewan can finish the twinning on its own by 2012 or it can finish it much sooner with federal money. We need the Liberals' urgent help to save lives now.

* * *

[*Translation*]

THE LATE ANDRÉ FORTIN

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, this morning, Quebec was plunged into a state of mourning. One of the greatest innovators on Quebec's musical scene in the past ten years has left us at the age of 38.

Singer and leader of the Colocs, affectionately known as Dédé by those close to him and by a Quebec that has included ''La p'tite Julie'' in all its celebrations since 1993, André Fortin passed away yesterday.

Born in Saint-Thomas-Didyme, in my riding, the tenth of a musical family of 11 children, Dédé literally burst onto the Quebec musical scene in the summer of 1993. The young and the not so young all over Quebec have shared with him since then the images in ''Rue principale'', ''Magasin général'' and ''Passe de puck''.

On behalf of the Bloc Quebecois, I would like to express our solidarity at this time of great sadness with his family and friends.

Dédé, you may have left us, but we will keep on saying ''maudit que le monde est beau'' in your honour.

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[*English*]

CYSTIC FIBROSIS

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I am pleased to inform members of the House and all Canadians that May is Cystic Fibrosis Month.

Cystic fibrosis is a genetic disease affecting primarily the respiratory and digestive systems. As yet there is no cure for it.

Approximately one in 25 Canadians carries the gene which causes this disease and approximately one in every 2,500 children born in Canada has the disease. Cystic fibrosis is one of the most deadly inherited diseases affecting Canadian children and young adults.

The Canadian Cystic Fibrosis Foundation supports clinical services for persons with this disease and supports scientific research to find a cure or control for the condition. Volunteers and supporters in communities across the country conduct public awareness and fundraising activities.

I want to congratulate all those associated with the foundation for their many achievements. I wish them the very best not only during this month but throughout the year.

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TEACHING EXCELLENCE

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am very pleased and proud to congratulate Mr. Paul Barrett, a teacher at the Cobequid Educational Centre in Truro, Nova Scotia, who last night was the recipient of the Prime Minister's Certificate for Teaching Excellence.

Mr. Barrett is a music teacher who is very active in his community and volunteers his time and services to help others. He is devoted to his students, his school and his music. I have had the very good fortune of being in the audience when his students play. I can attest to their professionalism, excellence and enthusiasm.

Another teacher from my riding received the Prime Minister's Certificate of Achievement. Louise Cloutier from Pugwash District High teaches French and Art. Through her enthusiastic efforts and encouragement, 60% of students participate in the arts program at Pugwash District High. The students learn more about themselves and their world and how to express themselves in a variety of ways because of the good efforts of Louise Cloutier.

Congratulations to Paul Barrett and Louise Cloutier, two of Canada's finest teachers. Congratulations also to the Prime Minister for his participation in this worthy program.

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STUDENT EXCHANGE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, this summer once again a group of students from Peterborough will exchange homes and summer jobs with students from Quebec.

Last year in Peterborough, Quebec students worked for five different employers, gaining useful work experience while getting to know their host families and our community. I want to thank the Canadian Canoe Museum, the Otonabee Region Conservation Foundation, Lang Village, Trent University and Warsaw Caves as well as the host families and HRDC staff for their help with this program.

Programs like this and the regular high school SEVEC exchange enrich the lives of young people and their families and make Canada even stronger.

My best wishes to all participants in this program this summer.

ORAL QUESTION PERIOD

• (1415)

[*English*]

HUMAN RESOURCES DEVELOPMENT

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, yesterday the junior HRDC minister raised the spectre of McCarthyism. A billion dollars was bungled and friends of the reds benefited. Questionable grants were handed out and friends of the reds lined their pockets. Questionable donations were encouraged and friends of the reds cashed in.

I would like to ask the red menace, is she now or has she ever been a member of that bungling—

The Speaker: I would remind members that we address each other by our proper titles rather than give each other nicknames.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I am glad that the hon. member is willing to admit by her question

that she is a member of the bungling, boondoggling party originally known as C-C-R-A-P.

The Speaker: Order, please. I would ask my colleagues once again to please tone down the rhetoric. We are getting a bit off track.

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, Modes Conili got nearly three quarters of a million dollars in a job grant, even though no jobs were going to be created. Pierre Côté, the head of the commission governing working conditions in the ladies clothing industry, confirmed yesterday that the jobs were transferred, not created, and he had assured Quebec regulators that no jobs would be lost.

He told the Montreal *Gazette*:

> We were advised that the employees were going to be transferred to Conili Star.

If Mr. Côté knew it and the Quebec regulators knew it, why did HRDC cut them a cheque?

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I have said repeatedly that if new information were to come to this House we would investigate it. We received new information on Tuesday, we reviewed it yesterday and, therefore, we have passed this new information to the RCMP.

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, it took three years. Let us look at the chronology.

The member for Ahuntsic lobbies the HRDC minister for a job grant for the newly incorporated Modes Conili. The department then cuts a cheque for three quarters of a million dollars. Modes Conili then finances 10% of the election campaign for the member for Ahuntsic. The HRDC minister gets 160 new jobs transferred to his riding just in time for the federal election.

Could it be that these are the facts that kept HRDC from blowing the whistle on this scam three years ago?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the hon. member's question is based on faulty premises, the kinds of insinuations and innuendoes that led to the very valid point made yesterday by the parliamentary secretary.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, HRDC supposedly looked into the Modes Conili allegations back in 1997. A cross-check of social insurance numbers had shown that workers hired by this newly created Conili were simply transfers from a former company. A reporter made a few phone calls last week, three years later, and quickly uncovered even more evidence that the whole exercise was a scam designed to scoop up three quarters of a million taxpayer dollars.

Why is the minister hiding the report that she claims showed no wrongdoing?

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, we are not hiding anything. As I said yesterday, there was a review of this file. Our officials expressed some concern about it. A person from the fraud and investigation branch looked at it. At that time he could find no evidence of wrongdoing and the file was closed.

It was upon receipt of the new evidence provided by the Bloc that we were able to move and refer this to the police, which is the appropriate action.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, then it is very simple. If the department in fact found no evidence of wrongdoing, why will it not simply table the report that it claims shows it had no reason to interfere before? If nothing is wrong, let us see the evidence. Come clean, be transparent and show us the documents.

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, the same theme is re-stated over and over about transparency. This is the department that the Reform's own researcher said was the best for access to information requests.

• (1420)

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in the Conili matter, there was no problem Monday, and today there is an investigation by the RCMP, the mounted police, as the Prime Minister calls them.

However, the government had all the documents. What we raised came from an investigation done by officials in their department. There was another report to contradict, to mask what was revealed.

I would like to propose a few questions to the parliamentary secretary to pass on to the RCMP. What happened, and, more importantly, what led to the jobs being taken from my riding—

The Speaker: The hon. parliamentary secretary.

[*English*]

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, the new information that came to light on Monday in the House, which we received on Tuesday, is the information that has been given to the RCMP.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is a good thing we introduced new information; now there is an RCMP investigation underway. I have more to introduce today.

Is there not some concern about the letter of agreement by the former Minister of Human Resources Development, who took jobs away from my riding and moved them to the riding of Ahuntsic and now to his own—all that in exchange for a $7,000 contribution to the Liberal Party coffers just before the election?

Could she ask the RCMP to investigate that gentlemen who is the minister there and who still holds sway in other files?

[*English*]

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I am unaware of any such agreement. If they have any evidence of wrongdoing, I have told them time and time again to bring it forward.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the police investigation in no way diminishes ministerial accountability.

Let us not forget that Pierre Côté, head of the clothing industry joint committee, had previously received assurances from Modes Conili Star that the jobs would only be transferred. In other words, everyone knew, except the government.

If the joint committee received early notice, then how and why would the minister have us believe that the government did not know anything about this?

[*English*]

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, we have done something about it. Once we found out about these letters, which the Bloc was waving in the House on Monday, we moved and referred all of this to the RCMP, which is the appropriate response.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the minister tells us that she did not know.

Is it normal that those who give the money, who have thousands of public servants working for them, who have the required investigators, are not aware of obvious facts, such as the squandering of $700,000 in public money, just before an election?

[*English*]

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, all the moneys that are given out by HRDC are of serious concern to us. That is why we act when we get facts and evidence of wrongdoing, which is what we have done in this case.

HEALTH

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, today the Minister of Health tells us that private for profit hospitals comply with the Canada Health Act. Today the Minister of Health tells us that NAFTA is not a worry. Today the Minister of Health tells us he will do nothing to stop bill 11, a spectacular surrender to the biggest threat ever posed to medicare.

Will the minister do the one thing he can now do to help the cause of medicare and resign?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, today in the statement to the House I made clear this government's position and its grave concern. We do not agree with the policy behind bill 11. We share the concerns of many Albertans about what might happen. We will watch to see if there are contraventions of any of the principles of the Canada Health Act. We are beefing up Health Canada's ability to do that across the country. We will be on guard for the principles of the Canada Health Act. We will exercise the authority we have to make sure those principles are respected.

• (1425)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, Canadians want more than expressions of grave concern from the health minister. He insults the seniors who stood on the steps of the Alberta legislature in the bitter cold to fight for medicare. He makes a mockery of Canadians' passion for medicare. He denies that it is his inaction that has put medicare at risk.

Will the health minister take some responsibility for this fiasco? Will the health minister do the one thing that remains to him to do, the honourable thing, and tender his resignation?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the NDP members claim the bill should be stopped, but they have no idea how they would do that. They claim that bill 11 is a contravention of the Canada Health Act. They have no idea what kind of contravention it is. They claim that there are things wrong with medicare, but they have no idea what solutions to propose.

The member is making it up as she goes along. She has no concept of what to do. It is no wonder that the public in Canada pays no attention to the NDP.

* * *

NATIONAL DEFENCE

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, the government is clearly starting to panic over the press it is getting over the state of our Sea King fleet. Yesterday, in answer to a question in the other chamber, we were informed that the leader of the government

in the other place has stated that he will be climbing on board a Sea King for a joy ride along Nova Scotia's coast.

Since it has been some time since the minister has been on board a Sea King, will he and the Prime Minister be joining their Senate colleague on that joy ride, and will the minister assure us that a copy of the flight and maintenance logs of the aircraft involved will be tabled in the House prior to the flight?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we do not take any of our aircraft up for joy rides.

I have no problem flying in a Sea King. As the Senator has indicated, he has no problem doing that either. We all know that they only fly when they are safe to fly. We have a very rigorous safety regime. These aircraft are well maintained. They are currently being upgraded and $50 million is being invested to overhaul them to make sure they will continue to operate, continue to function and will be safe to fly.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, in 1993 the Prime Minister stated that he would not lose any sleep over the cancellation of the helicopter program. But, Mr. Speaker, you know and I know that other Canadians are losing sleep out of concern for our Sea King pilots and crews.

Will the minister give us a date today on which he will announce the new maritime helicopter program, yes or no?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I have said on a number of occasions that the file is moving forward toward the replacement of the Sea Kings. It is our number one procurement priority. We will continue to develop the procurement strategy and they will be replaced well within the limits of their capability.

The Speaker: It would seem that when members ask a question we should at least hear the answer. I would encourage hon. members to stop the bantering that goes on when we are trying to listen both to the questions and to the answers.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, just before the 1997 general election Modes Conili received a $720,000 TJF grant to create new jobs. Yesterday the parliamentary secretary said that 162 people were working at the firm and they had applied for the jobs. That is simply false. Nobody applied for anything. The Quebec government has contradicted the parliamentary secretary, saying that it had been advised by Modes Conili that it was just a transfer of existing jobs. In other words, it was all a shell game.

Why is the parliamentary secretary telling the House that new jobs were created when she had to have known they were not?

• (1430)

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, if it were simply a transfer, why were those same people on employment insurance between the two sets of jobs?

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, that is a great question. It is another case of taxpayer money being used to fund people who seem to be very supportive of the government and are rewarded accordingly.

Modes Conili used the same people with the same salaries and the same seniority. That is not new job creation. That is a scam, and the government should have known that since it claims to have fully investigated this case three years ago and at that time had given it a clean bill of health.

Was the bungled investigation of this case yet another example of the minister's incompetence, or are we just now starting to see the unravelling of the cover-up of the government and this scam through HRDC?

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, it is unbelievable to me how they can take a set of circumstances and weave such a tale. It goes on and on and it always seems to have a negative implication on an individual member of the House, one of their colleagues. People who say those kinds of things often find they come back to haunt them.

* * *

[*Translation*]

YOUNG OFFENDERS

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, this morning the Coalition pour la justice des mineurs wrote to the Minister of Justice and held a press conference to reaffirm its complete opposition to Bill C-3 and its amendments.

Will the minister listen to reason once and for all and withdraw her bill, as asked by the coalition?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have said many times before in the House that Bill C-3 is flexible legislation that respects the approach of the province of Quebec.

As I have also indicated, I have asked the hon. member on a number of occasions for an indication of what programs or initiatives presently carried on in Quebec could not continue to be

carried on under the new legislation. So far I have not received any such list.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, one only has to read the briefs. The briefs we submitted to the minister contained many examples. I gave her one today.

When will the minister realize that she cannot claim to offer positive perspectives to young people and, at the same time, broaden the imposition of adult penalties to 14 and 15 year old children? It does not make sense. To pretend the contrary would be dishonest.

Some hon. members: Oh, oh.

The Speaker: Order, please. The Minister of Justice.

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the hon. member should know since he serves on the justice committee, one of the important goals of Bill C-3 is to ensure that fewer young people go to jail. Unfortunately this country has one of the highest incarceration rates for young people. One of the important new goals of Bill C-3 is to keep young people out of jail.

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AIRLINE INDUSTRY

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, when the Competition Bureau and Air Canada reached an agreement last December, one of the conditions was that Canadian Regional Airlines was to be put up for sale.

The agreement called for Canadian Regional Airlines to be put on the block within 45 days of the transaction. We are now approaching 145 days since the transaction, and Air Canada has yet to put Canadian Regional up for sale. Could the minister please explain why this condition of agreement has yet to be honoured?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I very much appreciate the question. The fact is that it has been very difficult to evaluate the true value of Canadian Regional because of the way it was inextricably linked to Canadian Airlines in terms of overlap of marketing, maintenance and all other functions.

However I am pleased that the Competition Bureau and Air Canada have agreed on a third party to evaluate the cost. I believe that process is just about nearing completion and Canadian Regional will be put on the market within a matter of weeks.

● (1435)

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, I thank the minister for that, but the employees of the airline, the 2,100 employees who are waiting in limbo to know what will happen to their jobs, want to know exactly how long it will be before they know what their future holds, whether or not they will have jobs. Could you let them know how many weeks—

The Speaker: I ask all members to speak through the Chair as opposed to each other.

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I appreciate it has been unsettling not just for the employees of Canadian Regional but for all the employees at Canadian Airlines and at Air Canada during this very difficult period.

Under the terms of the deal of December 21, if Canadian Regional is sold all the service obligations, all the communities as of December 21 that Canadian Regional served, must be maintained for three years. One assumes therefore that all the employees will have to be retained to provide those services. Therefore if this sale goes through those jobs will be guaranteed.

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[*Translation*]

HEALTH

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, this week, we heard on the news about the terrible situation on the Island Lake reserve, where aboriginals have no health care services at all, when it is up to the federal Minister of Health to see that they do.

How can a minister who is unable to properly discharge his reduced health care responsibilities claim to control what is going on in Canadian provinces? What a nerve.

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, we are working closely with aboriginal communities to make the necessary health care services available.

When one has responsibilities involving very remote regions, it is always difficult. However, we are working with communities to meet our responsibilities.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, instead of spending $4 million to establish a network of federal health inspectors to spy on the provinces, would the Minister of Health not be better advised to use that same amount to do what he is paid to do and provide aboriginals with decent health care? That is his job. It is what he is supposed to do and what he should be looking after.

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, we spend over $1 billion annually to ensure that health care services are available to aboriginals on first nations territory.

We will continue to work with aboriginal communities to ensure that essential services are available.

* * *

[*English*]

GRAIN TRANSPORTATION

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the proposed changes to grain transportation announced yesterday, and I guess that would be legislation by press conference, are based on a memorandum of understanding between the wheat board and the government.

Sceptics believe that the wheat board will protect its own turf and not all real improvements to proceed. Will the government clear the air by tabling that memorandum before it introduces actual legislation?

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I have had the opportunity to discuss in the last short while the principles upon which the government intended to move. Those principles were announced yesterday by the Minister of Transport.

In so far as those principles bear upon the operations of the Canadian Wheat Board, we now have to translate that into a legal document that will be a memorandum of understanding between the board and the government. When those discussions are concluded it will be a public document. In the meantime we will be consulting with the other players to get their input too.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the bottom line in all this is that producers have to benefit the most of any of the players. Allowing the wheat board to sit behind closed doors and determine the rules for the future of the grain industry would be totally self-serving.

All the studies that have been done have shown the government that freight costs will decrease only when railways and grain companies can negotiate efficient grain movement directly between themselves.

Could the transport minister guarantee those producers out there that his new system will allow the grain companies and railways to negotiate without interference by the government or the wheat board?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the proposal I announced yesterday has to be seen as a complete package. I think the hon. member would have to admit that putting $178 million out there for the producers is a victory for western farmers. I challenge the Alliance to go anywhere in western Canada and to say otherwise.

• (1440)

This is a comprehensive package. This will allow a competitive system in western Canada for the first time, and the producers will get the benefit.

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[*Translation*]

CANADA INFORMATION OFFICE

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, we have learned from Access to Information that the Canada Information Office, the famous CIO, the federal propaganda agency, has given $1.2 million to BCE Média, an affiliate of BCE, headed by Jean Monty, for the production of a program, *Scully RDI*.

My question is for the Minister of Canadian Heritage. Why is the federal government subsidizing a company as rich as BCE, just so that it can be used as a front for producing *Scully RDI*?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Canada Information Office participated, in partnership with BCE Média and the CRB Foundation in a program called ''Le Canada du millénaire''.

In it we addressed the challenges Canada faces with its millennium programs.

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GREENHOUSE GAS

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, my question is for the Minister of Natural Resources.

Global warming constitutes real threat for the people of Canada, and for their way of living. In Kyoto in 1997, Canada—

Some hon. members: Oh, oh.

The Speaker: Order, please. If hon. members wish to have personal discussions, I would ask them to be so kind as to withdraw.

Mr. Guy St-Julien: In Kyoto in 1997 Canada made a commitment to reduce its greenhouse gas emissions to below the 1990 level between now and the 2008-2012 time horizon.

Could the Minister of Natural Resources tell us what measures Canadian industry has taken to reduce greenhouse gas emissions?

[*English*]

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I am very happy to have this question on the eve of what will be next week National Mining Week in Canada.

The Canadian mining industry is today releasing a document entitled ''Global Climate Change—Taking Action''. It recognizes climate change as not just a challenge but also an opportunity. It partners with environmental organizations like the Pembina Institute and Stratos in constructive action. It shows that the Canadian mining industry this year will be more than 4% below its 1990 levels in terms of greenhouse gas emissions, and it promises to do more.

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GRAIN TRANSPORTATION

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, the winter of 1996-97 accentuated a huge problem in grain transportation in western Canada. The Estey report, followed by the Kroeger report, made several recommendations, one of which was to put grain transportation on a totally commercial basis.

These reports recommended that grain companies and the railways should enter into contractual agreements for moving the grain to port. Why has the government decided virtually to ignore the major recommendations made by both Estey and Kroeger?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member from western Canada knows that this issue divides everyone in the western provinces. It is full of emotion. It is full of history. What Mr. Estey did in his report was to give us the framework. What Mr. Kroeger did was to show us how to implement it.

We have used their work as a basis of the package we announced yesterday. Yesterday's announcement marks the beginning of a competitive system that will continue for years to come.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, the government's independent third party to monitor the overall efficiency of grain transportation will no doubt come up with the same recommendations as Mr. Estey and Mr. Kroeger.

• (1445)

Everyone knows that this Liberal caucus has been fighting over this issue for months. Why has the Minister of Transportation allowed government infighting to overrule the wishes of the stakeholders in the grain transportation?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, perhaps there is infighting in the Alliance Party but in the Liberal Party there is constructive dialogue on the issues of the day. This constructive dialogue has helped to bring forward a balanced package.

The bottom line in that package is that the paramount issues affecting western producers have been addressed. One hundred and seventy-eight million dollars have been put into the hands of farmers and $175 million will be spent to improve grain roads. This is a victory for dialogue and a victory for the producers in western Canada.

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HEALTH

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Minister of Health.

The fact remains that the Minister of Health has failed to stop something that he himself said was disastrous for medicare. The fact remains that the record of the Minister of Health stands in stark contrast to the record of a former Liberal minister of health, Monique Bégin, who, when she saw a threat to medicare, used the power of this parliament to amend medicare legislation and bring in the Canada Health Act.

This has happened on the health minister's watch. He failed on all counts to stop what he himself said was disastrous. Why does he not consider resigning?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, there they go again: Empty rhetoric, no ideas, no solutions and no specifics. How does bill 11 contravene the Canada Health Act? How are they going to solve the problems of medicare? For a party on the periphery, it is easy to just talk.

This government will be watching on the ground in Alberta to make sure those private for profit facilities do not contravene the Canada Health Act. That is the role Canadians want us to play and that is the role we are going to fulfill.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the minister is watching on the ground all right. He is on the ground with Ralph Klein's foot on his neck, doing whatever he pleases with the federal government standing by doing nothing while this happens to medicare.

We have made all kinds of suggestions. One suggestion we have made is that the federal government restore its full share of medicare funding. If it had done that we never would have had this problem. Do not dare to stand up here and tell us that we have not made suggestions.

The minister did not say a word about NAFTA in his statement. Can he tell us today when we will get the federal government's opinion on why it thinks this has no NAFTA implications?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the NDP pretends to have come up with an idea. It wants more money. Its idea in the 1997 election was a cash floor of $15 billion. We made it $15.5. The NDP said ''How about adding $7 billion to health care''. We added twice that since 1999. Before we presented our health budget, the NDP said that we should put $2.5 billion

more into transfers for health. We have added $14 billion. The NDP are a little behind the times.

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NATIONAL DEFENCE

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, the Minister of National Defence just said that the helicopter file was moving ahead, which is good news because that is more than the helicopters are doing. He also said that there was a $50 million upgrade.

The fact of the matter is that most of the $50 million will go to replace engines and gearboxes in those helicopters that all other countries have already replaced. There are no new radios, no new equipment and no upgrades.

Where are the $50 million upgrades? Exactly what new capacity is there? Exactly what new capability is there? Where are the $50 million upgrades?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, into various components of the helicopter, all of which are designed to work well together to ensure the safety and good operation of our Sea King helicopters. They continue to provide terrific service and our pilots are guiding them toward doing that. They recently rescued a number of people from a sinking ship in the Caribbean area off the Atlantic. They continue to provide search and rescue, plus operations off the back of our frigates in terms of patrol and surveillance. They are doing their job and we are putting in additional money to make sure that they continue to do so until we get the new helicopters.

• (1450)

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, he could have shortened that answer and said that there was no upgrade, that they will just try to keep them in the air.

The minister said earlier that the helicopters only fly when they are safe to fly. Now we know how often they are safe to fly. A Sea King pilot has said that there is an urgent situation in one out of every twelve flights. Imagine if Air Canada had an urgent threatening situation in one out of every twelve flights. It would be grounded. It would be unacceptable.

Why the double standard between military safety and civilian safety?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I would put the military safety record and the rigorous regime of maintenance up against any private sector company any day. We ensure that our aircraft are safe to fly and that they are properly maintained. I think the record speaks for itself in terms of the safety over a great many years of the Sea King helicopter.

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Minister of Public Works and Government Services.

Some weeks ago the opposition raised allegations regarding the sale of federal government land in my riding of Brampton Centre. New allegations regarding sweetheart deals between the Ontario Realty Corporation and Reform Tory alliance supporters have been raised in the Ontario legislature.

Can the minister inform the House where this issue stands at this time?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, after a media report on the transaction of the property in Brampton, the management of Canada Lands asked KPMG to conduct an independent audit. The report indicates very clearly that there were no irregularities. It also said that a series of special circumstances allowed the original purchaser to sell the property at a considerable profit. This property was put on the market through two prominent real estate firms for 18 months. This is a long time for the real estate profession.

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ATHABASCA RIVER

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, in June of last year in the House, I asked the government why it had abandoned dredging on the Athabasca River, the only traditional supply route to Fort Chipewyan. The government's response was that it would get back to me.

Two days ago the Minister of Fisheries and Oceans announced, with all smiles and fanfare in the House, a $15 million program for dredging on the Great Lakes for the very same reasons that exist for the Athabasca River.

Why did the government abandon the people of Fort Chipewyan while at the same time announce new dredging programs on the Great Lakes?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the members have put an excellent case together. The low water levels in the Great Lakes are unprecedented.

The hon. member should know that there are $2 billion of economic development on the rivers and the Great Lakes. The recreational and sports fishery depends on the marinas. The marinas have come forward and said that this is something that we should do. We want to do it in conjunction with the provincial government and the marina association. This is welcome news for business people and for Ontario.

[*Translation*]

PAROLE

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, thanks to the parole program, about one hundred Rock Machine members will soon be released from prison.

How can we possibly allow crime gang members to benefit from a reintegration measure such as parole, when we are well aware that as soon as they get out of prison they will go to war against another crime gang?

[*English*]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, my hon. colleague is well aware that anyone who receives parole, it is granted through the National Parole Board. This is an arm's length body that reviews all the information and public safety is always the number one issue.

* * *

• (1455)

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, rather than attacking the NDP for its defence of medicare, the Minister of Health needs to ask himself what he really did to stop Ralph Klein's privatization. Maybe when he is home alone tonight he should ask himself that question.

Does he really believe that his expression of grave concern and his wait and see strategy has done the job? Here we are today and bill 11 has passed. The NAFTA grab is on its way.

Canadians have no confidence in the minister who has let us down big time. It is time for him to resign. Will he go?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, what does it boil down to? What are the NDP saying?

If the NDP are saying that bill 11 is contrary to the Canada Health Act—

Some hon. members: Oh, oh.

The Speaker: Order, please. We are going to listen to the minister's answer so please let him respond.

Hon. Allan Rock: I want to make it very simple for members of the New Democratic Party.

The Canada Health Act, of which they speak so much, has powers in it which are intended to enable the Government of Canada to enforce the principles. Parties like the right wing Alliance and the Tories would do away with the cash component and the transfer, leaving only tax points. They campaigned on that so that there would be no way to enforce it.

Liberals understand that it has to be enforced. We told the House today that we will ensure that the principles of the Canada Health Act are respected in any facility in Alberta. That is the obligation of the government.

* * *

NATIONAL DEFENCE

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, the Minister of National Defence has just said that he will put up the safety record of the Sea Kings to the transportation safety board any time. Could the minister please table that? We would love to see it so that all Canadians can compare the safety of our soldiers to the safety of the general public.

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I would be happy to provide whatever information may be of help for the hon. member to understand that we only fly the Sea Kings when they are safe to fly. There is a very rigorous maintenance program. We are putting $50 million into upgrades.

If the hon. member wants to fly in one to see for himself, he is quite welcome to do so. He will find it a lot safer experience than being a member of the Conservative Party.

* * *

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, Canada takes great pride in being the first country to have signed the Convention on Biological Diversity at the Rio conference in 1992. As of May this year, the protocol on biosafety under this convention will be open for signature.

Can the Minister of the Environment indicate whether Canada will be one of the first signatories?

Ms. Paddy Torsney (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, the Cartagena protocol set the new global framework for the protection of biodiversity from any potential adverse effects of transboundary movement of living modified organisms resulting from modern biotechnology.

The protocol is very complex and is a demanding instrument. We need to consult with the provinces, with the territories, with Canadians and with industry. We will not waste time but we will do the necessary work to make sure we understand the full implications of the protocol before we sign it.

CAMILLE MONTPETIT

The Speaker: It is a rather important occasion for us in the House today.

[*Translation*]

I wish to draw your attention to this event. It is with a twinge of regret that I am telling you that today is the last day of work at the table for one of our most esteemed clerks, Camille Montpetit.

Indeed, Camille is taking a well deserved retirement after over 30 years of faithful service to the House of Commons.

● (1500)

[*English*]

Camille, as was stated by the House leader of the opposition, began his career with the House in 1868—in 1968.

Some hon. members: Oh, oh.

The Speaker: If we look that good when we are his age, we will be happy. He has served with distinction in various positions. Among other roles he has served as the principal clerk of the journals branch and of the table research branch, as clerk assistant, House proceedings, and as deputy clerk, which he is to this day.

As members are aware, Camille has most recently been the co-editor of the now much quoted manual, *House of Commons Procedure and Practice*, which I had the honour to table on his behalf in February this year.

[*Translation*]

I know that all members will join me in paying tribute to Camille Montpetit for his distinguished career.

Camille, on my own behalf and on behalf of all my colleagues in the House, I want to convey to you, to your wife Monique and to the members of your family who are here today, our wishes for good health and happiness in the years to come. You have been a great help to the House of Commons, and we are very grateful to you for that.

My dear Camille, a thousand thanks for the very good work that you have done for us here in the House. We will miss you.

Some hon. members: Hear, hear.

* * *

● (1510)

[*English*]

BUSINESS OF THE HOUSE

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, the question I think Canadians have on their mind as we enter into this Thursday question is: What exactly is the House leader's plan for business in the days ahead? Are we are going to deal with the meaty issues of the land or are we going to just deal with the fluff?

I ask the House if he will tell Canadians today what legislative program he plans for the rest of this week and for the week following.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this is always the best question that is asked every Thursday. I will try to give the best answer, although some of my colleagues gave such excellent answers today they would perhaps be hard to surpass.

In any case, we will continue today with Bill C-18, the criminal code amendments with regard to impaired driving. If by any chance this is completed we could start with Bill C-33, but I understand there probably would not be any more than one or two speakers on that today.

In any event, tomorrow we will do second reading of Bill S-10, the DNA, and Bill S-3 respecting international tax conventions. Should those bills be completed tomorrow before the end of the day, I would not propose to call any other business.

On Monday, we would hope to deal with report stage and, if possible, third reading of Bill C-26, the airlines bill. There are ongoing consultations to that effect. If we complete all of this we would then continue with Bill C-33 or in any case get started on Bill C-33 if it was not begun earlier. Bill C-33 is the legislation concerning species at risk.

On Tuesday, we will debate Bill C-25, the income tax legislation. This is the bill that is presently stuck at second reading as a result of two reasoned amendments.

On Wednesday, we would propose to complete any of the listed bills we have not completed. I wish to designate Thursday, May 18, as an allotted day.

● (1515)

While I am at it, because that leaves only one additional day before the parliamentary break, it would be my intention, if possible, to call Bill C-12, the amendments to the Canada Labour Code, at report stage and third reading on Friday of next week. That would complete the sequence until the break.

Mr. Chuck Strahl: Mr. Speaker, could the government House leader tell us if a bill regarding the grain transportation issue which was dealt with today in question period is soon to be tabled in the House? I understand that the government would like it passed before the start of the next crop year, and it is important for us to see the details of that bill so we can start the debate.

Hon. Don Boudria: Mr. Speaker, I thank my hon. colleague for raising this issue, which is obviously of great importance not only for us, but for the agricultural community, particularly in western Canada.

I hope to introduce this bill at the very earliest opportunity. I am hoping to do so before we adjourn next week. I understand that the drafting will probably not be complete. I intend to introduce it as soon as we return and give it the maximum time that is available to all of us.

It could be introduced, with consent, perhaps as early as the Tuesday after we return. That would require being later in the day, because of different instruments of government. I would propose to seek that consent should the bill be ready by then. If not, the latest date for the introduction, as proposed, would be on the Wednesday, but again I will do my best to have it available as early as Tuesday.

As a result, in part, of representations from members of the House, together with colleagues, we arranged that the policy at least would be announced yesterday so that members could consult their constituents on this very important issue.

GOVERNMENT ORDERS

[*Translation*]

THE CRIMINAL CODE

The House resumed consideration of the motion that Bill C-18, an act to amend the criminal code (impaired driving causing death and other matters), be read the second time and referred to a committee.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, before Oral Question Period, I had th opportunity to speak to Bill C-18 and explain the Bloc Quebecois' position and its opposition to Bill C-18, and to explain why we are going to vote against the bill.

The Bloc Quebecois recognizes that impaired driving causing death is a very serious offence indeed. We are all in agreement on this because for the victim the consequences are final and it causes a lot of trouble, a lot of pain to the family. Everybody agrees on that.

However, we think that giving a life sentence to the driver who caused this person to die by operating his vehicle while impaired would be disproportionate as compared to other sentences under the criminal code, and it would not solve the problem.

The Bloc Quebecois believes there are other practical, concrete solutions that should be implemented such as an ignition interlock with a breath alcohol analyzer, a system I will be pleased to explain later on, if I have the time.

The point I want to make is that the bill before us was introduced by the government much more out of political expediency than to meet a need in the justice system. Everyone is aware of the fact that there is in Canada a very strong shift to the right spearheaded mainly by the Canadian Alliance calling for tougher, harsher laws, especially with respect to the criminal code, without necessarily any factual basis.

We saw it with young offenders. The situation is very clear, very obvious. We in Quebec have developed a preventive approach to bring young offenders back on the right track, to help them learn again how to live in society and respect the legal framework of our society, and it works.

• (1520)

However, the rest of Canada really let the American approach influence them. They want longer prison terms. They want young men and women to be harshly punished when they make a mistake. They often forget that by doing so, these offenders end up in prison and that prisons are often schools for crime. I think that the example of the young offenders also applies to Bill C-18 and to the issue of impaired driving causing death.

Instead of adopting this kind of punitive approach, the Bloc Quebecois would rather increase the deterrent effect through a device known as an alcohol-ignition interlock device. It is simply an ignition locking system that by including a clause to that effect in the criminal code this type of offender could be compelled to have in his car.

All sorts of uses could be made of this device. Why not, for example—and this is my own personal opinion—install this type of device in every single car?

Seat belts have already been made compulsory. At first, a lot of people were against it, but today we all buckle up because we know that it is safer and that, should we be involved in an accident, our injuries would be less serious. Such measures could therefore be considered. However, if the government is not prepared to go that far, it could at least apply such measures to impaired drivers who are repeat offenders, so as to prevent them from taking the wheel and causing death, an offence for which, if the government had its way, they would receive a life sentence.

We can see the difference. The bill seeks to punish after the fact without doing anything to remedy the situation, by preventing further deaths, whereas the Bloc Quebecois wants to deal with the root of the problem to ensure there are as few of these types of situations as possible.

I think the Bloc Quebecois has a very responsible attitude on this issue. It is a well thought out attitude that is advocated by many stakeholders. The prevention system I am talking about was used in

the past in Alberta and Quebec. Current programs are satisfactory, produce significant results and help prevent these types of situations.

In conclusion, I will simply say that, as far as the Bloc Quebecois is concerned, Bill C-18 is a bad piece of legislation. It does not get to the root of the problem, and it will create more problems than it solves. It also introduces a double standard in our criminal code, which we find unacceptable.

Mr. René Canuel (Matapédia—Matane, BQ): Mr. Speaker, I listened to my colleague for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques. He recommended some intelligent measures which should be implemented as quickly as possible. I call that prevention.

Putting someone in prison and cancelling his driver's licence for years, that is obviously something. Sometimes we may have to do it but nobody can convince me that in the year 2000 we cannot do better than that.

I see young people who are generally more serious than people who are 40 or 45 years old. For many years now, when they go to a tavern for a few drinks, they get someone to drive them home. However, some might forget and let themselves be led by others.

Last week I heard that many accidents happen in Quebec involving bikers. We must also think about this. What means should we take? Should we send someone to prison? Should we suspend his driver's licence for 5, 10 or 20 years? I do not think this is the solution. My colleague told us about an ignition interlock system which prevents the car from starting. When we pass a bill what do we want? We want two things: to protect society and to protect the guy who, after a few drinks, can become a criminal under the code. We should think twice.

● (1525)

I would ask my colleague to explain further what this system is. Should we adopt it as quickly as possible? Has this system been adopted in other countries?

I commend my colleague for his speech and I urge the government to think, to listen and to pay close attention to what my colleague has to say.

Mr. Paul Crête: Mr. Speaker, before going into the details of the ignition interlock system with breathalyzer, I would remind the House that, indeed, as the member said, the percentage of people sentenced to jail upon conviction by the courts for impaired driving decreased from 22% to 19% between 1994-95 and 1997-98. Consequently, it is not urgently required to increase penalties. Instead, we should try to eliminate the source of the problem.

What is the Bloc proposal, the ignition interlock system with breathalyzer? It is simply ignition interlock system that, in specific circumstances provided for in the code and which I will mention, would ensure an impaired driver is not be able to start his vehicle.

Furthermore, the criminal code should be amended to allow judges to order an offender to install an ignition interlock system with breathalyzer in his vehicle, as a condition of probation or in exchange of the reduction of a much longer period of prohibition from driving.

This would be a real prevention measure. It would even promote behavioural changes, because the offender would have the opportunity to change his attitude. It would ensure that there are less and less of this type of accidents.

What is this system? It is a little breathalyzer installed in the vehicle, which requires the driver to provide a breath sample showing a level of alcohol that is nil or almost nil in order to be able to start it. The current technology of ignition interlock systems is very reliable, even in extreme temperature conditions. This system has been validated, it is working very well and it is in use in Quebec and in Alberta.

Ignition interlock systems with breathalyzer are normally installed after a period of suspension of the driver's licence, as a condition for returning the licence to the offender. This way, we attack the problem at its very root. We go to the repeat offender and make sure there will be no further offences and further deaths; that is a much more progressive approach than convicting the offender once someone has been killed. It is much more progressive to prevent loss of life.

Evaluations made over the last 10 years have shown time after time that ignition interlock systems are effective. As I said earlier, Alberta and Quebec now have satisfactory programs for the installation of such systems.

The criminal code would allow all Canadians to benefit from the increased security provided by this technology. It could be done in two different ways. The judges could have the power to order an offender to install an ignition interlock system as a condition for his release under mandatory supervision, or the convicted offenders could be prompted to install an ignition interlock with breathalyser in exchange for a reduced period of driving prohibition.

This would require the prohibition period to be extended considerably so that, after it has been reduced in exchange for the installation of the system, it would still be as long as the suspension of licence by the province.

We could encourage the provinces to make the installation of ignition interlocks a mandatory condition for the reinstatement of driver's licences, at least for repeat offenders and first time offenders.

If, instead of telling people who have lost a family member in a car accident that they will be vindicated because the person responsible for the accident will get life imprisonment, we told them that if this system had been in place, nobody would have been killed in their family, which of the two alternatives do you think people would choose?

The government should be open to this suggestion of the Bloc Quebecois. It is a positive suggestion, and I think the federal government should start bucking the right wing trend that currently inspires every criminal code amendment.

● (1530)

It seems that the Minister of Justice is much more concerned with her own re-election, because this right wing trend is quite strong in her area. But modern technology gives us the means to prevent these accidents.

I hope the government will pay attention to our suggestion.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I listened very carefully to what the member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques had to say.

Could he tell us whether there are any other preventive measures—in addition to the one that Quebec and another province in Canada have found effective—that would prevent those who might drive while impaired from paying the extreme penalty contained in this bill introduced by the Minister of Justice?

Mr. Paul Crête: Mr. Speaker, I think there are two kinds of solutions.

The first involves preventive measures. We must ensure that impaired driving is reduced to the absolute minimum in Canada, that there are fewer such situations. Provincial and federal legislation is needed. There could be advertising campaigns so that fewer and fewer people drive while impaired.

There could be theme campaigns, such as the RIDE program, which reduces the number of people who drive during the holiday season while impaired. These are preventive measures which could be continued and the member for Jonquière's question makes that assumption.

There is another approach, which is not preventive, but which I think should be considered. We know that the current provisions are not used to the full. I will give an example.

The heaviest sentence handed out by the courts for impaired driving causing death is 10 years, while the courts, which are the best placed to analyse the characteristics of each offender, have not exhausted the resources of the criminal code, which now sets the maximum sentence for impaired driving causing death at 14 years.

There is already some play. Judges are already handing out lighter sentences than the criminal code allows for. This would perhaps be one avenue to consider. Judges would send the message to the public that what is in the code is what will now be meted out, rather than amending the code when the full extent of what is available is not being used right now.

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, the bill before the House today, Bill C-18, is aimed, once again, at amending the criminal code.

A great many changes are made to the Criminal Code here in this House, particularly where impaired driving causing death is concerned. This is, of course, a serious offence. Hon. members will understand that, even if we are strongly opposed to this bill, our position is not intended to convey the idea that it is a minor event if a person kills another because he or she had too much to drink before driving.

Toward the end of 1999, Pierre Gravel, a respected editorial writer for *La Presse*—there is such a thing as a respected editorial writer—wrote as follows:

> The Bloc Quebecois is often faulted for carrying out systematic obstruction in Ottawa, solely for the purpose of demonstrating that the federal system is not workable.

I am tempted to add ''solely for the purpose of demonstrating that the federal system refuses to be improved by taking the views of the opposition into consideration''.

Mr. Gravel continues:

> This is not, however, an accusation that can be made of its interaction in the debate on the sanctions to be imposed on impaired drivers.

This is probably the most important point in his editorial:

> It is, on the contrary, in this connection that its hardline attitude has contributed greatly to moderating the excessive zeal of the zero tolerance zealots.

● (1535)

Those zero tolerance zealots are to my right here in this House, although their intolerance has, regrettably, crossed the floor of this chamber.

Continuing to quote from Mr. Gravel:

> And, at the same time, to take over from any discussion of this matter from a reasonable point of view, in which the sanctions connected to these offences will not be disproportionate to crimes as serious—

These crimes could even be worse, in some instances.

> —for which the offenders get much lighter penalties.

Bill C-18 is back in the House today and it is rather disturbing to see the impressive silence from the government side, from the right

wing parties. Could it be that they have nothing left to say to refute our arguments? That would already be a sign of wisdom, but the greatest wisdom would be to withdraw this bill.

Could it be that they are more concerned about an election? One of the parties in this House is holding its convention as of today and I can understand why its members are not participating in the debate.

The alliance also has a convention of course, but it is held around Quebec's national holiday, so there is still time for them. The party opposite held its convention just a few weeks ago. So, why are they silent?

I believe they are keeping quiet because they decided that this bill would be passed with a very large majority, since it is clear that the Bloc Quebecois will be the only party to oppose it.

In the same article, which was written about a year ago, on June 3, Pierre Gravel added this:

> But when the government, as is currently the case, faces an ultraconservative and populist opposition such as the Reform Party—

At that time, they were still called the Reform Party.

> —which always advocates the harshest possible sentences to ensure law and order, there is inevitably a risk of having very radical solutions that do not always take into account the whole reality.

Mr. Speaker, you are well aware that radicalism and respect rarely go together. There are some very recent examples in this House.

Pierre Gravel went on to say:

> The greatest merit of these measures is to calm a population obsessed by a desire for vengeance that is constantly exacerbated by a large number of demagogues. When, in addition to that, the party in office—

That was true one year ago. Members can imagine now.

> When, moreover, the party in power feels an urgent need to increase its popularity with a group of people who support the intractable attitude of the opposition, we end up with an unacceptable bill such as the one that earned the absolute and, in this case, totally justified opposition of the Bloc Quebecois.

A year later, Mr. Gravel will be able to take his editorial and adapt it to today's reality and see, increasingly, that this government is making a name for itself with its opportunism and the effect of this will be dealing this way with people, who are honest, but who may have made an error in judgement. Who has not?

● (1540)

Who can rise and say ''I have never and will never make an error in judgment''. This is the way they will treat an honest citizen who has made an error in judgment, who has done something wrong, namely starting his car and driving off risking or possibly causing the death of someone.

I would like to ask a question. Could anyone of us making this error in judgment live serenely after making the mistake of driving under the influence of alcohol and causing injury or even death? I know no one here or where I come from or among the majority of the population who would say ''Oh, that is nothing''.

That is not true. Unlike habitual criminals who are part of a culture where crime is part of their daily life, and is in the end of no importance, most people facing a criminal charge for driving under the influence of alcohol and causing the death are people who repent. Obviously, repenting is the first step toward wisdom.

My colleague from Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques talked of the importance of prevention. I was young once. I remember that, at the tender age when I was fascinated by guys who drove cars, I went for a ride on July 14; I met my husband on that same day. I went for a ride with young people who were going to celebrate Bastille Day. In the early 1960s, Quebec was awakening and wine flowed freely as we celebrated France's national day.

When it was time to go home, I looked at the driver and I said ''My God, I will never get into this car''. I thought that my life was still worth something. I accepted something that could have been worse; I agreed to leave with a nice young man whom I had met on the dance floor and who appeared to be serious. I had noticed that he had not drunk too much, maybe a glass and a half of wine. In fact, he brought me back home safely and, three years later, I agreed to become his partner for life.

Prevention makes people more aware of the risks associated with some behaviours. In Quebec, prevention is valued and is now part of our life.

There is another bill before this House that has been under discussion for a long time and that concerns young offenders. I do not need to, once again, go over the statistics from Quebec, which are self-explanatory. They show that crimes by young offenders is dropping and that prevention and rehabilitation are effective.

For this reason, instead of deciding to send young delinquents to prison or to send reckless drivers guilty of injuring or killing someone to prison for life, we know that prevention works. This method helps make them more responsible people.

In fact, this debate should have been an opportunity to have an adult and mature discussion between people from all over Canada and Quebec on the subject of what it means to be responsible citizens.

● (1545)

This is what we should be reflecting on. The House of Commons is an extraordinary forum to reflect on the notion of responsibility. Many members of the House are parents and have done their best to raise their children. I believe not too many parents would say ''My kids are model and responsible citizens who are successful and

fulfil all the duties that are entrusted to them because I beat them regularly and locked them up in their room''.

This is precisely what the government wants to do with Bill C-18. We believe that prevention is the way to go and that we must invest some money in schools. We know that young people start smoking around the age of 8 or 9 and that some start drinking at a fairly young age.

Hence the need for education programs, with people who are knowledgeable and able to transmit values. We need education programs focussing on parents in order for them to promote a whole series of acceptable behaviours.

We know that there is nothing wrong with having a drink with friends to mark a happy event or just because it is Friday and the weather is nice. On the contrary, I believe it is a sign of socialization, and God knows that we need this. However, the situation turns sour when one takes one, two or three drinks, then up to eight drinks, finally getting to the bottom of the bottle. I am obviously referring to wine. If it is scotch, the situation is different, because it does not take as much.

There is another real problem I would like to address. I do not know if my colleagues have raised it. Among those who drive under the influence and cause serious accidents, we find the honest citizen implicated in an incident. He did not want it to happen and there was no premeditation on his part.

There is another group of citizens comprised of all the individuals plagued by a very serious illness which is called alcoholism. At one time or another, every one of us has known a fine person who, sadly, had a serious alcohol dependency.

It is hard enough to get rid of a cold or the flu, but getting rid of an alcohol problem is nothing like getting rid of the flu. It is an illness of the soul, which caused awful physical dependence. We must help those affected, because they need both psychological and medical support. They must be helped to make their decision because this illness can be cured when there is no other choice.

Bill C-18 says ''Here is the solution, we open the door, you go in, we close the door and that is that. You will come out feet first''. That is how we would treat honest citizens who were unlucky, or sick.

Once again, and I imagine that the chair of the Standing Committee on Procedure and House Affairs, who is a reasonable man, a sensible man, will back my request that the government withdraw Bill C-18.

It will do nothing to improve the situation on highways. It will simply hurt some citizens more without lessening the pain of families who lose a loved one. That is clear. What is the purpose then?

Again, as I have said, the purpose is to seek the votes of those who, for one reason or another, tend to think that repression works and that this is the way to go.

● (1550)

When a state has reached the stage of using repression as a standard administrative tool, it is not far removed from having something in common with a dictatorship. I trust that Canada is very far from being a dictatorship. I certainly hope so.

I would like to make it perfectly clear to the members here in the House and those watching us at home that behaviour is never modified by repression. Changes are brought about through education, prevention, and a serious investment by professionals who are capable of helping people in difficulty.

I am going to read something that is absolutely fascinating. I have referred to some journalists, but everyone knows that not all journalists are serious all the time. Who reads what they write? Fortunately, we are allowed to quote them in the House. I am going to read something far more serious than that, an excerpt from the recent Gladue decision.

This is the context, and when I get to the part I wish to emphasize, I will point this out to hon. members.

> A number of inquiries and commissions have been held in this country—

This country being Canada.

> —to examine, among other things, the effectiveness of the use of incarceration in sentencing. There has been at least one commission or inquiry into the use of imprisonment in each decade of this century since 1914.

Things have changed considerably since 1914. The means of communication have nothing to do with it. It is not that at all. Here is the part I wanted to emphasize:

> An examination of the recommendations of these reports reveals one constant theme: imprisonment should be avoided [—]

That was true in 1914.

> —imprisonment should be avoided if possible and should be reserved for the most serious offences, particularly those involving violence. They all recommend restraint in the use of incarceration—

This is not a quality of the government opposite.

> —and recognize that incarceration has failed to reduce the crime rate and should be used with caution and moderation.

This too seems to have escaped the members opposite.

> Imprisonment has failed to satisfy a basic function of the Canadian judicial system which was described in the Report of the Canadian Committee on Corrections entitled: ''Toward Unity: Criminal Justice and Corrections'' (1969) as ''to protect society from crime in a manner commanding public support while avoiding needless injury to the offender''.

If things have come to the point where a citizen who happens to commit an error of judgment and kills someone might be treated,

as he will be if this bill is passed, like the hired killer who so neatly put away Dédé Desjardins in Laval ten or so days ago, I think that that is not treating society with respect.

● (1555)

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, before asking a question to my colleague from Laval Centre, I would like to congratulate her on her speech.

My colleague from Laval-Centre has just brought us back down to earth by telling us what a lot of people in Quebec and elsewhere in Canada are living every day. She has just reminded us that driving a vehicle while impaired is not in and of itself a criminal act that should lead to a life sentence or require a person to be taken out of society.

She has just told us that coercion gets us nowhere. It does not solve anything and it only postpones the real decisions that will have to be made if we really want to solve the problem.

In her wisdom, what does she think the government, which is so disconnected from everyday reality in Canada, should do? What should this government do with Bill C-18? How should people struggling with this problem be treated within the existing laws in Canada?

Mrs. Madeleine Dalphond-Guiral: Mr. Speaker, it is always nice to be congratulated for a speech. I sincerely thank the hon. member.

As a matter of fact, there are two simple ways to deal with the problem of impaired driving. The two solutions depend on the federal government. I am under the impression that my colleague opposite is listening.

The first way to deal with the issue is, of course, to use the media to get the message across. The Canadian government has huge advertising budgets. I must recognize that occasionally it does excellent work with ads for the good of the nation. It is not always the case, but when the government is concerned for the good of the nation it is capable of offering constructive and interesting ads that will make viewers think.

As members will appreciate, the most efficient media is, of course, television during prime time. But advertising during this time slot gets very expensive. What is needed is investment, money invested directly in information on TV.

The other solution is also money, but money directed to provinces. The federal government, and this is no longer even an open secret, is amassing surplus after surplus. I do not know how it does it, but the government is keeping its head above the water.

Is it not time, therefore, to restore funding for provincial transfer payments for education and health care—in my speech I referred to alcoholism as a disease—to their 1994 levels so that the provinces, which are well aware of the problem, can have the money they need to invest in effective prevention programs adapted to their clientele? The results could be worthwhile.

Again, I have no doubt that my colleague across will take my suggestion to cabinet, and I thank him in advance.

● (1600)

Mr. René Laurin (Joliette, BQ): Mr. Speaker, we are dealing today with Bill C-18 which provides for tougher penalties for those who made the unfortunate decision to drive while impaired, causing death.

Yet, every commission that has studied that issue since 1914—and there has been one almost every ten years—has demonstrated that imprisonment does not deter offenders in such cases. Tougher penalties for those who make such a stupid decision, although not deliberately—it must be stressed—will not make these people think twice about it. Thinking is a good thing, not when we know the consequences of an act, but rather when we start thinking before making a mistake that might have dire consequences.

Impaired drivers who caused death did not really want to kill anyone. What is the difference between two people driving while impaired, one who has the bad luck of hitting and killing someone, and the luckier one who does not meet anyone on his way and does not cause death? Both of them were in the same situation; they were out drinking and driving and both could have been in an accident. Their behavior could have had the same consequences. Yet, one would get punished less harshly than the other who had the misfortune of causing death because of his action.

What do we want to accomplish by increasing sentences in such cases? Do we want to prevent such acts from happening again, or instead, do we not want to get revenge for an event that everyone finds deplorable?

What would we say if, in two separate cases, two people trying to kill another one would prepare a potion containing some poison, the same quantity in both cases, these quantities being known to be sufficient to cause death in most cases? These two people would prepare a poisoned potion, would mix it with the meal of the person for whom the poison is intended, and would wait for the results.

What if, in one case, the dose is enough to kill the person and, in the other one, the same quantity of poison that would normally have the same effect would not give the same result, for all kinds of reasons. In one case, the victim had probably a normal constitution and, in the other one, the victim had a sturdier constitution and resisted to the poison. Would the two people who committed the same act not deserve the same punishment? Would they not deserve the same sentence?

● (1605)

Yet the law requires that we treat them differently. Why? Because in one instance the action caused death and, in the other, the same action did not result in death; however, the result was beyond the control of the two individuals who acted exactly in the same way.

These two individuals both did the same thing with the intent to cause death. In one case, the individual succeeded. In the other, he did not. The courts will give these two persons different sentences.

This is where I think this bill is not logical. By increasing the sentences, we are not preventing anything. We are avenging the victims of some dreadful action. Will such an approach improve the situation? I do not think so.

The best way to bring people to think about what they are doing is to apply a reasonable sentence to anyone who does something reprehensible. What is the reprehensible part of impaired driving causing death? It is not the fact that someone was killed because that part was not intended by the individual who caused the death. The reprehensible action is the act of getting behind the wheel under the influence.

When someone decides to drive while impaired, there is a decision being made. Some people will tell me that decision is not a clear-sighted decision because the individual is drunk and unable to evaluate his condition and his ability to drive a car; nevertheless, a decision is made at that time.

What we need to do, then, is to prevent people from getting behind the wheel when they are drunk. What is the best way to do that? It is certainly not to evaluate the consequences of driving after the fact and say ''In one instance, the fault had serious consequences but in another one the consequences were less serious. We will then impose a penalty according to the consequences''. This way of doing things does not improve the situation.

Society is punishing itself by reacting this way because, first, sending someone to prison does not increase chances for rehabilitation. In both those cases, the chances for rehabilitation are just not there. Second, keeping someone in prison entails huge administrative costs.

Keeping a criminal in prison costs about $62,000 a year in Canada. What is the point, for society, of sending someone to prison for 14 years at $62,000 a year, when that person does not need 14 years to realize that what he or she has done was bad? The only point is that it gives the satisfaction of revenge against someone who caused us prejudice by hurting our feelings, our family or our loved ones?

I can understand the resentment of people who experienced such tragedies and who may have lost a spouse or a child. In my riding, there was the case of a doctor who lost his wife at an early age after she was hit by a drunk driver.

● (1610)

Today, this doctor campaigns in favour of improved legislation so these things do not happen again. I understand his sorrow. He will bear the scars left by that tragedy for the rest of his life. He lost a wife he loved, and the sadness he feels will be with him forever.

But by imposing a life sentence on the person who caused that situation, instead of 10 years, for example, will we make the sadness that man feels go away? Will we give him back his beloved wife? Will his children have their mother back? Not at all. It is unfortunate and we must not excuse such actions, but, at the same time, we must not respond to an abuse by an abuse.

A society based on vengeance is going nowhere. If there were cases where society needed to protect itself, if the person found guilty of impaired driving were a repeat offender, if we had every reason to believe that that person would not get back on the right track and would continue to drink and drive and to endanger the life of people, then it would be logical to put that person in jail. Society has a duty to protect itself and its children.

Is that what happens in most cases? Bill C-18 does not solve that problem. If this bill provided for harsher sentences for repeat offenders, it would be easier to understand the intended objective, but it is not the case. It could be a first offence, but if that offence resulted in death, the person would be put in jail.

Imagine that it is your child. Imagine a fine young man or a beautiful girl of 16, 17 or 18 years of age who, at the end of the school year, after the prom, goes out to celebrate the end of their secondary or college education. For the first time in his or her life, this young man or this young girl has too much of a good thing, hops in a—which is probably your car—and, while driving his or her friend home, has an accident and kills somebody.

If it were your children, how would you like them to be punished? Do you think these young people deserve life in prison for a lack of foresight or experience due to their age? Should we ensure that they waste their lives in prison, while depriving society of talents that it could have benefited from for 50, 60 or 70 years?

● (1615)

It would be much more useful to impose on them a sentence that would make them think, that may bring them to dedicate the rest of their lives to the promotion of abstinence, to the promotion of security measures. This would help to ensure that such events do not happen again.

A person in jail is of no help to anybody. If that young boy or that beautiful girl were sent to jail for the rest of their lives, they would be completely lost to society. Would our society find any satisfaction in being able to say: ''This guy has killed someone, and he

should be put behind bars. We are glad, we wash our hands, and he will not be seen around anymore''? Is this such a great and noble satisfaction that we cannot do without it.

When we try to be objective, we have to admit this kind of crime is beyond pardon, but we should also realize that people who have been involved in such a terrible experience have to be rehabilitated.

I was talking about a young man 18, 19, or 20 years old, but he could be even 25 or 30. It could also be a good family man, 35 or 40 years of age, who goes out to celebrate a special occasion. It could also be somebody celebrating a wedding anniversary or the graduation of one of his children from university. This father or mother can get carried away, have one drink too many, drive and cause someone's death.

Did this person set out to kill somebody? Absolutely not. He or she was taking part in festivities, and when you celebrate, you are not out to kill anybody.

It can happen that we behave in such a way that we accidentally cause death. But, for the sake of improving the situation, should we send a father or mother in prison for the rest of their lives?

We would be telling them ''Sir, we will take you away from your wife and kids because you have accidentally killed someone through your negligence and wrongful behaviour. Because of you, another family has lost their father''. Therefore, courts will say, from now on, that in order to repair the harm done to a family, it will cause harm to another family. That is not justice, but vengeance.

A civilized society should not demand an eye for an eye. This course of action is a dead end. What we must do instead is educate.

We must educate the people to make them understand that their actions have consequences. The consequences can be serious, of course, but the act itself is even more serious. It is such acts that we must prevent from being committed.

Campaigns such as Nez Rouge during the Christmas holidays are much more useful than putting people behind bars. Because of these campaigns, more and more people understand that they must not drive their car while impaired. This type of public education ensures that society gains more by using this method than by crying out for vengeance when such a tragedy occurs.

Statistics show that Canada is second to the United States in terms of the incarceration rate. Not a commendable record. I hope the government will understand that its bill goes too far and that it must be withdrawn immediately.

● (1620)

Mr. Paul Mercier (Terrebonne—Blainville, BQ): Mr. Speaker, my colleague from Joliette made some very good points regarding a long standing problem, which has existed from time immemorial and which every country is facing, namely how to ensure that the sentence fits the crime.

I would ask him to comment on the following statement, which has long been considered as the common judicial wisdom of the ages: an appropriate sentence is the one beyond which the guilty party becomes a victim. It is the one which, should it be any harsher, would make the guilty party appear to be a victim in the eyes of the public. This is obviously the case if the sentence is too harsh.

Mr. René Laurin: Mr. Speaker, I thank my colleague for this opportunity to elaborate on what I said earlier.

He is quite right. In other words, it is tantamount to abuse of powers. In my previous life as a teacher, when students did something wrong, we had to punish them of course, but the punishment had to fit the seriousness of their action.

We might tell a student ''You broke a window. You are going to have to fix it. You are going to pay for it and we are going to give you a little extra work to do as punishment'' or ''Your parents are looking after it and you will serve your detention at home. You will be grounded for a few hours''.

If the corrective measure is appropriate and equivalent to the seriousness of the action, the child will benefit enormously and perhaps never repeat the action. However, if the measure taken against him is twice as harsh as the seriousness of what he did, what will the child do? He will start to revolt, because he will feel that he is being punished more severely than his action warrants.

When a child is in revolt, what does he try to do? He feels that people are taking revenge for what he did and, in turn, will seek revenge as well. Things then begin to escalate and no one can say where it will lead. The child grows older. When he becomes an adolescent, he thinks the same way. When he is an adult, he thinks the same way.

It is not the unfortunate consequences of an action that should be punished. It is the action itself and the seriousness of it. This is what I tried to show when I gave the example of the two people preparing the same quantity of poison for two different people. One succeeds and the other does not. They would be given different sentences because one was luckier than the other. Yet, the action of each is as serious as the other's, and the intent was the same, to kill.

Even in cases where the intent is the same, the law would not punish in the same way. Why would the government do so in Bill C-18, when the intention of the person driving while intoxicated is never to cause the death of another person?

● (1625)

Of course, there is a greater risk that he will, but that is not his intention. Yet, that person would be treated like a criminal who walks into a bank or a senior citizens home—there is intent here—and shoots people at point-blank range.

If a person driving while impaired should kill someone, that person would be treated like criminals who kill people intentionally.

In its current form, Bill C-18 is more about seeking vengeance to please people who, unfortunately, whose lives were affected by such tragedies, either directly or indirectly, in their family. To show that we sympathize with their plight, that we share their grief, we will impose excessive sentences that do not fit the circumstances and have nothing to do with the justice that should be applied.

Again, I urge the government to give this serious thought. Beyond the votes that the government may win by pleasing people who, understandably so, would like to see such a bill become law, there is more to consider, namely the interest of society in the longer term. Instead of locking up forever people who made a mistake and are willing to do something about it by playing a positive role in society, we have to consider how we can best help these people.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am pleased to speak this afternoon following my colleagues from Laval Centre and from Joliette, who have both dealt in their remarks with the human side of the problem which should be taken into consideration before the government has this bill passed by the House.

I will draw the attention of the hon. members and of the government to statistics that are relevant to this problem, because I feel it is important. Beyond the remarks of my two colleagues, it is important to tell the government that statistics currently available show that the courts have not used the full range of sentences allowed by the criminal code. Far from it.

The stiffest prison sentence handed down for impaired driving causing death has been ten years. That is the maximum sentence imposed on offenders these days.

Judges, who are in the best position to consider the specifics of each offender, have not been using the whole range of sentences allowed by the criminal code. The criminal code already sets at 14 years the maximum sentence for impaired driving causing death. The ratio of offenders sent to prison after a conviction for impaired driving has dropped from 22% in 1994-95 to 19% in 1997-98.

● (1630)

The prison sentences brought down in these cases are for the most part less than two years. Hon. members heard correctly. The courts could sentence offenders to 14 years, but sentences are currently less than two years.

Why then pass legislation to allow life sentences if the courts are not inclined to make full use of the tools available to them already?

I would also like to cite other statistics. The offence of impaired driving causing death is not on the increase at the present time. In 1998, 103 people were charged with impaired driving causing death, the lowest figure for this offence since 1989.

In addition to what is stated in this bill, there are some preventive programs that have already had an effect.

Canada has become a champion as far as imprisonment is concerned. When something is going wrong, instead of looking into the problem, let's throw them in jail. Good riddance, we don't have to deal with the problem any more.

To echo the words of my colleague for Laval Centre, take the person, put him in a box and lock him up, that is all.

This runs counter to what the supreme court justices concluded in *Gladue*, where they faulted the federal legislator for being too quick to imprison delinquents. These are not my words. It is what two honourable justices of the supreme court said.

I will read a few excerpts from the decision in *Gladue*:

> Canada is a world leader in many fields, particularly in the areas of progressive social policy and human rights. Unfortunately, our country is also distinguished as being a world leader in putting people in prison. Although the United States has by far the highest rate of incarceration among industrialized democracies, at over 600 inmates per 100,000 population, Canada's rate of approximately 130 inmates per 100,000 population places it second or third highest. Moreover, the rate at which Canadian courts have been imprisoning offenders has risen sharply in recent years, although there has been a slight decline of late.

I think that everybody in this House knows it, but many choose to ignore the day-to-day realities of our society. Since being elected as the member for Jonquière, I have noticed that, in its ivory tower, this government unilaterally adopts bills that are totally out of touch with the realities faced by the people when it comes to taking action.

This government is listening closely to the Canadian extreme right, which believes that the solution to any and every problem in Canada is the law of retaliation. These people believe that we should condemn first and then say ''The longer you will stay in jail, the better it will be for you and for society''.

• (1635)

It is not true. This is not the way Quebecers think. This is not what we think. I find that the Quebec society is ahead of its time in many areas.

Prevention is required. What could be more beneficial to find solutions, to find an ideal way out and solve problems in society, than prevention programs?

This government is ignoring the prevention means we are advocating to help people. I am not saying that driving a vehicle while impaired is not serious, especially when lives are lost. That is not what I am saying. I am saying that, right now, we should establish prevention and education programs. We must start educating our children when they are young. In Quebec, we have very good prevention campaigns, aimed at society as a whole, which that drinking and driving is a crime.

That is certainly true, but we must also consider the fact that nobody can say it will never happen to them. Everybody has surely had a drink or two when they were extremely tired and then got behind the wheel. An accident could happen.

Such people are not criminals. I do not think that they are criminals. If something happens, it is just an accident. The notion of accident will have to be considered. In Quebec, we consider alcoholism a disease. We will have to invest a lot of money in research so people have places to go to be treated for alcoholism.

As my colleague for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques said earlier, there is an ignition interlock system with a breathalizer available in Canada, particularly in Quebec and in Alberta. The criminal code should be amended to allow judges to order an offender to have such a system installed on his or her vehicle as a condition of parole or in exchange for a reduction of the driving prohibition period.

I can see in the document that was given to me by my colleague that this system has been proven effective. Why not require all car manufacturers to install such a system on all vehicles?

We could also give tax breaks to those who have such a system installed on their vehicle. It would be a way to reduce the number of people who drink and drive.

• (1640)

As my colleague from Joliette said, during the holiday season, in Quebec, we have Operation Nez Rouge. I do not know if there is such a thing in the other provinces of Canada, but Nez Rouge is an organization that tells people ''You want to celebrate during the holiday season; leave your keys and your car where you are, dial this telephone number and someone will come and pick you up and drive you home.''

Because of that, in Quebec, since Nez Rouge has been in operation, the number of people driving while impaired has significantly decreased during the holiday season. The success rate is extraordinary and I would like to say, incidentally, that this not for profit organization is manned by volunteers who provide the service. That is another way of saying that we have to deal with alcoholism.

It is not through legislation imposing life imprisonment that we will deal with the problem. This is not the way to make people more responsible. I am not talking about people who have repeatedly driven while impaired, who have no social conscience and get behind the wheel even though they know they are not allowed to drive. I am talking about individuals who are doing it once in their life and whose families and fellow workers will be branded for the rest of their life. That is not the way we should act in Canada; that is not the way the government should act to improve the situation and make society more responsible with regard to this scourge, which is less prevalent in our society, according to the statistics I mentioned earlier.

I ask the Minister of Justice to withdraw her bill. It is not constructive, it is repressive. I want to warn her and tell her that she is on the wrong track with the young offenders bill. It takes the same approach.

I think that right now this government is assuming that the people of this country are second-class citizens, that they lack judgement, that they are not aware and that they are not able to improve. That is unacceptable. The federal government has only one speed when it comes to criminal justice: overdrive.

This bill goes too far. In both the young offenders bill and the impaired driving bill, the Minister of Justice reveals her inability to manage complex problems without resorting to dangerously repressive measures. There is no justification for this attitude, because crime, I repeat, has been on the decrease in Canada for several years now. Furthermore, there are no studies showing that such an approach is effective.

We must guard against inflated sentencing, which bears a dangerous resemblance to an eye for an eye and a tooth for a tooth. Nobody will win in this mad race except the jailers.

But law and order politics are very popular politically, as the Minister of Justice is well aware. As for justice, and more specifically youth crime, there is also opposition to this bill because of the simplistic measures proposed by the federal government.

I think that this government will have to stop and think, that it will have to get back in touch with what people really experience every day, if our society is to improve and not be undermined by bills such as this one.

There is still time for the Minister of Justice to withdraw her bill and I and my fellow members of the Bloc Quebecois urge her to do so.

• (1645)

[*English*]

The Acting Speaker (Mr. McClelland): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Regina—Lumsden—Lake Centre, Gasoline Prices; the hon. member for Jonquière, Importation of Plutonium.

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, I agreed to speak on Bill C-18 concerning the amendment to the criminal code, because it was impossible for me to remain silent in face of a somewhat hateful bill.

For some reason that is totally unknown to me and that seems totally unfounded and nonsensical, the Minister of Justice strikes again, with a bill in which she wants to amend the criminal code to provide a maximum sentence of life imprisonment for an impaired driver involved in an accident causing the death of another person.

This bill also wants to provide for the taking of blood samples for the purpose of testing for the presence of drugs.

In looking at the nature of the debate we are having today, where only the Bloc Quebecois feels the need to speak out and to alert the people against this hateful bill, I realize once again that Quebec is a distinct society. If we were still looking for reasons to leave Canada, we just found a new one. Canada and Quebec are not on the same wavelength on such an important bill for society.

I certainly do not want to underestimate the importance of an accident involving an impaired driver who causes the death of another person. A death, no matter the circumstances, is always sad and painful, but when it is caused by an impaired driver, the loss seems even more terrible.

So, we do not want to diminish the gravity of the offence, but I want to pause to reflect on the issue.

When the Prime Minister introduced in the House his famous notion of a distinct society for Quebec—and he still blames us for voting against it—he was told ''Mr. Prime Minister, what you are proposing is an empty shell''.

Quebec is a distinct society, but it can never express its distinctiveness. It is not allowed to be distinct. There is a move toward increasingly centralized policies, toward wall to wall policies. Provincial jurisdiction is increasingly being encroached upon. In spite of all that, Quebec feels more and more distinct. The more we learn of the values of Canadian society, the more concerned we are about the future of Quebec's society.

I do not wish to make an issue of this, but let me point out that the Minister is, first and foremost, a member from western Canada. In western Canada, the Liberal Party has a fierce opponent. It used to be called the Reform Party. It is now called the Canadian Alliance.

• (1650)

Since 1993, we in the Bloc Quebecois have seen how the Liberal government, which used to be a progressive government—not as in Progressive Conservative, but progressive in the real meaning of the word—which went ahead with forward-looking policies became backward-looking. It is turned more toward the 19th century, while we are steaming full speed ahead into the 21st century with all the tools the new technology has to offer.

This government is asking the wrong questions. Let us try to find out which ones. What do Quebec and Canadian societies want? They want their politicians to give them laws that will ensure the betterment of society, and not laws that will make life in society increasingly difficult and stifling.

What has happened so far? We have the criminal code. Currently, when an individual drives a vehicle while impaired, and unfortunately causes an accident which results in a fatality, the criminal code provides that the judge may sentence this individual to 14 years in prison. To this day, no judge has ever sentenced anyone to more than 10 years. And it was such an accomplishment it made the headlines across the country, pointing out that, at long last, a judge had dared give 10 years for impaired driving causing death.

Why, when nothing more than a 10 year sentence has ever been imposed, suddenly come up with a measure expected to be more effective because it provides for life imprisonment? What does society want? What values underlie this specific measure? Is our role as politicians to find a way to avenge what happened to someone else in society? Must we only advocate a punitive, coercive approach? Is this really the reason why we exist as a parliament?

Or do we not, on the contrary, want to educate our fellow citizens by teaching them a value such as moderation? Quebec's liquor board, the Société des alcools, sponsored a campaign to encourage people to drink with moderation. The campaign's theme ''La modération a bien meilleur goût'' was displayed everywhere, along highways, in newspapers and magazines and on the television and radio.

While alcohol sales and profits did not go down, Quebecers' behaviour changed. Now, when you entertain guests at home, it is not rare to hear someone say ''I will only have juice or Perrier water, because I am the designated driver''.

Countries such as Sweden introduced educational and progressive measures to improve the situation. But here we want to punish people, we seek vengeance.

That approach will not work, as evidenced by the research done. All the criminologists in the world will tell you that putting people in prison is not the solution. On the contrary, we should find ways and pass legislation that will help us create public awareness, and invest money in educational programs and initiatives designed to make people more responsible.

What does Operation Nez Rouge do in Quebec? It is a huge success. That initiative is now beginning to spread to Ontario and the maritime provinces. What does Operation Nez Rouge do? It tells people ''Do not forget, it is important to celebrate, but if you drink, do not drive; we will drive you home for free''.

• (1655)

We can pass legislation to influence the public for the better. The goal of members of parliament should not be to use public funds to build more prisons.

What is the Minister of Justice doing now with her criminal code reform? She must be on the verge of sending kindergarten kids to prison. She is not pleased to see that our own reform in Quebec is successful with young offenders. She wants to undermine our efforts. It is just one more reason to get out of this country.

Bill C-18 will lead us nowhere. If this bill is passed in its original form, we will negate the specific nature of this offence and create a serious imbalance in our criminal justice system. The most important question we should ask about this reform of the criminal code is whether we really want what is best for the offender who has a bad habit of drinking and driving, or if we want to fight the political right on its own turf and win more votes in the next election by promoting harsh punishments that are out of proportion with the offence.

Let nobody be mistaken. I do think impaired driving is a serious offence. It is an action that cannot be rationalized. We have a hard time accepting it, but we should be helping people get rid of that bad habit instead of punishing them and locking them up for the rest of their life.

This reminds me of the answer the solicitor general gave me this afternoon during question period when I asked how the public could understand what was going on. I said ''Thanks to the parole program, about one hundred Rock Machine members will soon be released from prison. How can we possibly allow crime gang members to benefit from a reintegration measure such as parole, when we are well aware that as soon as they get out of prison they will go to war against another crime gang?'' The minister stood up and replied that I should not worry, that everything is under control, saying ''My hon. colleague is well aware that whenever anybody receives parole, it is granted through the National Parole Board. This is an arm's length body that reviews all the information and public safety is always the number one issue''. All is well; if they are out it is because they are not dangerous. Those are the regulations and we respect regulations.

However, everyone knows that any member of a crime gang who gets out of prison will be a worse offender than before, because a prison is no place for rehabilitation, and he will be very happy to resume his position within the gang and wage war against other gangs.

When they talk about life imprisonment for people who are in a car accident, we have to wonder why. I am no expert on the criminal code or criminal law, but I know there are two things in the code. There are people sentenced to 25 years imprisonment without eligibility for parole and there are people sentenced to life.

There seems to be a difference. I hope somebody will explain the difference to me someday so I can understand, but I have been told that there is a difference between the two and that, in this case, someone who is sentenced to life imprisonment could, depending on the conditions set by the judge, serve only a few years because he would be eligible to parole after serving a third of his sentence.

I wonder why we go to so much trouble to pass such hypocritical bills. Although judges can now sentence people to 14 years, they usually sentence them to two, three or four years. There is one exception, a 10 year sentence.

• (1700)

There is also one thing one must not forget. The crime rate is dropping in Canada, as statistics show clearly. The proportion of individuals who were incarcerated after being convicted of impaired driving decreased in 1994-95 and 1997-98. Thus, within three years, the proportion of incriminated individuals went from 22% to 19%. Most prison terms in these cases are less than two years.

Why legislate to allow life imprisonment, if the courts are not willing to fully use the instruments they already have? Although impaired driving causing death is an offence of considerable importance, it is wrong to claim that we are currently faced with a huge upturn in its figures.

In 1998, only 103 people in Canada were charged with impaired driving causing death. Hon. members will respond that this is 103 people too many, which it is, but putting those 103 in prison for 25 years is not the way to help the 100 more who will come along the following year and be found guilty.

Educational measures must be found so that society can be changed rather than punished, so that there is education rather than revenge. Canada has become a champion as far as putting people

in jail is concerned, just behind the United States. This is hardly a record of which to be proud.

As far as the incarceration rate is concerned, we rank second in the entire world. I think our Prime Minister would be delighted if he were able to say we were 180th. For once, being last would be a good thing. Instead of being first, we are second, with no one higher than us but the Americans. It is a shame. Canada uses imprisonment twice as often as most European countries.

In this connection, the supreme court was very clear, and I quote an excerpt from the judgment in G*ladue*:

> Canada is a world leader in many fields, particularly in the areas of progressive social policy and human rights

I myself pointed this out at the start of my remarks. I continue quoting:

> Unfortunately, our country is also distinguished as being a world leader in putting people in prison. Although the United States has by far the highest rate of incarceration among industrialized democracies, at over 600 inmates per 100,000 population, Canada's rate of approximately 130 inmates per 100,000 population places it second or third highest. Moreover, the rate at which Canadian courts have been imprisoning offenders has risen sharply in recent years, although there has been a slight decline of late.

All the measures that the Minister of Justice has proposed since she assumed this position are such that we are looking at increasing numbers of incarcerations. Is it the aim of the Prime Minister to surpass the United States in numbers of prisoners? It would be interesting to have him tell us in the next election that his aim is to put as many Canadians as possible behind bars and, if possible, not too many Liberals, because he wants to win his election.

I had prepared a much longer speech on this bill, which I find extremely painful and difficult to understand and which will long be hard to swallow.

We will have an election campaign in which we will remind the people that this government is hateful and insensitive, right of centre and bringing us more violence than what we have at the moment, because its model seems to be the American society. In matters of values, Quebec is apart.

• (1705)

We want an educational approach. We want rehabilitation. Once again, I repeat, I am pleased to note that you are giving us one more reason to bow out.

[*English*]

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, we are enjoying the debate this afternoon on a subject that most Canadians regard as a top drawer issue; the way we deal with the criminal code offence of drinking and driving and causing death.

Would the hon. member accept that the bill is not about incarcerating more people? Rather, it is about articulating for Canadians that the offence we are dealing with, which it is so frequent now, killing as a result of drunk driving, has increased to the point where it is overshadowing all other serious offences. Canadians want that type of killing offence numbered among the most not just serious offences in the criminal code but the most serious among the offences involving the taking of life, whether wilful or not.

What this particular piece of legislation does is it moves up the range of sentencing. It does not increase the bottom range but it does increase the top range. By increasing the range, we effectively signal to the courts and the public that we regard this as among the most serious offences. That is the reason for the bill. It is not for the purpose of throwing more alcohol addicted drivers into prison. Would the hon. member accept that as the purpose of the bill?

[*Translation*]

Mrs. Suzanne Tremblay: Mr. Speaker, I sincerely wonder why my colleague does not consult the same statistics that we are being provided with. We do make these figures up. Why does he not go to the sources, the official sources which prove without a doubt that everything he has just said is far removed from reality?

In that area, the crime rate is going down. It is not rising, it is decreasing. When I say that this government wants to incarcerate more people, it means that from the moment an individual is sentenced to life imprisonment, he will have to serve at least 25 years behind bars unless the judge takes into consideration other circumstances or unless the individual benefits from conditional release after a certain time, perhaps 10 years.

Currently, the average length of imprisonment is about two years and even less. We all know that individuals sentenced to two years plus one day are sent to a federal rather than a provincial institution. We know very well what the results are at the end of the day. Individuals come out of federal prisons worst than before their incarceration because the federal government does not focus on rehabilitation or re-education, but on punishment and revenge. Those are not the values which guide Quebecers.

We have been trying as hard as possible to rehabilitate people who have committed crimes, even young offenders. Our level of success is staggering. Some people who were involved in well-known situations, for example the FLQ, were able to study in prison and they became university professors. Today, they are unknown to anyone who has not seen their snapshots at the time of the FLQ crisis.

We do not want this kind of prison system. For us Quebecers, Canada may be turning into a jail. Most of all, we do not want more

Quebecers incarcerated by the federal government than we have now.

● (1710)

[*English*]

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Mr. Speaker, I served some time on the Ontario parole board. I remember holding a parole hearing for a person who was an habitual drunk driver. He did not own a car and did not have a licence. Each time he was incarcerated, his time was served in the two years less a day housing at a provincial institution. The last time he was incarcerated, at which I did the parole hearing, there was no way he was getting out on parole. He served his full two years.

After he had served his time, he refused rehabilitation and refused to deal with the fact that alcohol was the leading factor for his problems. At that time I felt that he was a person in need of counselling, if not provincially then federally. I felt that he needed more time in the prison system. This was an individual who had never had a a licence, never owned a car, had seven impaired driving charges and he had no rehabilitation.

I do not know what we would do with a person like that other than to have longer incarceration periods so that public safety is taken into account.

In all good conscience, what would the member tell the families of the two people that man killed in his last accident? Would she tell them that longer incarceration was not necessary?

[*Translation*]

Mrs. Suzanne Tremblay: Mr. Speaker, first, there is no justice in this world. We know that from the day we are born. It is not by avenging the unfortunate death of these people that we will solve that person's problem.

From what the member told us, the person in question had several problems: no driver's licence, no car, a drinking habit and he killed two people while driving.

Who lent him a car when he had no driver's licence? That person is the one who should be sent to prison. That person is the one responsible. He either borrowed or rented a car from someone. Where did he find a car if he did not own one and had no driver's licence? It is a serious mistake to lend a vehicle to someone who does not have a driver's licence and who has been drinking.

Bar owners see people who are already drunk continue drinking beer or scotch. All they can think of is the money they are making, not their responsibility in letting someone who is dead drunk get behind the wheel.

We should look at all the responsibilities. If that man was drunk and was able to steal a car, it may be that he had easy access to a vehicle that was running or unlocked. We should look at the whole, big picture before convicting an innocent man, even though what he did is unfortunate and two people suffered the consequences of his action. I agree that his two victims are two too many, but it is not by putting that man in jail for 25 years that we will rehabilitate him and help him get rid of his drinking problem.

Mr. René Laurin (Joliette, BQ): Mr. Speaker, I would like my colleague to comment on the following situation.

At present, the courts have the power to give sentences of up to 14 years, yet no court has ever sentenced anybody to more than 10 years for such an offence. Therefore, they still have 4 years to play with. Since the Criminal Code was amended to increase to 14 years the maximum sentence for this type of offence, no judge has ever found the offence serious enough to impose the full 14 year sentence.

● (1715)

Will the mere fact of telling judges they can give a life sentence change anything? Up to now, they could impose sentences of up to 14 years, but they never did. What will Canadians think if we tell them that judges have the power to hand out life sentences but never use it? They will say there is even less justice than there was before, because the full life sentence is never imposed.

Will the bill not make our legal system even less credible?

Mrs. Suzanne Tremblay: Mr. Speaker, this is an excellent question. I regret not having enough time to give an answer more befitting the value of the question.

The government and the Minister of Justice should first and foremost think about the quality of the people appointed as judges and make sure they are competent. Once appointed, the judges should undergo refresher training every year to keep up to date in their way of thinking, be aware of the psychological conditions of life, reflect on the new situations in which families are living and gain a better understanding of society.

There are judges who have been on the bench for 30 years and never stopped even for a moment to think about what they are doing and why they are doing it. It is not even clear whether they know the criminal code well enough to realize that they can give 14 year sentences. Refresher courses should be developed for judges and competitions held to make sure competent judges are appointed.

Mr. Ghislain Fournier (Manicouagan, BQ): Mr. Speaker, I too am pleased to speak to Bill C-18. As was clear from the excellent speeches given by my colleagues, the Bloc Quebecois is opposed to the bill.

We feel, however, that impaired driving causing death is a very serious offence. Nonetheless, there are solutions other than revenge

and punishment. In the supposedly most wonderful country in the world, a democratic country, Bill C-18 boils down to a system of fear. As my colleagues pointed out, the existing laws allow the courts to hand down adequate sentences.

As the Bloc Quebecois explained, this bill is not the solution. Passing Bill C—18 would be to ignore the very characteristics of this offence and create a significant imbalance in our criminal justice system.

Why not allow the courts to fully avail themselves of the leeway they now have under the criminal code?

As one of my colleagues so eloquently said earlier, 10 years is the maximum sentence which has generally been handed down by the courts. The maximum has been 10 years, when 14 was available. This 10 year sentence has been imposed by the courts for impaired driving causing death. Who is better placed than the courts to determine what sentence is appropriate? We are questioning the competence of the courts by forcing them to hand down a stiffer sentence, a life sentence, when they had the opportunity to hand down a longer sentence and did not do so.

Because of the courts and the existing legislation, impaired driving causing death has dropped from 22% in 1994-95 to 19% in 1997-98. It is incorrect to claim that we are now facing a sharp increase in this sort of crime.

Supreme court justices Cory and Iacobucci were recently critical of the fact that Canada has become a champion of incarceration, and decried the overeagerness of federal lawmakers to embrace imprisonment as a solution to the problems of delinquency.

● (1720)

In calling for life imprisonment for people convicted of impaired driving causing death, the minister is ignoring the comments made by her own supreme court.

We believe that prevention is the real solution. Imprisonment must be a solution of last resort with respect to crime. In fact, the justice minister has not shown that she has exhausted all means at her disposal to address the problem of impaired driving and protect the people. She has chosen the easy way out: to increase prison sentences. She has adopted least effort approach of the Canadian Alliance, but she could have acted otherwise.

There are efficient tools other that incarceration to reduce the number of offences linked to impaired driving. In fact, in the last two years, in Quebec, we have seen a decrease of such offences because of the prevention campaign saying ''Drinking and Driving is no Accident'' and ''If you drink, don't drive''. I think this campaign was successful, as evidenced by present results.

The ignition interlock system with breathalyser is a system with which Quebec and Alberta are presently experimenting. It is a system that can determine the concentration of alcohol in the blood by analyzing only a sample of the driver's breath and prevent ignition of the vehicle if the alcohol concentration is higher than a predetermined level.

Alberta and Quebec are currently the only provinces that impose ignition interlock systems as a condition for giving a conditional licence to drivers who have had their licence suspended by the province.

Treating an impaired driver who caused death the same way as a hired killer who committed a premeditated aggravated crime, who prepared his crime, would be using a double standard.

Should a friend, a relative who partied too hard and, through his negligence, caused a fatal accident, be treated as harshly as a killer who committed a premeditated and aggravated crime? Past experience says no.

It is impossible to treat this type of driver like a confirmed criminal. Should we treat him like a member of an organized crime group? I do not believe so. Certainly, both individuals have done something very wrong, yet their profiles are quite different.

Should an ordinary citizen who drank too much at a party, but is a good family man who was never involved with the justice system, be imprisoned for life?

How can the minister justify that an offender who killed in cold blood and in full control of his faculties be sentenced to a shorter prison term than a driver whose faculties were impaired by alcohol?

The federal government knows only one thing when it comes to criminal justice: excess. The law and order policy is very profitable, politically, and the Minister of Justice knows this very well.

Whether on the issue of young offenders or on the issue of impaired drivers, the Minister of Justice has shown her inability to manage complex problems without having to resort to dangerously repressive measures.

● (1725)

We are examining what seems today to be the most important issue in criminal law, the tendency of the legislator to misinterpret the public's state of mind and the belief that punitive legislation will satisfy those advocating dissuasion as the cornerstone of the criminal justice system as it applies to adolescents.

This is why the Bloc Quebecois will vote against Bill C-18.

We must not lose our sense of direction. In 1998, there were no more road deaths and injuries, serious or light, in Quebec than there were criminal acts. The statistics bear witness: there were 47,000 criminal acts committed in Quebec in 1998, compared with 39,000 road accidents. On the 39,000 unfortunate accidents on the roads,

the experts do not agree. The figures cited vary between 5% and 50%, making these statistics useless.

In the worst case scenario, road accidents still represent fewer than half the crimes. They say that there are 50% fewer crimes than there are accidents involving alcohol on the roads, and the government is proposing a bill to punish and to take vengeance out on the drunk drivers, ignoring the real criminals.

What can be said for sure, however, is that a road accident, even one caused by alcohol, is not the result of a conscious desire to do harm.

The Bloc Quebecois has often been criticized for systematically causing obstruction in Ottawa, simply to show that the federal system does not function. This criticism will not apply this time around, for its stand on sentences for impaired driving.

Quite the contrary. In this case, its firm position has helped curb the excessive zeal of those who promote zero tolerance. By the same token, it has helped set the whole debate in a more reasonable context where sentences for these offences will not be out of proportion, compared with crimes that are just as serious, but entail shorter sentences.

This is not a new problem for federal authorities. Year after year, they watch as the number of accidents caused by impaired driving reaches an alarming level. In 1997 alone, there have been in Canada no less than 193 fatal accidents caused by impaired driving.

Such statistics should have warned any responsible government that it had to examine how relevant its preventive and repressive measures and not vengeful measures.

That was precisely the mandate of a House of Commons justice committee, which has been reviewing for the last few months all the legislation that could have an impact on this issue, in order to make recommendations to the minister before the introduction of a bill amending current legislation.

But when the government is facing, as is the case right now, an ultraconservative and populist opposition like the Reform Party, which keeps demanding stiffer sentences to impose law and order everywhere, we run the risk of getting extreme solutions that do not always take the whole picture into account. Their main advantage is that they tend to placate a frustrated population whose thirst for vengeance is constantly played on by many demagogues.

● (1730)

When, on top of that, the governing party feels that it must absolutely increase its popularity among a group of citizens who applaud the opposition's uncompromising attitude, we end up with an unacceptable bill such as the one that gave rise to the Bloc Quebecois' unyielding and totally justified opposition.

Of course, it should have been obvious to its drafters that, notwithstanding the comments of those who promote drastic harshness, it would end up with fanatics calling for life imprisonment.

I am now addressing those who drafted Bill C-18. With lucidity and responsibility, they should have recommended to the lawmakers and the Liberal Party that such legislation never be passed.

Surely, a clear message must be sent to all those who are so irresponsible as to drive while impaired.

The Bloc does not object to this. We must continue to raise public awareness. We must continue to seek more humane and logical approaches to raise public consciousness about impaired driving.

I am convinced that, if the government reacted more realistically, more responsibly, Bill C-18 would be withdrawn.

[*English*]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: At the request of the chief government whip, the vote on the motion is deferred until Monday at the conclusion of the time provided for Government Orders.

Ms. Marlene Catterall: Mr. Speaker, I rise on a point of order. I think you will find that as a result of discussions between the parties there is an agreement pursuant to Standing Order 45(7) to defer the recorded division just requested on the motion of the member for Prince George—Bulkley Valley until the end of Government Orders on Tuesday, May 16, 2000.

● (1735)

The Deputy Speaker: Is there unanimous consent to further defer the division until Tuesday?

Some hon. members: Agreed.

SPECIES AT RISK ACT

Hon. Herb Gray (for the Minister of the Environment) moved that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be read the second time and referred to a committee.

Ms. Paddy Torsney (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, it is a real honour for me to rise today to speak in favour of the species at risk act, the first specific piece of federal legislation in Canada to ensure protection for all species of birds, fish, mammals, plants and insects at risk. This bill, an important part of a balanced and comprehensive package, will ensure that species and their habitats get the protection they need.

Our top priority in drafting this legislation was to consider the needs of Canada's species. Home to a rich diversity of plants and animals, Canada has over 70,000 known plant and animal species, many of which are only found in this country. Given the vast size of our land and the unique wildlife within our borders, the government believes that we have a moral responsibility to present and future generations to make sure that our precious diversity is protected.

Globally we are losing species at an alarming rate due to human activity. In Canada today we have at least 352 species classified as being at risk. We must all work to turn this around to ensure that species will not become extinct or endangered in Canada because of our human activities. With this bill we are choosing an approach which is already working on the ground where it means the most and where Canadians are already hard at work.

Bill C-33 has been seven years in the making. In 1992 Canada signed the United Nations Convention on Biological Diversity. In fact Canada was one of the first countries to ratify the convention, as was already mentioned in question period today.

In 1996 governments across Canada supported the accord for the protection of species at risk and agreed to bring in species protection legislation in their own jurisdictions. Many provinces and territories have already fulfilled this obligation and commitment. Now it is time for the federal government to step up to the plate.

Protecting wildlife in Canada is not an academic exercise. This bill will protect species currently endangered and it will prevent other species from becoming endangered. The approach taken in this bill is balanced and practical. It recognizes that we must all work together if we are going to maximize our successes.

Introducing a Canada-wide comprehensive species at risk act was challenging. It required listening to many voices. The Government of Canada engaged in a thorough process of study, consultation and planning. It involved environmental groups, landowners, aboriginal peoples, other levels of government and thousands of individual citizens.

We have examined and benefited from the experiences of other jurisdictions, other provinces and other nations. We have taken what works and avoided what does not. The result for forests today is a strong bill, a bill which balances many important but sometimes conflicting interests.

The species at risk act before us is an effective bill which, when passed, will ensure the job gets done. Bill C-33 will help save species and protect their habitats on all lands in Canada.

To quickly outline what is contained in the bill, the species at risk act provides for independent scientific assessments of wildlife species by the Committee on the Status of Endangered Wildlife in Canada, COSEWIC; an accountable listing process for species based on that scientific assessment; and a comprehensive process for planning and implementing species recovery. The bill also provides for strong prohibitions against the killing or harming of any species at risk and its residence, and the power to protect species' critical habitat on all lands, public and private, in Canada.

• (1740)

Under the act the assessment of wildlife species will be the responsibility of COSEWIC, the Committee on the Status of Endangered Wildlife in Canada. COSEWIC is an independent body of scientists and other experts. It will continue to operate at arm's length from the federal and provincial governments. For the first time, however, COSEWIC is given legal status and will be given the budget to continue its work.

COSEWIC will assess whether a species is threatened or endangered and that COSEWIC assessment and the reasons behind it will be made public. All Canadians will have access to that information. There is nothing politicized about the assessment process. When COSEWIC independently determines that a species is threatened or endangered, that decision is automatically reported.

COSEWIC's scientific assessment will be the basis for the government's list of wildlife species in Canada established under SARA, the species at risk act.

Once a species has been added to the legal list, prohibitions on the killing of individuals of a species designated as threatened or endangered immediately come into force, as does protection for the residences of individuals of the species. A comprehensive process for recovery planning is initiated. The use of land that is part of a species habitat may be affected and a wide variety of other economic, legal and social consequences may come into play.

Decisions taken under the act can have serious economic, social and legal consequences for many Canadians. It is essential that

there be political accountability for these decisions. That is why this act gives cabinet the legal responsibility to establish and amend the legal list of wildlife species at risk in Canada.

[*Translation*]

This bill recognizes that the destruction or the degradation of habitats is the main threat to these species. In the last 200 years, we have completely transformed the environment. Wildlife habitats were not spared, be they wetlands, forests, lakes, rivers or prairies.

Habitat lost threatens more than 75% of the species now classified as being at risk. Obviously, if we want to protect these species, we have to protect their habitat.

This bill on species at risk provides for the necessary authority to prevent the destruction of these habitats. It provides for the necessary authority to prevent the destruction of habitats critical for the survival of species at risk across Canada. This bill allows us to take emergency measures rapidly.

[*English*]

When a species is listed as threatened or endangered, the recovery planning process will identify what needs to be done to recover that species, including the identification of that species' critical habitat needs. As I mentioned earlier, this act provides the Government of Canada the legal authority to ensure that all critical habitat areas are protected whether it be federal, provincial or private land.

Our first line of defence will be to protect habitat by encouraging landowners to undertake voluntary conservation measures often in co-operation with other governments. The Government of Canada will provide incentives to promote habitat conservation because we know this approach works on the ground to effectively protect species.

● (1745)

In the last federal budget this government committed $180 million over five years to implement our strategy to protect species at risk. A sizeable portion of this money will fund habitat stewardship measures.

In many cases the habitat important for species at risk will be in a province or territory, and we respect their authority. We expect these governments to bring in habitat protection measures. This bill will complement existing or improve provincial and territorial legislation, not compete with it.

Make no mistake, where voluntary measures do not work, other governments are unwilling or unable to act, the federal safety net will be invoked. If a province does not have complementary legislation the Government of Canada will act to protect Canada's heritage, to protect our species on provincial and private lands.

Where the federal safety net is used to protect critical habitat on private land there will be provisions to compensate for unexpected losses caused by unforeseen restrictions on the normal use of that land. The compensation provisions, however, will not create perverse incentives to inhibit voluntary habitat protection measures in hopes of receiving future compensation.

It is all a question of balance. To find this balance the Minister of the Environment has asked a distinguished Canadian expert on conservation issues, Dr. Peter Pearse, Professor Emeritus of Resource Economics at the University of British Columbia, to review the issues and to provide him with advice.

Some people would say that this bill is an infringement on property rights. They are misguided. Their criticisms are based on horror stories about the very different experience of the United States endangered species act. The Canadian species at risk act is fundamentally different. While it certainly gives the government the power to protect species on private lands, we have gone a long way toward meeting the concerns of land owners and land users.

Perhaps what is most important about the bill is that it must be used and accepted by the people on the land who make decisions affecting wildlife every day. The bill recognizes that while we need strong measures for those who would break the law, we need a co-operative approach on the front lines. This in fact is what will protect our species.

For this legislation to be effective all affected stakeholders must be engaged. Reality and experience dictate that to get the job done we need land owners, conservation groups and other levels of government working together.

Aboriginal communities in Canada are especially important in the effort to protect species at risk. Many threatened or endangered species are found on aboriginal lands. Aboriginal people will be involved in the species at risk act recovery efforts at every step. The assessment and recovery processes will incorporate the wisdom of aboriginal traditional knowledge as well as local community knowledge. We will work closely with and respect the role of wildlife management boards established under land claims and first nations agreements to ensure the protection of species on traditional native lands.

We know from experience that all governments and stakeholders working together can help species recover. Already we have made progress on the swift fox, the white pelican and the peregrine falcon. We have learned from these successful efforts and now we must focus our efforts on saving species still in danger, such as the beluga whale, the Vancouver Island marmot—the minister's particular favourite—the burrowing owl and the leatherback turtle. To prevent other species from being added to that list, as a government, as citizens and as stewards our goal must be to protect species on the ground.

The new species at risk act is part of a comprehensive approach to accomplish this goal. Combined with the accord signed with the provinces and territories, and extensive stewardship activities already under way, we are confident that species and their habitats will be protected in Canada.

I invite all hon. members and all Canadians to join with the minister in taking this important step toward protecting wildlife species and their habitats in Canada. After seven years of debate it is time to focus our attention on protecting and recovering wildlife.

Bill C-33 is designed to work not merely in the courtrooms and the classrooms, but where it counts, in the fields, forests, wetlands and open waters of Canada. Effective species protection, not costly litigation, must be our primary goal.

• (1750)

We look forward to the committee process where all concerned citizens will see exactly how effective this bill can be.

We have an opportunity to pass strong legislation, legislation that is needed and is long overdue. I sincerely hope that all members of the House will assist in this monumental responsibility.

[*Translation*]

Mrs. Suzanne Tremblay: Mr. Speaker, I rise on a point of order. I think you will find that there is unanimous to say that, it being 6.06 p.m., the time provided for government orders has expired.

[*English*]

The Acting Speaker (Mr. McClelland): The hon. member for Rimouski—Mitis has asked for the unanimous consent of the House to see the clock at 6.06 p.m., which would bring to an end Government Orders for today. Does the House give its unanimous consent?

Some hon. members: Agreed.

The Acting Speaker (Mr. McClelland): It being 6.06 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

ACCESS TO INFORMATION ACT

The House resumed from April 7 consideration of the motion that Bill C-206, an act to amend the Access to Information Act and to make amendments to other acts, be read the second time and referred to a committee.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, it is with pleasure that I rise to speak to Bill C-206, an act to amend the Access to Information Act by defining more precisely what records held by governments are to be disclosed and providing more severe penalties for those who would wilfully circumvent the intent of the legislation.

First, I am very supportive of this legislation, as is our party. It is a step in the right direction. The updating of this act, which was introduced and served its purpose well during less complicated times, is long overdue. Clearly the act needs to be updated and strengthened at this very critical time.

It is notable that the government of the leader of my party, the Right Hon. Joe Clark, first introduced the freedom of information legislation in Canada in 1979. It is in that tradition that we are supportive of improvements to the act at this time to bring it up to date with today's circumstances.

Under the current Access to Information Act the government almost got away with what was perhaps the most egregious abuse of government power recorded in a long time, perhaps even at any time during the country's history, and that was the HRDC scandal. There was an obvious abuse of the public trust and mismanagement of public funds, which ultimately uncovered innumerable counts of unethical or at least dubious uses of taxpayer money to buy electoral support. The improvements brought forward in Bill C-206 would help to guard against this and perhaps bring to light these types of abuses earlier.

One thing we have to consider is the degree to which the government is privatizing many of the government services which previously were the exclusive purview of government departments. Whether this is within the new Revenue Canada agency, the new money laundering agency or any of the new arm's length agencies that are separate from government, we have to ensure that we are being vigilant in ensuring that we continue through the Access to Information Act to have an opportunity to seek information that should be in the public domain.

It is a fear which I have and which others validate that sometimes when we see these new agencies access to information may be compromised. That is something we have to be awfully careful of, particularly given the degree to which the trend in government service provision in Canada is to that sort of agency model. I would urge all members of the House to consider this very carefully to ensure that as this trend evolves we do not see a compromising of the access to information mechanism.

• (1755)

One of the most glaring concerns with the legislation is that it proposes to prohibit access to information to users who make

frivolous and abusive requests. As a member of the fifth party in the House of Commons I would certainly hope that the hon. member, or any member of the governing party, would not see requests coming from my party as being frivolous or abusive.

An hon. member: Suspicious.

Mr. Scott Brison: Suspicious perhaps, but never frivolous or abusive.

Whenever we get into nebulous descriptions there is the potential to use what I refer to as weasel words to benefit perhaps the governing party. I think we have to be clear that, by and large, any request for information through the Access to Information Act should be considered to be more important than would be deemed frivolous or abusive. Clearly a sound opposition on any number of issues has been based on access to information and the ability to receive information that perhaps other parties were not smart enough to ask for. There are some concerns about that.

We also pose as some concern the requirement of payment from individuals who use the ATI service frequently. Again, clearly we do not want to create a system whereby ultimately access to information is more achievable by people with means than people without means. That is something we should consider.

We are supportive of Bill C-206. I commend the hon. member for Wentworth—Burlington for his continued diligence in bringing to the House erudite and well thought out contributions. While I differ with him periodically—in fact often—I generally respect his opinions, even when those opinions are frivolous or abusive. I commend the hon. member for a well thought out piece of legislation which is very constructive at this time.

The Acting Speaker (Mr. McClelland): Resuming debate, the hon. member for Haldimand—Victoria—Brock.

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Mr. Speaker, it is Haliburton—Victoria—Brock. When you start dealing with the member for Wentworth—Burlington you will be talking about Ancaster, Dundas, Flamborough and Aldershot, so you will have to work on that.

There are a lot of things the House has to learn other than finding out where a member actually resides. Do not worry, the name of my riding will change shortly because Victoria has been changed to the City of the Kawartha Lakes. I will probably have to change that also because it does not exist. When I get around to running a survey in my next householder I will ask people what exactly they want the riding to be called.

Bill C-206 was introduced by my colleague from Wentworth—Burlington. As the member for Kings—Hants has noted, we sometimes disagree. Probably the only reason he does not heckle me is because I am on his side of the House.

Allowing private members' business, in general, to be debated in the House is something which I think the public does not quite understand. I think it should be pointed out that any debate or negotiating, or anything that is allowed in private members' business should be looked at very seriously. People should understand that private members do a great deal of research into what they feel is perhaps an injustice or perhaps is not. If something is being left out of legislation that affects the people on the street with whom we deal as backbench members of parliament, sometimes the only way to create debate is to bring a private member's bill forward. I compliment the member for Wentworth—Burlington for doing so.

• (1800)

First reading is an important stage because it introduces the bill to the House. That in itself allows members to read the bill and to discover the very thoughtful discussion that has gone into it, the commentary and the amendments that it would make to the act. After that it receives second reading and goes to committee. Then it comes back to the House for report stage and amendments, if necessary, and concurrence.

Many people do not realize that it takes a long time for that to happen. It takes a great deal of gumption on behalf of a member to follow it through and to try to deal with the various amendments from other members. Then third reading debate and a vote will send it on to the other place, or the Senate as it is known. That is the process.

We should keep in mind that there are, I think by design, 30 private member's bills on the order paper. The number is never less than that. As one is dealt with another is brought forward. I am not sure of the exact number that are actually waiting to get into that stream, but there are quite a few of them.

One of the subcommittees that I sit on is the one formed by the central Ontario caucus. We as group looked at ways to improve the way parliament works. That report is making its way through the system. It has some 24 recommendations. Some are doable. Some are not. Some will die from partisan politics, although we tried to make it extremely non-partisan. It deals entirely with backbench members of parliament.

One of the recommendations was Friday sittings. Some members have said that this is the only place that sits on Fridays in the world wherever there are parliaments, wherever there are democratic systems that work under the British model. If it is not in the government's interest to sit on Friday, I thought we could compromise and move Private Members' Business to Friday and make Friday a day when all Private Members' Business would be dealt with. Then members know exactly when it would be dealt with.

We would not have to change the clock. This is the only place in the world where it is 6.05 p.m. and the Chair can declare that it is 6.10 p.m.

In any event certain things need some work around here and that may be one of them. A Friday sitting for Private Members' Business would highlight it and give it the precedence I believe it deserves in parliament. I would like to see us go ahead with that. We could allow for government bills to be introduced so that we would not lose a day and so on, but there would be no dilatory motions, no surprise votes, and private members would have a day of their own on Fridays.

That is one recommendation for improvement. When I come to the recommendations for improvement on Bill C-206 I notice that changing the act from the Access to Information Act to an act to allow for more open government would make perfect sense to the public and should make perfect sense to all of us. In fact the more open the government is, the more trustworthy it becomes.

We as politicians could actually move up the scale a little, which would be quite a change from some of the ways we are treated. In particular, we are in a more adversarial position with many members of parliament trying to find the party that they are in, some trying to find the party they are not in, and some working away at trying to carve out their niche. It is more confrontational. The agenda seems to move forward, whether it is the Bloc trying to bring its agenda forward by high profiling everything, whether it is the Canadian Alliance Party trying to bring its leadership debate to the front, or whether it is the Conservative Party trying to bring its leader to the front. There seems to be a spirit of less co-operation in this place.

● (1805)

This affects backbench members of parliament, no matter whether they are in the government or in the opposition, more than it affects members who sit on the frontbenches or those who hold positions in official opposition and have functions which give them things such as a parking spot. It would be nice to have some place to park our cars around here but this is not allowed. We would not have to bunk in with other people because we do not get enough money to cover our apartments. I do not know of a company in the world that would send some one to Ottawa and say that he or she has to bunk in with three or four people to afford to be here.

When we deal with an open government act, I believe the right to access to information is the right to democracy. I believe we as democratically elected politicians should allow the government to be more open. I see in the legislation a spirit of compromise. I see a spirit of change. I believe we all feel that this act needs to be changed.

This is the only time, as this is Private Members' Business, that I can speak against the government. If I were moved back any farther I would get into curtain burn. I cannot be moved back any farther so I am allowed to speak my mind on Private Members' Business.

The government does not support the bill for a couple of reasons, but it recognizes that the issues of access reform are controversial and complex. Those diversions of opinion are legitimate so Private Members' Business has been legitimized.

Mr. Speaker, either I have two minutes left or you are a Roman ordering five beer. I always try to inject a little humour into this place because sometimes it is very hard to find. Whenever I see a response that uses the word stakeholders, which I never learned until I came to Ottawa, and the phrase at the end of the day, I know the government is in trouble.

I know the bill has a good chance. I compliment the member for Wentworth—Burlington, soon to be Ancaster—Dundas—Flamboro—Aldershot, for his initiative in bringing it to our attention and highlighting the importance of Private Members' Business. It does move the agenda forward, although not necessarily on this particular day. However it will move the agenda forward and bring it to the forefront, which perhaps will cause the government to improve an act that needs improvement, as the member has so rightly pointed out.

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, I am pleased to rise in debate on Bill C-206 as I have had some involvement in it in terms of how it got on the order of precedence and came up for debate.

Our party would not argue that there is a real need to review and make changes to the Access to Information Act to make it work better for members of parliament. Our recent experience with the human resources department and its non-compliance with the act gives us great concern about how the issue of access to information is being handled and how members can get the information they need in a timely manner.

The bill proposes some changes that might help. In my view, from the time I originally signed the bill until the bill was put on the order of precedence, it has been substantially softened to obtain the support of a sufficient number of backbench Liberals to get their signatures. That was too bad.

● (1810)

The original intent of the bill was to change the Access to Information Act to open up access to information from crown corporations and to information around the issue of Canadian unity. It was a pretty good change and was important to our members. That was reflected by the number of our members who signed and supported the bill. However, for whatever reasons the sponsor of the bill changed it and got into all the trouble about changing it after getting the 100 signatures.

Mr. John Bryden: You know that is not true.

Mr. David Chatters: No, I do not think that. I think it is the absolute truth. Having got into this issue since sitting on a subcommittee of the procedure and House affairs committee, we are the midst of studying the entire process of 100 named sponsors of a bill. It is becoming more clear that the whole system of 100 names to force a bill on to the order of precedence is not working, probably never will and will have to be scrapped. Then we will have to go back to the traditional lottery draw on bills.

This process has been in place for some time now. This is the first bill that has ever been in the House under the process of the 100 signatures. There are nine other bills on the order of precedence with 100 signatures waiting to come on. The truth is that any member who wishes to have a private member's bill debated in the House statistically has a better chance of getting it drawn in the lottery and debated than he or she would by getting the 100 signatures. I am sure that the system will not work.

As many of our members said and as the member who sponsored the bill said, being one of the 100 signatories to the bill means nothing more than that we thought the issue should be debated in the House of Commons. If that is all it means, why would a member not sign any other member's bill to come to the House?

The intent of the 100 signature rule was that if there were extraordinary issues the government refused to deal with which the general public or opposition members felt warranted serious debate, there should be a process by which the bill could be brought to the House. That was the purpose of the 100 signature rule. If it means nothing more than a member signifying a willingness to debate the issue in the House by signing the bill then the process is not achieving the purpose everyone envisioned it might and should be scrapped.

I guess the subcommittee will make its recommendations and some time in the future the Standing Committee on Procedure and House Affairs will make its decision to either change it to make the process meaningful in some way or scrap it and go back to the lottery draw where a certain number of bills are drawn. Then, if we are lucky enough to have our bills drawn, we get to debate them. Probably that is the fairest system and probably why it evolved over the years.

I am surprised it does not appear that the government will support the bill in its present form even after the member softened the bill to get support of the government backbenchers and to get the 100 signatures. The member has been chirping away over there, but he has to remember that we have a $100 bet that this bill will actually be proclaimed into law. In fact, if the government is not supporting the bill, I think my money is a pretty sure thing.

• (1815)

Maybe the 100 or 113 people who supported and signed the bill were simply supporting the concept that there would be an extensive review of the Access to Information Act, with substantive changes made so that we could get information, particularly on crown corporations and other organizations that are arm's length from government, that is not now available through access to information.

I have heard from my constituents about some of their experiences dealing with access to information. Under the Access to Information Act a person can apply for information and remain anonymous even to the people from whom they are acquiring the information.

A small businessman in my riding got a notice from the information office that someone had applied for some very privileged information on his business, information that would have put him in a non-competitive position if it was released. He objected strongly to the release of that information but was told by the office of the information commissioner that it had overruled his objections and had released the information anyway. The office told him that it had no obligation to reveal the name of the person who was asking for that information and that if he objected he had access to the courts to protect himself.

A process where one has to hire a lawyer and go through a court to protect privileged information about one's business seems to be a strange process. This to me does not seem reasonable. People should be able to protect information about their business or at least be apprised of who is looking for that information and why when the office asks if they are willing to let that information go. It is very difficult to understand why anyone would let any information go when the content of the request is not known.

I believe there are some real problems for us as opposition members in getting information in a timely manner and within the rules. Our constituents also have major problems dealing with access to information and want some changes. Unfortunately I do not think the bill goes nearly far enough to solve those problems.

Mr. John Richardson (Perth—Middlesex, Lib.): Mr. Speaker, the Access to Information Act came into force on July 1, 1983. At that time it was a revolutionary piece of legislation and represented a significant leap forward for the right to know.

By enacting the Access to Information Act, Canada joined a group of elite countries whose governments had opened their files to their citizens. Prior to the Access to Information Act, access to government information could be granted or denied according to the whim of the government official who responded.

[*Translation*]

However, after the coming into force of that legislation, Canadian citizens could not be denied access to information without proper justification. Parliament had established the principle that Canadians citizens and landed immigrants were entitled to have access to documents held by the government, subject only to specific and limited exceptions provided for in the act.

● (1820)

These exceptions were established after considerable thought in order to maintain a balance between the right of access to information and privacy, business secrets, national security and the need to maintain a climate of open communication for policy making purposes.

[*English*]

To further emphasize the commitment to openness, most of the exemptions contained in the act were made discretionary. There is no harm or injury to the interest protected by the exemption, then the institution is not prevented from releasing the information.

The Access to Information Act also provides applicants with an appeal process if some or all the information they have requested is denied or if they are unsatisfied with the processing of the request. Complaints may initially be made to an independent officer who reports directly to parliament, the information commissioner and then, if the applicant is still unsatisfied, to the federal court.

[*Translation*]

The Access to Information Act represented a major commitment to openness by the Government of Canada. Since then, most provinces have passed legislation providing access, to varying degrees, to government information.

[*English*]

This right to know embodied in legislation is one means of giving Canadians an insight into what their government is doing. It also enables citizens to access and use the information that their government holds on their behalf.

[*Translation*]

Canadians agree that the machinery of government has become more complex over time, its responsibilities are broader and its decisions have a direct impact on their lives. This is why it is important to be accountable to the population and to constantly ensure that the government systematically releases information on its activities.

[*English*]

It is therefore important to remember that the Access to Information Act was intended to supplement other traditional ways of making government information available to the public. I believe that the Access to Information Act has encouraged institutions to identify many categories of information that can be released without formal requests. Many institutions have, on their own initiative, placed useful information on their websites, in their libraries or in their reading rooms.

Since 1983 the environment in which the Government of Canada operates has changed. Technology has had a tremendous impact on the way government delivers programs and services to Canadian citizens, and on how information is collected, processed, and managed within the government.

[*Translation*]

Following these changes, some argued that the provisions of the Access to Information Act are now outdated and require a major update to take into account the new information technologies. Consequently, many individuals and interest groups propose changes touching on specific aspects of the act and some more general changes.

Parliamentarians are among those who want to change the act. While some members used the Access to Information Act to get government information, others introduced private members' bills to amend it.

[*English*]

For example, section 67.1 was the most recent amendment to the act. This section was added when Bill C-208 was proclaimed on March 25, 1999. This was a significant amendment to the act as it made it a criminal offence for any person to wilfully obstruct the right of access provided by the Access to Information Act.

Bill C-208 received all party support in the House, sending a clear message that all parties strongly support the concept of openness.

Another private member's bill is the bill we are debating today, Bill C-206 which was re-introduced by the hon. member for Wentworth—Burlington. This bill proposes a variety of amendments to the Access to Information Act.

● (1825)

I believe this bill is a good start. The member is to be congratulated for his leadership on this important issue. He has demonstrated his commitment to the concept of openness by proposing 33 amendments to the act which he believes will improve the act and will increase that openness.

Nevertheless, while I commend my colleague in his efforts, I believe that before we vote on these significant amendments to the Access to Information Act, we must seek the views of all stakeholders who will be affected by them: Canadian citizens, the information commissioner, special groups, representatives of the

media, government officials and so on. There are widely differing views as to the impact this bill would have on the Access to Information Act, and the consequences that would emerge from the it. In order to properly assess the contents of the bill we need to hear more, both from those who support the bill, or portions of it, and from those who oppose the bill.

All of these individuals or groups who use or have an interest in the Access to Information Act must have an opportunity to make representations or bring forward their own proposals to amend the act before we take any further steps.

We must open the discussion and invite all stakeholders to participate in the important debate concerning what adjustments are needed and how the objectives of the act can best be accomplished. While I am among those who support the overall thrust of the bill as laudable, there are a number of outstanding concerns on which there needs to be full and wide consultation.

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, I want to make some comments on the private member's bill, Bill C-206. I appreciate the efforts made by the hon. member for Wentworth—Burlington to look at access to information. I guess I am just a little jaded in my feelings on access to information and having any kind of legislation that allows the head of a government department or the Prime Minister to make a decision on whether information will be released.

My experience with access to information with government departments has not been a pleasant one. I find that whenever there is information that might embarrass or undermine the government's agenda, the department makes every effort to ensure that any information that is released is either highly blacked out, whited out or completely removed from the documentation that one receives.

I do not like the idea that someone can consider an access to information request to be frivolous. It may be frivolous to the people in the department or to an individual in a department but it is probably not frivolous to the person who is making the request. I cannot support the idea that a person in any government department can decide on his or her own that something seems to be frivolous, or that somebody seems to be asking for access to information more than somebody in a government department deems necessary, or that he or she personally does not think that the person requesting the information is acting on behalf of a group or organization.

Access to information should be very clear. When a citizen of Canada asks for information it should be provided to them. The gathering of the information is done using taxpayer dollars. The people who are overseeing the spending of taxpayer dollars are paid by taxpayer dollars. If an individual is concerned enough about an issue to ask the government for the information in order to do research, to support a position or for whatever reason, nothing should be blocking the flow of information.

I particularly do not want the head of some government department being able to say ''I think that is frivolous. I think that may be a secret or an issue that we cannot release because of national security''.

I have found, in my research and in my position, that buying a case of toilet paper for a government department can be considered a national security. I do not want the head of any government department able to say that the request is frivolous or that it might be a danger to the welfare of the country if that information is released.

This legislation, although it is a private member's bill and it does reach into some of the corners, it is still basically protecting the government from having to release information that it does not want anybody to know.

● (1830)

All we have to do is look at the human resources department and the boondoggle of the waste of government money. That fact is it is through access requests that we get little tidbits of information which lead to other tidbits of information instead of getting full documents released, instead of getting audits released without access to information. A government can use any legislation that it wants to hide facts and information from embarrassing itself or from coming clean with Canadians.

With all due respect, I do not think think this legislation will make it any easier for people to get information from government departments that do not want that information released. It points out a number of areas that could be cleaned up, but on the whole it does not deal with completely opening up access to information for ordinary citizens.

What it does do is if an ordinary citizen is concerned about issues and digs deeper and deeper and asks for more and more requests, the citizen can be asked to pay more and more money for it. In other words, instead of a simple $5 fee it can be deemed that a request is frivolous, is of a personal nature or whatever and the individual will have to pay not only the cost but an extra 10%.

I do not think it is good enough. Either the government will come clean and release information or it will not. I am not convinced that this legislation will make it any better for Canadians to get access to information that the government would just as soon not share because it is trying to hide its mismanagement of government funds.

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, maybe not today but at some point I would like to have the opportunity to respond to the comments of the hon. member across

the way with respect to the freedom of information act and how the government deals with it. For the time being I will confine myself to Bill C-206, an act to amend the Access to Information Act introduced by the hon. member for Wentworth—Burlington.

I would like to acknowledge at the outset the tremendous amount of work involved in putting together a private member's bill as extensive as Bill C-206. It is evident that a great deal of thought and effort has gone into the preparation of the bill. The hon. member certainly deserves much recognition and appreciation for his hard work.

I would also like to point out that the government values openness and transparency. It recognizes the role of the Access to Information Act in ensuring that these values of openness and transparency animate every aspect of institutional behaviour, subject of course to certain restrictions that are intended to protect private and commercial information as an example.

The hon. member's bill was originally introduced in November 1997 as Bill C-264. It was reintroduced last fall as Bill C-206. It is an extensive bill that proposes a major reform of the Access to Information Act. It has opened a much needed discussion on the subject of access to information.

Since the bill was first introduced in 1997, government departments and agencies have had an opportunity to consider the proposed changes to the act that the bill contemplates. These government departments and agencies have some concerns about the impact the bill would have on third party information provided to the government by both individuals and businesses.

One of the proposals in Bill C-206 would result in the automatic disclosure of a wide variety of information that has been under the control of the government for 30 years. Many departments are concerned that the automatic disclosure of personal information that the government has held for 30 years could lead to an infringement of an individual's right to privacy under the charter.

While the bill does permit some exceptions against disclosure of information such as the safety of an individual, Bill C-206 does not recognize that in some circumstances individuals expect their confidentiality to be maintained. In fact they will have provided the government with their personal information with the expectation that government will keep that information confidential. Generally speaking, personal information should not be disclosed except for the purpose for which it was originally given to the government.

The privacy commissioner also has expressed grave concerns about the impact the bill would have on the privacy of individuals and on the confidentiality of personal information particularly with respect to the income tax returns of Canadians. Income tax returns by their very nature contain a lot of private and personal information that should continue to be protected. No one should want his or her income tax information to be accessible at any time.

• (1835)

Statistics Canada has advised that it is extremely worried about the impact of Bill C-206 on its ability to maintain the confidentiality of information which Statistics Canada collects from individuals and businesses. For example the information collected by the Statistics Canada census on lifestyle and from pension managers is personal. The confidentiality of information provided by businesses is also put at risk as a result of the 30 year rule I mentioned earlier and as a result of the proposed repeal of section 24 which supports confidentiality clauses in other statutes.

Industry Canada has pointed out that the proposed changes to the act could have a chill effect on the information provided to the government by businesses. There would be no guarantee to businesses that their commercially sensitive information and trade secrets would be protected. This would make it difficult to administer regulatory schemes and government programs that rely on information supplied by businesses to the government.

Health Canada has also confirmed that the bill may cause a chill effect on drugs being sold in Canada. Drugs cannot be sold in Canada without a pharmaceutical company filing a new drug submission. The submission includes trade secrets. Businesses may be unwilling to risk their competitive position by filing new drug submissions in Canada if there is a risk that their trade secrets could be released to third parties. This I am sure will be a major cause of concern for Canadians.

The discussion prompted by Bill C-206 has highlighted how very complex and controversial access reform can be. In fact it may be possible to improve government openness and transparency through administrative reform. However, if the better choice is to reform the act in order to enhance openness and transparency in government, then major reform of the Access to Information Act such as that proposed in Bill C-206 should not be undertaken without first conducting broad public consultations that would allow all interested stakeholders to express their views.

This is a view that was expressed by the information commissioner when he appeared before the Standing Committee on Justice and Human Rights last November. The information commissioner stated that proposals for access reform should be informed by a variety of perspectives and that it would be preferable for consultations to be conducted on a broad scale allowing all stakeholders to have a say.

Let me conclude by reminding the House that Bill C-206 would make major changes to the Access to Information Act. Concerns are emerging from many quarters about the implications of the proposed changes. This raises an important question and a note of caution. Will the government be able to continue to protect

personal information provided by individuals to the government for various purposes as well as confidential commercial information and trade secrets provided by businesses? Much consultation must be undertaken to effectively answer many of the outstanding questions and concerns.

Nevertheless I would like to once again congratulate the hon. member for his efforts in this area. I think it is extremely important. He has made a very significant contribution to the debate.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, this is my opportunity to speak on private members' business which is not a choice opportunity. The member for Wentworth—Burlington is a member I have watched and I find him sensible and thoughtful. I think sometimes he is a thorn in the government's side and I always chuckle when I see that.

I would start off by saying that access to information and opening up access to information as far as an opposition politician is concerned is just perfect. I am vigorously pro the process of opening up access to information.

I would like to mention a procedural concern with the bill. The member I hope will take this in the spirit that it is intended. There was a brand new process brought in where we could hasten private members' business and have 100 signatures. Some members of the alliance signed, having gone over the basic premise of the bill, and enthusiastically supported it.

There were some changes that were made to the bill. I believe that if the member had come openly to those who had signed and said, ''These changes have been made. I believe that these improve the bill. Would you reassess it and take a look at it'', there would not have been the procedural harangue and kerfuffle that went with the bill. I think the hon. member would say that honestly.

• (1840)

I do not believe that the member did this with any negative feelings or with any bad motives, but it really would have helped the process. Because I supported the idea of 100 signatures on an important private member's bill, I would hate to see that lost to us because of this procedural concern.

The bill has been reintroduced with 100 signatures so that there still is support of at least 100 members and it is votable. This will be an opportunity to have a debate on an issue which I think is important.

Private members' business in general has been an interesting thing to me as a relatively novice politician. Not very many private members' bills get passed. There are significant hurdles. It has been interesting to watch the changes.

The voting has changed. The cabinet no longer votes first. Voting comes down the rows which gives those who do not have cabinet solidarity at mind a little bit more of an opportunity. I have seen a little bit of a change in attitude toward private members' business because of that.

I am always fascinated to listen to the various members speak to a bill that has some controversy to it. I will watch this process with interest.

Why am I so supportive of access to information opening up? I would like to go over a couple of examples in my own career here to talk about why it needs improvement.

I will go back to the tainted blood issue. I consider that issue one of the dark days. This is not a partisan comment because the government opposite was not the only government involved in it. There was a mixed accountability line or thread for the Red Cross, the Canadian Blood Agency and the federal and provincial governments. During the meetings that went on with tainted blood, and in their minutes, some very important decisions were made.

Judge Krever in his report said that the line of accountability was partly to blame. He was hampered in his investigations because some of the minutes and processes that were undertaken during that period of time were destroyed. They were destroyed on purpose. They were destroyed by individuals whom I felt had a public trust and they have gotten off scot-free. Their names were mentioned but there was no sanction or penalty for destroying public documents that would have and could have in my estimation made the process of compensation for those victims of hepatitis C much easier for the government to have undertaken.

In that regard, in this bill I see penalties for destroying documents. That is quite significantly appropriate.

How has access to information been handled on issues where I think individuals in the government have done things that are inappropriate? Not so long ago I remember some documents surfacing that showed expense accounts were not being used properly by a minister of the government. Although one could look through the whiteout and find enough information to make suppositions, the whiteout was like a blizzard. Skiers who have gotten into a whiteout cannot see where the crowd is or where their feet are. They are disoriented. The whiteout process used on those access to information requests reminded me of skiing in a whiteout, a blizzard in the snow. There is an indication for me that access to information was not working properly.

Finally on HRDC, there was an audit that had been available to government department resources which I feel was not released publicly. Audits are public information, and with an access to information request, suddenly, that audit was made available. I presume that it would have been hard to hide. It contained some information which makes grants and contributions, that process of government activity, unsavoury. We have spent a lot of time in the

House in the last three or four months on that issue. Looking back, we can find similar audits with similar complaints made for a long period of time.

● (1845)

Access to information requests on this same subject are now being held up. Departments are saying that the requests are too voluminous. There is a 30 day point in time when that information is supposed to be provided, but it is not being provided in that time.

Given those three examples, I say that the ATI does need improvement.

What does this bill do for white-out? I do not see anything. I am not sure what I would do about white-out. I will listen to the debate. I think that white-out, somehow, could be improved in this whole process.

One other improvement I would like to see would be an expansion to include crown corporations with regard to access to information. The member says that it is in this legislation. I have not found it in a form that I could say I am completely comfortable with, but I know the member would not mislead me, so I will presume that an expansion to include crown corporations is in the bill.

As a principle, open and accountable government is strongly supported. In practice, does this bill move us far enough down that road? I will listen to the balance of the debate.

I am pleased to compliment the member opposite for doing what I think is an excellent job regarding private members' business. I will be supporting or not supporting this bill, according to some of the concerns and comments I have just made.

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, my colleagues will accept that we will not get a thorough discussion of any element of the bill in three minutes, but I certainly do want to put my views on the record.

I want to recognize the huge effort and investment undertaken by the hon. member for Wentworth—Burlington in drafting this bill and bringing it to the House as an item under Private Members' Business. Some members have noted the procedural difficulties and challenges faced by the hon. member as he brought his bill forward. He has succeeded in overcoming those difficulties and has presented a bill of great importance and complexity for us to consider in Private Members' Business.

It is worthwhile pointing out that this bill was not drafted over months and months by a government department in consultation with other government departments. It was essentially put together by the hon. member himself, in consultation with a number of parties inside the loop. The bill reflects difficulties perceived in the process used for obtaining information from the government.

This government as well as previous governments have accepted the importance of access to information and freedom of information. That template was put in place 10 or 20 years ago and is working reasonably well in achieving the intended purposes, but there are some discontinuities, some obstacles and some ways in which we could make it better.

Reference was made to the penalty sections for destroying documents. I recall the House adopting another private member's bill about two years ago which did put in place penalty sections for destroying documents under this statute. The hon. member's bill recapitulates them and streamlines them.

● (1850)

Someone mentioned that the government may or may not be supporting the bill. I point out for the record that the government refrains, conspicuously refrains, from indicating support or non-support for private members' initiatives and generally leaves matters to members in the House of Commons. That does not mean that government ministers do not, from time to time, indicate preferences and create documents for guidance.

I see, Mr. Speaker, that you are indicating that my three minutes is up. Let me end by congratulating the hon. member for this huge initiative. There will be further debate on the subject.

[*Translation*]

The Acting Speaker (Mr. McClelland): The hour provided for the consideration of Private Members' Business has now expired. The order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

[*English*]

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

GASOLINE PRICES

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Mr. Speaker, I want to return to my question of February 24 to the Minister of Natural Resources on the issue of energy costs.

In February gasoline, diesel and home heating fuel prices skyrocketed to record levels for two reasons: OPEC cut back oil production, and a bitterly cold winter in the northeast U.S. hiked the demand for crude just at the minute it reached over $30 U.S. per barrel.

Canada is a net exporter of oil. That means we produce more oil than we consume and, therefore, we export the difference. These reasons which were given to us back in February, which are now still affecting our price of energy, are very unacceptable. There is no information which can prove that is driving up the prices. I think it is a result of unjustified price increases by oil companies.

Canadians were badly hurt by the resulting record price increase, in particular those on the east coast and truckers who already struggle with very thin cost margins.

I raised this issue many times in the House to almost nothing but blank stares from the Liberal government. It was as if the Liberals were completely unaware that Canadians were hurting, completely oblivious that Canadians were hopping mad. This is another example of how little the Liberal government is in touch with Canadians.

I guess that is what happens when we give cabinet ministers a government car and a government driver. They have no idea what the price of gas is any more.

Meanwhile, south of the border, the U.S. administration was convening energy summits in the northeast with refineries, trucking associations, suppliers, consumer groups and industrial users. President Clinton said that his administration found the problem ''deeply troubling'' and was monitoring it daily. He announced a 17 point plan to help consumers, truckers and business people get through the crisis. He defended his economy and dispatched his energy secretary, Bill Richardson, to meet with OPEC ministers around the world.

By the way, a New York *Times* story some weeks later pointed out that Bill Richardson, the energy secretary I mentioned, earned very high marks for his decisive action on this file and is now a leading contender for the vice-presidential candidacy on the Democratic ticket. This is a lesson on how to listen to people and take their concerns seriously, one the Liberals could learn a lot from.

Back in Canada, the provinces and territories were not having much more luck with the government than we in the opposition were, as it turns out. They tried to convince the federal government that it was only reasonable, if it was going to conduct a credible study on gasoline retailing, to do it with someone other than just the integrated oil companies. They finally agreed to go in on a study with the federal government, but then the feds let the contract out and it wound up going to the same contractor that the big oil companies use, M. J. Ervin, so half of the provinces, plus the independent gas retailers pulled out again.

This was the moment at which I put my question to the Minister of Natural Resources. Would he finally call an energy summit of affected parties to consider urgent assistance measures and consider some long term preventive measures to ensure such price spikes and supply problems do not threaten our economy again?

The minister indicated that he would canvass his provincial colleagues. I would like to know tonight what the result of that canvass was, fully three months after the question.

Moreover, the federal government has subsequently announced a new study of the oil industry. Initially I thought that if it contributed some independent data and had some real teeth, it might be worthwhile in terms of contributing to the debate, but then I learned that the price tag was $750,000. That is outrageous, since the study is going back to the same consulting firm which the big oil companies use, M. J. Ervin, which the provinces and the independent gas retailers raised concerns about previously and rejected.

● (1855)

Most of the cost is not going to research. Most of it, 60%, is going to public relations. I quote from the terms of reference for the study: ''A highly structured/facilitated session of only invited stakeholders to conduct a dialogue on the intransigence of the public's perception on gas prices''. They are going to Calgary, Toronto and Montreal. They should go to Whitehorse, Regina and St. John's, Newfoundland instead and let the doors be open wide.

The entire premise of the study by the Conference Board is that the issue has been studied to death but the public just does not understand the research.

In summary, I think we have a different problem in this country. First, the refineries have a monopoly. Second, the Liberals rely on the integrated oil companies for campaign contributions. Third, the public is paying higher prices at the pump now when crude is at $26 a barrel than it was during the gulf war when crude hit $35 U.S. a barrel. What is the answer?

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, with respect to the hon. member's previous suggestion, the issue of petroleum product pricing is a regular agenda item at the federal-provincial-territorial meetings of energy ministers. Natural Resources Canada officials also maintain an ongoing consultation with their provincial colleagues on issues relating to petroleum product markets.

The increases in crude oil prices are the result of increasing world oil demand, due largely to economic recovery in Asia and

production restraint by the Organization of Petroleum Exporting Countries, also know as OPEC.

OPEC members agreed to increase production at the OPEC ministerial meeting in March. This should ease some of the pressures, although not entirely, due to the demand for fuel and the status of inventories.

The inventory situation is one that should improve somewhat over the year. Reduced inventory levels throughout North America since last summer have kept prices high on spot markets. However, in the early part of 2000 the increased demand for distillates, diesel and furnace oil resulted in price spikes to record levels in certain centres in Canada.

This situation was the result of additional heating demand due to frigid weather and the North American and European refineries purchasing large volumes of low sulphur distillate on the spot market to conform to environmental regulations that became effective January 1, 2000.

The federal and provincial governments have some shared responsibilities in relation to crude oil and petroleum product pricing. Prince Edward Island and Nova Scotia are the only two provinces which currently regulate retail gasoline prices. The provincial governments are responsible for the regulation of retail pricing. The federal government has the authority for competition law and policy and for international and interprovincial trade.

When the federal government regulated crude oil prices during the 1970s and 1980s it was in response to very large and persistent price increases. Under the western accord of 1985 the governments of Canada, Alberta, Saskatchewan and British Columbia agreed that domestic crude oil prices should be deregulated.

The best option before us is to continue to defend primary reliance upon competitive markets to set prices, even as we work with other members of the International Energy Agency to promote oil market stability.

[*Translation*]

IMPORTATION OF PLUTONIUM

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, on February 24, I raised the issue of the importation of plutonium based MOX fuel from United States and Russia.

At the Moscow summit, in 1996, the Prime Minister unilaterally undertook to allow this dangerous product into Canada. The issue having been referred to it, the Standing Committee on Foreign Affairs tabled, in December 1998, a unanimous report that clearly stated:

> The Committee recommends that the Government reject the idea of burning MOX fuel in Canada because this option is totally unfeasible—

Yet, this committee was constituted of a majority of Liberal members, that is, the hon. member for Chatham—Kent Essex, the hon. member for Scarborough Centre, the hon. member for Brampton West—Mississauga, the hon. member for Toronto Centre—Rosedale, the hon. member for Halton, the hon. member for Etobicoke—Lakeshore, the hon. member for Haldimand—Norfolk—Brant and the hon. member for Brampton Centre.

Early last fall, Atomic Energy of Canada Limited held public consultations, but for only 28 days. It is important to note that these consultations were not on the principle of the importation of plutonium but only on the route that the Russian and American shipments would follow.

In the Atomic Energy of Canada Limited report tabled on November 4, 1999, it was decided that the American MOX would be carried by truck and the Russian MOX by ship.

● (1900)

However, on January 10, the federal government changed unilaterally its initial plan and decided to import American MOX by air four days later.

The minister will not have me believe that Transport Canada had the time to assess this new plan in only four days, to make sure that the process was consistent with the regulations of the Atomic Energy Control Board, the regulations concerning the packaging of radioactive materials, the regulations of the International Civil Aviation Organization and the regulations of Atomic Energy of Canada Limited.

I would point out that the transportation of plutonium by air is illegal in the United States. Moreover, in a January 1999 report on the Parallex project, that is the plutonium importation project, the American Department of Energy said the following:

> It is considered to be more dangerous to transport plutonium by air than by land, because accident risks are higher.

It is indecent for the natural resources minister to candidly declare in the House that this danger is non-existent north of the 49th parallel.

The American position is clear on this issue: no plutonium container is safe enough to withstand a plane crash. According to them, the 4H BUF containers used by Transport Canada last January could not withstand an impact at more than 30 miles an hour or a fire of more than 15 minutes.

The fact that the plans for the transportation of MOX fuel were changed unilaterally is a slap in the face of democracy. The minister should recognize that the importation of MOX fuel is a national issue affecting all Canadians and Quebecers.

The government tells us that this is done in support of international nuclear disarmament. However, the government should consider the fact that 50% to 66% of the initial mass of MOX fuel will remain in the form of waste. Therefore, it will no longer be a world problem, but a strictly Canadian problem. I doubt that the Americans and the Russians will agree to take back their waste.

Obviously, the Minister of Natural Resources never took the people's concerns into account in this matter. The 149 resolutions from municipalities and RCMs located along the St. Lawrence River opposing the project to import plutonium should bring the government to give in on this issue, as should the 96% negative comments from the general public.

It is unacceptable for the government not to ask the people if they approve of importing plutonium.

[*English*]

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, with respect to the import of the MOX fuel test sample from the United States to Canada and the helicopter flight in Canada, I want to assure hon. members that the shipment complied with all Canadian legal and regulatory requirements. The shipment complied with the Atomic Energy Control Act, the Transportation of Dangerous Goods Act, the Transportation and Packaging of Radioactive Materials Regulations, the requirements under the International Civil Aviation Organization, and the standards set by International Atomic Energy Agency.

The MOX test sample shipments are safe. The trace amount of radiation is so small that it poses no significant risk to health, safety or the environment. The fuel is in a stable, solid, ceramic form inside a sealed zirconium alloy element and transported in a container. As I stated earlier, it meets Canadian and international standards. It is not soluble and cannot spill, ignite or explode. It is not a powder that can be inhaled. The transport of the fuel samples is subject to all the requirements of Canada's regulatory system, which fully protects public health, safety and the environment.

The MOX fuel test shipment from the United States was safely transported to Chalk River Laboratories on January 14, 2000. The U.S. Department of Energy has clearly stated that this is a one time shipment of a small quantity of used mixed oxide nuclear fuel to Canada.

The mixed oxide fuel, MOX, test project is part of an international non-proliferation initiative to find a safe and secure manner to render surplus Russian and American weapons grade plutonium inaccessible for future use in nuclear weapons.

The plutonium that has been declared surplus by the U.S. and Russia already exists and will continue to present a real proliferation danger until it can be reduced to a form that cannot be readily used for weapons purposes. The use of MOX fuel in a nuclear reactor is one of the methods by which the plutonium can be rendered effectively inaccessible for weapons.

Canada has agreed, in principle, to consider the use of MOX fuel in Canada as part of its contribution to international disarmament initiatives. The Government of Canada believes that Canadians share a common desire to create a safe and secure world for future generations and are prepared to take appropriate action, provided that public health, safety and the environment are not compromised in the process.

In conclusion, I must stress that undertaking this test does not oblige Canada to agree to the large scale use of MOX fuel in Candu power plants in the future. Should any such program be proposed at some point in the future, stringent conditions will apply, including full public participation prior to entering into the program.

The Acting Speaker (Mr. McClelland): It being 7.05 p.m. the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7.05 p.m.)

CONTENTS

Thursday, May 11, 2000

ROUTINE PROCEEDINGS

GOVERNMENT ORDERS

STATEMENTS BY MEMBERS

ORAL QUESTION PERIOD

GOVERNMENT ORDERS

PRIVATE MEMBERS' BUSINESS

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