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OFFICIAL REPORT
(HANSARD)

Thursday, April 15, 1999

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Thursday, April 15, 1999

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1000)

[*English*]

ORDER IN COUNCIL APPOINTMENTS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments made recently by the government.

Pursuant to the provisions of Standing Order 110(1), these appointments are deemed referred to the appropriate standing committees, a list of which is attached.

* * *

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (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 10 petitions.

* * *

COMMITTEES OF THE HOUSE

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Environment and Sustainable Development.

[*English*]

In accordance with the order of reference of Tuesday, April 28, 1998, your committee has considered Bill C-32, an act to prevent

pollution and to protect the environment and human health in order to contribute to sustainable development.

• (1005)

It was agreed on Thursday, March 25, 1999, that this bill be reported with some 159 amendments as a result of 58 meetings.

[*Translation*]

CANADIAN HERITAGE

Mr. Mauril Bélanger (Parliamentary Secretary to Minister of Canadian Heritage, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Canadian Heritage.

[*English*]

Pursuant to its order of reference of Tuesday, December 1, 1998, your committee has considered Bill C-48, an act respecting marine conservation areas, and has agreed to report it with amendments.

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 68th report of the Standing Committee on Procedure and House Affairs regarding the membership of the Standing Committee on National Defence and Veterans Affairs. If the House gives its consent I intend to move concurrence in the 68th report later this day.

* * *

[*Translation*]

PUBLIC SECTOR PENSION INVESTMENT BOARD ACT

Hon. Don Boudria (on behalf of the President of Treasury Board and Minister responsible for Infrastructure) moved for leave to introduce Bill C-78, an act to establish the Public Service Pension Investment Board, to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Royal Canadian Mounted Police Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Members of Parliament Retiring Allowances Act and the Canada Post Corporation Act and to make a consequential amendment to another act.

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

Routine Proceedings

[English]

CRIMINAL CODE

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.) moved for leave to introduce Bill C-79, an act to amend the Criminal Code (victims of crime) and another act in consequence.

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

* * *

CRIMINAL CODE

Mr. Myron Thompson (Wild Rose, Ref.) moved for leave to introduce Bill C-492, an act to amend the Criminal Code (dangerous offender).

He said: Mr. Speaker, the government has put forward a report through the solicitor general's office which states that during a 10 year period of time dangerous violent offenders who were released from prison committed 2,234 new violent crimes which unnecessarily created a pile of victims across the country.

The reason for that is that no one could retain these people because they could not be declared dangerous offenders at the time of their parole date or date of release.

This enactment would provide that an application under section 753 of the Criminal Code, finding that an offender is a dangerous offender, may be made earlier rather than following the date they are released from imprisonment for an offence while on parole or mandatory supervision, or on the date when the sentence expires.

Too many times front line officers and prison officials have said "Do not release this individual. He is dangerous and he will do it again", but the law says we have to. This would prevent that from happening. We could retain people such as Fernand Auger, who murdered Melanie Carpenter. That is one example of the 2,234.

I encourage the government to support this bill.

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

* * *

● (1010)

[Translation]

SHIPBUILDING ACT, 1999

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ) moved for leave to introduce Bill C-493, an act to promote shipbuilding, 1999.

He said: Mr. Speaker, I am pleased to table today in this House a bill to promote shipbuilding in Canada and to make Canada's shipyards more competitive internationally.

This bill contains three measures sought by the Canadian shipbuilding association, which represents the management of Canada's main shipyards, a coalition of the principal unions in shipbuilding and a number of stakeholders in the area.

I seek the support of all members in this House, because the measures sought would not only save 4,000 jobs, they would create new ones in this important industry.

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

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the House gives its consent, I move that the 68th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to)

* * *

PETITIONS

MARRIAGE

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, of all the difficulties we are having at the present time and of all the many petitions, this one is becoming the most referred to petition this year. It is a petition which deals with the terminology and the permanency of the terminology of marriage.

Pursuant to Standing Order 36, this petition verifies that people throughout my constituency claim that it is the duty of parliament to ensure that marriage, as it has always been known and understood in Canada, be preserved and protected.

[Translation]

HOUSING IN NUNAVIK

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, I would like to table a petition from the Inuit communities of Ivujivik and Inukjuak, in Nunavik.

According to the petitioners, neither the federal nor the provincial government has put up any housing in the past three years. At the moment, 16 to 20 people are living in three room houses. The Inuit are extremely upset by the housing conditions in Nunavik.

They consider the situation intolerable. It contributes to the high incidence of tuberculosis, infectious diseases and social problems.

The federal government must honour its housing obligations under the James Bay and Northern Quebec agreement.

At the end of October 1998, there was a shortage of 425 houses in Nunavik.

[English]

YOUNG OFFENDERS ACT

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present a petition on behalf of 240 residents of the town of Sundre, who call on this government to do a number of things regarding the Young Offenders Act.

In Wild Rose terms, to sum it all up, rather than to go through each one, it simply means: get serious, start taking this act seriously, make some significant changes, and stop tinkering with the young offenders issue.

This request is made on behalf of the Clayton McGloan family of Calgary.

MARRIAGE

Mr. Gerry Ritz (Battlefords—Lloydminster, Ref.): Mr. Speaker, it is a pleasure to rise today on behalf of my constituents who have put together two petitions on the sanctity of marriage.

• (1015)

The petitioners are asking that parliament enact private member's Bill C-225, an act to amend the Marriage Act and the Interpretation Act so as to define in statute that a marriage can only be entered into between a single male and a single female.

This government talks the talk but has not walked the walk and these petitioners are asking it to do that.

NUCLEAR WEAPONS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present a petition from citizens of Peterborough who are concerned about the continued existence of 30,000 nuclear weapons.

They point out that Canada, although with the capacity to build nuclear weapons, has rejected that option and in so doing has recognized the military futility of nuclear weapons. They are also concerned about the re-arming of the Governments of India and Pakistan with nuclear weapons.

They call on parliament to support the goal of the abolition of nuclear weapons on earth by Canada advocating the immediate de-alerting of all nuclear devices, and that Canada join the nations of the new agenda coalition, and that Canada advocate within NATO that nuclear weapons have no militarily useful role, and that

Routine Proceedings

additional financial support be allocated to Russia to ensure the safe and secure disarmament of that country's nuclear arsenal.

HUMAN RIGHTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present a petition on behalf of a number of Canadians, including those from my own riding of Mississauga South, on the subject of human rights.

The petitioners would like to draw to the attention of the House that human rights abuses continue to be rampant around the world in a number of countries such as Indonesia and Kosovo. They also acknowledge that Canada continues to be recognized as a champion of human rights internationally.

Therefore, they call on the Government of Canada to continue to speak out against human rights abuses and to seek to bring to justice those responsible for such abuses.

INTERNATIONAL TRADE AGREEMENTS

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, it is an honour to stand, pursuant to Standing Order 36, to present a petition on behalf of a number of residents throughout British Columbia.

While they do not really say, I suspect they are really distressed that the signing of international trade agreements, like the North American Free Trade Agreement, limits the ability of parliaments to pass legislation to protect the environment and the health of Canadians.

The petitioners are distressed and are presumably asking the government to rethink some of the provisions of these trade agreements.

The Deputy Speaker: I know that the hon. member would seek to comply with the rules in every respect and just give a brief summary of the petition rather than a discourse on the implications.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if Questions Nos. 142 and 149 could be made orders for return, these returns would be tabled immediately.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 142—**Mr. Bill Gilmour:**

With respect to the Sydney Tar Ponds in Sydney, Nova Scotia, could the government provide a concise breakdown of: (a) how much money has the federal government spent on the Sydney Tar Ponds since 1982; (b) what projects have been federally funded and for how much; (c) which companies have received federal contracts and

Government Orders

for how much; (d) will the government table all reports and studies conducted on the Sydney Tar Ponds?

Return tabled.

Question No. 149—Mr. Rahim Jaffer:

For each of the following, the Business Development Bank of Canada, Cape Breton Development Corporation and Entrepise Cape Breton, please provide the following for each fiscal year from 1993-94 to 1996-97: (a) number of people on the Board of Directors; (b) how each Director was remunerated; (c) the total remuneration for each Director; (d) number of employees; and (e) average and median salary for all employees?

Return tabled.

[*Translation*]

Mr. Peter Adams: Mr. Speaker, I suggest that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

INCOME TAX AMENDMENTS ACT, 1998

The House resumed from March 18 consideration of the motion that Bill C-72, an act to amend the Income Tax Act, to implement measures that are consequential on changes to the Canada-U.S. Tax Convention (1980) and to amend the Income Tax Conventions Interpretation Act, the Old Age Security Act, the War Veterans Allowance Act and certain other acts related to the Income Tax Act, be read the second time and referred to a committee; and of the amendment.

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, I am very pleased to have this opportunity to talk about this bill and about this subject. If there is one branch of the department Canadians have learned to hate it is this branch.

We have some definite objections about Bill C-72. It does not address that two-income families qualify for child care and so on.

I will go to a specific example I have had in the past few years, particularly one this spring. I am sure every member of parliament deals with the Department of National Revenue in an attempt to help their constituents. I would suggest to that department, as it brings in new legislation, that it follow some examples of the treatment of its clients, the citizens of Canada, with a touch more humanity.

• (1020)

Let me give members a striking example of a case I am working on which I think is a disgrace. I know a young woman who is presently raising two children. She works at a full time job but because she has been deserted by her husband she also works part time on the weekends. I bring this case to the attention of all members because I am talking about the treatment of people. We can do all we like in legislation to write something down, but to practice it is a different thing.

This young lady has not seen her husband for three years. Revenue Canada finally—and I give it credit—caught up with her husband and was able get her the child support that she should have received for three years. It then sent her a cheque for \$11,500. At the same time, she is being assessed by the Department of National Revenue as owing \$5,500 in income tax. Not only is that dehumanizing, but this mother is struggling to raise a 16 year old and a 12 year old and does not have \$5,500.

There is something wrong with a system that employs some 40,000 to 45,000 people, who can be rigid and efficient in tax collection, but surely they could be a little more humanistic when it comes to dealing with people. The people who are calling Revenue Canada and signing these letters are human beings and deserve to be treated as such.

I realize that the Department of National Revenue does deal with money and it is going to have agitations. However, I beg that when we get into this bill that we should play fair with people. I am sure each one of us in our history have had some grips with income tax. I am sure everybody has. I can pick out a dozen examples over the last two years where people have been treated as numbers. Quite frankly, even when the department is aware of the individual's circumstances it ignores them. This is not right for the Government of Canada.

I wrote a letter this morning to this young lady stating that I would do my very best to see that she does not have to borrow money to pay the federal government this additional \$5,500. This support money was to have been spread over three years so this \$5,500 should have been considerably less. This is not the only case I have to deal with. I have 12 other cases on file. I am not just citing one example.

I could stand here until midnight tonight citing examples that sometimes take a year before national revenue realizes it has erred. I have never seen a letter of apology from Revenue Canada but I have from other departments. There is never a thank you. Many of these people, out of sheer determination, go after the Department of National Revenue and pay their own legal costs. These costs, however, should be borne by the government as it was national revenue that fumbled around on these issues.

• (1025)

I have advice for dealing with Bill C-72. If there was ever a department that needed to become familiar with how to deal with people in a professional way it is this one. We can be strict or

severe. We can be almost anything if we do it professionally, but there are too many people out there who do not deal with the constituents of Canada in a professional manner. The department says it cannot do this because it deals with money. Well I say it can.

For this young lady, this mother of two, and no doubt hundreds of others in Canada, let us humanize this department. Let us try to understand and ensure that the department has the staff to do it.

I am very delighted to speak to this bill because nothing churns me and makes me more irate than to have to counsel and try to help a constituent when I cannot get a response from this particular department.

I really hope all of Canada is listening to this. I want them to get after their MP, not just on this side of the House but on that side of the House, to humanize this department.

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, I certainly agree with the point my hon. friend makes. I suspect we have all had similar experiences, too many of them.

He referred regularly to the department and to the officials as not being prepared to bend or to be more humanistic and so on. Would he not agree that the responsibility for this law that he refers to, regarding the payment of moneys destined to assist children, is not a bureaucrat's decision or the department's decision but a political decision taken by the political leaders in government? If people have concerns about the Income Tax Act they ought not take them out on an official. They are just carrying out the law that has been introduced by the Liberal government, by the cabinet and by the Prime Minister.

Could he clarify this? He seems to be antagonistic about somebody, but surely it is not the bureaucrat. It must be the people who actually make the laws not the ones who carry them out.

Mr. Roy Bailey: Mr. Speaker, the member is quite right. The Income Tax Act is part of the government. However, the carrying out of the act belongs to the officials. Sometimes it does not get back to the department. I was referring to the fact that sometimes the officials make their pronouncements and judgments incorrectly.

In response to the hon. member's question, if the government was really concerned about these low income people, to which I referred, it would take a look now at the exemptions and raise them so that the people who are struggling could get by without having to pay nearly as much income tax. That is part of our problem.

I read in the paper this morning and heard on the radio that actual income has dropped. The actual income for the people who I mentioned in my speech has dropped even more because they are at the low end of the scale.

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Yes, my colleague from the NDP, this is the government's legislation, but those who work in that department should become a little more familiar with each case and deal with it accordingly.

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, I would like to hear the member's comments in regard to the responsibility of the government members and cabinet for the Income Tax Act and for the enforcement of it. We had the unfortunate case where Susan Theissen and her husband had their income tax returns taken out without lawful release by Revenue Canada, which made a terrible mess in their personal lives.

● (1030)

Would the member comment on whether or not it is actually elected government members that are responsible for everything that goes on in that department? It is their overall policies that actually filter down to the bureaucrats. Would he comment on whether or not it is the elected officials as opposed to bureaucrats that are the biggest problem in Revenue Canada?

Mr. Roy Bailey: Mr. Speaker, when income tax moves in a matter of this gravity the officials make sure that it is indeed covered by the act some place.

I am glad the member asked that question. When an error has been committed by the bureaucracy, the officials all the way down the line, that error should be compensated in the same way as if I were in business and I did my hon. colleague wrong. I would be the first one to phone him, write him, make amends, and any penalties I caused him should be paid.

That is what should be happening with income tax. They do make errors occasionally. I have never seen one. I understand they have written letters to say they are sorry. I have never seen one. Occasionally the clients, who are citizens of Canada, get something in return. I have not seen that either.

The attitude in Canada in relation to collecting taxes is completely outdated. We need to follow what the IRS did in the United States and humanize the department a bit.

Mr. Gerry Ritz (Battlefords—Lloydminster, Ref.): Mr. Speaker, my hon. colleague spoke about complexity and our convoluted tax code. We started out with a tax code in a little book about a half an inch thick. Now we are up to volumes that stand taller than I do. We never seem to get rid of some of the old stuff that has not worked. We have dehumanized the system. The fairness is missing, as he has alluded to.

Could he give me some comments on the unfairness to tradespeople: mechanics, auto body technicians, tradespeople in other walks of life, electricians, plumbers, carpenters and so on? They are unable to write off the cost of the tools and equipment they bring to their jobs. In a lot of cases it is a \$15,000 to \$20,000

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investment of after tax dollars. It is a prerequisite of their employment that they have to come up with that kind of cash in after tax dollars. It is just an unfair burden on a lot of tradespeople, some of whom are young.

It seems to fly in the face of the youth training program initiative the government loves to talk about. That fairness initiative is not being implemented in the tax system. Would he care to comment on that, please?

Mr. Roy Bailey: Mr. Speaker, if I were to answer that question we would be here all day. My hon. colleague raises a very valid point. The other night in the House we approved a private member's motion of the member from Kamloops related to transit fares and taxation.

The member is quite right. Very few people in Canada today file their own income tax. It has become so complicated that everybody has to have it done. The member mentioned tradespeople. They really take a beating in this regard.

Let me explain. A young fellow is hired for the first time as a journeyman mechanic. In order to go to work the rules of that association says he must have his own tools, not the major tools like presses but his own tools. In order to work he must equip himself with tools; he cannot work without them. They are very expensive and he cannot claim them as a deduction. That is absolutely insane. I could talk about carpenters, electricians and so on. They have expenses that should be claimable. It is wrong. We have slapped the faces of our tradespeople far too long.

Let me explain. If this person were working for a corporation and the corporation supplied the equipment it is a tax deduction, but when the individual buys it in order to work for a firm it is not a tax deduction.

• (1035)

It is time we looked at fairness. It is time we looked at the individual. It is time we had a total overhaul of the tax system. It is becoming more complex. Every time the tax system moves on we isolate more and more Canadians in their attempt to even pay their taxes.

Mr. Tony Valeri (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I want to make sure the hon. member is aware that Bill C-72 provides some substantial tax reduction. In fact it took 400,000 Canadians off the tax rolls and provided \$16.5 billion over three years in tax relief. They voted against it.

He talked about not helping young Canadians. The registered education savings plan went from \$2 billion to over \$4 billion since

the announcement was made. It is helping Canadians save for their children to obtain a future education.

As much as I understand the role of the opposition parties is to criticize, I would hope the hon. member would at least point to one or two measures with which he would agree. I know his constituents have. I would ask him to stand and agree.

Mr. Roy Bailey: Mr. Speaker, I know what the hon. member expects me to say and I will say it. Bracket creep probably looked after everything.

Just very quickly on education, I say to members opposite that I understand. I have a case on file right now of a young fellow who received a scholarship in September 1998. He is asking me, and I am trying to work on it, whether it is right that he has to pay income tax on the full amount of the scholarship in the year in which he got it. That is not right. It might be correct, according to the books, but this young man will use that scholarship over a period of four years and Revenue Canada says that it wants it all claimed this year. That is wrong.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, this is yet another bill to add to the great pile my friend was talking about. I happen to be six foot five inches tall and indeed the documents go over my head. The Income Tax Act and all the reports and documents to interpret it are totally convoluted. Bill C-72 just adds to that convolution.

I believe it was the parliamentary secretary to the finance minister who was trying to say earlier that we should look at what they have done in terms of clarifying things and reducing taxes. Why does he and his department not take a look at how convoluted the Income Tax Act is? The officials who enforce the Income Tax Act have the ability to make virtually any interpretation they want of many sections. It creates all sorts of confusion.

Before I speak specifically about Bill C-72, I offer by way of example something that occurred not once but twice in my own constituency which relates to what I am speaking about. I have previously addressed this situation in the House. I hope the parliamentary secretary will listen with great concern and interest and take notes. We are not getting anywhere in this situation. I know he will be able to help me break through on behalf of my constituents.

A few years ago, as a result of some rather lopsided logic by the NDP government in Victoria, there was a lack of wood fibre or feedstock to the local lumber mills in my constituency. As a consequence, a number of ranchers who were not normally in the business of tree farming or logging on their property were approached by lumber mills and asked if they would be interested in selling logs on a selective harvest to the mills. Many of them did. As a matter of fact, I think the caseload in my office right now is

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approaching 25 or 30 of these ranchers who took advantage of the situation.

• (1040)

All these people, as my colleague who spoke previously mentioned, had to go to tax accountants to get the issue straightened out. What was interesting was that in most cases the accountants had prior experience with this kind of situation. In some instances some of the CGAs and CAs approached Revenue Canada in Penticton and asked what was the best way to account for that income.

None of my constituents, whose cases are in my office right now, had any intention of walking away from their responsibility of paying taxes. They are good, responsible Canadian citizens who recognize that they have that responsibility and are prepared to pay their taxes.

Their accountants advised them that the way it was handled as far as Revenue Canada was concerned was to declare the income as a capital gain. This was to get around the problem that obviously there were some expenses incurred, but because they were not in the business of normally growing the trees to be harvested for lumber production there were not any easily identifiable expenses that could be written off against that income.

If this had just been one public accountancy firm, if this had just been one CGA firm, we would have a situation where someone obviously was mistaken in his or her interpretation. However, it was 100% consistent on the part of all 10 firms that were involved. As I indicated earlier, some of them actually took advice from Revenue Canada about the issue.

What happened? Now I am getting into some interpretation, but we had a situation where in my judgment some officials in Revenue Canada were sitting around one day and realized that a tremendous amount of income had been declared but if they had declared the income as income and not as income from capital gain which gave them a 25% advantage, they would have collected an extra \$1 million in taxes.

All of a sudden these constituents were reassessed. I would counsel my NDP colleague from Kamloops that he will have people in his constituency who will be hit the same way. I would counsel anyone in British Columbia and, once this has spread, anyone involved in this kind of situation. This has been turned back already by one appeal to one level of the tax system. Now the government is taking it forward to a higher court of appeal.

I can think of a situation of some people who are now into their 70s. They have a very large piece of property and a residence on the property. They received this income. They went through the procedure as specified as good Canadian citizens. They paid their taxes as required by Revenue Canada under the interpretation at that time. They then paid off all their encumbrances and disbursed

funds to their families who in turn will have used that income to pay off perhaps their mortgages or some other debts.

In other words, what I am saying is that the money is gone. All of a sudden, with a reassessment out of the clear blue sky this older couple is now faced with a \$72,000 tax bill. It is absolutely bizarre that because the Income Tax Act is so convoluted the officials in Revenue Canada were able to go after this couple, times 25 or 30 more in my constituency.

• (1045)

I said that there were two cases. The second case deals with debate that has happened in the House today. The member for Kamloops asked whether my Reform colleague thought there is the issue here that it is the responsibility that the direction comes from the political side. The answer to that question is partly yes and partly no.

The yes part is that a couple of years ago the finance minister finally woke up to what the Reform Party had been saying all through the 1993 election, that the deficit was killing us and that we had to cut back. The finance minister all of a sudden woke up in 1996 and said that the government would be going after all these so-called tax loopholes. He said there were going to be ways to take the so-called tax loopholes, tax credits and things of that nature away from people in middle and higher income brackets. That was in 1996.

I have received advice that fundamentally the income tax department has three years to go back and reassess. The income tax department knew on the basis of what the finance minister said that it would be rolling this back. Why did it not reassess immediately for the 1996 year? If it was too busy, why did it not get around to it in the 1997 year? If it was still too busy, which I find difficult to believe due to the amount of tax that was outstanding because it was closing this loophole, why did it not get around to it?

The department is now getting around to it. It is filing this at the very last minute, at the end of the approaching third year when the statute would prevent it from going after this money.

The situation is that the finance minister says "We are closing loopholes" and Revenue Canada says "We are going to wait". Why would it wait? Because of the penalties and the interest that will be charged on the money that the department is now reassessing as a result of the direction from the finance minister.

I say to my friend from Kamloops, that is why he is partially correct. Revenue Canada and the Income Tax Act are creations of the incumbent Liberal government. On the other side of the coin, the department itself in many cases can be legitimately accused of being unfair and unbalanced when dealing with law-abiding Canadian citizens.

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Unfortunately, the result is that we end up with decent law-abiding Canadian citizens who want to pay their taxes, who want to comply with the law and end up feeling as though they have been shafted. What do they do with their income tax the next year? They do everything they possibly can and sometimes they slip into very grey areas of trying to avoid tax. They say "I am going to hide whatever I can from those people".

As a responsible member of parliament, I would never, ever countenance or counsel that and I mean that in all seriousness. But I must say as a human being I understand that kind of reaction and emotion when people feel that it is simply unfair and say "I am being treated unfairly so I will treat the tax department unfairly". It is an ever growing and an ever encroaching problem.

Let us deal specifically with Bill C-72. I would like to read something on page 34 of this 155 page document. It is a bit long, but it indicates how the act is so completely twisted, convoluted, mixed up and creates so many pockets which the tax people in Revenue Canada have the ability to work in so many different areas of interpretation.

● (1050)

Clause 18(3) states:

Paragraph 63(2)(b) of the Act is replaced by the following:

(b) the amount determined by the formula

$(A + B) \times C$

where

A is the product obtained when \$175 is multiplied by the number of eligible children of the taxpayer for the year each of whom

(i) is under 7 years of age at the end of the year, or

(ii) is a person in respect of whom an amount may be deducted under section 118.3 in computing a taxpayer's tax payable under this Part for the year,

B is the product obtained when \$100 is multiplied by the number of the taxpayer's eligible children for the year (other than children referred to in the description of A), and

C is the total of

(i) the number of weeks in the year during which the child care expenses were incurred and throughout which the supporting person was

(A) a student in attendance at a designated educational institution or a secondary school and enrolled in a program of the institution or school of not less than 3 consecutive weeks duration that provides that each student in the program spend not less than 10 hours per week on courses or work in the program,

(B) a person certified by a medical doctor to be a person who

(I) was incapable of caring for children because of the person's mental or physical infirmity and confinement throughout a period of not less than 2 weeks in the year to bed, to a wheelchair or as a patient in a hospital, an asylum or other similar institution, or

(II) was in the year, and is likely to be for a long, continuous and indefinite period, incapable of caring for children, because of the person's mental or physical infirmity,

(C) a person confined to a prison or similar institution throughout a period of not less than 2 weeks in the year, or

(D) a person who, because of a breakdown of the person's marriage, was living separate and apart from the taxpayer at the end of the year and for a period of at least 90 days that began in the year, and—

This is just one very infinitesimal part of what we are dealing with. It has to do with what I know the parliamentary secretary is going to wax eloquent about, how the Liberals have been cutting back on increasing allowances and taking, how many was it, 400,000 people off the income tax rolls and all the rest of it.

He and the Minister of Finance, instead of all these layers of convoluted on convoluted, should simply do that which needs to be done. Index the basic exemptions going back to the time when the Progressive Conservative government in its wisdom decided to deindex. Give people proper basic exemptions. They would be able to take more than 400,000 people off the tax rolls and those people would be the people who would be needing it the most.

The kind of gobbledegook contained in this act is the reason people even in low income brackets make the people at H&R Block rich. People have to go to some kind of a tax accountant even to fill in the most basic form and it is because of this.

Why not simply do what is right? Allow people to keep income in their pockets, particularly people at the low end of the scale. It has always been and will always be the position of the Reform Party that money in the hands of the taxpayers is far more productive than it will ever be in the hands of the Minister of Finance or the bureaucracy this government represents.

● (1055)

The Liberals often accuse us of coming up with simple answers. In this case this is precisely what we are coming up with. Leave money in the hands of Canadians. It is they who buy the running shoes for their kids. It is they who make the decisions about what kind of food the children will eat. It is they who make all sorts of purchasing decisions. Leave the money in the hands of the people, particularly the people at the low end of the income scale. Those people of necessity circulate the money back into the economy. Instead, the government continues to grab and grab. It basically rips off money from the pockets of the poor.

This act is simply a layering on of convoluted. This bill makes the onion that much bigger. Even if we were to peel this bill off the income tax onion, we would come into what was passed in the House just last month. And if we peeled that layer off we would be back a little farther. We would have to take a big carving knife to

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this onion to get to a point where ordinary citizens could feel confident that when they pay their taxes it is in a fair, just and equitable way.

It is the plea of the Reform Party and of myself on behalf of my constituents to simplify the Income Tax Act, to make it workable and above all to make it fair.

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, I listened with interest to my hon. friend and neighbour. I agree with about 96% of what he had to say.

He read from the Income Tax Act, which is always a useful thing to do to point out how convoluted the act is and why people have to hire tax accountants and tax lawyers to do the most simple tax form transaction.

I know my friend is concerned about the growth of the underground economy. Many people have decided not to carry on business transactions above the table but to do it below the table. This results in a significant loss of revenue to the national treasury.

Is the reason so many people have decided to go into the underground economy a reflection of people's loss of faith in the fairness of our present tax system?

Mr. Jim Abbott: Mr. Speaker, it is an unusual time when we have Reformers and NDPers agreeing on things. It is like the lion and the lamb running side by side from a fire. I am the lamb.

I could not agree with the member more. The people of Canada clearly have lost confidence in the income tax system from the perspective of fairness.

There is the hated GST, goods and services tax, which the Prime Minister pledged in the 1993 campaign he would overturn. Of course he did not keep that promise. The hated GST is probably one of the greatest reasons for the submersion of much of Canada's economy. The way the federal government chose to administer the GST is convoluted.

Even if we were to have a debate about the efficacy of the GST, that would be one thing. But surely to goodness even Liberal members in the House would have to agree that the simple way the provincial sales taxes are administered versus the convoluted way the GST is administered is one of the main reasons people are going underground.

In comparison to the Prime Minister, it is to the present finance minister's credit that he had the graciousness to admit he had not kept his promise on the GST. Then when he turned around and brought in what was called the harmonized sales tax for three out of the four provinces in Atlantic Canada, it exacerbated the problem.

• (1100)

Our system of taxation is grossly convoluted. I know I am getting a little repetitious with the word convoluted. I will have to go to a thesaurus to find a better word.

An hon. member: Complex.

Mr. Jim Abbott: No, convoluted is bigger than complex. This government is doing absolutely nothing to resolve the issue.

I concur totally with the member from Kamloops that the people of Canada need something better. However, I do not think we will get it from this government.

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, first I want to congratulate the member for winning the Masters golf tournament last weekend.

It seems to me that there will always be scope for improvement in and debate about a tax system. That is the nature of the beast.

I have sympathy for the member with respect to the convoluted nature of our system. However, in the examples which he cited some of the convolutions arise out of a concern to deal with every possible case.

For example, if it has to do with child care, we think of all the possibilities or the unusual circumstances that might exist so that people can get some tax benefit for child care. When we start thinking about all the possibilities in Canada and all the needs, then it gets more and more complicated.

I agree with the member about the sections he quoted. However, at some point when we consider all of these possibilities someone should stand back, simplify it and explain it for what it is because the purpose is to help people get child care.

Inevitably there will be debate and complexities. However, there are all sorts of mechanisms built in whereby taxpayers can become involved in the process, have their case heard and debated. Also there is great opportunity for members of parliament to intercede. We can intercede on behalf of our constituents. I understand that the member has been doing so. We can speak in the House. We can speak in committee. Gradually we can improve it.

My question to the member is a bit more general than that. I know the tax system is designed to collect money. I know we need that money for health programs, for transportation systems or whatever the program. I understand that and the example which he quoted is as good a case as I can think of. However, I also see the tax system as a way of improving social justice and effecting change.

For example, the child care tax credit may make the tax system more complicated, but it is there to help the children of the poorest families in the land. Then we have the registered educational savings program whereby not only can families get tax credits so

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their children can go on to college or university, they can also get grants. The money they put aside is not taxed so it can be eventually used for educational expenses. In addition they can get a grant. That is very complicated and it has to be put into writing.

What are the member's views on the tax system in its role as improving Canada, as distinct from its role of simply collecting money?

Mr. Jim Abbott: Mr. Speaker, that is a very valid question and I appreciate it.

I believe what the Liberal government and Liberals in general want to do is effect change and mould society into their concept, their higher vision, of the way Canada should be and that they become involved in this quite consciously. I am very pleased to respond to that question because we do not see it that way at all.

• (1105)

What the Reform Party wants to do with respect to child tax credits and things of that nature, particularly in the area of child care, is to give true choice to people. As opposed to the social engineering that the Liberals have quite openly become involved in, we see the ability of Canadians to make these choices instead of the government imposing those values through the tax system.

On the issue of child care we would open the opportunity for those parents who choose to have one parent at home to be able to make that choice without being directed, as they are presently being directed by this Liberal government, out of their homes. Because of the tax system and the way in which the Liberals have designed the child tax credit, the choice for many Canadians has been made for them by these people who have this higher purpose which they wish to impose on Canadian society. The Reform Party sees that as being dead wrong.

The Reform Party wants to create a situation with a tax system that will be totally neutral so that couples may choose to have both parents out of the home working or one at home, or whatever combination or permutation they want.

I think of one couple who are good friends of my wife and I. He was very unhappy as a schoolteacher. She had a very responsible position and was earning approximately the same salary. They made the decision that he was going to become a home husband, which was a fine choice on behalf of their family, but they made that choice at the peril of their income because of the convolution of this government. I think that is wrong. The Reform Party stands for freedom of choice.

The Deputy Speaker: It is my duty to inform the House that the time for 20 minute speeches has come to an end. All speeches

remaining on the second reading motion of this bill will be limited to 10 minutes without questions or comments.

Mr. Dale Johnston (Wetaskiwin, Ref.): Mr. Speaker, a bill to implement changes to the Income Tax Act is something we could talk on and on about. One of the first things we should point out to interested parties is that this bill will implement changes to the Income Tax Act for 1998. As we all know, the deadline to file taxes for 1998 is fast drawing to a close, it is 15 days from now, and we had all better have our filing done. This seems to me a rather odd time to be talking about implementing last year's changes to the Income Tax Act. That begs the question: Are we now filing under these implementations or are we not? Are these implementations going to take place in the 1998 tax year or in the 1999 tax year?

Let us look at a little history about income tax. Income tax was brought in as a temporary measure to pay the war debt of the first world war. It was a very cunning operation because it was deemed that only those very wealthy people who earned over \$1,000 a year would be subject to this tax. Because that did not include a lot of people, most folks said "What is the problem? We will never be making the princely sum of \$1,000 a year, so we will not worry about it. We will let those rich people pay it". Of course it was only a matter of a very few years before everyone earned enough money to be blessed with income taxes. It is the sort of thing that creeps up on you and bites you right in the pocketbook where you least would like to be bitten.

The need for a flat tax is greater now than it has ever been.

• (1110)

We have heard people talk in this House today about the underground economy and what a scourge that is on Canada. We are assuming, at least Revenue Canada assumes, that the way to combat this would be to bring in several more inspectors, auditors and policemen to harass Canadians into their patriotic duty of paying more taxes. I do not believe that is going to do the job at all.

There is one thing and one thing alone that will encourage people to deal in the underground economy and that is a monetary incentive. If people feel that tax rates are so high that they have nothing to lose by dealing under the table, as my friend from Kamloops has pointed out, then they are going to do that. They are going to take the risk. It is simply a matter of people judging whether or not the risk is worthwhile. The higher the tax rates, the more easily people can decide that the risk is very worthwhile.

I believe that a flat tax rate would do a lot of things. It would more fairly distribute the tax burden in Canada, and we all know we are in favour of fairness as far as taxation is concerned. A flat tax would lower the tax rate for everybody. I firmly believe that if we were to lower the tax rate, the rate of compliance would increase to

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such a point that the government would suddenly discover it is getting more revenue than it did with the higher tax rate.

If Revenue Canada said it needed fewer people to harass and police to make sure it has compliant taxpayers, that in itself would be a net benefit to the government because it would incur less expense by not having all of these employees on the payroll.

We all recognize that there has to be some general taxation in Canada in order to provide the services that the federal government has undertaken to provide to Canadians. All services have to be paid for. However, I very much object to the method by which the government determines that tax rate.

The tax rate seems to be set by Revenue Canada taking absolutely every penny it can out of the Canadian people and then setting programs to make sure that the money is spent, and then some. By golly, in days gone by the government spent to the tune of \$40 billion more than it took in.

We are now in a position where we are paying \$40 billion, \$45 billion or \$50 billion, depending on the interest rate, in interest payments alone for the party which has been going on over the past many years. It is like paying for the pizza that we ate two weeks ago.

The Reform Party thinks the government's plans and priorities should be set and then the tax rate should be set in such a way that revenue can be brought in to pay for the services that are demanded by the Canadian people. That is the way we run our households. We do not say to ourselves that we are going to bring in every penny we can, spend all of it and run up our Mastercard, so that when the Mastercard is full we can take out a Visa to pay off the Mastercard. We do not spend and spend because we love being in debt and paying interest. I do not think we would find very many Canadians who would go along with that kind of philosophy.

At the moment taxes are the biggest single drain on Canadian individuals and families. Their tax obligation is more than their house payments. It is more than their car payments. It is likely more than their bills for food, shelter and clothing combined. When the tax burden gets to that point we have to realize that people are going to rebel.

People are going to rebel in various ways. They may not form picket lines on the street and demonstrate, but they may rebel in the way they comply with the tax laws.

● (1115)

I am in no way condoning non-compliance with the tax laws. I know that the government certainly has the upper hand and the last word in those instances. It certainly is very onerous for one to be in a delinquent position with the taxman. I would not recommend that to anybody, but the incentive is definitely there.

We cannot help but think about the smuggling problem in central Canada. The taxes on cigarettes were such that it was very profitable for certain individuals to bring cigarettes across from the United States duty free and sell them in Canada at a huge profit. The government's answer to that was to reduce the taxes on cigarettes. I would question the methodology in that case.

If the government is willing to pursue or to investigate in that particular instance, why would it not look at the possibility of lowering the income tax rates for all Canadians? Perhaps we would see, as I have suggested, better compliance and more actual revenue. It does not necessarily follow that increased tax rates result in increased revenues. I truly believe we need a system that will emphasize tax fairness. We need a system that people will be willing to comply with. Fairness is certainly the way to go.

I had intended to talk about the unfairness that is involved with the government's plan to attach itself to the public service pension plan. Unfortunately I am going to have to save that for the debate coming up sometime next week when that bill comes before the House.

Suffice it to say that one of the largest and most recurring problems we as members of parliament deal with in our constituencies is the unfairness in the tax system, either with the GST, with income taxes or various other forms of taxation. We have to act as negotiators or advocates on behalf of our constituents to try to get fairness out of the government.

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, I am pleased to speak today on Bill C-72, an act to amend the Income Tax Act. The parliamentary secretary has asked my hon. colleagues on this side of the House to give praise at times when the government does something good. I can stand here today and say that for things like the registered education savings plan, certainly a little bit of praise has to go to the government.

It has been my experience in life, and I happen to be over the age of 20, that what the government giveth with one hand, it taketh away with the other hand. As a result, the net gain any one of us happens to get out of all these programs ends up being zero, or as we have seen in the past, we are actually worse off.

The budgets in past years have been looked at in that way by Canadians. They look at the taxes they are currently paying, then they look at the program changes in the budget that increase some taxes or decrease others. At times it looks as if the taxpayer is actually winning. That is before it is announced that now there are some user fees.

There are fees that farmers in particular have to pay for government services that are legislated and mandated by government that are for the benefit of all Canadians. Lots of times, as I say, on the one hand the government giveth and on the other hand

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it taketh away. When it taketh away, it seems it taketh more than it giveth.

I will give an example using gross figures. In 1998-99 I think the federal budget, the revenues in any event, took in about \$130 billion. That is a pretty big figure. Now we look one year later, and I have seen estimates that for 1999-2000 the federal government expects to take in in the neighbourhood of \$150-some billion, as high as \$157 billion I have seen.

• (1120)

Canadians are paying much higher taxes. When I use the example of giving and taking away, we can see that the government continues to take away much larger revenues from Canadians which could be better left in their hands as they would spend it and make jobs.

As has been expressed in the House by many members, a government should set out what its priorities are. It should set out what it intends to do, what is absolutely necessary the government should do that private enterprise cannot. Based on that, it should tax to the level which is required to pay for those essential government services.

We have a tax system that takes away from Canadians tremendous amounts of dollars, billions of dollars, to the tune of \$155 billion in the next fiscal year. Then it looks for a place to spend that money. That is what is essentially wrong with this taxation system. We have the cart before the horse in that area.

I would like to speak for just a couple of minutes on what these amendments are doing for low income and poor people. People have low incomes many times due to situations beyond their control.

Farmers and ranchers fall into that low income level. Based on previous historical data, farmers end up paying in quarterly payments under the Income Tax Act. At the end of the year, when they ultimately file their tax returns about 14 months later, they will get that money back.

The government has had the use of that money for the whole fiscal year and the farmer has not had the use of that money. It is the farmer's money in the first place. Finally, he gets to put in a tax return and get some of that money back, probably in many cases all of it back. Certainly people making \$12,000 to \$16,000 get most of their tax money back, but in the meantime that money has been used by the government. That tax rebate gains no interest while the government has it so the taxpayer does not benefit from that.

Contrast that with a situation where the same low income taxpayer happens to cash in a small RRSP or they get a payment. In the Manitoba flood situation there was an initial \$5,000 payment. That all becomes taxable. When the government is owed money by the taxpayer, immediately that is determined to be owed, it is my understanding that 9% per day is put on the outstanding amount.

I have not figured out the actual figures. But certainly the principle of the idea that the government can collect interest from the taxpayer but the taxpayer cannot collect interest from the government flies in the face of equity and reason.

We see another problem. We are looking at amendments that could have gone into the Income Tax Act over the course of time but did not. The amendments that should be going into the act should help the taxpayer and should lower the amount the government takes in from the taxpaying Canadian public. It is always designed so that does not happen.

I will refer to the agriculture income disaster assistance plan. In that plan farmers have to do their accounting on an accrual basis. Many farmers are still operating on a cash basis, which is a form of accounting that is good for farmers who have straightforward incomes.

• (1125)

When the AIDA program was put together, in order to comply with the various complexities of the Income Tax Act, farmers who filed under the cash basis had to convert all their records and accounting systems over to the accrual basis just to try to get in on the agriculture income disaster assistance program. When I say they tried to get into it, it is not that farmers want to get into it, it is that they have had a disaster that requires that they try to find some way to keep their farms or ranches in operation.

There are lots of amendments which could have gone in along with the amendments referred to in Bill C-72. I have already mentioned those other taxes that could be taken right out of the system, such as the user fees for government services that benefit all Canadians.

There is another issue which has been partially dealt with, or there is a capacity for the Income Tax Act to deal with it. The will of the elected members on the government side is what is in question on this particular issue. I am referring to the family trust provisions.

Canadians were outraged a few years ago that a well-known family in Canada, it was reported publicly, had removed approximately \$750,000 out of the country without paying any tax whatsoever. I suspect the figure is actually much higher.

I have not seen anything in the newspapers and I have not been advised in any way that the Income Tax Act has been amended to correct that system. I understand that there was already a provision in the act where the government could go back three years and look at those transactions and assess appropriate penalties and taxes.

On behalf of all Canadians, I would certainly like to see the tax paid on that \$750 million. It was not \$750,000. That is peanuts to a millionaire's family. It was \$750 million, almost \$1 billion.

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I would like to see fairness for the poor in this country as well as the rich. The very rich are still not paying their fair share of taxes when we see these kinds of family trust provisions that only the rich can take advantage of.

I praised the government for the registered education savings plan. Certainly the government deserves credit for that. The problem is that someone making \$12,000 to \$15,000 a year cannot afford to put the basic money into those plans.

I conclude by asking that the Income Tax Act be simplified overall and made fair for all Canadians.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, as we draw to the end of this debate, it is imperative that I speak up on behalf of my constituents who are very concerned about the complexity of the Income Tax Act.

As we listen to the comments that have been made by the Liberals, we as an opposition party feel it is high time that the fundamentals be addressed. The complexity of the Income Tax Act is such that the average person can no longer fill out the forms. When people cannot understand something, they begin to lose confidence in it. That is only common sense.

What has happened with the Income Tax Act is that every year it has become more and more convoluted, more and more complex. When people fail to understand it and cannot do what the government refers to as simple forms, they think it is not fair and they would like to see something done about it. On behalf of my constituents I am pleading with the government to look at an overhaul of the Income Tax Act.

• (1130)

The other evening when we voted I was really torn between voting for tax reduction, that is allowing employers to give their employees bus passes without making it a taxable benefit, which would have been a way to encourage less use of individualized means of transport, or voting for a simpler tax system. That is the choice we had: voting for a tax reduction or voting for a simpler tax system. That is what it has come to and that is why we need an overhaul of it.

We need both. We need tax reduction, and the government knows it. We are losing some of our best young people who are going south of the border or to other countries. If we are to address the fundamentals of our economy, it is high time to look at serious tax reduction.

As I was listening to the questions to us from the members of the government as we were speaking on this matter, it was abundantly obvious that the bureaucracy and the government in Ottawa are not bothered by creating a complex, convoluted tax system. I would like to give a couple of examples with which I have been very familiar in the last several months.

We have had the government develop a farm compensation package for the drop in commodity prices that farmers have experienced because of the subsidies other countries are putting in place for their farmers. The government came out with a program, AIDA, the compensation package. The government said that it would be very simple and bankable. Farmers would be able to fill out the forms in a few moments, send them in, and would know exactly what they would get.

The forms we have pulled off the Internet are 50 pages long. It takes an accountant quite some time to fill it out. Farmers have to go through all kinds of calculations and measurements, and it is not very easy to do. If this is what the bureaucracy and the government regard as a simple form, they had better think twice. It is costing farmers \$200, \$300, \$500 and up to \$1,000 to fill out the forms, and then they may not even get anything.

The same is true of income tax forms. It is very costly for people to have somebody fill them out. It ends up being another tax on them that they cannot avoid because they have to hire somebody to fill out the forms.

Another thing the government has done is to go to a gun registry. I suppose the House is wondering how a gun registry fits in with this topic. It is another example of how complex things have become. One has to jump through all kinds of hoops and hurdles now to own property which one has taken for granted for many years. It does not improve public safety. It does not improve our lives in any way. It is another complex form that people have to fill out.

The government defended this registry system and the licensing system that accompanies it by saying that it is no more complex than the Income Tax Act. Let that sink in. It is bringing in more forms, more complex things to fill out, and is defending them by saying they are no more complex than the Income Tax Act. The Income Tax Act is not simple.

The question I have, and I think it is the key question as I have listened to all the debate, is why has our tax system become so complex. I listened to the defence the government has made for this complex system. The Liberals and Liberal minded politicians, which includes the Conservatives previously and the NDP, want to manipulate behaviour. They want to shape society in such a way that it will conform to their way of thinking. They will put a tax break here and cause this kind of behaviour to take place there by adjusting the tax system.

We saw it very clearly when it came to giving benefits to parents. Parents who choose to stay at home and take care of their children do not get the same tax benefits. It makes the tax system more complex, but it is a way for the government to manipulate behaviour. It gets parents to give up their children, send them to day care or whatever, rather than allow them to have equality, allow one of the parents to stay home and to do so without being penalized by the tax system. It is another example of how complex

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things have become and I think it is because they want to manipulate behaviour.

• (1135)

Look at all the things in the tax system that make it so complex. At some point it can be traced back to somebody who wanted to cause a certain kind of behaviour to take place. I would like somebody on the other side to reply to that because I am sure that is true.

We need to go to a very simple tax system. Some serious study must be done on a flatter tax system. We have to look at the province of Alberta which is doing a study now or thinking of implementing a flat tax. The federal government should do the same. The benefits from that would be enormous. People would again gain control over their lives. They would be able to direct their money.

I know the government put the question forth: "Would you like to have a tax break if you can save for your child's university education and so on". Why have that? Why not just let parents and taxpayers figure out where they want to put their money and how they want to manage it?

We have the same problem in other areas, for example RRSPs. The government is trying to tell us exactly how to save, who to invest with and so on. All these things are ways to manipulate behaviour. We have to do some serious study on how to reduce taxes.

In my constituency farmers are grossly overtaxed. There is a real concern that many farmers are being driven off the land because they are too highly taxed.

I hope the government will get the message that we need some serious tax reductions and that the tax system needs to be overhauled and simplified. That is the message I get from my constituents for the entire month of April, at least, and throughout the year but it is not as intense as it is right now.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. McClelland): All those in favour of the amendment will please say ye.

Some hon. members: Yea.

The Acting Speaker (Mr. McClelland): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. McClelland): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. McClelland): Call in the members.

• (1140)

[*Translation*]

And the bells having rung:

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Mr. Speaker, discussions have taken place between all parties and I believe that you would find consent for the following:

That the recorded division just requested on the amendment of Mr. Ritz to the motion for second reading of C-72 be deferred until Tuesday, April 20, 1999, at the expiry of the time provided for Government Orders.

The Acting Speaker (Mr. McClelland): Is that agreed?

Some hon. members: Agreed.

(Motion agreed to)

* * *

[*English*]

BUDGET IMPLEMENTATION ACT, 1999

The House resumed from April 14 consideration of the motion that Bill C-71, an act to implement certain provisions of the budget tabled in parliament on February 16, 1999, be read the second time and referred to a committee.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, we seem to be dealing with money all day today. First we had Bill C-72, an act to amend the Income Tax Act. My colleague just talked about how convoluted and complex it was and about how an amendment to the Income Tax Act was long overdue, not to add more convoluted taxes but to try to ensure that it is simple and Canadians understand the basis on which they are taxed.

People now have to sign tax returns and take the word of a professional that what is there is appropriate. They really do not understand the basis on which they are being taxed any more because the rules are so complex.

We now have entered the electronic age. A friend in my constituency, a tax professional who prepares corporate taxes on computer, finds that Revenue Canada requires the taxpayer to sign a statement saying that everything is true and correct. Yet the tax return contains line numbers and dollar amounts and there is no indication of what the dollar amounts are actually representing. However a statement is still at the end that certifying it to be true and correct. It is just a bunch of numbers with nothing on the tax

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return of any kind. We have to start thinking about the concept of Revenue Canada that says sign our lives away even though everybody knows taxpayers do not know what they are signing.

It will be interesting to hear what the Minister of National Revenue would have to say about that. He should seriously look at it. I wrote to him last week so I will be waiting with bated breath for his response. Maybe not with bated breath because it will take a little time.

Today we are talking about Bill C-71, an act to implement certain provisions of the budget tabled in parliament on February 16, 1999. It deals with a number of things. One is the trumpeted increase in funds to the Canada health and social transfer. There is no mention here or in government press releases that this is a small replacement of the money that was taken away in a previous parliament by a Liberal government. It states that the minister is authorized to pay \$3.5 billion of those funds into a trust fund from which they will be distributed over a three year period beginning April 1, 1999.

The Minister of Finance has started a new concept whereby he takes all the cash and puts it in a trust fund, a separate bank account. Canadians not only cannot understand their tax return but now they are overtaxed, and the overtaxed money is sitting in bank accounts and is not even being used to provide services to them.

The auditor general has been very critical of the government in the past. He qualified the financial statements two years in a row saying that this could not be done. Here is another instance of the government collecting tax money, putting it in a bank account and leaving it there to be distributed over a period of time. First it was \$800 million for the centre for innovation where the Minister of Finance wrote the cheque and the money was sitting in a bank account. As far as I am aware it still is sitting in a bank account providing no benefit, no research and no development for the taxpayers.

• (1145)

Last year it was \$2.5 billion for the millennium scholarship fund. We put up this money through our taxes and it is now sitting in a bank account. The students are not benefiting from it because it is not going to be distributed until after the millennium.

This type of paying up front by the government has to stop. We have another \$3.5 billion to be paid out over a number of years but the cash is sitting in a bank account.

After we add up \$3.5 billion, \$2.5 billion and \$800 million, we see that almost \$7 billion is going to get spent after the millennium. This sounds great, but it also happens to be just before the federal election. One wonders if there is a connection with spending this prepaid money just before the election. The Minister of Finance has all these goodies and has been trumpeting about how the

government is benefiting Canadians but he is bribing them with their own money.

We can then talk about the \$11.5 billion that he will put into health care. On top of that, there is the other \$8 billion, which is on top of the \$3.5 billion I was just talking about, that will be distributed over a four year period beginning April 1, 2000. It will be a year before we start to spend a penny of that and it will be spent over four years.

This \$11.5 billion, that the minister takes great pride about putting back into health care, will be spent starting next year and continue over the subsequent four years. If we take this five year period at \$2 billion a year, divided by 10 provinces, we have a few peanuts. This \$11.5 billion is not an awful lot. Compared to the \$20 billion that he cut out of health care, this is a drop in the bucket in return. That is only one part of the bill.

Another part of the bill deals with the suspension of binding arbitration for the civil servants. We wonder the civil service got a little bit upset at the collective bargaining process. When we take away the right to binding arbitration is it any wonder why the civil service gets a little upset and we have declining moral?

We have a government that does not want to enter into good faith bargaining. It wants to say "We are the big heavy stick. We are the government. We will impose our solution upon you if you are not prepared to bargain to a deal that we are prepared to offer you". I would suggest this is pretty one-sided.

Why are we going through this farce of union negotiations? The government has made up its mind on how much it is going to offer. We can talk a little bit about it but the civil servants cannot go on strike or to binding arbitration. All we can do is talk about it and make the whole process look good. It is a sham. In the final analysis the government tells them to either take its offer or lump it. How can that lead to good employee moral?

The government is also talking about changes to the pension plan and the way we calculate the benefits. This morning the Minister of Finance tabled a bill in the House which shows that he intends to dip into the excess surplus accrual in the civil service pension plan. This is going to further exacerbate the problems of morale in the union.

Why does the government think it can help itself to all this cash and then stand up and say what a wonderful job it is doing in managing the finances? It is courtesy of the employees. The government is going to help itself to the surplus in their pension plan and the minister will say that he has done a great job in managing the finances.

The other thing is in part 5 where we are granting some bands the opportunity to tax fuel and tobacco. After reading through this it

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seems to me that natives on the reserves are tax exempt. They do not pay taxes on tobacco, fuel and so on.

• (1150)

It seems to me that we have had some debates over the years on municipalities wanting to tax fuel and things like that because of the high expenditure of maintaining roads. They have never been allowed to do such things, but here we have this creeping concept of granting more and more taxing powers to first nations. I am a little concerned about that because the more taxing powers the first nations have, the more they have to be accountable for that money. First nations today call themselves governments and want to be treated as a government, but when it comes to the cash, they want to be looked upon as a private corporation and we are to keep our noses out of their finances.

I am aware of at least one band that is paying a member \$1,000 a month on a stand-by contract to remove snow. This is fine in the wintertime but I understand this contract goes for 12 months a year. We cannot get this information out on the table. We do not have them being open and transparent with their money, which they have to be.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am glad to have an opportunity to speak to the budget. This is the first chance that I have had to share my point of view on what most Canadians viewed as a huge disappointment.

We all thought that the bad news was over. Stoically, Canadians suffered through years and years of cutbacks. They were being told they could not afford anything even though we are one of the richest and most powerful nations in the world. They were being told they could not afford the basic needs for a family to survive. We were all sold that bill of goods. We were told this over and over again until working Canadians believed it. They really believed and accepted that there was not enough money to go around.

For seven, eight and nine years they suffered through this era of cutbacks, restraint and whatever buzzword the government was using at the time. This year was surplus time. They really thought there was a surplus. They thought they could finally get back to where they were in the pre-cutback era. Even if they were not moving forward, they thought they could at least get back to where they were.

No, there was none of that. They are being told again that we cannot afford the basic needs for a family to survive, such as a national daycare program. How long have we been waiting for a national daycare program? How long has it been recognized as a necessity? To get more people into the workforce we are going to have to provide for those basic needs.

While driving to work in the wintertime in my riding of Winnipeg Centre, two or three times I drove by the same woman

standing at a bus stop at 6.30 a.m. on a cold winter morning. The temperature was probably 25-below, as it often is on a winter morning in Winnipeg. This woman was on her way to daycare, I presume, because she had with her a toddler of about 18 months old who was wrapped up in a parka, scarf and mitts. The child could hardly stand because of all the layers of clothing.

I thought to myself that this woman, to her credit, probably has to get up every morning at five to get this child wrapped up because she is standing at a bus stop at 6.30 with her child to go to work. This woman probably has to take the bus all the way across town, drop the child off at daycare and then take the bus back to get to her job. God knows what kind of work she was doing. She looked to be about 22 years old. This really drove home to me what an urgent need there is in this country for adequate, decent, quality child care that is affordable and accessible. No, there is no mention of that.

The basic needs and expectations of families was that maybe this year the bad news was over. Finally, we are in a surplus budget and we will start spending on some priorities that people really care about. No, that simply was not to be.

Everybody knows that the child tax credit does not go to families on welfare, the people who need it most. Our illustrious premiers are clawing it back dollar for dollar.

• (1155)

Yes, the feds are making a gesture in the right direction. However, the program is so flawed that it is not going to wind up in the hands of the people who need it most, the people on social assistance. It is being clawed back. We lose dollar for dollar, at least in our province. It is small consolation.

There are people, like that woman standing at the bus stop, who go from the day's drudgery to the evening's desperation. That is the whole scope of their life. They will take very little solace or comfort in the budget that we saw today.

When I say that the government is finally in a surplus position and could start spending on some priorities, one has to ask how it got there. One way it got there is from the \$25 billion it looted out of the EI fund surplus, the overpayment. I will put this into context so people will understand. The surplus in the EI fund is \$600 million, a month not a year, above and beyond what it pays out. It is staggering. This again is on the backs of those who can least afford it, the most vulnerable.

Unemployed Canadians are being denied benefits while this huge surplus is burgeoning. This is how the fund has arrived at a surplus. It is not going back. There is no trickle down. The only trickle down in this country for working people, if it is not water that is getting trickled on them, it is something else that is getting trickled on them. It is no beach party to be a working Canadian these days.

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How else did the government get this money? How else did it put itself into a surplus? It stole \$25 billion from the EI fund. Today the minister had the gall and the audacity to announce that he is going to steal \$30 billion from the surplus of the public service pension plan. The man has more gall than Ceasar. It is absolutely atrocious. The same piece of legislation, Bill C-78, also jacks up the premium.

If the plan and the actuarial research was such that the premiums needed to go up to meet the government's obligations, why would it not take it out of the \$30 billion surplus that is already in the plan? Why would it raise premiums and still pull out the surplus? Should it not use the surplus to increase the benefits to these people?

Everybody thinks the public service pension plan is such a rich gravy train. In actual fact most of the beneficiaries in the plan are women given the nature of the public sector. The average woman with 20 years service collecting a pension makes \$9,600 income from her public service pension plan.

If the government divvied that \$30 billion up and gave it to the people who properly own it, it would amount to \$30,000 per beneficiary. If we spread that out over our retirement years it may be \$4,000 or \$5,000 a year more. That would improve the quality of life for our retirees and our senior citizens.

I caution the minister responsible for the Treasury Board that he is going to unleash a sleeping giant. He is going to have a grey hair revolution, a blue rinse revolt. We do not take the senior citizens of this country lightly. We go there at our peril. Ask Brian Mulroney what happened to him when he tried to de-index the pension plan. They drove him to his knees and he had to withdraw.

The same thing is going to happen here. The momentum is already building up. The people are already talking about today's announcement of Bill C-78. My phone has been ringing off the hook. They are asking me if the government can do this, if it can take the surplus from their pension plan. Raising the premiums and pulling \$30 billion out is reprehensible. It is going to lose. It is going to pay—

Mr. Tony Valeri: Mr. Speaker, I rise on a point of order.

I do believe we are talking about Bill C-71. I am sure the hon. member will have ample opportunity to talk about other pieces of legislation when they come to the House. I would ask him to go back to Bill C-71, or am I to assume he is in favour of Bill C-71 since he has not said a word about it?

The Acting Speaker (Mr. McClelland): As the parliamentary secretary and all members know, the debate on this particular bill has been wide ranging, but I am sure the point raised by the

parliamentary secretary has entered the consciousness of all members present.

• (1200)

Mr. Pat Martin: Mr. Speaker, it may seem that I was off topic, but if the member was actually here and listening to my speech he would know that what I was talking about was how we got into a surplus situation in this country and what the source of revenue was to put us into that surplus, revenue that we should be spending on the basic needs for families to improve their quality of life. That is how we arrived at that. The member would know that if he was actually in the House to listen.

I will talk about Bill C-71. I will talk about the budget for a minute because everybody knows what a charade it is to bribe people with their own money just before an election. It is leading up to an election year.

First the government takes about \$8 billion or \$9 billion out of the Canada health and social transfer, and then it puts \$1.5 billion back and it expects thanks from everybody. We talked about trickle down economics. We are getting trickled on again on that issue. We are getting hosed in that respect. It is not a trickle, it is a flood.

Nobody bought that. That is why Canadians are disappointed. There was an opportunity to correct some of the historic imbalances in our social fabric.

We could use the tax system for the redistribution of wealth. It is one of the most effective tools. In fact I think the parliamentary secretary pointed out in his speech that one of the most effective tools we have to deal with the growing gap between the rich and the poor is a fair taxation system. However, there has been no effort to do that. Instead, the only real reference to taxes has been to give millionaires an \$8,000 tax break.

In this budget millionaires now get an \$8,000 tax break. The woman standing at the bus stop on the way to her minimum wage job, who does not have adequate day care, is going to take great consolation in that because if we have more millionaires we know that it will trickle down sooner or later. We in the lower classes will get our share. It is a good thing that more people are getting fabulously rich.

The growing gap between the rich and the poor should be the number one concern of this government because the shrinking middle class is a serious problem. Our biggest strength in North America is a burgeoning middle class, a consuming middle class, a middle class that has money and coins in their jeans to buy things. That is disappearing. We are going to have the very rich and we are going to have the very poor, from the day's drudgery to the evening's despair. It is a despair budget.

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Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am delighted to rise in the House to represent the electors of Elk Island on this important matter of budget, taxes, debt and spending; all of the things this government just cannot seem to get right.

I was intrigued with the member who just spoke. His remarks certainly underline the fact that the last person considered is the poor, long-suffering, bedraggled taxpayer who is every year dragged to pay his taxes, which are forced from him whether he likes it or not. The total level of taxation in this country is so high that it is really very discouraging.

We have heard a number of different presentations. On the weekend I was at a trade fair at Sherwood Park. I was there all day, from 10 a.m. to 9 p.m. on Saturday, and from 3 p.m. until 9 p.m. on Friday. There was an endless stream of people who walked by in probably one of Alberta's, and maybe even Canada's, best trade fairs, which is right in my riding. The people who came by stopped to talk to their member of parliament. The overriding issue that I heard was "When will we ever get rid of this high level of taxation?" People are depressed by it. If the people are depressed, there is no doubt the economy is depressed as well.

The second issue that I hear is that there is waste and mismanagement in the system while our health care system is suffering. I am going to get right to Bill C-71. I know the parliamentary secretary, with all of the other 153 Liberals present in the House, is terribly concerned that the health care system should be fixed.

We will soon vote on Bill C-72, which will implement certain measures of the budget from last year, actually making law the things that citizens are already required to do by the department in filing their taxes this year. That is a digression. I will return to Bill C-71, which is the bill to implement this year's budget.

• (1205)

One of the things that this budget and this bill does is to authorize the payment of some \$3.5 billion for last year's budget. There is not a business in this country that could get away with that in terms of trying to get rid of taxes. Canadian taxpayers, individuals, small business people and large businesses should all have the ability to average out over the years. That system has really been eroded. We do not see the Liberal government addressing that question, the question of averaging over the last number of years. However, the government does it, even though the auditor general says it is not permitted. The government has loaded \$3.5 billion from this year on to last year's budget so that it does not have to account for the surplus, so it does not have to give Canadian taxpayers the tax cut which they so rightly deserve.

Eventually that money will find its way into the health care system. I suppose if I wanted to search deeply for something to commend this government for I would commend it for this health

care budget. Members may be surprised at that. How could I, as a Reformer, commend the government for this?

It is like the day I was being robbed. The guy was beating me with a stick. He went through my wallet and then he beat me up like crazy. In the end I thanked him. He asked why I thanked him and I told him I was grateful because he did not take the \$20 that he did not find in my back pocket. That is what the government is doing. It has taken some \$21 billion out of the health and social transfer and it is putting a little back, so we are thanking the government for putting a little back. Of course everybody knows it is not anywhere near what it has taken out.

Mr. Speaker, I warn you to pay close attention because you may want to call me on being unparliamentary. I know that I cannot use terms like deliberately deceive. I cannot call members liars. I cannot use any of those words.

The Acting Speaker (Mr. McClelland): The hon. member for Elk Island is absolutely correct. The member for Elk Island will not bring in through the back door that which he knows he cannot bring in through the front door.

Mr. Ken Epp: My apologies, Mr. Speaker. I should not have said those things.

I would like to draw a picture for the House. I was watching not long ago a debate in the United States Congress. One of the nice things is that when members of congress give their speeches they can actually use charts, and they often do. Their speakers go to the front of the chamber, they speak from the podium and beside them they have these big graphs if they are talking about budgets. I wish we could do that here. Having taught mathematics and computing for 31 years, I love the ability to use visuals, because it helps people to understand. However, we cannot use props of any kind here. We cannot display the Canadian flag. We cannot use any props at all. All we can do is gesture with our hands and hopefully communicate in that way.

I will build a graph for hon. members, gesturing with my hands, to show what the Liberal government is communicating to the people versus what the truth is. This is how it is doing it.

When government members brought in this health care budget they said that they should put about \$2 billion a year back into the budget. That seemed like a good number. Then somebody in the back room said that in the last five years they had taken out \$20 billion and if they put \$2 billion back the Canadian people would complain. They would say it is not good enough. Government members had to do better.

One of the gurus in the back row at their meeting said he could solve that by multiplying it by five. However, they did not have that much money to put into the health care budget. According to the guru that did not matter. They would just do it over five years. That

way they could multiply it by five and it would be \$10 billion instead of \$2 billion.

• (1210)

This budget is an annual budget. Every year the Minister of Finance is required by law to stand in this place to declare for Canadians the government's plan of fiscal arrangements for the following year. To enter five years into it is very, very dishonest. It really is. It does not communicate.

I want members to visualize a graph. On the bottom of the graph we have 1999, 2000, 2001, 2002 and 2003, for a total of five years.

In 1999 the government is increasing the payments it is making for the health and social transfer. It is putting in \$2 billion. The graph is increased by \$2 billion from what it would have been if there were no changes.

It has a plan for the next year, which it has no business even talking about it. It has nothing to do with this year's budget. It is a projection for years two, three, four and five to follow. In the next year there is no change at all, but it is still \$2 billion above what it would have been if it had not changed it. Then it is being increased by half a billion. In the next year there is no change and in the next year there is no change.

By putting \$2 billion a year into the budget for two years and then increasing that by half a billion in the following year, which is the plan, it adds up all of those payments for five years and says they come to \$10.5 billion.

What did the press release say? It said that this is a health care budget, that it will put \$10.5 billion into health care. That is garbage. I cannot use that word. It is not accurate. Can I say that? It is not accurate. It is garbage. It is a miscommunication. It tells Canadians "We are doing this" when in fact they are doing that. It is a deceptive way of communicating with the Canadian people.

Part of Bill C-71 concerns the implementation of the money. The government wants everybody to believe that it is doing so great and that it is so wonderful. It just ain't so.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, there are a number of issues that need to be addressed. No matter who sits in parliament and who sits on the government side, at this time in the history of the country it is very important that the right things be done. It is time that the government stop to take a look at itself and at Canada as a whole to see exactly how its policies have affected certain regions of Canada.

I am talking about my part of Canada, about the maritime provinces and Newfoundland. It is time that it sat down to take a look.

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There are over 100 members from Ontario, some of whom have no interest whatsoever in what is happening in other regions of Canada. Decisions are being made that have real negative impacts on other regions.

I think back to the red book. I will never forget the red book when the Liberals were running. They were saying how they were going to abolish the GST. We all know that the GST is still there.

They were going to abolish the GST. They came into the maritime provinces and what did they do with the GST? It was turned into the HST and now there are moms and dads who have to pay more taxes on more items than ever before. A lot of those parents are living in poverty. They cannot afford to pay taxes on the diapers for their little ones. They did not have to before when we had the GST, but they have to now. For all the needs of those little children they are finding it extremely hard, they truly are.

When I attended the public accounts meeting the auditor general said that the government was not doing proper accounting. He did not just say it once. He told it year after year that it had to change what it was doing.

The government is telling us how wonderful everything is. The hon. member who just spoke referred to health care. He is absolutely correct. Having had a loved one who was just in the hospital and knowing how the nurses with so many cutbacks are working so hard, I ask myself what we are doing. The government talks about putting the money back into health care. In the next five years we will not have as much money put back into health care as the Liberals took out of health care since they came to power.

• (1215)

Then I look at the shipbuilding industry. The government and all of us want people to pay taxes. People want their dignity and they want to pay taxes. The only way they can do that is when they are working.

Just the week before last week in the city of Saint John a group of business people came from Louisiana, U.S.A. They were looking for people who could do shipbuilding. They said that Saint John, New Brunswick had the most qualified people in shipbuilding anywhere in the world. They offered 200 jobs and the men are going to have to go.

Why are they going to have to go to the United States? Because this government absolutely refuses to bring in a national shipbuilding policy for us to compete around the world on contracts. We could put 12,000 people to work in shipbuilding from British Columbia to Newfoundland. There would be spin-off effects for the economy in all regions of Canada. Companies would have to produce the parts. It would put other manufacturers back to work as well.

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We are talking of over 200,000 people. They would all pay taxes. It would make it easier for the government to have a better budget. It would make it easier for all of us to have a better living.

I do not know if any of my colleagues on the government side have had little children come into their constituency office, as I have. A little girl came to me two weeks ago with tears in her eyes to tell me that she had to leave. I said, "Where are you going, darling?" She said, "We have to move to the United States because there is no work for us here. I have to leave my nanny and my grampy and all my cousins. But that is the only place daddy can get work".

I do not know what has happened to us in Canada. I really do not. I look at my colleagues and the government ministers and I find they are not compassionate any more. We have an opportunity to bring dignity back to the lives of Canadians but we can only do that when the government is going to listen.

In the House this week people from my party and other parties were talking about Newfoundland and the fishery. I do not know, Mr. Speaker, if you have been to Newfoundland but it is a beautiful place and the people are wonderful. To tell all of them they have to go to the United States is hard to take.

It is time for the Liberals to sit down. It is time for them to look at my community which has lost over 10,000 people since the Liberals came to power. It is because of their programs. It is because of their budgets. It is because of what they have adopted as their policies. It has just about killed the Atlantic region, Newfoundland and Quebec as well. I am really upset.

Quebec is a shipbuilding province. Quebec also wants to put its people back to work. Just this past week we had the world curling championships in Saint John. I had people from all across the country, people from Saskatchewan, people from B.C. coming to talk to me. They said, "Please, get someone on the government side to listen". This is a most serious situation.

I listen to what the government members tell me. They say that the only jobs they have created are through free trade and NAFTA. Where did free trade and NAFTA come from? It certainly was not from the Liberals. No, sir. It came right from the PC party. I have to tell those who are working that it came from those policies, not the Liberals' policies.

• (1220)

When it comes to shipbuilding I am begging the Prime Minister to intercede. I am begging him to take a stand. I am begging him to tell his Minister of Industry that it is time for him to listen.

Something happened today in our local *Telegraph Journal* that has never happened before. The premier of the province who is a Liberal, Camille Thériault, was condemning the minister for not meeting with the union boys who came up here. The minister

wanted to meet with them. The mayor wanted to meet with them. He will not even talk to them. He will not even meet with them.

I do not want to be negative. I want to be positive. I am happy to say when the government does something right.

We will continue to fight for our people. We will continue to fight for them until we get a policy that puts them back to work and they have their dignity and they can feed, clothe and educate their children, but they cannot do it with the budgets and policies brought in by this government.

Mr. Gerry Ritz (Battlefords—Lloydminster, Ref.): Mr. Speaker, it is certainly budget day here on the Hill.

Less than an hour ago we were discussing last year's budget and the dollars that have been pre-booked into this year. It is kind of like closing the chicken coop after the fox has already been there. We have less than two weeks in this fiscal year as far as Revenue Canada is concerned to implement the additions and complications that were added to Revenue Canada from last year's budget. People are already filling out their tax forms under those rules and regulations and we have not even passed them in this House yet. It kind of makes us wonder why we are here.

As to this year's budget, it is Bill C-71, an act to implement certain provisions of the budget tabled on February 16, 1999. However, thanks to the way this finance minister has taken to spinning these books, we actually end up talking about money spent last year, this year and into the future, and other money Canadians will not see for two, three or five years.

It is too bad that while the Liberals are bragging about how well they listen to Canadians in their across Canada tours, the public does not seem terribly interested in keeping tabs on where their tax dollars go. They know they go to Ottawa and then they just disappear.

This system of prebudget and post-legislating has become so convoluted and complex that average Canadians do not have a hope of unravelling it before the next election. Unfortunately it may take a slowdown in the global economy to accomplish this unravelling and really bring out the problems, but by then we will all be struggling to survive the past six years of so-called Liberal prudence.

I will refer to some specifics of this myth of prudence. We all know that in theory the finance minister is only projecting two years into the future with each budget. The problem is that some of his spending is still tripping out of the treasury five years from now, the so-called health care budget.

We have seen the millennium scholarship fund from last year get deducted from the 1998 budget as a \$2.5 billion forwarded expense. No one else in Canada can have that option. We are not allowed to forward budget like that. It may have helped to alleviate some of the problems on Canadian farms if they were allowed to do

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that. It is not \$2.5 billion in reality. It is a series of charges handed out from the year 2000 and on that will only go to a handful of Canadians, in the face of opposition from Quebec and other provinces and most of the student groups we listened to.

It is not wanted out there and it is not needed since there are hundreds of scholarships and bursaries already out there from the private sector and other places. Why not top these up at a charge of \$350 million per year only in the year the expense occurs? Why do we have to forward it into more and more years and book that \$2.5 billion out of the so-called surplus? I guess no one else can get their fingers on it that way.

It is not prudent to give away taxpayers' money against their wishes in a way that brings disrepute on the nation's finances. So much for listening to Canadians. Do not for once think that financial experts from around the world are not looking over the shoulder of this government. We see that in our stock market rises and falls.

There have been compliments for Canada's sacrifices to get back on a balanced budget. That strong economy and those sacrifices belong to the Canadian taxpayer, not to this Liberal government. It may take the credit but it did not do the job. The minister has rightfully thanked the taxpayer for doing some of that but not all.

There is obviously a deep-seated nervousness about where the Liberals will go with this large gift of money that has been handed to them. The dollar reflects this. It is positively anemic. International organizations continue to warn us that our productivity, that great buzzword we are hearing kicked about, and our technological expertise are slipping badly.

• (1225)

Canadians who require years of training at public expense head for greener pastures because the government is too busy having a wild spending spree and thinking ahead as to what it can spend that found money on. The government is too busy to notice that the money it is throwing out the window has to be generated by its taxpaying citizens and businesses in the first place. So much for listening to Canadians.

I would like to remind the House what Dr. Prudence prescribed for this country in 1997. The projection for 1998-99 was for revenues of \$144 billion. The next year it was revised upward to \$151 billion, found cash. Now we are led to believe that in fact it may exceed \$156 billion; just missed the target by \$12 billion, luckily to the plus side.

Those extra dollars were generated by Canadians. Where do they end up? Back in the hands of the original owners? No, not a chance. The Liberal government finds ways to spend it faster and faster. When the government discovered that its so-called prudent projections were out of whack, it does not announce a more prudent retirement of the debt and it does not announce a more prudent reduction in how much of taxpayers' money it will skim off.

Instead the government announces it will prudently spend everything it has and more.

In an article in the February 24 *Financial Post* William Watson directs our attention to table 3.4 on page 57 of the budget documents. This trained and respected economist says that before 1998 drew to a close, the government had \$11.7 billion of extra taxpayers' money it had not spent yet. Great idea. What are we going to do with it now? Typically it lists a series of items that magically added up to \$11.7 billion and declared a balance. Great accounting. Mr. Watson called it disgusting and I am inclined to agree with him.

The lesson we learned from this is simple. Given money, the Liberals will spend it for us. It would never occur to them to let Canadians keep it in the first place. The Liberals have another trick that they hope nobody will ever catch on to. They have a habit of making virtue out of vice and spinning themselves as the heroes of fiscal prudence.

Originally the government cut \$21 billion out of social transfers over the last five years. Now the government is talking about putting \$11.5 billion back into health care. Billions. Big numbers. Let us break that down. As my esteemed colleague from Elk Island pointed out, if we divide that amount by the five years it covers, we end up with a lot lower number, \$2.5 billion. That hardly makes a dent. It is the same cost as the millennium scholarship fund going back to a health care system that is in crisis across the country.

I had a discussion with Dr. Hal Baldwin from Saskatoon a short time ago. He is the treasurer of the Canadian Medical Association. He said that it is not just money that was ripped out of health care across this country, the heart and soul was taken out as well. We have not just taken the money out, we have taken the care out of health care.

These people are working handcuffed. The nurses association is on strike right now in Saskatchewan. It is not just money they are talking about. Their hands are tied when it comes to caring for people, really caring, and putting that back into health care.

We have a \$900 million farm aid package that is supposed to impact my province of Saskatchewan. It has had years and years of drought situations and people with no net income for three and four years. Do these people qualify for any of this aid? Not on your life. There is no part in the equation for a zero, zero, zero balance. That is unfortunate.

The minister of agriculture was asked the other day by my colleague from Selkirk—Interlake how many applications the department had received and how much money had actually gone out of this \$900 million. The minister talked about 11,000 applications being mailed into Saskatchewan. Well that is notable but there are almost 60,000 farmers in Saskatchewan. We have less than one-fifth who have actually applied because they know they do not qualify. They have a little off farm income and some custom work. They have some livestock.

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This program really goes nowhere. It is a great PR exercise but it is just like the whole budget. It is all puff and mirrors. There is no substance here at all.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. McClelland): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. McClelland): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. McClelland): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. McClelland): Call in the members.

• (1230)

And the bells having rung:

The Deputy Speaker: At the request of the chief government whip the division is deferred until Tuesday at the conclusion of the time provided for Government Orders.

* * *

YOUTH CRIMINAL JUSTICE ACT

The House resumed from March 22 consideration of the motion that Bill C-68, an act in respect of criminal justice for young persons and to amend and repeal other acts, be read the second time and referred to a committee.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it gives me great pleasure to participate in the debate on the Bill C-68. As the Chair will know, the bill carries a very illustrious title, a title that conjured up images of false hope in the past with respect to the ill-conceived Liberal firearms registration bill.

An hon. member: You are very good at statements of the obvious.

Mr. Peter MacKay: Statements of the obvious sometimes escape the government.

I am pleased to take part in this debate for a number of reasons. There is a need for information sharing about the new bill. We have been waiting almost an eternity, 18 months, since the bill was first announced. I would be the first to acknowledge that the bill holds out some positive change, but after enduring numerous media leaks the March 11 release of the bill fell far short of much expectation that had been built up by the Liberal government. This is really a light makeover of the originally flawed bill and tinkers somewhat with the edges of the original Young Offenders Act.

After testing public opinion on this controversial legislation through these now famous media leaks and off Hill press conferences, the justice department has finally enlightened the House with the introduction of Bill C-68. As I mentioned, it has a very ironic namesake.

[*Translation*]

The public wants to know, because this bill was supposed to consider their opinions. In fact, the only opinions expressed were those of the minister and the Liberal Party.

[*English*]

As I mentioned in my opening remarks Canadians across the country are concerned that the new youth justice act does not progress societal attempts at dealing with youth justice in Canada. Many would argue that it is a regressive piece of legislation which harkens back to the days of the outdated Juvenile Delinquents Act.

I am sure the Chair will recall that particular act. It took the Liberals over a year and a half of consultation to come up with a very old idea that a repeat youth offender involved in a less serious offence could be tried as an adult and then sentenced as a child. It is back to the future and back again. The Liberals have drafted a bill that does not go far enough in terms of protecting Canadians from increasingly violent youth crime in our communities.

• (1235)

Perhaps hon. members believe the Liberals have toughened up this bill on the back end by potentially placing more violent young offenders in adult jail and on the front end by diverting young people from the judicial system and into community based incentives like restorative justice programming or social services. If this is what will happen, it begs the question how will it be paid for with the increasing cuts that we have seen to social services and policing services. Once again the Liberal government is asking Canadians and those involved in the justice system to do more with less.

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The legislation also encourages formal caution by police for young people who have been involved in less serious offences. This is fine. I am sure many hon. members and Canadians will recall that there was a time when a police officer played a different role, perhaps a more respected role in the community, and often administered this type of justice at street level.

How will we ask our police forces to take on this additional responsibility? The government has already cut Canada's police force budgets to the point that they are now barely able to function at some levels and barely able to hold up to their current workloads. They no longer have the time to play the role of a parent and a psychologist, coming up with a well prepared and meaningful statement to warn a young person and consult with the parents. Through the implementation of this act the Liberal government is stretching police forces and police officers beyond reasonable limits, and thus the increased workload I suggest will be barely possible.

The sad result is that Canadian police forces and the public at large are seeing our police forces like the RCMP trying to fight problems such as youth crime and other complicated crime related issues with more and more cuts.

Last year alone we saw \$74.1 million or 13% of the RCMP's budget slashed. We know there are further projected cuts for the coming year. This type of gouging of the RCMP and other police forces is essentially asking our police forces to deal with youth crime in a depleted fashion.

We also know there were cuts to transfer payments that then were passed on to the provinces and on to the municipalities, which result in police forces at the municipal level again facing the same serious challenges. They simply do not have the resources to face difficult and complicated problems as they relate to youth crime.

The stress, strain and emotional cost as a result on our officers and law enforcement community are not calculable in this context in terms of monetary figures. I only have to look at my home province of Nova Scotia and one community in particular, New Glasgow, where there are more officers off on stress leave than ever in the history of that police force. Dedicated officers are off work simply because they have been asked to do so much with so little and the increased frustrations they feel as a result of their commitment to serve the public.

Quite obviously there are spiralling and spin off problems of asking police to do more with less. What is missing most of all in the legislation is obvious. It is what is missing in a lot of legislation, and that is funding.

I look at the bill tabled today by the Minister of Justice with respect to victims rights and increasing the role and the significant participation of victims in the justice system. Once again I acknowledge, rightly so, that the minister has brought forward

some improvement to the system. However she missed a wonderful opportunity to put in place a victims office which would provide a central point where victims could go for information and receive the needed knowledge that exists for victims who fall prey to offenders.

It is no wonder there is a degree of cynicism on the part of the opposition, and I suspect the public at large, as it relates to this bill. The cynicism is perpetrated by the federal government downloading its implementation costs to the provinces.

The Liberals are forcing provinces to abandon their own youth justice proposals and follow the federal model by dangling a 30% funding in their faces and threatening to take it back should they choose to opt out. If the Liberals had allowed for proper consultation in the first place, surely they could have come up with a deal that all the provinces would have supported with unanimity. Instead the bill resembles the sum total of many regionalized concessions that will make national enforcement of this bill virtually impossible.

• (1240)

There were a number of commentary articles about the bill when it first appeared. One in particular in the Ottawa *Citizen* commented on regionalized concessions by stating:

The bill provides considerable discretion on punishment, recognizing that provinces such as Alberta and Ontario want tougher penalties while others including Quebec traditionally rely less heavily on jail sentences.

That accentuates the point that we are looking in national legislation for a broad and uniform approach. Yet the bill has built into its very context the fact that different provinces will react differently and have the option of opting out should they choose to do so.

It begs the question are we not supposed to be working toward unanimity. I know certain members of the Bloc might disagree with that statement, but surely the federal government has a responsibility to bring forward legislation which encourages all provinces to participate on a level playing field and a standard that should be upheld. When it comes to justice, these justice issues are far too important to have built-in flaws as they pertain to jurisdiction.

By doing so we have seen the parochial fence-sitters that the Liberals often are on issues of justice. Their new youth criminal justice bill tried to please everyone. Yet offering these piecemeal approaches will please no one. The public confidence will be further undermined, further fuelling the cynicism that exists about our justice system and about the effectiveness of parliament.

The Liberal government did not go far enough in lowering to the age of 14, the age at which an offender would face adult sentences for murder, attempted murder, manslaughter or aggravated sexual

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assault, all very serious offences at the highest end of the Criminal Code. The 14 year old age limit would also be a barrier for the justice system as it tries to seek justice against youth repeat offenders who commit other violent offences.

Why were certain offences left out of the legislation? It seems a glaring omission to me. These piecemeal changes are obviously a response to an overwhelming public reaction and public pressure to toughen up what is perceived as a very light justice system when it comes to the treatment of young offenders.

The Liberals have given the appearance that they have toughened the act, but I question whether these cosmetic alterations will actually achieve that desired result. Why did the minister refuse to act? That begs the obvious question. She refused to act on recommendations that came from her own departmental experts, in particular when it came to the lowering of the age of accountability to 10 for young offenders.

There has been a misconception about this issue from the outset. This is not somehow taking 10 or 11 year old infants and throwing them into jail. That is not the suggestion at all. What the Criminal Code would do in expanding the envelope of applicability is that it would allow social services, the youth justice system and the justice system at large to work together in making an early intervention when required. When a young person did run afoul of the law at the age of 10 or 11, it would give the police the mandate that they need to make an intervention and hopefully turn that young person around at the first possible instance.

Because the minister has chosen to ignore this opportunity against the department's advice that will not in fact happen. Once again we are told to rely on our existing social services, child protection and early intervention through child welfare. The sad reality is that the cuts to those departments in particular have been so heavy and so damaging that they simply do not have the resources again to act quickly in most cases.

If we were to hold 10 year olds accountable for their actions and get them involved in the judicial process early, there would be more programs available which would fit the government's priority of rehabilitation at the earliest possible instance.

● (1245)

I also have to wonder why the minister has chosen to download this bill with such bureaucratic mumbo-jumbo and wording that is obviously going to be picked apart by the defence bar and which is going to be virtually impossible to enforce in some instances. Although it may be a terrific make-work program for the bar associations across the country, that is not exactly what Canadians are expecting or what they were led to believe was going to happen.

In fact, when it comes to the law enforcement community, what most police officers have said time and time again is that they are

looking for a more streamlined justice system when it comes to legislation. We hear this repeatedly from officers. We heard it with regard to current offences under the Criminal Code as they pertain to impaired driving. We heard it as they pertain to matters covered by corrections and conditional release, in testimony in that regard. The department has missed an opportunity to put forward a bill which answers police concerns over this issue.

The bill has been described in many provinces as being woefully soft on offenders. I am quoting the Ontario Attorney General, Charles Harnick, who on behalf of the province of Ontario expressed his concerns and extreme disappointment.

In recent correspondence he noted the following facts. Sixteen and 17 year olds who commit adult crimes are not automatically tried as adults. Even for murder, aggravated sexual assault, manslaughter or attempted murder there is no guarantee that these youths would be sentenced as adults. Even on a third rape charge there is no guarantee that an adult sentence would attach.

Most serious violent offences still require a prosecutor to prove that an adult sentence is necessary. To prove that it is necessary the onus is on the crown. Jail sentences have, in fact, in many cases been reduced.

We know that adult sentences are subject to early release, whereas a young person sentenced to a youth facility will serve the full time. So there is a bit of a shell game going on when the Liberals try to tell us that this is going to be tougher on violent youth.

Mandatory jail time is not required for youth who are convicted of an offence using a weapon. Again this is an opportunity to send a strong deterrent message to those who choose to involve weapons in the commission of an offence.

Ontario Solicitor General and Minister of Correctional Services, Bob Runciman, also said this of the new bill.

What the people of Ontario have been asking for is legislation that will better protect our children and our communities, that will send a message to young people that they will be held accountable for their actions and would deter youth crime. Instead, the federal Liberal government has released a bill that has little regard for public safety and even less regard for providing meaningful consequences for criminal behaviour such as sexual assault, drug trafficking and use of a weapon.

This negative commentary is not only limited to politicians. York Regional Police Chief Julian Fantino had this to say:

Many police officers, and citizens right across Ontario, are frustrated with the Young Offenders Act because it seems primarily concerned with the rights of offenders. . . . It's disappointing that the federal government won't take the opportunity to right this wrong and introduce a much tougher law to serve as an effective deterrent to youth crime.

That is a very telling commentary, particularly from an experienced and decorated officer such as Fantino.

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Deterrence is certainly a factor that has to be brought into consideration, not only with youth crime, but with all crime. This bill is very soft with respect to deterrence.

The youth criminal justice act's definition of a serious violent offence is so vague that it is virtually useless. The discretion that is there is there for a reason and, unlike my friends in the Reform Party, I have some faith in our judiciary to offer correct discretion on crime. However, when it comes to an issue such as this, when it comes to deterrence, there is a real concern that this bill does not allow judges to go the distance that they would.

In no case is an adult sentence automatic under this new legislation. Even in the case of first degree murder a young person could avoid an adult sentence.

The following offences are but a few that are not presumed serious enough to warrant adult sentences: armed robbery, sexual assault and drug trafficking. These are not deemed to be serious enough to carry an automatic adult sentence.

A young person can commit three serious violent offences—

Some hon. members: Oh, oh.

Mr. Peter MacKay: Mr. Speaker, there seems to be another debate going on at this time.

The Deputy Speaker: There does appear to be another debate, but I can certainly hear the hon. member for Pictou—Antigonish—Guysborough. Of course I am enjoying his remarks, as I am sure all hon. members are. His remarks may be provoking the debate.

• (1250)

Mr. Peter MacKay: I know you have the ears of a hawk in that chair.

A young person can commit three serious violent offences with still no guarantee of an adult sentence attaching. That is absolutely shocking.

Repeat offenders of non-violent crimes are not assumed to receive adult sentences. That again is built-in discretion.

There is also an omission in this bill with respect to victim fine surcharges attaching to youth criminals when they have the ability to pay. It begs the question: Why would we not want to build in that level of accountability, that a young person would have to repay the person against whom they have committed the offence? There should be a built-in victim fine surcharge for those types of property offences.

Considering this soft approach, the following scenario I will put forward would be possible under this new youth criminal justice act.

A 17 year old who robs a bank, kills a customer and is found guilty of murder can still receive a youth lenient sentence. Other soft approaches embodied in this legislation would include most serious violent offences requiring proof from a prosecutor that they should be transferred.

A young person who has committed a break and enter using a gun is sentenced to a youth crime unless it can be shown that an adult sentence is justified. Furthermore, sentences such as this might involve not spending a day in jail. Sentences such as this do not send the proper message to our communities.

Ontario is not the only province that is a little upset and disappointed with this bill. The Manitoba justice minister, Vic Toews, said that essentially his dissatisfaction stemmed from the fact that there is little in the package to address the mounting problem of young offenders under the age of 12. Mr. Toews also berated the federal government for its lack of consultation with the provinces.

He was also very concerned about the downloading of the cost of the administration of this. We know that currently the federal government is only picking up a meagre 30% of the administrative costs of the current act and there is no commitment to picking up further costs with respect to the administration of this act, which will of course be even more onerous than the last.

There is ample time to debate this further and we will be hearing from the minister at committee, which we anxiously await. I appreciate the indulgence of the Chair.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, I listened with interest to my friend's remarks and certainly there were a tremendous number of them with which I could agree.

However, it strikes me as passing strange that this piece of legislation—which replaces the current Young Offenders Act, which I agree with him has some tremendous deficiencies—is legislation which the former government could have brought in during the nine years it sat on the other side of the House.

I know my friend is one of the new breed of Conservatives, so they say, and certainly we do not like to revisit history. I am sure that my friend is very genuine, but I find somewhat ingenuous the concept that he would be speaking on behalf of a party that had the reins of power for nine years, when probably the most grievous problems surrounding the deficient Young Offenders Act were in place, and yet the predecessor to this government, which was his party, which was reduced to two seats, did not do anything about it.

What has changed? Is this the all new Conservative Party? Why did the Progressive Conservatives not do something about it? I know when I was being asked to run by people in my constituency I was surprised at the time at the antipathy which existed toward the Young Offenders Act. It was number one on the hit parade of the

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people who were approaching me and telling me I had to go to Ottawa to do something about it.

• (1255)

I note that in spite of the fact that the Liberals have held that side of the House since the election of 1993, it has taken from 1993 to 1999 for the second justice minister to finally come forward with this legislation. However, I wonder why his party did not get around to doing it before?

Mr. Peter MacKay: Mr. Speaker, I thank the hon. member for his question and I respect the work that he does within the justice committee. However, I cannot help but sense the frustration in his voice, knowing that his party will never be in power to make such changes.

I also know, as the hon. member sits in criticism of the previous Progressive Conservative administration, that he was very much a supporter of that party at one time and an active member of the Progressive Conservative Party. We are certainly hoping that he will be back to support us. When he talks about missed opportunities, I guess the Reform Party is living it, while we are looking to the future and rebuilding this party. We look forward to having an opportunity to sit on the government side, as we have in the past. With such a long and stoic history, the Progressive Conservative Party will be given an opportunity to make some of the changes which we are suggesting.

I look forward to an opportunity to accomplish those things on the government side and I hope that the hon. member will be joining the Progressive Conservative Party soon so he can partake in those changes.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, those who do not learn from history are destined to repeat it. Clearly my colleague should know that I was not an active member of the Progressive Conservative Party. Unfortunately, at the time I actually believed in 1984, going back that far, that the Progressive Conservatives were going to do something. They did nothing, except add phenomenally to Canada's debt load, thereby crushing all of the social programs. While people were upset about things like the Young Offenders Act, his party, in its old, tired, traditional way, was just grinding along and not doing anything about it.

We clearly have a situation which is kind of Tweedledum and "Tweedledumber" between the Liberals and the Progressive Conservatives. Is the reason that his party went from a large majority to only two seats that his party was not listening, that it was out of touch and that it remains out of touch?

Mr. Peter MacKay: Mr. Speaker, we can all partake in a revisionist view of what happened and what led to the demise of this party or that party, but I would also remind the hon. member that it is easier to teach a new dog new tricks. We in this party are

looking for new ideas, new invigoration. He suggested that we call it the New Progressive Conservative Party. That is not a bad idea because what we are doing is trying to learn from mistakes of the past.

One of the biggest mistakes was made by those members of the Reform Party who completely abandoned the party. Rather than try to make some positive suggestions within the existing context of what we were doing, they chose to storm out of the party like angry children. They went off in a huff. It might take 10 or 15 years to heal.

However, we are going to work past that. We are looking at the positive things that we can do in this party, one of which is certainly to concentrate on positive changes to our criminal justice system which has always been a very important feature of the Progressive Conservative Party and will continue to be so for years to come.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I think we are a little off the topic of Bill C-68, which in this parliament of course is the Young Offenders Act. In the previous parliament it was the gun control act. It seems to me rather unfortunate, on behalf of Canadian voters, who sometimes have quite a challenge keeping track of what is happening in this place, to have Bill C-68 refer to two such disparate bills.

I would like to say something to the hon. member from the Progressive Party who just spoke. I really think that instead of arguing with each other we need to start recognizing that we have a serious problem on that side of the House. We have budgetary matters and things that are completely out of control, and spin doctoring to try to communicate to Canadians something quite different from the facts.

• (1300)

We have a justice system which is limping along. It has been five or six years since the Liberals took office in 1993. The reason for this is that the previous Conservative government did not do its job well. That is the reality. As a matter of fact, the Reform Party and perhaps the Bloc were simply what happened when there was a vacuum on behalf of what Canadian people really wanted. They were not getting it from the government.

I wish we could work together and give Canadians the option they so desperately need. We finally have the bill before us but it is inadequate. After five years of dilly dallying in matters of justice it is time to give Canadians what they demand, expect and deserve.

Mr. Peter MacKay: Mr. Speaker, I do not want to continue the debate on this side of the House. I would far rather concentrate my efforts on the Liberal government.

There is a score of examples that everyone can point to of what one government did and another government neglected to do. I

agree we are talking about criminal justice. Particularly we are talking about the Young Offenders Act which we all agree was not working for Canadians. It is was not working in their best interest. It is sad that it took six years for the government to do something about it. I find that to be a complete abdication of responsibility on the part of the government.

There are other examples of the current government having recognized good policies like free trade and GST. Let us forget about what it said before. We know what it did afterward and those policies are still here.

We can point to good things and we can point to a lot of bad things on the part of previous administrations. Let us go back to Sir John A. Macdonald if we are to start blaming people for what happened.

This is an evolutionary process. At least let us have the good sense to try to improve upon legislation that requires improvement or introduce new legislation when it is needed. That is where the government has been falling down. It is running out of ideas to borrow from the previous government.

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I was thinking of seeking unanimous consent to let the debate continue on the other side of the House.

Some hon. members: Agreed.

Mr. John McKay: I said “thinking of”. We on this side of the House are witnessing certain Alice in Wonderland experiences. The most recent evidence of bizarre experience is that the people of Windsor—St. Clair allowed those two parties to fight over 6% of the vote. We think the people of Windsor—St. Clair have a certain element of wisdom in their insight.

Speaking of Alice in Wonderland, Mr. Speaker, since you are as erudite as anyone in the House you will recall one of the great phrases in that book: “First the sentence, then the verdict”. In some respects that is my reaction to the hon. member’s speech.

I will direct the minds of hon. members to the meaningful consequences the bill proposes with respect to serious and less serious offenders and I will direct my remarks to sentencing. Only a small number of people are involved in serious and repeat criminal acts, particularly acts of violence, but I say with respect that they seem to drive the agenda. It is as if those on the other side of the House wish to set policy based on Toronto *Sun* headlines.

• (1305)

In 1997, 82% of charges laid against youth were for non-violent crimes like theft and breach of court orders and contempt orders.

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Unfortunately there are too many examples in our current youth justice system of young people serving time for minor offences.

We incarcerate youth at a rate twice that of the United States and ten times that of Europe, and we are soft on crime. The figure when it comes to adults is entirely reversed. The United States incarcerates adults at six times the rate we do.

A fundamental question for all members is whether we are safer by incarcerating youth at a rate twice that of the United States and ten times that of the Europeans. Are our streets safer? Is our crime rate lower or higher? Will “toughening up” this system of youth justice make our streets safer?

We incarcerate youth despite the fact that we knowingly run the risk they will come out hardened criminals. It is trite but it is true that this is where these kids learn how to be real criminals. We incarcerate them knowing that the alternatives to custody can frequently do a better job of ensuring that young people learn from their mistakes.

Under the balanced approach we have taken in this new act there is a clear distinction between serious and less serious offences. All young people who commit offences will be held accountable through meaningful consequences. However the new act recognizes that taking minor offenders to court and sending them to jail is not the best way of holding them accountable and is often counterproductive. I would submit that is frequently lost on the other side.

For the first time judges will be given a rationale for the act and some sentencing guidelines. Up to now they have been without guidelines and all over the map. Section 37 gives the purpose and principles of the act with respect to sentencing and states:

The purpose of sentencing under section 41 is to contribute to the protection of society by holding a young person accountable for an offence through the imposition of just sanctions that have meaningful consequences for the young person and that promote his or her rehabilitation and reintegration into society.

The first purpose is the protection of society. The second is to hold youth accountable. The third is the imposition of just sanctions. The fourth is meaningful consequences. The fifth is to promote rehabilitation and reintegration of the youth. Subsection 37(2) states:

A youth justice court that imposes a youth sentence on a young person shall determine the sentence in accordance with the following principles:

(a) the sentence must not result in a punishment that is greater than a punishment that would be appropriate for an adult who has been convicted of the same offence committed in similar circumstances.

That directly addresses the issue raised by the previous speaker with respect to the “shell game”. It continues:

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(b) the sentence must be similar to the sentence imposed on young persons found guilty of the same offence committed in similar circumstances;

(c) the sentence must be proportionate to the seriousness of the offence and the degree of the responsibility of the young person for that offence.

It goes on further to outline various other issues to be taken into consideration in sentencing. To review, subsection 37(2) states that the sentence cannot be greater than that of an adult, that it must be similar to that of another young person, and that it must be proportionate.

• (1310)

Having said that there is now some coherence, some purpose and some rationale for the sentencing principles in these guidelines, I draw the attention of members to subsection 2(1) dealing with presumptive offences or, as they have become known, the big five. It reads:

“Presumptive offence” means:

(a) an offence under one of the following provisions of the Criminal Code:

- (i) . . . first degree murder or second degree murder. . .
- (ii) . . . attempt to commit murder,
- (iii) . . . manslaughter,
- (iv) . . . aggravated sexual assault—

The minister has attempted to add to the list subsection (b):

—a serious violent offence for which an adult could be sentenced to imprisonment for more than two years committed by a young person after the coming into force of section 61, if at the time the young person committed the offence at least two judicial determinations have been made under subsection 41(8), at different proceedings, that the young person has committed a serious violent offence.

In other words another category, the category of youth who commit serious violent offences in a repeat pattern. I turn to subsection 41(8) which states:

—On application of the Attorney General after a young person is found guilty of an offence, and after giving both parties an opportunity to be heard, the youth justice court may make a judicial determination that the offence is a serious, violent offence (and it may not be in the top four categories) and endorse the information accordingly.

If that finding is made on two separate occasions, the youth will be subject to a jeopardy that is not faced by adult criminals. In my view the minister has addressed the subsection of the youth population which garners the headlines in the Toronto *Sun*.

Section 69 deals with presumptive offences and states:

—If a young person who is charged with an offence set out paragraph (a) of the definition “presumptive offence” in subsection 2(1), committed after having attained the age of fourteen years, is found guilty of committing an included offence

for which an adult could be sentenced to imprisonment for more than two years, other than another presumptive offence set out in that paragraph,

We set out a presumptive offence. An individual could be less than 14 years old and a sentence of at least two years could be imposed. Instead of a presumption youth justice can make an order. The scheme is coherent, rational and proportionate. It is now time for the provinces, the judiciary and the lawyers to step up to the plate and make the system work. The ball has moved over to that court.

The new act provides that in general incarceration is to be reserved for violent offenders and serious repeat offenders where there is no reasonable alternative that would be capable of holding the young person accountable. Some judges have indicated that they reluctantly use custody for some offenders because of the lack of alternatives to custody.

The act provides new sentencing options that allow the judge to impose meaningful consequences that do not involve incarceration. These options include an intensive support and supervision order which will provide closer monitoring and more support than probation to assist the young person in changing his or her behaviour.

In addition, an attendance order will require the young person to attend a program at specified times and on conditions set by the judge. Also a deferred custody and supervision order will restrict non-violent offenders and will require an offender who would otherwise be sentenced to custody to remain in the community subject to conditions set by the judge. Failure to comply with the conditions can result in a young person being sentenced to custody.

• (1315)

These alternatives to custody are in addition to other alternatives that will continue to be available under the act, such as probation, restitution and community service.

In some respects the minister puts her money where her mouth is. The new resources allocated in the 1999 budget for youth justice are \$206 million over the next three years. It will be available to the provinces to ensure that front end alternatives and alternatives to custody are available. In other words it is great to set it out in legislation, but if we do not put the resources with it, it is not terribly meaningful. This will enable the more expensive court process and custody facilities to be targeted for the more serious youth crimes that warrant their use.

My submission is that this is a balanced approach. This recognizes the concerns of Canadians to their safety. It recognizes the reality that all youth offenders are not created equal and that some deserve a certain kind of treatment. That treatment will in fact result in, it is hoped, turning out useful citizens to our society.

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Mr. Peter MacKay (Picou—Antigonish—Guysborough, PC): Mr. Speaker, I do appreciate the input that the hon. member for Scarborough East makes at the justice committee. I know that he takes this matter very seriously.

I do however question some of the statistics that he cites. In particular, he mentioned first that it was four times the U.S. model, then two times the U.S. model. We all know that statistics on these matters can be very, very misleading when it comes to the human impact that a violent crime has on a person and the faith that a person has in the justice system to respond adequately.

I have a few questions and comments I would like to put on the record with respect to the practical implications of some of these changes to the act.

My own feeling is that it takes a long, long time before a judge actually exercises the option of putting a young person in jail. That may sound contrary to the statistics that have been cited, but most young offenders I dealt with as a crown prosecutor had been before the court numerous times, occasionally for violent offences. It took several appearances before the judge even contemplated that option of incarceration. That was built into the intention of the act, that we treat young people differently. But when it comes to violence, if the only option of protecting the public at large is to remove the offender from society, so be it. The first obligation of the justice system is to protect the innocent.

With respect to the length of incarceration that young offenders will receive under this act, there is a misnomer that that in fact will result in longer sentences. That is simply not the case. With the presumptive offences, I would ask the hon. member, why is it that certain what I deem to be violent offences, offences including armed robbery, offences involving assaults and sexual assaults with weapons, are excluded from those presumptive sections?

This concept that there is a catch-all built into the act, this definition of serious violent offences and the fact that a judge can then exercise his discretion, does it not make it simpler for all to simply enunciate those in the bill the way they are in the original presumptive section? Why would we omit some that obviously are violent by their very nature?

My last question pertains to this concept that alternatives to custody do not presently exist. There are numerous options currently available to judges. Those options are being exercised now as they have been since the inception of the Young Offenders Act.

They are options like conditional sentencing, which is in my opinion inappropriate for violent offences in any event, not only existing for adults but existing for youth as well, and the hon. member trumpets that as a good thing. Conditional sentences were

never intended to apply to violent offenders. I take great issue with that, but I would be very interested to hear the hon. member's comments.

As a final comment, I would also like to know how all of these changes that put greater emphasis on rehabilitation and community reformation, greater emphasis on alternative measures and putting the emphasis on the community services element now to help in the reformation of these young people, will be paid for.

● (1320)

I am sorry, but \$206 million over that period of time does not even equal the amount that has been taken out. It certainly does not allow these services any kind of an increase to match the increased responsibility they are receiving by virtue of this act.

Mr. John McKay: Mr. Speaker, I am not sure if that was a series of questions or an additional speech. Having said that, my hon. friend's crown attorney bias is showing somewhat.

We are trying to achieve a balance on this side of the House which reflects the need and concern about public safety. The need and concern about public safety are something which we take very seriously on this side of the House. That is why we have set up these five categories.

The first four categories of murder, attempted murder, sexual assault, et cetera are categories with which my hon. friend and I agree. We could go on to list multitudes of various other issues right out of the Criminal Code and my hon. friend and I could argue about whether or not those are appropriate.

The minister has chosen for better or for worse a system which is basically a two strikes and you are out approach. The two strikes and you are out approach is that this may not fall within the first four offences, but we are entering a conviction on offence *x* and if the offender is back on a separate occasion, then it will be offence *y*. If the offender is back a third time, then *x* and *y* will result in the offender doing special time under section 2(1)(b).

That is a better response to the way in which we should go about recognizing serious youth violence, rather than simply getting out the Criminal Code and listing everything that is there.

With respect to one of his other questions regarding the \$200 million, I would like to point out first that it is dedicated money. The second thing is that the 1999 budget put an additional \$2 billion in cash back into the CHST, the Canada health and social transfer. That is a serious amount of money for provinces to use presumably at their own discretion for their justice system and their youth justice system. I would submit that is an additional amount of money.

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My own province of Ontario received another \$936 million right out of the sky which it was not anticipating. It has used it for pre-electioneering of some kind or another.

Mr. Peter MacKay: All money out of the taxpayers' pockets.

Mr. John McKay: All money is out of the taxpayers' pockets. That is like saying the sky is blue, it is about that useful an observation.

The \$936 million is money the Ontario government was not anticipating. It will be profiled into the CHST and can be used for justice initiatives. In particular, it can be used for youth justice initiatives. There are no strings attached to that money.

In addition, we put a further \$3.5 billion into health care. Arguably this is a bit of a stretch on health care, but I would submit that a number of the offenders have far deeper problems than the criminal justice system. These kids are there for reasons that have absolutely nothing to do with the fact that they punched out some kid in the school yard. These kids have some real serious problems and that money can be used there as well.

I would submit that the response of this government is a very strong response to the provinces and their needs to administer their systems.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I enjoyed the intervention by my hon. colleague across the way. I always appreciated his voice in the justice committee. It always had a logical and sound ring to it. I do not know what if anything has happened to change that since I left the justice committee.

I would like to ask him this brief question. This new act is being heralded as getting tougher on violent youth crime. This is as a result of the cry across the country from concerned people. The government has responded to that, yet it has not mandated that the courts must apply the tough measures. Throughout the bill the discretion has not been left to the legislators but to the courts. Does the member have any concern about that?

• (1325)

For instance, the publication of names, particularly of repeat violent offenders, is subject to the discretion of the courts. Attendance of the parents with their children in court is not mandated by this legislation. It is also at the discretion the courts.

Does my hon. colleague have any concern about the status quo remaining because the bill is not mandating these actions? In so many cases this procedure has been left to the discretion of the courts.

Mr. John McKay: Mr. Speaker, the short answer is no.

I am not a great fan of fettering judicial discretion. There are certain points where parliament needs to give its guidelines in terms of minimum and maximum sentences or in terms of various other issues. In this particular instance I do not know how one could draft a piece of legislation which says that x, y or z.

When a crown attorney is faced with a youth who has committed one of the five offences, the crown attorney will give notice that he or she will be seeking an adult sentence for this particular crime. Upon conviction there will be an argument as to whether this crime warrants the imposition of an adult sentence. It is like Alice in Wonderland, first the sentence then the verdict. That is that side. We go for the verdict first then we go to the sentence.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, the member for Surrey North has clearly set out where the Reform Party is coming on this. He said:

The youth criminal justice act is nothing more than the Young Offenders Act with a facelift and a new name. We will be proposing a number of amendments in the hope significant improvements will be made to protect Canadians. It is our youth who are affected by this legislation; it is our youth that are most often the victims of crime by their peers. Our youth deserve better from this government.

The question we have to answer on behalf of Canadians in this debate is are their families safer under this renamed Young Offenders Act, the youth criminal justice act?

Canada has been saddled with inadequate young offender legislation for a number of years. Even the justice minister has characterized the Young Offenders Act as seriously flawed and easily the most unpopular piece of federal legislation.

Canadians have become more and more disenchanted and concerned with youth crime, believing that our justice system is too soft. Young people themselves say to me that the majority of youth crime goes unreported. I am sure that is something which could be reflected on by all members of the House.

After years of criticism and months of political pressure the Liberal government has finally introduced its replacement for the failed Young Offenders Act. The new youth criminal justice act we are debating today repeals and replaces the Young Offenders Act and provides principles, procedures and protections for the prosecution of young persons under criminal and other federal laws.

For years the Reform Party has been fighting for better youth crime legislation. Unfortunately the Liberals' new bill falls short of the hopes and expectations of Canadians. On the surface it appears to be what Canadians want, but for every step forward they have taken a couple backward.

For example, the Liberals have changed the name of the Young Offenders Act and they have changed their sales pitch. A close

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study of the new legislation reveals, as I say, that for every step forward there is a hidden step backward.

• (1330)

In the hope of salvaging the most unsatisfactory legislation and making it work, I would like to draw attention to some of these issues. The question is what is missing from the youth criminal justice bill.

First off the youngest offenders are left out. Our opponents on the other side like to go out of their way to place all sorts of characterizations on me and our party for talking about incorporating 10 and 11 years olds in young offender legislation. They can have their characterizations.

The reality is that it is because the Liberals refuse to see the involvement or the encapsulating of 10 and 11 year olds that those young people at that very tender age are being drawn into criminal activity without any way for the justice system to involve itself. Their argument of course is to let the provinces do it; let somebody else do it; let the youth social system take care of it. In certain situations, that is inadequate.

Under the new legislation 10 and 11 year olds will not be held criminally responsible for their crimes. The government is leaving them to child welfare. How can child welfare control violent criminals who quickly learn they are immune to punishment under Canada's youth laws?

We are talking about only the tiniest fragment of the youngsters of that age. The reality is that tiny fragment of youngsters can wreak havoc on their families, on their neighbourhoods, on people around them, and particularly on youths of their own age. We want them brought into the system so that the system can handle them. They can either be rehabilitated or indeed, habilitated. Often we get mixed up between rehabilitation and habilitation. In many instances some 10 and 11 year olds that are involved in this very awful activity have never had the opportunity to learn what is right and what is wrong.

A Liberal across the floor says to hang them high. That is the kind of inane characterization I was referring to. The reality is that by not bringing these young people into the justice system, by not dealing with these youngsters at that age, they are simply outside of the system. They are preyed upon by youngsters and older teens to do their work because they are small enough to fit into places and slide under things and do this and that. It reminds me of Fagin and his hoards of little youngsters in the old musical play *Oliver*. This kind of do-goodism by the Liberals is leaving those people and indeed the people around them to the vagaries of what may come.

Many serious crimes can only receive a light youth sentence. Many serious and violent crimes must be added to the list of presumptive offences for which adult sentences may be imposed.

The Liberals have included murder, attempted murder, manslaughter and aggravated assault. But they do not include sexual assault. They do not include sexual assault with a weapon. They do not include hostage taking. They do not include aggravated assault. They do not include kidnapping.

In British Columbia we are very conscious of the issue of home invasions. Unfortunately some young offenders are involved in home invasions. Home is the place of sanctity. The place where Canadians feel comfortable is in their own homes. When their home is invaded it is a scar for them for the rest of their lives. The Liberals do not include that offence as being one that can be treated as an adult offence.

• (1335)

In order to continue the protection of society, to create a situation of meaningful consequences, to promote rehabilitation, habilitation and reintegration, this bill falls desperately short. Unfortunately the maximum youth sentences remain light.

Let me be very clear. I am very proud to say that the district municipality of Sparwood is in my constituency. There are three people in Sparwood, although one of them has now moved to Fort St. John after being promoted from sergeant to staff sergeant. They are Judge Waurynchuk, lawyer Glen Purdy and the sergeant. Between these three people we have ended up with a situation of diversion. Property offences by youth in that municipality have been reduced from an average of over 80 a year to only six or seven a year. It has been through a creative way of dealing with young offenders.

The vast majority of young people can be handled intelligently and well by their local community with all sorts of creative ways of driving home the seriousness of their offences and what it has meant to the people they have offended against, even in a property offence. These young people can be reintroduced into society and can become functioning parts of society. I do not say this as a matter of theory. It works. These are real numbers.

The exciting thing is that it does not just work in small communities like the district of Sparwood which has approximately 5,000 people. We have seen it work in larger communities, in communities as large as Edmonton where there has been diversion.

I will say one good thing about this bill. It recognizes the idea of diversion. Having said that, we can deal with these kinds of offences not only in a humane way but in a way which builds society and pulls society together.

There are still those who will not respond. There are still those for whom there must be a system of protecting society from them. They are by far in the minority of people who even become involved with the police but nonetheless, this bill goes light on them and that is wrong. It is not fair to them and it is absolutely not

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fair to their peers and it certainly is not fair to society. Even repeat and violent offenders may avoid jail terms.

Reform supports alternative measures as I just described for first time non-violent offenders, but we are dismayed that the government has not excluded repeat and violent offenders from this lesser form of punishment. We do not want violent and repeat offenders to be serving their entire sentences in communities. Sometimes it is simply not appropriate. When you have to be tough, you have to be tough. Unfortunately this government has not shown the backbone to handle that.

This bill, as a result of a lack of negotiating ability on the part of the justice minister or whatever, has not been able to bring a situation of establishing national standards with this bill. As a consequence youth offences in one jurisdiction will be handled very differently from youth offences in another jurisdiction.

The question we ask is why are victims not protected and why are violent offenders sheltered?

Here is the Reform position on youth crime. Serious offenders aged 14 and 15 and all offenders 16 and over should be tried as adults. I said serious offenders. The justice system should maintain separate young offender facilities that emphasize education, skills, training, discipline and community service. The records of young offenders should be treated similarly to the criminal records of adults. Parents of young offenders should be held financially responsible to victims where lack of reasonable parental control has proven to be a factor contributing to the offence.

• (1340)

Again this is something the Liberals love to jump on. They choose not to understand. I think they have some intelligence so let us try it on them for size. Let us be very clear. I will read it to them again so that they can understand the words. Parents of young offenders should be held financially responsible to victims where lack of reasonable parental control has proven to be a factor contributing to the offence.

The Liberals turn around and simplify that and ask how parents can be financially responsible for young offenders, full stop. It does not say that. It is where lack of control has proven to be a factor. That is where there has to be some responsibility. It is very clear and straightforward. The devil made me do it is not a term that actually works in this particular case.

The government has changed the name of its legislation. It has changed its sales pitch. Once the bill is carefully considered, Canadians are being shortchanged. For every step forward, there is a hidden step backward.

It may take months or years after this legislation is brought into force before we see its problems develop. In many areas there are

provisions to satisfy Canadians, but the corresponding loopholes and openings for provincial initiative will bring forth criticism in individual cases. Over time Canadians will realize this legislation will have done little to quell criticism and outrage over our youth legislation.

I had occasion to have an extended discussion with a defence lawyer. He was pointing out to me as a layman going through the bill all the places where he could drive his arguments through. We know that the courts are doing everything they can to avoid getting into a situation of appeal. He was saying that this legislation is convoluted, the word I used this morning when we were talking about taxes. This legislation is so convoluted, has so much overlap, has tried to deal with so many eventualities in oblique ways and has done so much to spread around authority. He showed me all the loopholes and spent about half an hour discussing how he would argue them. This legislation has the potential to be an absolute money maker for defence lawyers.

Canadians have been saddled with poor young offender legislation for a number of years. The Minister of Justice has promised legislation over a period of almost two years. We recognize she has only been in that chair for two years, but her predecessor was talking about young offender legislation as well. We wonder why the minister could not have done a better job when we finally witnessed the results of her endeavours. We will be proposing a number of amendments in an attempt to improve this most unsatisfactory legislation.

The government talks about a balanced approach. We have no problem with a balanced approach but it must be done right for Canadians and not just for our criminals. We see in this legislation a repeat of the question I asked of the solicitor general in question period yesterday. An example is the terrible murder case that has just been resolved by the jury in Toronto. Why does the government consistently lean in favour of the criminal? Why does the government not put the protection of society first?

Let me draw attention to clause 37(2)(d)(i) of the bill. The first five words are "be the least restrictive sentence". In context it is "subject to paragraph (c), the sentence must be the least restrictive sentence that is capable of achieving the purposes set out in subsection (1)".

• (1345)

The largest single problem in Corrections Canada today is the phrase included in the legislation covering the incarceration of convicted criminals: "be the least restrictive sentence".

I do not understand why the government continuously puts the rights of criminals and the rights of those who would become involved in criminal activity ahead of the safety and protection of the person and the property of law-abiding Canadian citizens.

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I was just leafing through and there it was: “be the least restrictive sentence”. Unfortunately this is their pattern. It is to the detriment, chagrin and denigration of society in Canada that this is the pattern of the Liberals.

In my summary I also point out that 10 and 11 year olds are still not to be held criminally responsible for their crimes. The government is leaving them to child welfare, but child welfare obviously cannot control violent children who quickly learn they are immune to punishment under Canada’s youth laws. Reform does not want to lock up 10 and 11 year olds. We want them to be put into the system. We want them to have a chance to be rehabilitated before they develop more serious and habitual criminality.

The bill is a massive disappointment after the four parliamentarians made. An all party parliamentary committee recommended that 10 and 11 year olds be included and they were not included.

It is a terrible disappointment that government members, given the opportunity to correct something that is so very wrong in society, have come up with a flawed, badly designed bill which will do nothing except give them a way of presenting a new sales pitch on how they will take care of the problem.

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, the hon. member lamented the inclusion in section 37 of the term “the least restrictive sentence possible”. Put in the context of the legislation, he should go on to say the least restrictive possible to accomplish the goals of rehabilitation, restitution and all the proper components of sentencing.

Why is it that the member finds that objectionable? If the courts are able to come up with a sentence that accomplishes the proper goals of sentencing, why we would want something more than the least restrictive? What is it the member is seeking? Is it appeasement of the popular opinion, the misconception that Canada is soft on crime? Is it revenge? Precisely what is it that the member is looking for?

Mr. Jim Abbott: Mr. Speaker, I am referring to the phrase which appears in the legislation that gives us the ability to incarcerate convicted criminals. In taking a look at that phrase in the legislation, the practice is that the officials are directed to the whole issue of least restrictive.

I was at the Drumheller Institution last July or August. We were looking at the fact that five criminals had walked away from the minimum security facility. I got into a discussion with the warden and with other people at that institution and asked why they made the decision they made.

I do not want to characterize their input to me other than to say I took from them that they felt compelled, because of the term least restrictive, to move people through the system far too quickly to areas where they were walking away from various institutions.

• (1350)

I am taking that phrase from the Corrections and Conditional Release Act. I am taking a look at the experience we have had from the use of that phrase and the way officials have responded to that phrase. I am taking a look at it in the context of this act. I cannot help but come to the conclusion that we will have the same decision, that the least restrictive decision will be made to the detriment of the safety of society, which I believe is what Canadians are looking for.

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, I listened with interest, as I always do, to my friend’s comments. I acknowledge the fact that approximately 25,000 young people are incarcerated in Canada each year.

If I can quote from the hon. member’s speech, he was concerned that the handling of young offenders would differ from province to province as a result of the legislation. That might be just paraphrasing, but I think is a fair comment to make.

In the discussion we are having today and will probably have for some time, it is important that we keep as much balance among ourselves as we try to improve the legislation.

While there might be a criticism, while there might be a variety of ways of dealing with young offenders across the country, would the hon. member not agree there are provinces that have dealt with young offenders more effectively than others and that by having this flexibility it gives those provinces which have a progressive and effective way of dealing with young offenders more opportunity to continue in that way?

Mr. Jim Abbott: Mr. Speaker, the comments of my colleagues are well taken. There are jurisdictions from which we can learn a lot. The province of Quebec has different societal values than other provinces. The province of British Columbia has done an excellent job by comparison with other provinces in dealing with youth. I think that maintaining a degree of flexibility is important.

My concern is that in six years the government has not taken the opportunity to pull the attorneys general from all of the provinces together and come up with legislation that would reflect a better way. There is too broad a scope still involved.

I would fault the government for not having been able to get a stronger consensus of opinion. I am concerned about the fact that because of that we will end up, particularly in the area of serious criminal offences, with disparate responses to those offences on a jurisdiction by jurisdiction basis.

Mr. Gilles Bernier (Tobique—Mactaquac, PC): Mr. Speaker, the people of Tobique—Mactaquac, New Brunswick, are sick and tired of violent crimes. Since 1993 we have seen the Liberal government downloading services to the provinces with no re-

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sources. It seems to me the government through Bill C-68 is expecting police forces, social services and provinces to do more.

I have a great deal of respect for the Reform member. Does he expect the same government to provide funding for the new Young Offenders Act?

Mr. Jim Abbott: Mr. Speaker, I appreciate the comments of my colleague. He points out that although the government is boasting about the fact it is putting \$200 million toward this area, I believe the justice minister said the reason she was so long delayed in coming forward with this criminal legislation was that she was having something of a budget debate with the finance minister. She got her \$200 million and therefore felt that she was able to go ahead with the legislation.

I agree totally with the member on the issue that the government has been squeezing off, squeezing off and squeezing off the fiscal resources and the ability of the provinces to be able to come forward with any intelligent kind of program, this program being part of it.

I am also very much aware of the constriction of resources to the RCMP, for example. It is only through goodwill from the top to the bottom, and I say that without any equivocation, from Commissioner Murray to the constable on the beat, that we still have a national police force that is actually in working order. It is only their goodwill that is keeping our streets safe.

• (1355)

The government continuously cuts off the resources to them. It will continue to cut off resources to be able to do a proper enactment of this legislation and will continue to cut off the resources to be able to take proper care of Corrections Canada and the National Parole Board.

In all these issues the government keeps on strangling and handcuffing our ability to be able to come forward with proper, correct and humane ways of dealing with criminal justice or criminal acts in Canada.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I listened to the member opposite and I wanted to say as a former chairman of the Waterloo Regional Police that Bill C-68 is a very balanced and effective piece of legislation. I think we should be very proud of what it is attempting to accomplish and indeed will accomplish.

It is interesting to hear the member from the Reform Party and his colleagues speak about the kinds of things that they do, always with an extremist kind of view, fear mongering and trying to stir up the pot. They have no monopoly on criminal justice issues. We in the government have done the right thing with this piece of legislation.

Why would you not spend a dollar now to save seven later for youth rehabilitation?

The Speaker: Members should address their questions and answers to the Chair.

Mr. Jim Abbott: Mr. Speaker, unfortunately the member must have wax in his ears because that is exactly what I was saying. That is precisely what I was saying.

We want the government to spend money in the areas that will be effective in being able to take care of criminal activities in Canada, and indeed it is not. That is exactly what I just finished saying.

The Speaker: It is just about 2 p.m. so we will proceed to Statements by Members.

STATEMENTS BY MEMBERS

[English]

KHALSA

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I will now ask my colleagues to tune in to their Punjabi translation channel as I say:

[Editor's Note: Member spoke in Punjabi and provided the following translation:]

[Translation]

The Khalsa (pure) is of the God.

The victory is of the God.

[English]

Happy 300th birthday of Khalsa, the Sikh religion. Sikhs in my riding of Etobicoke North and Sikhs all across Canada are celebrating the tricentennial of their religion this week with a variety of celebrations and festivals. I look forward myself to attending the World Sikh Organization's gala celebration this Saturday in Etobicoke.

At this special time I would like to acknowledge the outstanding contribution the Sikh community has made to Canada. Because Canada is a country that celebrates and honours diversity, the contribution that Sikh Canadians have made to Canada is well recognized and appreciated. The social, economic and cultural contributions made by Sikhs have strengthened the fabric of our country. Happy *Vaisakhi*.

[Editor's Note: Member spoke in Punjabi and provided the following translation:]

[Translation]

The Khalsa (pure) is of the God.

The victory is of the God.

[English]

ABORIGINAL AFFAIRS

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, not a week goes by without grassroots aboriginals banding together to fight for accountability.

Last week in Nova Scotia a Micmac group announced that it was planning to take its message to every reserve in Atlantic Canada by late summer. Its message is clear to pressure chiefs and band councils to be more open, honest and accountable as well as to demand copies of their band's audited financial statements. This group has found no conflict of interest guidelines, accountability requirements and no means to deal with corrupt officials.

This week in the Vancouver *Sun* a group of aboriginal women spoke out against the department's policy of transferring the administration of social programs as preliminary steps to self-government. They say it is so mismanaged and misdirected that it threatens the democratic rights and freedoms of native Indians. The \$6.4 billion a year is simply not trickling down to rank and file natives on and off reserve. Fraud, nepotism, intimidation and theft are the orders of the day.

When will the minister finally listen to the grassroots? It will not be long before the demands of accountability and the refusal of self-government are rampant across the nation.

* * *

DENTAL HEALTH MONTH

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, today I am pleased to inform the House that April has been declared Dental Health Month.

• (1400)

One of my constituents, Dr. Raffy Chouljian, is president of the Toronto East Dental Society and he wants us all to be more aware of our dental health every day, not just dental health month.

I want to inform the House that the average Canadian consumes approximately the equivalent of 40 kilograms, or 88 pounds of sugar each year. No wonder the House gets a little bit raucous sometimes. Sugar, as we know, is one of the main causes of dental problems.

This past weekend in my riding of Scarborough Centre, the Albert Campbell and Cedarbrae Libraries held book displays and had questions answered by local dentists. In addition, the Toronto East Dental Society has donated a number of dental patient educational books to the Scarborough Public Library system to help promote dental health.

I commend Dr. Chouljian and his association on their hard work and ask that all Canadians take a moment this month to think about their dental health.

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DR. JUDITH HALL

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, I signal the achievements of a distinguished Canadian medical scientist. Dr. Judith Hall, educated at Wellesley College, the University of Washington and Johns Hopkins, is currently head of the Department of Pediatrics at the University of British Columbia's children's hospital.

She combines world class expertise in pediatrics and genetics. She has been able to develop and apply new genetic techniques to patient care, particularly in respect to children. She has now been named Officer of the Order of Canada for her internationally recognized research on human congenital anomalies and children's growth disturbances.

* * *

UNITED ALTERNATIVE

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, the Reform leader's grand dream of a united alternative continues to implode. Not only is it proving to be incapable of uniting the right, but it seems to be tearing apart the old Reform Party.

Twelve Reform MPs, or 20% of the caucus, have publicly stated that they want nothing to do with the Reform leader's latest scheme and other Reform MPs have announced they do not plan to run with the party in the next election. The only Reformers who seem to like the united alternative are the ones who see it as a means to get rid of their current leader. They are the sensible ones.

As Susan Riley so succinctly wrote in the *Ottawa Citizen* last Friday:

If the right keeps uniting this way, they're going to have to print longer ballots on election day to accommodate all of the emerging splinter groups, rival factions and breakaway rumps.

* * *

[Translation]

ABORIGINAL PEOPLES

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, Canada often boasts about how it is a world leader in the promotion of civil and political rights. But last week, in one of its reports, the United Nations Committee on Human Rights took the federal government to task for its treatment of aboriginals.

It said that Ottawa has not given effect to the recommendations of the Royal Commission on Aboriginal Peoples with respect to first nations lands and resources. Yet these are fundamental considerations in the process leading towards first nations self-government.

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The Bloc Québécois joins with the UN in urging the federal government to quickly and energetically implement the royal commission's recommendations with respect to lands and resources. It is time the Liberals stopped patting themselves on the back and understood that, for first nations, Canada is still a long way from being the best country in the world.

* * *

[English]

EMPLOYMENT INSURANCE

Mr. Maurice Vellacott (Wanuskewin, Ref.): Mr. Speaker, a government study released in March showed that students are among those hardest hit by the changes to the employment insurance program. For example, students who work part time while in school who have no chance of collecting benefits are still forced to pay inflated premiums.

The most shocking thing we have learned is that those responsible for this problem are themselves students. There are three of them.

One is the Minister of Finance, a graduate of the school of accounting sleight of hand.

Another is the Minister of Human Resources Development Canada, a member of the school's debating society who is skilled in the art of defending positions dictated by others.

Lastly, there is the Prime Minister, the schoolyard bully, who sees no need for studies like the one released in March. Such studies only get in the way of stealing the lunches of weaker students.

* * *

[Translation]

LAW DAY

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, I would like to draw to your attention that today is law day. We in Canada are celebrating the 17th anniversary of the Charter of Rights and Freedoms. The theme for law day is access to justice, a theme I strongly support.

[English]

Public legal information and education activities have been organized across Canada by the Canadian Bar Association involving hundreds of lawyers. The aim is to make the law more accessible to all Canadians and to expand their knowledge of their rights within Canada's justice system.

I offer my encouragement and my support to the Canadian Bar Association as well as to the many community groups here in Ottawa and across Canada in their endeavours on Law Day.

● (1405)

I invite all members to join me in extending best wishes to all involved for a successful law day and especially the members of the Canadian Bar Association who, with their president, Mr. Barry Gorlick, are here in the gallery today.

* * *

VICTIMS RIGHTS

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, today Canadians, and especially victims of crime, finally receive some legislated form of victims rights. It is unfortunate that we have had to wait so long for these relatively simple reforms to our criminal law. For six years the Reform Party has been pressuring the government.

In response to a Reform motion by the member for Langley—Abbotsford and supported by the majority of the last parliament, the former Minister of Justice and now Minister of Health promised legislation would be introduced in the fall of 1996. It was not.

Last October the justice committee made 17 recommendations toward improvements to victims' rights.

Today, at long last, we have finally heard from the Minister of Justice. Six years; why did it take so long? And, still we are only half way there. The government still has much to do in the area of corrections and conditional release.

On behalf of victims, I seriously question the government's priorities in respect of victims rights.

* * *

[Translation]

BLOC QUÉBÉCOIS

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the separatists have just released a series of documents they call "chantiers" or works in progress. In these new documents they hold doggedly on to their determination to break apart our country of Canada.

Yet some time ago Quebec Premier Lucien Bouchard said that the idea of sovereignty was still at the early stages. It seems to be time this project was shelved.

The Bloc is coming back with the same idea, the separation of Quebec from the rest of Canada. The separatists ought to bear in mind that Quebecers have twice rejected that option.

S. O. 31

[English]

SAGKEENG FIRST NATION

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, the Sagkeeng First Nation in Manitoba has been devastated by a supreme court decision to take a four year old boy away from his biological grandfather and give custody to his adopted grandparents in Connecticut.

The grandfather did not lose custody for neglect. The court based its decision on money. The Sagkeeng man lost custody because he is poor and the American couple is rich.

Discrimination on the basis of money or social condition is unacceptable to Canadians. Incredibly, this kind of discrimination is not illegal in Canada.

Two days ago the Liberal government had a chance to make sure that what happened in Sagkeeng would never happen again. Shockingly, it voted down Bill S-11, a bill that would have outlawed discrimination on the basis of social condition. Instead of standing up for the people of Sagkeeng and aboriginal children everywhere, the minister of Indian affairs and her parliamentary secretary from Manitoba chose to toe the Liberal government's line.

This is yet another betrayal by the Liberal government.

* * *

[Translation]

BLOC QUEBECOIS

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, the sovereignists have most decidedly understood nothing about the choice of Quebecers. Twice, in 1980 and in 1995, in two referendums, Quebecers have chosen to remain within Canada.

In the past two days the Bloc Quebecois has made public a series of documents. No doubt in large part inspired by their new researcher and former premier, Jacques Parizeau, they are trying to again stir up trouble among Quebecers.

The sovereignists are willfully deaf. Instead of respecting Quebec's determination to remain within Canada, they are trying to perpetuate political instability by talking of separation.

* * *

MUNICIPALITY OF CLARE

Mr. Mark Muise (West Nova, PC): Mr. Speaker, today I want to congratulate the residents of the municipality of Clare for their generous efforts.

These people had long awaited the construction of a multi purpose building, which would house only a curling rink and accommodate trade exhibitions, farmers' markets, craft shows and such.

The dream is now a reality through the work of a group of volunteers who generously gave their time and energy to this project. Under the leadership of Charles Surette, these people mobilized the rest of the community and the Yarmouth HDRC and set to work providing 2,000 hours of volunteer labour, so that soon life will be better for the residents of Clare.

It appears that in the municipality of Clare civic pride and the willingness to volunteer are alive and well.

* * *

● (1410)

ROSAIRE MORIN

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, Rosaire Morin, senior editor of the magazine *l'Action Nationale*, died yesterday at the age of 77, after an exceptional life of action, thought, research and writing.

Up to the very last minute, Rosaire Morin was working for his people, to emancipate French Canadians in his youth and to liberate the Quebec people thereafter.

In the course of the debate preceding the selection of the Quebec flag in 1948, he was one of the primary players in the important event known as the States-General of French-Canada.

The flight of Quebecers' savings was his last issue. In this one as in all other battles, Rosaire Morin was totally professional and committed.

I reiterate the words of the president of the national action league "One of the great artisans of modern Quebec has just died. He followed in the steps of the great leaders. He died on the brink of a country he fought for so hard".

* * *

CANADA EXPORT AWARDS

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, the Canada Export Award ceremony will be held in Toronto next October.

Since the program was first instituted 16 years ago, more than 300 enterprises have entered their names.

The Canadian government is pleased to take part in this ceremony and pay tribute to the accomplishments of Canadian enterprises in industries as varied as food, technology, telecommunications and transportation.

We wish all entrants the best of luck and every success. I hope that there will be numerous representatives from Quebec among them.

Oral Questions

[English]

THE JUNCTION

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to thank the city of Toronto, Toronto Hydro and the West Toronto Junction team, who, in partnership with Human Resources Development Canada, are working toward the revival of the area in my riding known as the Junction, which at one time was the heart of the West Toronto village.

In the largest underground project undertaken in its 88 year history, Toronto Hydro will invest \$19 million to take down hydro poles, overhead wires and transformers and will replace them with new street lights, underground cable and transformers. Once completed, the West Toronto Junction team and the city of Toronto will undertake a major streetscape improvement program. The federal government has to date contributed \$100,000 toward rebuilding the local labour partnerships.

On April 9th, the groundbreaking ceremony took place and we are now one step closer to the dream of restoring this neighbourhood, making it a vibrant, healthy and prosperous place to live and work.

I would congratulate the West Toronto Junction team, the city of Toronto and Toronto Hydro for their initiative in reviving this important historic neighbourhood.

* * *

BATTLE OF VIMY RIDGE

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): I rise on behalf of the people of Okanagan—Coquihalla to commemorate the 82nd anniversary of the Battle of Vimy Ridge.

After three years of a bloody stalemate on the western front, it took four divisions of Canadians, led for the first time by a Canadian, to advance with a resounding tactical victory.

The key at Vimy was superior planning and troops with a determination to defy the odds. After weeks of practice on a full scale replica of the ridge, the Canadians shelled the well-trenched Germans for two weeks before risking a frontal assault.

When the time came to remove the remaining Germans from their superior position, the Canadians advanced slowly up the ridge behind a wall of fire provided by the Canadian artillery. After heavy fighting, the Germans were driven off the ridge at a cost of 11,000 Canadian casualties.

To historians, Vimy Ridge is a spectacular tactical victory studied for its own merits. For Canadians, however, it marks the birth of our nation.

SEAFREEZ FOODS LIMITED

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I rise in the House today to express my extreme disappointment and frustration and those of the citizens of Guysborough county with the decision of the Minister of Fisheries and Oceans for rejecting an application from Seafreez Foods Incorporated, one that was requesting to harvest 1,000 tonnes of shrimp off the Strait of Canso.

As astonished as I am with the minister's decision, it does not compare to that of the 150 workers who were temporarily laid off only hours after the federal government's decision to reject the Seafreez application.

Seafreez Foods once employed 800 people. Now Seafreez only employs a handful. It is due to the lack of support and understanding that this minister and his government display toward the fisheries in Canso, Nova Scotia. For far too long, the fishermen of Canso have seen fish being caught only kilometres off their peer to be trucked elsewhere by others for processing. It is ludicrous and offensive.

The fishing industry is the lifeblood of Canso. With these fishermen not fishing they are obviously not working, which is precisely the problem. The lack of work in Canso today is primarily due to the minister's illogical decision to reject Seafreez's application for increased stocks last Friday.

Seafreez has exhausted all possible—

The Speaker: Oral questions. The hon. Leader of the Opposition.

ORAL QUESTION PERIOD

● (1415)

[English]

KOSOVO

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, Russia today welcomed the German peace plan offering a 24 hour halt to the NATO air strikes if Yugoslav forces would withdraw from Kosovo. Certainly no one wants a repeat of the tragic accident that occurred yesterday.

What specific efforts have Canada and its allies undertaken to impress upon Milosevic the serious consequences of not accepting the latest peace offer?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are happy that there is more pressure on President Milosevic at this time to accept the withdrawal of his army, which will lead immediately to the stopping of the bombing.

Oral Questions

I hope he will understand that it is in the interests of everybody that he withdraw his troops, that they stop doing what they are doing in Kosovo, so the bombing can stop right away. I hope that he listens.

We were talking to a lot of people this morning. For example, the Minister of Foreign Affairs spoke with the Minister of Foreign Affairs for Russia to try to advance the case. As any other country who is part of NATO, we are trying to find a peaceful solution to this terrible problem.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, yesterday the Minister of Foreign Affairs said that Canada had been involved in the development of this German peace plan for over a week. Obviously, therefore, Canada has a role in promoting this peace proposal.

What efforts has the Prime Minister himself undertaken to advance the German peace proposal, including within NATO where both the United States and the United Kingdom have expressed some reservations?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, as the Prime Minister just indicated, on the weekend there was a meeting of G-8 senior officials in which a series of proposals were examined. They emerged, as the member calls it, with the German proposal.

What we are now doing is engaging in a series of discussions among ministers and among capitals to see how we can arrive at an agreement on those proposals. It is one thing to have proposals, the other thing is to get agreement on them.

I had a discussion with the Russian foreign minister this morning to determine how those proposals could be conveyed and communicated to the Serb authorities and to determine whether in fact they are prepared to accept them. That discussion is ongoing and I hope we will have some positive results. In the meantime, we will continue to work actively to secure those results.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, surely we all agree that every effort must be made to bring Milosevic to the peace table. But the Milosevic regime has kept its own people in the dark, both with respect to its ruthless policies of ethnic cleansing and with respect to the peace initiatives that have come from NATO and the west.

What effort is being made by Canada and its allies to communicate to the Yugoslav people, as distinct from the Yugoslav government, the fact that there is a new peace proposal on the table?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, one of the great handicaps in this whole conflict is that the

media is totally controlled by state authorities in Serbia. They do not allow any form of communication other than the ones which they dictate. Therefore, it is very difficult to get any independent evaluation. We are in a democracy and we have a wide variety of opinions being expressed.

In the meantime, I think there are very active presentations being made by Radio for Europe and by Voice of America to try to communicate the interests of NATO in finding a peaceful solution. We will get that information through to the Serbian people as much as we can.

* * *

TAXATION

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I want to ask the Minister of Finance a question about taxes. Before I do, I simply want to say that the alleged tax relief which he has supposedly delivered so far is clearly inadequate. That is why 85% of Canadians are saying in a national poll today that they want to see tax relief as the number one priority.

Instead of telling us how concerned he is about it, how much he would like to give tax relief, when is he actually going to deliver tax relief?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the government has made it very clear time and time again that we want to bring down taxes. In fact, we did bring down taxes substantially in the last budget.

If the hon. member wants to quote polls, surely to heaven he would like to quote the poll of 6% of Ontarians who support the gutting of health care like the Reform Party would do.

• (1420)

Mr. Monte Solberg (Medicine Hat, Ref.): There we go, Mr. Speaker. The Minister of Finance says "I want to cut taxes, but. . ." He always has an excuse. "This surplus is not big enough". "I gave billions to big business". "Mom wouldn't let me". "The dog ate my homework". We hear lame excuse after lame excuse.

Instead of lame excuses, when is the minister going to do something? When is he going to give us substantial tax relief?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the fact is, I simply repeat, that it is \$16.5 billion over the next 36 months. That is substantial tax relief.

The Reform Party is now revealing its true colours. What it says is a lame excuse is \$11.5 billion going into the health care system. That is not an excuse; that is Canada's priority.

*Oral Questions**[Translation]***KOSOVO**

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, while reaffirming the need for NATO intervention in Kosovo in order to protect the Kosovar population, we now know that the intensified air strikes have resulted in innocent Kosovar victims.

Could the Prime Minister fill us in on the situation and give us his version of yesterday's sad incident?

[English]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, at the NATO briefings this morning the pilot who was involved in this tragic incident described what happened.

He saw a number of villages being set on fire and destroyed. They reacted to that. A convoy with military vehicles was perceived to be responsible and they attacked it to try to stop the destruction. Unfortunately, those military vehicles also contained refugees.

It is a very regrettable accident and NATO authorities are putting in place measures to make sure it does not happen again.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, everyone deploras yesterday's sad incident, the horror of ethnic cleansing and women being raped.

A ray of hope has appeared, however, with Germany's peace plan which, we have learned today, has Russia's backing. Two countries with which Canada has close ties, the United States and Great Britain, are somewhat lukewarm to the plan.

Does the Prime Minister intend to intervene with his British counterpart, the President of the United States and the Premier of China so that they too will support this opportunity to arrive at a peaceful solution to the conflict, and so that Canada can present Germany's peace plan to the UN security council?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in one hour, I will have an opportunity to meet with the Premier of China and I intend to ask him to play a role.

It would be desirable for the United Nations to be involved, for all countries, therefore, to be involved. Since China is on the security council, I would like it to take part.

A few hours ago, the Minister of Foreign Affairs spoke with his Russian counterpart. By tomorrow, or the next day, I hope to be able to speak with Mr. Clinton and Britain's Prime Minister. I have made arrangements to speak with them as soon as possible.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, yesterday the Minister of Foreign Affairs told us that the peace plan proposed by Germany had been discussed by NATO member countries this past weekend.

Never, I repeat never, either in the debate in this House or in his responses to our questions, did the minister so much as mention the existence of this peace plan.

Are there many other important things like this one of which we are not aware because the government is deliberately hiding them from us?

The Speaker: Order, please. The word "deliberately" is a bit strong. I ask the hon. member not to use such words.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the statements made by the hon. member are false.

What I did say was that, last weekend, there was a meeting of senior G-8 staff. A discussion was held at that time, along with an examination of the possibility of proposing a peace agreement. Leaders of governments, ministers of governments, are holding discussions, but there is no specific agreement. A group has presented some ideas.

• (1425)

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, this morning, the Americans were told by their government that the NATO air strikes could continue until the summer, that this could cost them between \$4 and \$8 billion, and that the President is contemplating calling up several thousand members of the Reserve, and sending over 300 more aircraft.

Can the Prime Minister go beyond mere generalities and tell us whether he knows how many troops and aircraft will be required of Canada, how long our participation will go on, and how much these operations will cost Canadians and Quebeckers? The people are entitled to know this.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at this point in time it is impossible for anyone to predict exactly how long the operations will last. If President Milosevic were to agree today to pull out his troops, that would put an end to the problem. We have already said we would then be prepared to send over peacekeeping troops.

At this point, we have 12 aircraft over there, and 6 more have been requested. We have not yet made any decision, but we are going to play the role that is appropriate for us in these operations.

I do not know if it is going to go on until June, July or August. I think such predictions are impossible, and I do not want to create either false hopes or false concerns. I want to stick to today's reality.

*Oral Questions**[English]*

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, yesterday the Minister of Foreign Affairs recognized that Canadians and people around the world want to see a diplomatic solution to the crisis in Kosovo. Like us, the minister saw hope of achieving that goal in the German peace plan. Unfortunately Germany's proposal has stalled.

Is Canada now willing to press for a diplomatic solution by presenting a uniting for peace resolution to the UN security council?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member has it wrong. I do not think anything has stalled. I think the proposal has now been made public. As I said, there is a series of discussions going on. The Prime Minister indicated his engagement with leaders of other governments. I am engaged in discussions with my counterparts. We also have discussed this with the Secretary General of the United Nations, and the five basic principles he put forward are encompassed in this plan.

As I said to the hon. member's leader yesterday, let us give this particular proposition a chance to work. Let us give it a chance to see where it goes and then we will determine what the next course will be. We are actively engaged to see if we can find a solution.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, I am truly surprised. The casualties of war are mounting. There is evidence that this peace plan has stalled. Yesterday the foreign affairs minister did not discard the idea of a uniting for peace resolution. He said he was ready to consider this option, but he wanted the German plan to be explored first.

Now that we know endorsement for this plan is limited, will Canada go to the security council, use the uniting for peace resolution and propose an emergency session of the General Assembly of the United Nations?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I do not know where the hon. member gets his assessment. My sense of it is that there is a very active interest in trying to see how we can gain agreement. That is the essential ploy. There is no point in getting a resolution from the United Nations, whether it is the security council or the general assembly, if there is not agreement by the parties to the dispute to abide by it. We are trying to get that agreement. The essential diplomatic task is to get the Yugoslav government, Milosevic, to agree to withdraw his troops, to stop persecuting his people and to find some international force to make sure that implementation can be properly monitored. That is the issue. Get the agreement.

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, yesterday the Minister of National Defence answered yes to specific training. Our troops in Edmonton, the Princess Pats and the LSH, are training for ground operations and peacekeeping. A force

of one infantry battle group, one recce squadron and one helicopter squadron was confirmed by the Liberal government leader in the Senate. The Kosovo observers training in Kingston were told by the J-3 of an option of 2,000 soldiers.

After three confirmations, will the minister admit that this is now fact?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the hon. member does not seem to give up. I clearly pointed out yesterday that what he is relating to is a classroom discussion, not the development of policy. That is developed at National Defence Headquarters and ultimately here in the House of Commons.

The training that goes on and the training he referred to yesterday in terms of the United States is something that has been planned for a long period of time. It is part of our ongoing training, our inter-operability with the United States forces, to keep combat capable. The only troops that we have been talking about in terms of Kosovo have been for peacekeeping purposes.

• (1430)

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, the government is not showing that it is very serious in defeating Milosevic if diplomacy does not work.

Will the Minister of National Defence confirm the following facts? Some 40 to 50 officers in Kingston were briefed by J-3 operations staff in charge of planning Canada's deployment to Kosovo. On the ground out of class exercises were carried out with a 2,000 force scenario. Is it now the intention of the minister also to deploy more CF-18s?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, with respect to more CF-18s, we have the matter under active consideration. I expect to be able to say something about that shortly.

With respect to our plans in terms of forces on the ground, our plans are only relevant to a peacekeeping force. If there is anything else, as the Prime Minister has said, as I have said and as others have said on many occasions, then of course there would be full consultation with the House.

* * *

TAXATION

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the minister for taxes has no clue how much his high tax policies are punishing Canadians.

A 61 year old single woman who earned under \$12,000 last year recently sent me her 1998 tax form. The finance minister forced her to pay \$661.03 in federal taxes. That ought to be a crime.

Oral Questions

Why is it the minister's policy to force a 61 year old woman who is living well below the poverty line to pay any tax at all? Why would that be?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is unseemly to see the crocodile tears of the Reform Party members when they talk about poverty. They never talk about poverty and it is not part of their agenda.

The basic issue is that we want to cut taxes as much as anybody. In fact we have cut taxes substantially for that person.

The member has a supplementary question and she could tell us. Three quarters of our spending was on health care and education. Would she not do that? We spent money on equalization. Would she not do that? We spent money on medical research. Would she not do that? If her questions are to have any credibility, she should stand up and say what she would cut.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, what we would cut is taxes. And I do not think the minister can talk about crocodile tears.

The minister knows that in his latest budget this woman would save a paltry \$60. The tax experts have confirmed that and they are no rivals. She would still have to pay over \$600 in her taxes this coming year. That is shameful. This same woman also had to pay \$9.77 in the federal individual surtax when she made less than 12,000 bucks.

I would like the minister to get up and give a supplementary answer. Why does he force the working poor to keep paying so much money to him?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, that is not the issue at all. The issue is the fact that that woman will be able to go to a hospital and get decent health care which she would not get if she followed the Reform agenda. That woman will get decent medical research for breast cancer which she would not get if she listened to the Reform Party. And that woman's daughter will get decent prenatal nutrition. There will be children's programs which they would not get if they listened to the Reform Party.

The Reform Party wants to cut taxes. It wants to cut taxes on the backs of the poor and low income people. That is its agenda and we will never follow it.

* * *

[*Translation*]

KOSOVO

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, as the plan proposed by Germany and approved by Kofi Annan, the UN Secretary General, would be acceptable as a solution to all the members of this House and may in fact be the key to the end of the conflict in Kosovo, should Canada not show some leadership?

Would this not be a fine time to be the first country whose House of Commons adopts the peace plan? Should Canada not seize this opportunity before it?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I spoke this morning with Kofi Annan on the peace proposal. Our discussions included the importance of a negotiating process.

• (1435)

There is no agreement at the moment. A group has put forward ideas. It is very important to develop a negotiating process. It is still too early to ask the House of Commons to express its view. When agreement has been reached, I would like an expression of support from the House of Commons, but at the same time—

The Speaker: The hon. member for Roberval.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, am I right in understanding the minister to say that the government would be ready, once an agreement has been reached, something committed and of substance, to put it to a vote in the House so members may decide on it?

If that is the case, it is an interesting proposal and we would ask the minister to reiterate it.

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, as the Prime Minister has said on many occasions, we are always prepared and interested to bring to parliament for its consideration important initiatives that we must take internationally. At the same time we are saying that we must carefully examine this question of a vote because it begins to provide serious limits on the fundamental issue of cabinet government. We are very interested in having the full Commons take note of these initiatives and express its point of view. Those were my words.

* * *

[*Translation*]

TAXATION

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, 85% of Canadians and 80% of Quebecers say that tax cuts should be a priority. They say that taxes are eroding their quality of life and hurting the economy, the dollar and the national standard of living.

Is the Minister of Finance so cut off from reality that he does not see the serious consequences of his heavy taxes on Canadians?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I have said, and I will say again, that we want to lower taxes and that we have lowered them substantially, by \$16.5 billion over 36 months.

That is not the question. The question is this: Is the member, who is his party's health critic, saying that he does not approve of our decision to earmark \$11.5 billion in federal transfers for health? Is he saying that he is not in favour of our investments in medical

Oral Questions

research and development? Is he now going back on everything he has said in the last two or three weeks?

[*English*]

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, let me tell you what I was against. I was against the \$21.4 billion this government took out of medicare in the previous five years and this little dribble, this \$11.5 billion it is putting back. It is two to one, two dollars out and one dollar back in. That is not a very good record as far as I am concerned. How can the finance minister stand up and possibly justify that record? It is awful.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, if the hon. member was against that, then why is it that after we put \$11.5 billion into the transfers to the provinces the hon. member stood up and—

Some hon. members: Oh, oh.

The Speaker: Order. We heard the question. We will hear the answer.

Hon. Paul Martin: Mr. Speaker, the question is, if the hon. member objected to the \$3.5 billion which his party was going to cut in transfers, why did he not stand up and say so? If the hon. member objected to reductions in transfers when his party was going to cut \$16 billion out of transfers to the provinces for health care, why did he not stand up in this House and say so?

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[*Translation*]

KOSOVO

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, NATO said it wanted to preserve the territorial integrity of Albania and Macedonia at all costs. Now Serb troops have moved into Albania and there has been mortar fire on the border with Macedonia for several days.

My question is for the Minister of Foreign Affairs. Can the minister tell us what NATO intends to do following its undertaking to protect Albania's borders?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, there is no doubt there have been reported incidents of incursion across the borders. It has not constituted a major intervention. It has been an attempt in terms of the conflict between the UCK and Serbian forces themselves.

• (1440)

NATO ministers and NATO itself have made a very clear statement. We will not in any way accept any interference or any transgression across those borders. We guarantee the safety and security of Macedonia and Albania.

[*Translation*]

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, the bombing area is one travelled through by many refugees, and numerous NGOs are working there as well.

Since Doctors without Borders and NGO workers are at risk, does the minister still think that deploying troops is hypothetical, as he said yesterday?

[*English*]

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, there are no plans to send ground troops at this point in time. The only plan is in terms of a peace implementation force.

With respect to the air campaign, every effort is made to hit military targets. That is our objective. That is our effort. Every effort is also made to avoid civilian casualties. Unfortunately, there have been incidents, but every effort is being made to double the attempts to prevent that kind of thing from happening.

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ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the Kamloops Indian band has just enacted a labour code that denies unions the right to strike or collect union dues on the reserve. This move effectively bans unions on the Kamloops Indian reserve and it flies in the face of the Canada Labour Code and denies basic rights and freedoms to band members.

Does the minister agree that the Kamloops Indian band's new labour code is an attack on the charter rights of band members to participate in trade unions?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I can advise the House and the hon. member that we have received the petition from the Kamloops band for this particular amendment to the Canada Labour Code. We have deemed that it is out of order and we have given that notice to the chief and council of the Kamloops band. We consider the matter closed.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, it is interesting to note that in the case of the Kamloops Indian band the government deems the matter to be out of order, but we find that the Nisga'a treaty will also give the Nisga'a government the absolute power to ban trade unions from their territory for all time.

Why do the minister and the government agree to grant self-government powers to the Nisga'a government that deny Nisga'a people the right to belong to a trade union?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the hon. member is again confusing two different pieces of legislation. He does not understand Bill C-49 or the Nisga'a legislation.

Oral Questions

The hon. member knows this. His party and leader should know this. In the treaty that was signed, there are specific provisions which provide for the application of the charter of rights and freedoms as to all Canadians.

* * *

[Translation]

KOSOVO

Mr. René Laurin (Joliette, BQ): Mr. Speaker, on Tuesday the NATO supreme commander confirmed that the U.S. had been asked for 300 more aircraft, and the allies for about 50 more, which would raise the total number of planes involved in the conflict to more than 1,000.

Can the Minister of National Defence tell us what exactly is the supplementary effort NATO is requesting from Canada, and what role those planes would play in intensifying the air strikes in Yugoslavia?

[English]

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, there was a general request issued by the supreme allied commander in Europe to the NATO countries. We are actively looking at the matter. I hope to have something to say about this shortly.

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

We know the minister has said that the NATO air campaign is necessary to bring maximum pressure to bear on Milosevic to negotiate. Will the minister inform the House of what other actions Canada is taking to highlight the human rights and humanitarian concerns in the region?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I agree very much with the hon. member that it is very important to bring the maximum pressure against the perpetrators of the violence that is going on in Kosovo.

I want to inform the hon. member and the House that Canada co-sponsored a resolution at the United Nations Human Rights Commission which condemned the ethnic cleansing, which demanded an immediate cessation of the persecution of Kosovars, and which asked the international community to support the work of the international criminal tribunal.

I am pleased to say that resolution passed with 44 votes for, one against and six abstentions. It shows the mobilization of support we can get against this kind of violence.

AGRICULTURE

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, yesterday the minister of agriculture talked about mailing out application forms when I asked him how much money farmers had received from disaster assistance. Farmers do not want the minister to talk about sending out forms. They need the minister to send out some help.

• (1445)

Can the minister tell the House how much money he has sent out to producers to date?

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, an example of what the government is doing as the applications come in is that Ontario, which has returned 1,000 applications, is receiving a payout of about \$25,000 per farmer. The farmers on Prince Edward Island have submitted about one-fifth of their application forms at a payout rate of \$38,000.

As soon as the applications come in the government will expedite the payout.

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, I would like to talk a bit about western Canadian farmers. How many application forms have come in from them?

The application forms were not even available on the Internet until March. They never started mailing them out until two weeks ago, so how could the forms be back here? How much money has gone out to western Canadian farmers?

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, it is a very peculiar question from a party that does not want to pay out any money to farmers.

The minister said yesterday that 11,000 application had been sent out. As soon as they are sent in, they will be processed and the money will be sent to the farmers.

* * *

KOSOVO

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the Canadian Council of Churches met today with the Prime Minister to urge a diplomatic solution to the Kosovo crisis. Let me read from its letter:

Canada needs to take advantage of its hard-won position on the security council, calling on it to perform a central overseeing role in the diplomatic and humanitarian response to the crisis.

My question is for the Minister of Foreign Affairs. Why will Canada not lead the call to move for a diplomatic solution at the UN?

Oral Questions

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, first I would like to say that the Prime Minister did have a very important meeting with the leaders of a number of major Canadian churches this morning for well over an hour.

It was one of those particularly important exchanges because of the morality and the sense of urgency the churches brought. I can also say that I think they understood as well that Canada is actively engaged in trying to stop as much as it can through NATO the persecution, the violation, the harassment and the deportation of hundreds of thousands of Kosovars. That in itself is a very important moral stand to take.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the Vatican, churches throughout Europe and churches in Russia have appealed to NATO, to the Serbs and to the Albanian Kosovars to stop the military action and to engage in dialogue immediately. Now, as we have heard, they are joined by the Canadian Council of Churches.

To advance this diplomatic dialogue, is Canada prepared to pursue a uniting for peace resolution at the United Nations? Will Canada do that?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I recognize the good intentions of members of the New Democratic Party. They keep coming back to the uniting for peace resolution. I keep coming back to the point that there is active diplomatic initiatives under way.

I had discussions this morning with the secretary general who put up a five point program last week, which has now been reflected in the G-8 meetings in the proposition put forward by the German government.

The secretary general himself is actively working to secure agreement on those five points. If the secretary general is interested in that proposal, I think the New Democratic Party may restrain itself on its uniting for peace resolution until we see how that works out.

* * *

SHIPBUILDING INDUSTRY

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I have asked the Minister of Industry numerous times to meet and work with officials from the Canadian shipbuilding industry and repeatedly he has refused, citing that we now have a national shipbuilding policy that is competitive.

If this is correct, why have we lost over 6,500 jobs already and are about to lose 2,000 more before the end of this fall.

Will the minister agree that the shipbuilding industry is in crisis in Canada? Will he please sit down with the shipbuilding industry and talk about a new shipbuilding policy?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I did so about a month ago.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, yesterday and the day before the union was in town from Saint John, New Brunswick.

• (1450)

We had 4,000 men working at our shipyard. We are now down to 200. He refused to meet with them. The Liberal premier of the province of New Brunswick came out today condemning the minister because he would not meet with those people.

I ask the Deputy Prime Minister to ask the Prime Minister to please instruct his minister to sit down and draft a new shipbuilding policy.

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I am always happy to sit down when I have the opportunity.

I say to the hon. member that although she continues to deny it, we have enhanced the shipbuilding policy that had been put forward by her party when it was in power by increasing the amount of support given by the Export Development Corporation.

I am prepared to work with the industry. The fact is when their party was in government it was incapable of coming up with a better policy.

* * *

[Translation]

ENDANGERED SPECIES

Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.): Mr. Speaker, my question is for the Minister of the Environment.

What are the government's intentions with respect to endangered species? In particular, can she tell us when she intends to act in order to protect endangered species throughout Canada?

[English]

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, I thank my colleague for his very reasonable question. The government is very concerned about protecting species at risk. We have laws today like the Canadian Wildlife Act, the Migratory Birds Act and the Fisheries Act which do protect species, but much more needs to be done.

I have been consulting with all stakeholders and provinces across the country for a year and a half. I will be bringing in a strategy to protect, together with the stakeholders, all species at risk, animals and plants. It will be law. It will be policy and program in partnership, which is very important to protect species at risk.

*Oral Questions***YEAR 2000**

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, the Minister of Health said yesterday that any Y2K failures in hospitals were not his problem. The Toronto East General Hospital needs \$5.2 million to become Y2K compliant and keep patient care running on January 1, 2000. That is his responsibility.

How can the minister say "it is not my problem" when 35% of health care facilities are not Y2K ready? How can he deny his responsibility?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the hon. member should bear in mind that hospitals are responsible for their own administration and provinces are responsible for the hospitals.

A few months ago we increased transfers to the provinces for health by \$11.5 billion. The provinces undertook to use all that money for health. I suggest it is now up to the provinces to ensure that the hospitals see to their responsibility to become Y2K compliant. It must be done.

* * *

[Translation]

KOSOVO

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, in response to a question from us yesterday, the Minister of National Defence confirmed that 600 soldiers would be dispatched to Macedonia to take part in a peacekeeping mission, but the timing of that deployment was not specified.

This morning, we learned that 20,000 more Kosovar refugees are expected in Macedonia this very day.

Would this new influx of refugees be the signal the Minister of Defence appeared to be waiting for before sending this contingent of 600 soldiers to Macedonia?

[English]

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, there are some 20,000 NATO troops between Albania and Macedonia that are there as a vanguard group for a peace implementation force. It is a very substantial number of troops. It is also a substantial number of troops to help look after the refugees, and that is what they are doing.

* * *

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, my question is for the Minister of Agriculture and Agri-Food.

Today one Liberal senator described the AIDA program as a disaster and the application forms as a mad dog's breakfast.

Another Liberal senator, former Minister of Agriculture Whelan, said the farm income situation on the prairies was worse than anything he had ever heard.

Spring seeding is approaching and farmers are in dire straits. The AIDA program is indeed a disaster.

What are the minister and his officials doing to correct this bureaucratic nightmare and to actually put some money into the pockets of prairie farmers fast?

• (1455)

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, unlike the member, I think the farmers of Saskatchewan know the difference between an application form and a booklet.

The application form is five to twelve pages long. It can be filled out from the income tax forms or from the NISA forms. It is a very simple operation. As soon as they fill them out and send them in we will process the applications and return the money to them.

* * *

FISHERIES

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, the exploding seal population is a nightmare for many rural communities in Newfoundland. The seal population is some six million and growing rapidly. It poses a direct threat to the re-establishment of a viable cod fishery. It makes no sense to tie up boats to allow the fragile cod stocks to rebuild if we do not protect cod from all the other hazards including seals.

Does the Minister of Fisheries and Oceans not agree that the cod stocks need to be protected from a growing seal menace which is rapidly wiping out a way of life in rural Newfoundland?

Hon. David Anderson (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the cod crisis came about because the member's party was in power for 10 years and succeeded year after year in ignoring scientific advice and setting the total allowable catch well above what was recommended.

Now they want to ruin another industry in Newfoundland, sealing, and they are going about it the right way. May I suggest to the hon. member that he read what the president of the sealers association said before the parliamentary committee this very day.

* * *

HEALTH

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, my question is for the Minister of Health. Last week he announced that he accepted all 53 recommendations of the Standing Committee on Health in its report on natural health products.

Business of the House

Many Canadians rely on alternative medicine. Could the minister please inform the House of his plan to ensure safety, access and choice for consumers?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, when it comes to natural health products, homeopathic remedies and traditional Chinese medicines, what Canadians want is access and freedom of choice. At the same time they want to know that those products are safe, are of high quality, and are advertised and labelled with truthfulness.

That is why I am so grateful to the committee on health and its 53 recommendations. The government has accepted all of them because we believe that they provide the path to achieve those very goals.

We will appoint an executive director of natural health products. That person will understand natural health products and homeopathic—

The Speaker: The hon. member for Skeena.

* * *

ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the government and the minister know that they are in the process of abandoning grassroots Nisga'a people by destroying their right to belong to a trade union, a right which all other Canadians enjoy.

The parliamentary secretary should know that once the Nisga'a treaty is ratified this denial of basic rights can never be corrected because the treaty expressly states that Nisga'a laws will prevail over federal and provincial laws in the case of a conflict.

How could the government possibly defend this kind of agreement or this kind of treaty that denies people their basic rights?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I thought I had answered the question previously. I will say it once again to the member and I will say it slowly.

If the member would read the treaty he would find a specific provision that says that the Canadian Charter of Rights and Freedoms applies to all Canadians and all the Nisga'a people.

* * *

[Translation]

KOSOVO

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, refugees continue to flee Kosovo and pour into the neighbouring countries by the tens of thousands.

The spokesperson for the High Commissioner for Refugees has estimated that 20,000 people from the Urosevac region could cross the Macedonian border in the next few hours.

Is Canada continuing preparations to take in Kosovar refugees, should it ever be asked to do so, so we may be ready for any eventuality?

• (1500)

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, yes, we are still on alert and we are ready to respond immediately to a request from the UN High Commissioner for Refugees.

* * *

[English]

PRESENCE IN THE GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of two distinguished Canadians. I will call their names and I would like them both to remain standing as we receive them here in the House of Commons.

The first is Mr. Gordon Pinsent who was promoted to the rank of Companion within the Order of Canada, and the second is Dr. Mimi Belmonte who was invested as a Member of the Order of Canada. Welcome to your House of Commons.

Some hon. members: Hear, hear.

* * *

BUSINESS OF THE HOUSE

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, on behalf of the official opposition I ask the government House leader what the business of the House is for the remainder of this week and for next week.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, today we will continue with Bill C-68, the youth justice legislation. Tomorrow we shall consider third reading of Bill C-27, the fisheries bill. I do not propose to call any other bill tomorrow.

Monday shall be an allotted day. On Tuesday we shall consider the bill introduced earlier today, namely, Bill C-79 respecting victims of crime. When that is completed we shall return to Bill C-68 and, time permitting, we will begin debate on Bill C-69 respecting criminal records. In any case, we would continue on Wednesday with the items I have just mentioned if some of them have not been completed.

In order to help members make plans, perhaps I could indicate our intentions for the latter part of next week as well, hoping that the House will recognize that it is still preliminary, given that I am giving notice a bit more in advance than usual.

Tributes

We would propose next Thursday to begin debate on the public service superannuation bill introduced earlier this day, Bill C-78. On Friday of next week we plan to deal with Bill C-64 respecting expositions and/or Bill C-48 respecting marine conservation areas.

* * *

• (1505)

WAYS AND MEANS

NOTICE OF MOTION

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, pursuant to Standing Order 83(1), I wish to table a notice of a ways and means motion to amend the Excise Tax Act.

I am also tabling legislative proposals, explanatory notes, draft regulations and a backgrounder on the new framework for the taxation of wines, spirits and tobacco products.

I ask that an order of the day be designated for consideration of this motion.

* * *

THE LATE EDMUND TOBIN ASSELIN

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I rise with great pride and sadness in this august Chamber to pay tribute to a man who was a great Canadian, a fellow Quebecer, and a former member of parliament for the riding of Notre-Dame-de-Grâce in the city of Montreal.

Edmund Tobin Asselin, known as Eddy Asselin to many, represented Notre-Dame-de-Grâce in the House of Commons in the early to mid-sixties. He died of a stroke at the age of 78 on Wednesday, March 24, 1999.

The dashing MP, businessman and lawyer had politics in his blood. His father, Joseph Omer Asselin, was the chairman of Montreal's executive committee. His mother, Beatrice, started the Canadian Prisoners of War Relatives' Association after her 20 year old son, Edmund, was captured during World War II.

Upon his returning home after being liberated by the allies from a German prisoner of war camp, the young flight lieutenant humbly called his mother the only hero in their family for creating a way for families to keep in touch with war prisoners.

Also, his younger brother Patrick represented an eastern townships seat which had formerly been held for 30 years by their maternal grandfather, E. W. Tobin.

Mr. Asselin's daughter, Nicole Asselin, said:

He was more than a politician. He was a man with a very big heart. He was charismatic and charming, and had a joie de vivre, a love of life and of food and of people. He loved to take care of people. He wasn't a receiver. He liked to give.

Eddy Asselin cut his political teeth at Montreal's city council in the 1950s. In 1962, after 12 years as a Montreal city councillor, Asselin handily won his NDG seat and headed to Ottawa to become part of the Pearson government, along with another first time Montreal MP named John Turner. He was easily re-elected in the election of 1963.

However, Eddy Asselin's career as an MP was destined not to last as long as many of his colleagues. He spent his few years on Parliament Hill tackling the problems facing growing urban areas, such as his own riding, but chose not to seek re-election in 1966.

After leaving political life Eddy Asselin finished his law degree at the age of 40 and set up his own law practice. He was eventually appointed to the bench as a municipal court judge.

In his younger years he was a star football player at Loyola College. He continued to promote and support amateur athletic associations throughout his lifetime.

Eddy Asselin is survived by three daughters, three sons and his fourth wife, Carmelle. The funeral service, manifesting the celebration of his life, took place on Saturday, March 27, 1999, at the Armstrong Funeral Home in Dollard des Ormeaux.

[Translation]

I am really honoured to speak on behalf of all the residents of my riding, especially those in Notre-Dame-de-Grâce, to say how much we will miss Eddy Asselin and how proud we are of the way he represented our riding. We also want to say, as his daughter put it, that he was a great Canadian and a great Quebecer.

[English]

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, on behalf of the Reform Party of Canada and Her Majesty's Official Opposition, I rise to pay tribute to Mr. Edmund Tobin Asselin who represented the Montreal riding of Notre-Dame-de-Grâce in the House during the early 1960s.

He was elected in 1962. He was part of the Pearson government. He did not seek re-election in 1966. He was a Montreal municipal councillor for 12 years before successfully entering federal politics.

• (1510)

Edmund's brother Patrick was also elected as an MP in 1962 to represent the eastern townships seat held by their grandfather for 30 years.

Edmund's mother was also active in civic life and started the Canadian Prisoners of War Relatives' Association. Edmund was a prisoner of war during World War II.

It is said that he had politics in his blood. He came from a family that did not shy away from civic duties.

His survivors can take pride in his accomplishments and those of other family members who have played civic roles.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I rise to speak on behalf of my Bloc Québécois colleagues to pay tribute to a former member of the House, Mr. Edmund Tobin Asselin, who died at the age of 78 on March 24.

Born in Bromptonville in 1920, Mr. Asselin studied at Loyola College and the University of Montreal. In 1924, during the second world war, he became an aviator and was taken prisoner of war. On his return he became a businessman.

His political career began in 1950 when he became a city councillor in Montreal where he remained until 1962. That same year he was elected member for Notre-Dame-de-Grâce, a riding he represented until 1965. On his return to private life he practised law and served as a judge on the municipal court of Montreal.

On behalf of my colleagues in the Bloc Québécois and myself, I offer my condolences to his family and friends.

[*English*]

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, on behalf of the New Democratic Party I rise today to pay tribute to Edmund Asselin. I am sure that all those who knew him were saddened when they heard the news on Wednesday of his passing.

Mr. Asselin was no ordinary individual. Those who knew him, and I had occasion to meet him a couple of times in the city of Montreal, knew him to be a very dynamic and dashing individual. I think those are good words to describe him.

I never heard anybody call him Mr. Asselin. He was always known as Eddy. He went about his business in a way which demonstrated a true love for life and a very generous heart for his friends and acquaintances, and certainly his family.

He was a dynamic city councillor in the city of Montreal for 12 years and then he came to Ottawa in 1962. He left a few years later, obtained a law degree and eventually set up his own practice. He was also called later to be a judge.

He will be missed by all who knew him. He leaves a great blank in the city of Montreal and in Canada. He will be truly missed by his friends and his family.

Today our hearts, our prayers and our condolences go out to his sons, his daughters and his wife Carmelle.

[*Translation*]

Mr. André Harvey (Chicoutimi, PC): Mr. Speaker, on behalf of the Progressive Conservative Party I extend condolences to the

Government Orders

family of Mr. Asselin, former Liberal member for Notre-Dame-de-Grâce in Montreal.

It goes without saying that all members of our party and the entire Progressive Conservative family are in full agreement with everything said about Mr. Asselin by those who spoke before me.

Before it was my turn to pay tribute to the man everyone called Mr. Eddy, I listened to the comments about his big heart. I think this was an important part of his personality. He was a bon vivant who fitted in well everywhere he went. I am told he was forever receiving invitations to one event or another.

As a young man, he fought in World War II. That must have taken exceptional courage. I was struck by a number of things about him, one of them being that he was elected three times to city council.

A few minutes ago someone said that he was close to the people and greatly enjoyed working with those he represented.

• (1515)

There is no way—and I am sure members will agree with me on this point—that one is elected three times to city council without being very close to the grassroots. Mr. Asselin was three times elected to Montreal city council and it was to his very great credit.

Another thing that set Edmund Asselin apart was that after his federal political career he did not call it quits. He set about studying law, opened a law firm, and was later made a judge. This says a lot about his personality and his readiness to tackle things with his fellow citizens.

On behalf of all my colleagues I extend my deepest condolences to his family and particularly to all his friends who got to know him very well and very likely got to work with him on issues of importance to his community.

GOVERNMENT ORDERS

[*English*]

YOUTH CRIMINAL JUSTICE ACT

The House resumed consideration of the motion that Bill C-68, an act in respect of criminal justice for young persons and to amend and repeal other acts, be read the second time and referred to a committee.

Mr. John Maloney (Erie—Lincoln, Lib.): Mr. Speaker, I have the honour today to stand and address the House on an act that has responded to the concerns of Canadians, the youth criminal justice act.

Government Orders

[*Translation*]

Canadians are aware that the justice system as it applies to young offenders is not working as well as it should in a number of important areas, and that it needs reworking.

[*English*]

We know that it will take a sustained effort, involving all levels of government and many other partners, to tackle the complex problems of youth crime and to build the fair and effective youth justice system we deserve. That process is underway.

Last June the solicitor general and the Minister of Justice launched the government's national crime prevention program. Since then millions of dollars have been invested in community based crime prevention initiatives across the country dealing at the front end with the root causes of crime, with a special focus on youth at risk.

On March 11 the youth criminal justice act was introduced and I am pleased to participate in this second reading debate. Repealing and replacing the Young Offenders Act with the youth criminal justice act is the next key step in the process of youth justice renewal.

The new legislation will signal to Canadians that a new youth justice regime is in place. The new legislation reflects the messages Canadians want from their youth justice system: that it first and foremost protects society; that it fosters values such as respect for others and their property; that it insists on accountability; that it provides both violent and non-violent young offenders with consequences that are meaningful and proportionate to the seriousness of the offence; that it be a youth justice system that is inclusive, that engages Canadians in a response to youth crime, and that it does a better job of responding to the needs of victims; and that it be a system that offers hope to youth, that gives youths who get into trouble with the law a chance to turn their lives around for their sake, and the sake of their families, their communities and all Canadians.

The youth criminal justice act includes provisions for more meaningful consequences for the most serious violent young offenders. It expands the list of offences and lowers the age at which youth would presumptively receive adult sentences.

When the legislation is passed, youth 14 years and older, who are convicted of murder, attempted murder, manslaughter, or aggravated sexual assault, will receive an adult sentence unless a judge can be persuaded otherwise. The judge would need to be persuaded by the youth that a youth sentence would be adequate to hold the young person accountable given the seriousness and circumstances of the offence and the degree of responsibility, age, maturity, et cetera, of the young person.

In addition, a fifth presumptive category for repeat violent offenders would be created. Young offenders age 14 and older who demonstrate a pattern of violent behaviour would receive an adult sentence unless a judge can similarly be persuaded otherwise.

The act contains an important change to what may be the most controversial aspect of our youth justice legislation, the publication of names. The debate on this issue essentially involves two legitimate and competing values: the need to encourage rehabilitation by avoiding the negative effect of publicity on the youth versus the need for greater openness and transparency in the justice system.

• (1520)

The proposed legislation now before the House strikes an appropriate balance between the competing views. It would permit the publication of the names upon conviction of all young offenders who qualify for an adult sentence. The names of 14 to 17 year olds given a youth sentence for murder, attempted murder, manslaughter, aggravated sexual assault or repeat violent offences could also be published.

The proposed legislation would also, however, permit the crown to give notice at the beginning of a trial that it will not seek an adult sentence. This would mean that at the provincial or territorial crown's discretion the young person would receive a youth sentence and the young person's name would not be published.

The youth criminal justice act would also replace the current procedure for transfer to adult court by empowering all trial courts to grant adult sentences so that youth retains age-appropriate procedure protections and that justice can be provided quickly, placing less of a burden on victims and families. This will also ensure that the offender, the victim or victim's family and the community see a clear and timely connection between the offence and its consequences. Certainly in my consultations this was a very important factor for consideration.

The act contains other important reforms to the youth justice system. In response to concerns by the law enforcement community, judges will be given more discretion to admit voluntary statements by youths as evidence at their trials.

In response to the concern of victims, victim impact statements would be introduced in youth court and victims access to information regarding proceedings would be improved. Again, this is a very important aspect of the legislation.

The bill provides for an increased sentence for adults who undertake to the court to respect bail conditions involving the supervision of a young person who would otherwise remain in custody and who willfully failed to comply with these conditions.

The bill provides that provinces may recover the costs of court appointed counsel from parents and young people who are fully capable of paying.

The record keeping system for youth records will be simplified and allow for greater access by authorized people in the interests of the administration of justice and research.

The majority of young people who get into trouble with the law are non-violent and only commit one offence. Unfortunately there are too many examples in our current youth justice system of young people serving time in jail for minor offences.

We incarcerate youths at a rate four times that of adults, twice that of many U.S. states and ten times that of many European states. We incarcerate youths despite the fact that we knowingly run the risk they will come out more hardened criminals. Prison is a school for crime. We incarcerate them knowing that alternatives to custody can do a better job of ensuring that youths learn from their mistakes.

Bill C-68 includes criteria on the use of custody so that it is used appropriately.

[*Translation*]

As well, the bill includes provisions for handling less serious offences outside the legal system.

The police would be asked to consider all the options, including informal alternatives to the judicial process, before laying charges.

Police officers, the key partners in this strategy, would have confirmation of their authority to use verbal warnings to direct the young offender toward an informal police program such as a family advisory group or a more formal program requiring community service or compensation for the harm done to the victim.

[*English*]

While every effort will be made to reduce the overreliance on incarceration, some youths will be sentenced to custody. We acknowledge that. The youth criminal justice act includes provisions that respect an obligation to ensure that all young people, particularly the most serious offenders, receive effective treatment and rehabilitation. Successfully rehabilitated youths means fewer victims, restored families, safer schools, stronger communities and safer streets.

To this end, the bill includes an intensive custodial sentence for the most high risk young offenders who are repeat violent offenders or who have committed murder, attempted murder, manslaughter or aggravated sexual assault. These sentences are intended for offenders with serious psychological, mental or emotional illnesses or disturbances. The sentence will require a plan for intensive treatment and supervision of these offenders and will require a

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court to make all decisions to release them under controlled reintegration programs.

● (1525)

The proposed legislation makes an important reform to youth justice sentencing to foster the safe and effective reintegration of youth back into their communities.

Under the new law, judges will be required to impose a period of supervision in the community following custody. This would allow authorities to closely monitor and control the young offender and ensure he or she receives the necessary treatment and programs to return successfully to the community.

The period of supervision administered by the provinces will include stringent mandatory and optional conditions tailored to the individual.

The bill proposes a comprehensive, balanced and flexible legislative framework for youth justice. It was developed after consultation with the provinces, the police, the bar, youth justice workers, youth themselves, victims and many citizens through numerous town hall meetings across the country.

The youth criminal justice act is based on an accountability framework that promotes consequences for crime that are proportionate to the seriousness of the offence. More serious offenders could receive adult sentences or sentences of custody. Less serious offenders will be dealt with through measures outside the court process or be subject to constructive community based sentences or alternatives. The act emphasizes that in all cases youth should face consequences that promote responsibility and accountability to the victim and the community and teach good values by helping the young person understand the effect of his or her actions.

The new youth criminal justice act offers provinces and territories flexibility in choosing options in some areas. This will allow them to address the unique needs, problems and differences of their systems. Provisions in the act also recognize the important role of victims and communities in dealing with youth crime.

The next important phase of the renewal of youth justice is directed at the implementation of a new youth justice legislation. Youth justice professionals, community members and others will need information about the new system and often training. The best answers to the complex problems of youth crime lie in integrated approaches. Effective youth justice involves educators, child welfare and mental health systems, voluntary organizations, victims, families, youth employers and neighbourhood groups; just about anyone who works with or cares about our children, our communities and our country.

Additional federal resources in the amount of \$400 million over the next six years have been made available to support the important challenge of renewing our system of youth justice.

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[Translation]

The government youth justice strategy opens the door to greater involvement by the general public and professionals in youth crime, and I encourage all Canadians to get involved.

[English]

I ask members of the House to support the new youth criminal justice act so we can put in place the kind of youth justice system that Canadians are seeking, one that protects society and instills the values of accountability, responsibility and respect. We owe it to Canadians and most especially to Canadian youth.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, in the last six years I have come to the conclusion that the Liberal government is a list nut. It has to have a list that applies to everything. For example, it indicate by a list who the hate law applies to. Under the sentencing bill, a judge must take into consideration certain things. If a person is up for murder the last thing a judge has to consider on this list is whether the person is aboriginal or not. I would like to know what that has to do with anybody who takes a human life.

Now we come out with Bill C-68. I am afraid to use that name. I guess the Liberals have attached that number to it to try to confuse the public. I hope the public does not get confused because this Bill C-68 is no better than the other Bill C-68. Neither one of them is very good.

• (1530)

The government came out with another list of offences for which adult sentences may be imposed. It is severely restrictive. The list includes murder, attempted murder, manslaughter and aggravated sexual assault.

Should sexual assault with a weapon, hostage taking, aggravated assault, kidnapping and a whole host of other violent crimes not be included? Why is there just this restrictive little list? Would he support adding more violent crimes to this all important Liberal list?

Mr. John Maloney: Mr. Speaker, the current Bill C-68 and the one in the former parliament are excellent pieces of legislation. There is no question that we want to zero in on very serious offences, and we have done so.

My friend is criticizing us for having a list. He has his own little list. All offences are serious. At what point do we allow discretion? Where do we draw the line? They are serious offences. Every offence is serious, even if it is the petty crime of shoplifting.

We have to appreciate that our youth today do not necessarily have the maturity that our good friend from Wild Rose has as a former principal. They are young and impetuous. He should realize that; he taught them for years and years. We cannot treat all youth like adults for all crimes.

[Translation]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I listened carefully to what my colleague from Erie-Lincoln had to say. I must admit that I find him particularly enthusiastic and really highly optimistic about the consequences of Bill C-68, which we are discussing today.

Does he really think it is an exceptional approach promoting rehabilitation to put our 14-year old offenders in front of adult courts, with adult sentences served in adult prisons?

Can he tell me whether, for example, revealing the name of young people who are having problems and have committed crimes—but who are having the problems—in the papers is a help to the young person? We know adolescents often feel it is a big deal to have their name in the paper

I am sure my colleague from Erie—Lincoln can answer these serious questions.

[English]

Mr. John Maloney: Mr. Speaker, the member asks several questions. First I will deal with the publication of names. The debate surrounding this subject centres on two conflicting principles of legitimate and competing values. There is no question that we have the need to encourage rehabilitation by avoiding negative publicity. Opposite to that we have the need for greater openness and transparency. Canadians have been demanding this and it contributes to public confidence in the system.

We are concerned about individuals who have committed grievous offences and violent crimes and are not in custody. We are also concerned about the safety of the public. There is no question that 14 year olds will not go to adult prison. They will go to a youth facility.

If we speak to some of the police officers, some youths at 14 and 15 years of age are tough little characters. Sometimes for the safety of the public they have to be dealt with accordingly. We have to look at the seriousness of the offences they have committed and make an assessment.

The crown in its discretion can make a judgment call in that respect as well and say that a child should be tried in a youth facility. There is an option. I would say this would happen in a minority of cases.

It is interesting to note the profiles of young people in youth court. Only 15% were 14 year olds and two-thirds of them pleaded guilty. Crime by 14 year olds is certainly not in the same category as crime by 16 year olds and 17 year olds as far as numbers go. I do not think we will see many youths at 14 years of age being tried as adults, but there needs to be that option where it is deemed necessary.

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• (1535)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I acknowledge the commitment of the hon. member to this issue. As chair of the justice committee I commend him for his ongoing efforts in this regard.

I have some problems with the bill with respect to the effort that has been put into it on behalf of the government to give the perception that it will be the cure-all and the end-all to some of the problems that existed in the previous Young Offenders Act.

I would like the hon. member to comment on the fact that the bill from my perspective involves many substantive changes, leaving it open for new interpretation by judges, prosecutors and lawyers across the land. This legislation will lead to a great deal of new judge made law and the type of law that will potentially open loopholes.

I am sure the hon. member will agree that within the bill there is greater discretion in areas when it comes to transfers. There is greater discretion on the part of the police who will be asked at the front end to decide whether they should lay charges. There will be a long period of time before the full implications of the bill are felt. It is a very complicated act.

Would the hon. member tell us why the government did not try to draft a more streamline piece of legislation?

Mr. John Maloney: Mr. Speaker, any new act is subject to judicial interpretation as lawyers look for loopholes. This act was drafted with a view to assisting our youth at risk, our youth in trouble.

There are some very good aspects of discretion such as police warnings, a greater emphasis on prevention and a greater emphasis on youth justice committees. These are all positive steps.

The theory of the law in black and white, as the member having been a crown counsel would know, and the practice in our youth courts are often a bit different. Sometimes a warning of taking the child home to his family is much more effective than dragging him from the schoolyard into court where there is strict liability in those situations.

There are many more positive aspects to the legislation which will be of benefit. Yes, there will be interpretations like anything else, but on balance it is a good act. The aims and aspects of it are very worthwhile. It will go a long way to changing the image of youth criminal justice. There is good emphasis on the protection of the public as well.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I rise today at second reading of Bill C-68, an act in

respect of criminal justice for young persons and to amend and repeal other acts. In more simple terms, this bill will replace the current legislation on young offenders.

We will recall that the bill was tabled for first reading on March 11. It is a product of the strategy to renew the justice system for young people introduced last May, nearly a year ago.

This strategy and the bill have already received a lot of comment in Canada, with the greatest opposition coming from those involved in Quebec in youth crime.

I will return a little later to the position of both the Government of Quebec and the organizations involved in managing the Young Offenders Act.

It is blatantly clear that, in making the Young Offenders Act more repressive as juvenile crime declines, the Minister of Justice has caved in to the Reform Party lobby.

• (1540)

Since the principles underlying this reform go back to the strategy of renewing the youth justice system, it might be interesting to know what the Minister of Justice thinks of the present Young Offenders Act.

With a straight face, the minister says that the legislation is lacking in clarity and contains a number of contradictory principles. In her view, the present legislation has three weaknesses: the first is that prevention programs and alternative measures are inadequate; the second is that violent young offenders are not being properly sentenced and rehabilitated; the third and final weakness is that there is too great an emphasis on custody for non-violent offenders.

Yet, between 1991 and 1997, this same legislation was responsible for a 23% drop in youth crime. Since 1995, the number of young people charged with violent crimes has gone down by 3.2%.

Interestingly, in 1997 the national crime rate for all age groups had dropped 5% according to the police. And that was the fifth year in a row that the crime rate had dropped, and the year with the lowest crime rate since 1980.

These are not imaginary statistics. These figures are from Statistics Canada's Canadian Centre for Justice Statistics. They are not just a product of wishful thinking by the Bloc Québécois. The facts are there, despite what the minister says, and the legislation she wants to reform has, nevertheless, proven itself.

Getting back to the drop in youth crime, it is noteworthy that this decrease also applies to violent crime, which also decreased in 1997 for the fifth consecutive year.

I could go on for some time giving statistics like these, but what is clear is that youth crime has been on the downturn for several

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years, thus confirming that the present legislation is fulfilling its objectives of protecting society and rehabilitating young offenders.

The former Minister of Justice and current Minister of Health, whom I have the pleasure of seeing before me right now, spoke out on a number of occasions on the present legislation, which the government wants to reform, describing it as fulfilling its objectives well. On June 2, 1994 for instance, in response to a question in the House, he declared that "the government continues to believe the youth justice system is fundamentally sound, and we support it". I see he persists with that.

He has also said, in response to another question, that no one can imagine that society can resolve the problem of violent crime by reworking its legislation. In fact, the criminal justice system cannot put an end to violent crime all on its own. It merely addresses the consequences of underlying social problems. The House of Commons must devote at least equal time to preventing crime.

However, the bill introduced by the minister focuses more on the repression aspect than on rehabilitation. For example, the bill extends the list of offences subjecting an adolescent to an adult sentence.

The bill under consideration decrees that, at age 14, a young offender may be sentenced as an adult. That is two years sooner than under the current legislation.

In a number of instances, the bill provides that the identity of an adolescent found guilty of a criminal offence will no longer be kept secret.

This measure, specifically, raises a number of doubts. How could it not be seen that, with the increased media attention given crimes committed by young people, the publication of names might become a positive thing, particularly among the young involved in street gangs.

• (1545)

These are but a few examples of the more repressive measures in the bill. With the drop in crime among young people, this reform is totally unnecessary in our opinion. It is socially dangerous, because its negative effects could well yield the opposite of what we are seeking.

The current Young Offenders Act as applied by Quebec is an example for the rest of Canada, and the minister will surely not contradict me on this, having so acknowledged on a number of occasions. So why did she focus on repression in amending her law instead of taking the approach Quebec takes with the Young Offenders Act, which is to focus on rehabilitation?

We still do not have an answer. The only one I can think of, and I did not find it in my crystal ball, is that it was critical to silence the Reform lobby.

The legislation as it stands is serving its purpose very well in Quebec. The proof is that we have the lowest rate of youth crime in Canada.

Although youth crime is still a troubling phenomenon and is receiving increasing media attention, it is also on the decrease in Canada. In 1997, it dropped by 7%, thus contributing to the drop in the overall crime rate and confirming a trend observed since 1991.

Therefore, rather than rushing into a reform that will favour a repressive approach to youth crime, why was Quebec's model not used? It is no surprise that stakeholders in Quebec have reacted so strongly to Bill C-68.

In a March 11 press release, Quebec's Minister of Justice was critical of the fact that Quebec had not been consulted before the bill was tabled, despite the assurances given at the last meeting of justice ministers.

She said, and I quote:

In my opinion, it is unnecessary to change a system that is working and that already protects society very well, while helping rehabilitate young offenders.

On March 19, a coalition of Quebec agencies interested in the new Young Offenders Act had the following reaction at a press conference:

—the provinces' supposed flexibility in enforcing the legislation is no more than a series of limited powers dependent on the crown attorneys. Nowhere in this bill is it stated that the provinces may implement their own model.

For the benefit of those listening and for the minister's benefit as well, I will list the Quebec stakeholders that took part in this press conference.

I will begin with the Association des chefs de police et de pompiers du Québec. Clearly, the police do not all think alike. There was also the Commission des services juridiques, the Conseil permanent de la jeunesse, respected Université de Montréal criminologist Jean Trépanier, Aide communautaire juridique de Montréal, the Fondation québécoise pour les jeunes contravenants, Institut Philippe Pinel, the Conférence de Régies régionales, the Commission des droits de la personne et des droits de la jeunesse, the Bureau des substituts du procureur général du Québec, the Association des CLSCs et des CHSLD du Québec, Marc Leblanc of the École de psycho-éducation de l'Université de Montréal, the Regroupement des organismes de justice alternative du Québec, the Child Welfare League of Canada, and the Canadian Criminal Justice Association.

All professionals concerned with the rehabilitation of young people were present at this press conference, sending a very clear signal.

The consensus in Quebec on the issue of young offenders is clear.

• (1550)

This bill which is even more repressive cannot help but have an impact on the Quebec model. What will happen to our model if

sentences have to harmonize coast to coast? Will Quebec judges be required to adjust their sentences to those being handed out by their colleagues in other provinces? If this is the case, one might wonder just how flexible this new act really is.

The Government of Ontario has already stated that it is very much in favour of tougher treatment for young offenders. That will not surprise anyone. That province can therefore be expected to opt for young people to be sent before adult courts more often, and is thus favouring prison sentences.

According to the Quebec Bar, "the real effects of these provisions could well increase both the number and seriousness of recidivism among young people". This is why the Quebec model does not advocate incarceration.

The minister should also review the entire question of financial compensation to the provinces with respect to the application of the existing legislation. In fact, the latest budget provides \$343 million more over three years for crime prevention, including \$206 million for reforming the Young Offenders Act to permit the provinces to absorb the costs of applying the proposed legislation.

The Government of Quebec considers that the lengthening of sentences and the increased number of young people on trial in adult court will cost it an additional \$23 million annually.

When the Young Offenders Act became law in 1984, the federal government paid 50% of the costs of applying the alternative and the legal measures. As is its custom, the federal government backed off a bit. In 1996-97, its share of the funding represented no more than 36%.

Further ineptitude. In addition to the government's backing off, its funding formula does not take into account the percentage of Quebec's population of young people. Although Quebec has nearly 25% of young people between the ages of 12 and 17, it receives only 18.28% of federal funding in this area. This is not the first time Quebec has not received its fair share.

Since 1989, therefore, Quebec has lost out on \$77.4 million. Furthermore, the former Minister of Justice and the present Minister of Health promised to do something about this lack of funding, but this promise went up in smoke—at the same time as the former minister, apparently—because this promise was never kept by the former minister and the present minister seems not to have heard about it or is washing her hands of it.

Quebec is therefore still waiting for a specific proposal from the Minister of Justice concerning repayment of this \$77 million shortfall. We do not know, however, how long Quebec's patience, on this issue as on many others, will be tested.

To sum up, the Bloc Québécois is opposed to this bill because the consensus in Quebec with respect to young offenders is that the

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bill's measures are unnecessary, ill-advised and even threaten the continued existence of Quebec's rehabilitation-based model.

Ultimately, the federal government should hand over to Quebec full responsibility for administering the youth justice system along with the associated funding. This would be the best way of ensuring that a system that works for Quebec's youth, a system that gives them a chance to become full-fledged members of society, is allowed to continue.

It is distressing that the Minister of Justice has been unable to convince the rest of Canada of the effectiveness of Quebec's approach and that she has taken the path of least resistance.

For all these reasons, I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following:

"Bill C-68, An Act in respect of criminal justice for young persons and to amend and repeal other Acts, be not now read a second time but that the Order be discharged, the Bill withdrawn and the subject-matter thereof referred to the Standing Committee on Justice and Human Rights."

• (1555)

[*English*]

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Mr. Speaker, I listened to the member for Laval Centre with great interest, as well as the member for Erie—Lincoln, who is chair of the justice committee. When I spoke to Bill C-68 I spoke about the simplistic approach of the Reform Party.

The member for Laval Centre has indicated that when dealing with youth involved in the youth justice system we are usually dealing with poor, impoverished, broken home, substance abuse, family violence victims.

I would ask the hon. member to comment on the opposition position of high punishment and no rehabilitation. Does she not agree that public safety starts with prevention?

The systemic problem of why people commit crimes has not been addressed at any time by anyone. We seem to be putting band-aids on problems that exist. We are not addressing the fact that most of these people are already abused. The member for Wild Rose talks about strapping them and hitting them with boards. The member for Calgary Northeast talks about caning them, which is some kind of unique approach to beat everyone into the ground.

I wonder if the member for Laval Centre could comment further on that.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral: Mr. Speaker, it is no secret that Bill C-68 goes too far for Quebec and not far enough for the Reform Party.

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In response to your question, I will read from the Jasmin report. Members will see that, indeed, society has a responsibility to provide an environment that will foster individual growth. It reads:

It is often easier to change a law than to change practices of intervention. It may be tempting to think that tougher legislation is the answer to the problems of delinquency. Simplistic responses blind us to the full extent of complex problems and create the false impression that we are doing what is necessary to resolve them. One such simplistic response is substituting get-tough measures for educational approaches. This, however, overlooks the fact that adolescents are still in the process of learning, and it means they are being saddled with full responsibility for delinquency, as if the society and environment they live in had nothing to do with it.

Here we have a statement of Quebec's values on the role of society in helping young people to become law-abiding adults, full-fledged citizens who are capable of assuming their responsibilities in a world which, we must acknowledge, is becoming a more and more complicated one, which does not make things any easier for them.

I do not believe that Bill C-68 as it now stands fits the bill as legislation making life easier for our young people.

The Acting Speaker (Mr. McClelland): The amendment by the hon. member for Laval Centre is in order.

• (1600)

[English]

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, first of all I would like to just clarify for my Liberal friends that a piece of wood is called a paddle and it is used for spanking. Obviously the fellow across the way did not get his share when he was young.

My question to the hon. member is this. It has been reported that Quebec has the highest rate of suicide by teenagers and young people in the world. Is she aware of that report?

One of the reasons given for suicide, and I found this out in my many years of working with young people in school, is that it is strictly out of fear of their peers. A lot of it is just pressure.

We know there are a lot of things that have happened in our society and in Quebec as well where real harm has come to young people by young people. I would like the hon. member to respond to that. A fear exists among young people. There are suicides. I think there is a big connection. Would the hon. member agree?

[Translation]

Mrs. Madeleine Dalphond-Guiral: Mr. Speaker, the problem of suicide among young people is a serious one. In Quebec we realize it is a fact we cannot avoid.

I will nevertheless point out to my colleague that fear may lie behind the suicide of a young person. It is possible, I am no expert. I simply want to say to him that the society with the highest rate of incarceration is no doubt that of our neighbours to the south, the United States. And yet their crime rate is the highest.

I do not think that incarcerating young people will be a panacea and that, suddenly, because we are putting everyone in jail, we will no longer be afraid. There are real fears. The ones we feel inside us. I think the problem of suicide cannot be treated only by saying "We will make a rigid law, a demanding one, and there will be no more problem". That is simplistic.

The day the federal government decides to give \$67 million back to Quebec, the money could go to helping our young people struggling with deep personal problems. This money could go to helping them, to giving them psychological support in situations that are often difficult.

[English]

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, the idea that Reform's policy on justice is simplistic is absolutely wrong.

I have been putting forward a provision in my home province. This bill continues to make sentences much harsher for juveniles. This bill of course is government legislation. The thing I have been pushing is there needs to be attached to this an education system for youth as to what this bill entails and that would prevent crime.

The hon. member referred to a lot of statistics. My experience has been that Statistics Canada will change the criteria for statistics. There will be provincial changes. Can the member assure me that the statistics she is using and that are being used by all these associations in Quebec are in fact statistics that are used across Canada so that we are comparing apples to apples and not apples to oranges?

• (1605)

[Translation]

Mrs. Madeleine Dalphond-Guiral: Mr. Speaker, as I have already indicated in my speech, the figures I used come from Statistics Canada. It is very clear that in speaking of overall crime rates, we are of course referring to Canada. And in order to state that the youth crime rate is lower in Quebec than in the rest of Canada, we are of necessity still using the same criteria.

This is totally logical, and I believe the people at Statistics Canada to be professional, even if the name of their organization is Statistics Canada. We are capable of recognizing that.

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[English]

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I do not know why it is. The member for Wild Rose is not the justice critic, I do not believe. I stand to be corrected but I do not think so. He seems to be the one out in the forefront of Reform policy in this area. I guess it is because he spent many years as a high school principal, which is mind boggling frankly.

I heard the comment on what causes youth suicide. He can correct me if he wants to later on but I heard him use the word fear. That really identifies what the Reform policy is all about in terms of dealing with young people.

I can rather tragically talk with some experience about youth suicide and others. I have experienced it in my family. A very close friend of mine when he was 21 years old committed suicide. He tragically laid down in front of a train.

We struggled with trying to understand. He was not a young offender but we struggled with trying to understand what would drive a 21 year old human being in his prime to do this. I can give the assurance it was not fear. It was lack of hope. That is the fundamental problem I believe we deal with any time we deal with the issues of youth justice, young offenders, children and young people at risk. It is unfortunate when people talk in terms of fear instead of respect.

I have raised three young men. I am proud to say they are not young offenders, even though I think when I was their age I probably could have been, but was not.

It is respect. It is what the young people think about their role models. It is how they look at their parents. It is how they look at their teachers. It is how they look at their high school principals.

I do not want to get into denigrating other members' comments so I will not even attribute these except to say they were made by members who are in this House at this moment, members of the Reform Party. They do not talk just in terms of using a paddle but have used things like "tasted a piece of wood" that somehow that is an appropriate way of meting out discipline on a young person in trouble, a young person who is rebelling, is confused, who perhaps has made a mistake. They say the way to deal with with that person is to have them taste a piece of wood. I find that absolutely despicable.

I find it interesting coming from someone who worked in the education system. I frankly find that scary. The one good thing about the fact that that individual is here, elected as a member of parliament, is that the member is no longer in the education system taking pieces of wood to our young people. If the member wants to try to take them to us, that is up to the member. I welcome that any time. But at least that mentality in that community has apparently been extricated from the education system. That is a bonus. That is a plus. It is truly an unfortunate attitude.

● (1610)

Another member opposite says that the Reform Party position on the Young Offenders Act or youth at risk is not simplistic. Well, how about this: "Beating violent young offenders with a rattan cane would not be too harsh a punishment". Again, another Reform MP's statement.

And Reform members wonder why people react negatively to their remarks and comments. They wonder why they got 6% of the vote in the Windsor byelection this past week. They cannot figure that out. When they established a united alternative, or the united alienation party, they had a convention and brought 1,500 people to Ottawa. Then everybody scratched their heads and said "Excuse me, I joined the Reform Party. Why are you throwing it on the scrap heap? Why are you throwing the Reform Party in the dump?"

I drew the short straw. I was there as a Liberal representative. It was like sticking a thousand needles in my eyes to spend the weekend there. It was like scraping one's fingernails down the blackboard. It was unbelievably painful to spend a weekend listening to the nonsense that was being espoused and listening to avowed separatists coming forth to receive standing ovations from these so-called purveyors of moderation.

Mr. Jim Pankiw: Mr. Speaker, I rise on a point of order.

The hon. member to which he referred was me and I did not say a thousand needles. I said hot needles. I would just like to correct that.

The Acting Speaker (Mr. McClelland): I am sure the world rests much more comfortably now that has been put to rest.

An hon. member: He's the guy who beat up PSAC single-handedly.

Mr. Steve Mahoney: Is that what he did?

An hon. member: Yes.

Mr. Steve Mahoney: Mr. Speaker, I am going to talk about the bill, but I do want to point out a couple of anomalies, one might say. There are a couple of statements and remarks made by members of the Reform Party that show the reason they simply have no credibility anywhere east of the Manitoba border and the reason they are falling apart in western Canada.

Their cry used to be that the west wants in. Well, the west is in. The west has tremendous representation at the cabinet table. Sixteen Liberal members are doing all the work that the Reform Party will not do for their constituents in western Canada. We have a task force travelling across the west to try to pick up the pieces because the Reform Party refuses to tell the people in western Canada about the good work and the programs available, put in place by this government. We have to do their work. They should

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send a percentage of their paycheques to their colleagues in those provinces in western Canada.

Here is another marvellous statement about how they would deal with young offenders. This is about the dreaded repeat offender: "The repeat offender will never see the light of day after committing his second act". The second time with one's hand in the cookie jar and we are throwing away the key, that is it. Boy, that is compassion.

It is the party that in some incredulous manner is trying to convince the Canadian people that they have changed their stripes, that they are softer and gentler. I do not think so, and the Canadian public sure as heck does not think so.

Let me give a couple more before I go to the meat of the bill. It says here "except in cases of very young offenders". I would like to hear that definition. I think I know what it is. "Except in cases of very young offenders the identities of young offenders must be made public". We should think about that. A youngster gets in some trouble. Sometimes young males are all full of testosterone; they are excited, running around and they do something stupid.

An hon. member: Like murder?

Mr. Steve Mahoney: No, that is the point. The Reform Party member says "like murder". Eighty-seven per cent of the crimes committed by young offenders are not violent offences. Reformers know that, but they consistently want to somehow showcase the ones that are violent. This bill makes changes that will deal with young violent offenders.

• (1615)

There will be the option to publish the names of young violent offenders, particularly if the justice system deems them to be a menace or a danger to society. That is what the bill does. I am astounded that members opposite did not stand and give a standing ovation. This is what they have been asking for.

Going back to the point that except in cases of very young offenders the identity should be made public, their definition of a young offender should be 10 years old. A 10 year old gets in some trouble and he is charged by the police. He stole something; he was shoplifting. He got in with a bad gang of kids. Who knows what it was? Maybe tragically he got involved with drugs. They would have his name on the wall at the golf club, I suppose, as being late paying his dues. They would somehow do the scarlet letter on this 10 year old child.

How in God's name can anybody that is at all responsible, being an elected member in a place like this and representing constituents in this wonderful country, stand there with a straight face, without total shame, and suggest that is any kind of credible way of dealing

with a 10 year old child in trouble with the law? It is truly frightening, frankly.

I know they want to soften the image. I know they want to change the position as far as the public is concerned. They talked about it at the UA conference that I referred to. One interesting thing about being an elected representative in this great democratic society is that people have a nasty habit of holding politicians accountable for the things they say. They had better think before they say them.

They come out with a statement saying that the Reform Party supports legislation which would allow the publication of the names of all convicted offenders, including young offenders. The bill says if it is a violent offence, if there is danger to society, the option is there. That should address their concerns. To simply say that we should publish the names of every person who gets in trouble with the law from the age of 10 on up is so nonsensical as to be almost laughable.

I want to refer to some good stories. I have the honour of chairing a group called the prime minister's task force on youth entrepreneurship. Recently I was at a hearing in Halifax at which we heard from young entrepreneurs, service providers, and people involved in helping young people.

It was a wonderful establishment, by the way. I would say to members from Nova Scotia that I believe the province of Nova Scotia has it right. I have been right across the land, through the west and down east. We are continuing to travel. We will be going north and through Ontario and Quebec. Nova Scotia has five operations, two of which I have seen in Windsor, Nova Scotia, and one in Halifax, called Open for Business. Open for Business is like the Planet Hollywood of youth entrepreneurship. It is wonderful. The one in Windsor is in a shopping mall and the other one is in downtown Halifax. They are just alive with young people.

We were at a hearing where we had some young entrepreneurs in a panel that appeared before us in a group discussion. Senator Moore was with us and he asked a question of a very young lady who was one of the young entrepreneurs. He said "How did you find out about Open for Business?" Her answer was astounding. She said "My parole officer told me". We were all stunned at the remark because just looking at this person would certainly not fit the profile of what we might expect to be an individual who had a parole officer.

She had started a business. I will not go into details about her business. She had been convicted under the Young Offenders Act. She has a four year old son at home. She was contacted and was told that she was a candidate for a program in the province of Nova Scotia called second chance. Obviously second chance is what this bill is all about.

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This young woman came in and met with the counsellors. She met with peers. She met with young people. The real key to success in the Open for Business concept is that there are peer counsellors, young people who have had a bit of entrepreneurial experience and can work with young people who have great ideas. Mr. Mahoney

• (1620)

In the province of Manitoba in the month of July I will be attending a camp that is run for youth at risk. It is another second chance program. It is an opportunity for young people to come into a camp where they are taught life skills and entrepreneurial thinking.

This is absolute cutting edge stuff. This is stuff that we should be spreading the gospel about throughout the land. We should be inviting young people at risk to get involved in the camp in Manitoba and to go to places like Open for Business and get involved in second chance. This stuff works.

The young woman I met in Nova Scotia has turned her life around. She now has a business that has been open for eight months. She takes her four year old son to work with her because it is the type of business where the child is not in the way and she can function.

Even if the business were to close tomorrow, this young woman has turned her life around. I do not know what her crime was. She has a parole officer. I suspect it must have been fairly serious. I do not think we assign parole officers to youths coming out of school. She has turned her life around, even if her business were to fail, because of the work done by the men and women and the young people in the province of Nova Scotia at this wonderful place called Open for Business and this wonderful program called second chance. That is what has turned her life around.

Mr. Howard Hilstrom: Don't go away. I will be right back.

Mr. Steve Mahoney: I will not go away, trust me. The hon. member can trust me. I am with the government.

It is this kind of intervention we should be doing more of instead of coming up with nonsensical statements about pieces of wood, caning, punching and hitting. We just do not beget respect from young people by treating them that way.

I understand fully that there was a generation which believed in that. I attended a Catholic boarding school. If we want to talk about pieces of wood and paddles, they used closed fists and boots to take care of their discipline. That is what happened to me. It has had lasting, damaging effects. The violence I saw in that school meted out by men of the cloth, I would not tolerate now for one second if it were my son. It is wrong, but in the 1950s and 1960s it was commonplace. It was the way of dealing with things. It is the way we were brought up. I do not blame people for that. It was a

mentality that came out of that generation. I do not totally understand it.

I grew up in a family of 10 kids. My dad was a labour leader. He was just as likely to cuff me across the head as not. He was a tough man. That was the mentality that he grew up in, that I grew up in. It is not the mentality of my sons. Even though I consider myself to be a very strong disciplinarian, I use my head and heart instead of my fists.

I think that is what the bill does. It has a mind and it has a heart. It takes on the issue of young offenders and gives young offenders an opportunity to start over again, to have a new life. If they commit a crime a second time it means we have to work with them.

There are elements to the bill that will put requirements on young offenders as part of the sentencing that will occur. They will have to do work in the community and obey certain rules. They will have to stay drug free and alcohol free. They will not associate with certain individuals with whom they might have got into trouble. Maybe they were a member of a gang. That happens today. Tragically we see it in the greater Toronto area too often. Maybe they will have to live up to a curfew. The idea of curfews in some communities is repugnant. It probably makes sense. If they break the rules imposed by the justice system under this new law, they can be hauled right back into court and put into custody. It gives them a chance.

• (1625)

If Canada is known for anything in the world, it is that we offer hope, we offer a chance, and we care about our young people, in fact all our people. There can be some changes. I do not have a problem with making some changes at committee or with taking a look at improving the bill. That may well make sense. However, some policies have been espoused against the bill. To oppose the bill because one is a separatist and thinks that it does not give enough power to the provinces or because one does not think it goes far enough and wants to incarcerate 10 year olds, is a most unfortunate use of the privilege of being a member of parliament. It is an abuse of the power we all have as representatives of the people.

Obviously I support the bill. It is about time we amended and reworked the Young Offenders Act. This is positive. This is good for young people. I think it will be good for our justice system.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, it is tough to ask the member any questions after that kind of speech, especially when he does not even know what he is talking half the time. I might as well talk about the years I spent in school because he raised them.

I spent a number of years there. I went through a number of school boards and a number of superintendents, all of whom gave me high praises and letters of merit. All kinds of great things came out of that experience for the way I operated, which was a gentle

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but firm tough love method. I never doubled my fist and neither did anybody else. We had a kids at risk program that worked very effectively. We were able to identify kids as low as grade one who were at risk. We were able to work effectively and it did not take legislation. It did not take anything but good common sense. Many people's lives were straightened out before it ever got to that point.

During those earlier years we had the freedom to operate as individuals with intelligence enough to know how to truly deal with some of the problems, regardless of the member's rhetoric. He does not know anything about it. He was not there. He read a little teeny clip, which was probably my talking about when I got a piece of wood, which is neither here nor there.

In the early eighties along came the Liberal government which brought in a charter of rights and then the Young Offenders Act. Suddenly everybody in the school on the kids at risk programs were tied. They could not do certain things because the government would not allow the good things that were going on to happen. Now it is espousing that these things should happen. Yet the charter of rights stops half of it. That is Liberal legislation. The Young Offenders Act came into being in 1984 and violent crime escalated, and the members knows that. What does he say about that?

Mr. Steve Mahoney: Mr. Speaker, every once in a while I hear this member start out by making some sense. He even shows a bit of compassion when he talks about working with young people. I would believe that if he worked in the education system in his home community he probably was a decent person to those young people.

I do not know why he said these things. Why would he say that they should taste a piece of wood if he really cared about young people? I do not know why. I made the point that when we speak in this place we are accountable. Maybe the hon. member did not realize when he was talking to a reporter that the reporter would actually repeat it. Maybe that was the problem. He thought he was just kidding. I do not now, but it does not surprise me.

Mr. Myron Thompson: Just answer the question.

The Acting Speaker (Mr. McClelland): I am going to use my prerogative and recognize the hon. member for Matapédia—Matane.

• (1630)

[*Translation*]

Mr. René Canuel (Matapédia—Matane, BQ): Mr. Speaker, having been a teacher myself, I would not have liked to have had a principal like some members I see here. My principals were very humane people and when someone was having problems they tried to understand why, instead of punishing them.

I myself have hidden delinquent students in one office or another. I have taken some of them home with me. They made progress, slowly, and I can tell you that today—and I say this in front of everyone, so they will hear it too—they have become upstanding citizens.

I was listening to my colleague from the government party. He wondered how people could be in difficulty. How could some become delinquents?

He said something very true. Very often, it is because of hopelessness. These young people are given nothing. They are not challenged. They are 12, 14 or 15 years old, and their parents do not work. There is a major problem.

It is really tough for someone who loses his job at 40, 45 or 50. The child is at home and can see what is happening. The child realizes that he could end up like his father.

This is a problem for society. Fortunately in Quebec there is a challenge offered: sovereignty. Young people in the CEGEPS and universities are following us. Our clientele is essentially the young people.

I would like to put a question to the hon. member for Mississauga West. Instead of hiding in a law harsher than the previous one—and we know that former works relatively well and this is why we oppose the bill—should we not put more money into prevention for elementary and secondary school students rather than corner them in a law?

[*English*]

Mr. Steve Mahoney: Mr. Speaker, I appreciate what the member is saying. I think philosophically I would be much more likely to agree with this member's attitude about dealing with young people than I would with the party that would throw out the bill of rights and all of those aspects.

However, I do not understand why the Bloc would suggest that we stay with the current act. We have seen problems with the Young Offenders Act. Difficulties have been pointed out and there is a valid criticism of the lack of ability to deal with violent young offenders. It is not much of a deterrent when a young offender knows that the worse he or she is going to get is three years in jail for committing violence.

There has to be some ability to move violent young offenders into the adult court system. Thirteen percent of young offenders who commit crime commit violent crime. That is one of the changes which this bill will effect.

There also has to be, and should be, an ability to protect society. We can do that by publishing the names of young offenders when the justice system deems they are a danger to society.

There are changes which I think the hon. member should realize are important improvements to the Young Offenders Act.

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Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I want to thank the member for Mississauga West for what I thought was a very good speech. It is a pleasure to watch a real pro get a good head of steam up now and then, especially when they are comments that I can associate with.

I have quite a bit of personal knowledge about young offenders, street gangs and so on, coming from Winnipeg. In the inner-city of Winnipeg we have quite a serious problem. We have been forced to deal with it and forced to find lasting solutions.

I want to thank the member for pointing out some of the exciting and innovative things that are being done in the province of Manitoba to try to deal with kids as kids. The member clearly pointed out the folly in treating kids like adults in terms of the criminal justice system.

• (1635)

Former Lieutenant Governor of Manitoba, Yvon Dumont, was the first Metis lieutenant governor of Manitoba. He started something that was called the Lieutenant Governor's Foundation for Youth. I was a member of its board prior to being elected to this place. One of the things he pointed out in dealing with the young people who were causing a lot of the property crimes in the inner-city, like car theft, was that these kids do not steal these cars for the lousy \$50 that they get from some fence, although that certainly is part of it.

What really motivates these kids to steal half a dozen cars in an evening is that they crawl underneath the steering column in the car, they break it open, find the three wires, push them together and the thing starts. It is exciting and it is interesting. It is auto electronics. It is like the thrill a mechanic gets when he tunes up a car.

These kids have some redeemable virtues in the fact that they are interested. They would make good apprentices.

Mr. Steve Mahoney: Mr. Speaker, I appreciate the comments of the member who just spoke. He called me a pro. The member who spoke before him said that I was stupid. I think I will accept the latter definition.

To follow up on his point, the member said they would make good apprentices. I raised that point at one of our youth entrepreneurship hearings. I asked a question and I was really surprised at the answer. I asked "Has anybody thought about young offenders being entrepreneurs?" Everybody laughed. There was a professional in the audience who stood and said "As matter of fact we have".

Outside of the violent young offender, a young offender is very much like an entrepreneur, but in a negative way. If we can take these young people and put them in programs to redirect and refocus their energy, I think we might have something.

There is proof in Manitoba. I congratulate the province and the member for that. There is proof in Nova Scotia. I saw it firsthand. I met with the young people.

I would invite these dinosaurs to come to the camp in Manitoba in July to meet some of these youth at risk, these young people who they would take a block of wood to or who they would cane. Come and meet these kids to see how they are turning their lives around. That is what this bill is about.

[*Translation*]

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 Mississauga South—Taxation.

[*English*]

Mr. Allan Kerpan: Mr. Speaker, I rise on a point of order. I wonder if you would seek unanimous consent to extend questions and comments on this particular dissertation.

The Acting Speaker (Mr. McClelland): Does the member for Blackstrap have a specific time in mind?

Mr. Allan Kerpan: Mr. Speaker, I think another 10 minutes would be sufficient.

The Acting Speaker (Mr. McClelland): The member for Blackstrap has asked for unanimous consent to extend the time provided for questions and comments to the member for Mississauga West by 10 minutes. Is there consent?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, maybe the member was not here from 1993 to 1997, but in the previous government I spent a lot of years as one of the major critics of the Young Offenders Act and other parts of the justice system, which I will continue today because I have the opportunity.

I want to make a couple of things quite clear. First, my party and I believe that the number one success to youth crime is prevention. That is why we had kids at risk programs going on in the school which I operated for about 30 years until legislation came from the Liberal government which prevented us from doing so because we were not entitled to do some of the things we were allowed to do previously. We had to recognize certain things under the charter, which destroyed the ability of the police to work with a free hand, not in a violent way, but in a way that solved problems. Most of those young people are now parents and some are even grandparents who are grateful that we did these things.

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● (1640)

I would like the member to come to some of the class reunions. I go to them every year. It is nice to be able to reminisce and to hear the thanks and praise from the students of the past for the work that we did on their behalf.

I know that prevention works. I know that is where a lot of the money should be spent; upfront, working on prevention.

I heard the previous member ramble on about publishing names. I will tell him about a couple of incidents.

When I was a principal of a school and received a student from another area, perhaps it was from another province or another city, we had all of the information about the individual. We could determine what we needed to do on the student's behalf in terms of education, social life or whatever. These young people would transfer into the school. After the Liberal government's legislation in the 1980s under the charter of rights, as a principal I did not have the right to receive information about any previous criminal record or anything else about a young person who showed up on our doorstep. We had to admit him. Perhaps he was 15, 12 or 18. It did not matter. I had no right to that information.

A lot of these people who were coming in from other areas had been kicked out of every school they had been to. A great deal of it was for criminal activity, and a lot of it was for violent criminal activity. Therefore, we were not in a position to provide any assistance which might have helped this individual with their problem. Instead we had to accept the student with no questions asked because we could not publish anything about these young people. As a result, I cannot even begin to tell members how long the list was of victims who came out of my own school and my own community because we did not know about that individual until after they continued down the same path for which they had been removed from a previous school before they had transferred to our school.

I will have to give the Conservative government one bit of credit. It will be very small. It did allow under the Young Offenders Act for certain information to be given to school authorities and other officials who might have a bearing on the lives of these individuals.

The Liberals would have never done that. It is better not to publish or let people know that these young people may be violent individuals. In the Liberals' view it is better not to let school authorities know.

Please tell me how that prevents crime. If there is a family with young children, would they not like to know if a young offender living next door had been in trouble in other places for having molested young children? As a parent, would that not be a good thing to know? Should school authorities not know about these particular individuals?

The Liberals' prevention method is to pour out money and then hope that the provinces will come up with something which will solve their problem, which they created in the 1980s when they brought in their loosey-goosey Young Offenders Act and the charter of rights at the same time, protecting everyone except the victims. Since that time the number of victims has escalated to such a degree that the 10 year report on the Young Offenders Act is a disgrace.

It is not all the fault of the act. It is the fault of the government which suddenly decided that we cannot publish names of individuals who could be a problem.

● (1645)

The government is at fault for making legislation that says people can no longer discipline in any fashion that might seem abusive, such as with a paddle or a strap. In my opinion, there was always a place for that in the schools. It was not used in a violent way and was seldom ever used, but there was a time when it was necessary and most of the time it was effective.

Government members would not understand those kinds of preventive measures. They talked the good talk on prevention, but I have not heard one good suggestion out of their mouths about how we should spend the money.

Prior to the Liberals coming in, people like the ones in my community and others had good programs in place. We were able to put them in place because there was not a Liberal government to stop us from doing so through silly legislation.

I cannot believe there could be a government in existence that would say that the public really does not know what is good for them; that it must pass legislation because the poor souls in Canada do not even know how to raise children in their own homes. Why, they might spank them, for goodness sakes. It cannot allow that, so it wants to remove section 43 from the Criminal Code which says that parents cannot spank their children any more, even if they think that is what they would like to do.

Nobody dislikes abuse more than this guy. I have seen it in my from peers in my own school. When I really saw it was after the Young Offenders Act and the charter of freedoms and rights came in. Everything went sky high.

The Reform Party does not want to put 10 and 11 year olds in jail. We do not want to lash them or cane them. Nobody has ever said that. What we are saying is that we want them in the system so we can work with them and get them to a point where they will cease and desist from any activities of a criminal nature.

In Calgary a young person stole 150 cars before he was aged 12. In every instance there was nothing anybody could do except return him to his house and that was the end of it. He would then go

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out and do it again. When did this young fellow stop stealing cars? He stopped on his 12th birthday. He was smart enough to know that he could not continue that activity because from that point on he could be arrested and put in the criminal justice system. The government knows about that. That is not an isolated case. It also happened in Vancouver. I am not sure how many cars the young fellow in Vancouver stole, but it was the same story.

When I introduced a private member's bill dealing with young offenders and even adults who steal cars, there was a member of the Liberal government who dared to say something to the effect that the member for Wild Rose was out of his mind because he wanted to punish children who were simply taking a car for a joyride. He said there was nothing wrong with joyriding; that was a normal thing for young children to do. Stealing cars is not a normal thing to do.

It is fine for a person to learn how to be a mechanic, a good entrepreneur or fix cars. However, I would like the NDP member to know that learning how to hotwire a car in order to steal it is not really the best way to get an apprenticeship in the mechanics of a car. There are surely better ways. Maybe we should give these young people the opportunity for rehabilitation through some good solid programs.

Once again, the Liberals talk prevention and talk rehabilitation, but I have not heard one good suggestion about what that program might look like. Nobody can disagree with that. Everybody agrees with prevention and rehabilitation but they do not know how to do it.

An hon. member: Money.

Mr. Myron Thompson: Yes. As my hon. colleague from the NDP says, we have not heard about the amount of dollars that the Liberals are prepared to spend to help prevent crime and to rehabilitate these young people. I have not heard anything on that. Lord knows the government taxes us enough. There should be an ample supply of it laying around somewhere. The government has not done anything about that.

• (1650)

I do not know what is wrong with the Liberal government. It really likes making lists. We have a hate law in Canada. Let me paint a little scenario. A guy hates his mother-in-law so he murders her. Well that will not be considered under hate crimes because mother-in-laws are not on the list.

Another example is a kid in school who is built a little differently. Maybe he is fat and considered to be ugly or homely. We just do not like him so we want to get him. Wait a minute, fat ugly kids are not on the list so it does not fit under hate crimes.

Then lo and behold the Liberals come up with another phenomenal list, a list that says it is going to get tough on some of these individuals. What does the list consist of? Let us take a look.

The Liberals are going to get really tough on those who commit serious crimes by putting them into adult court after one conviction for murder, manslaughter, attempted murder and aggravated assault. That means that if a young offender kidnaps, sexually assaults with a weapon, commits an armed robbery or a host of other violent crimes, nothing too serious is going to happen. The young offender will remain under the old Young Offenders Act because those crimes are not on the list.

I really do not understand what is wrong with the government. It seems to like the idea of coming up with lists every time we turn around. If the crime is not on the list then it is not a hate crime. If the crime is not on the list then it is not a violent crime and would not result in adult court or adult punishment. That is the key word. I really do not understand why anybody in the House of Commons or why any adult would not believe that the consequences of wrongdoing should not involve a degree of punishment.

We do not want to talk about incarceration in the House. It is a dirty word. Community sentencing is a nice word. The government recently came out with Bill C-41. This bill is supposed to come under the Conditional Release Act where people who commit non-violent crimes will be able to serve their time helping in their community as punishment for their crime. I agree with that. I do not believe for a moment that non-violent offenders need to be behind bars. They need to be out in public paying for their crime in the community. They need to make restitution for the loss they have caused their victims. There are a lot of things they have to do which are all part of the punishment picture.

What is happening under the government's legislation is that violent offenders, including those who commit manslaughter or second degree murder, are being released back into the community under community supervision. There is something wrong with that picture.

All of a sudden we have cases under the section dealing with sentencing. There are a number of things that we must consider before passing a sentence. I agree. One of the very last ones regarding the sentencing of an individual is—and this includes the person who is charged with murder, manslaughter or whatever—that we must consider whether the individual is aboriginal or not. If someone takes a person's life, what difference does it make in regard to his or her race or background? I have never seen a piece of legislation that is any more discriminatory than the legislation that keeps coming from the Liberals. I was shocked when I looked at the Criminal Code. Time after time I found they had made a list and anybody else did not apply to that list. That is discrimination in the worst kind, in the most subtle way.

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• (1655)

We believe in equality, but this legislation is the most divisive kind of legislation I have ever seen when we start identifying that we have to take into consideration what nationality an individual is before passing sentence.

One judge told me not too long ago that we must treat different people differently. A judge told me in a conversation that we cannot treat unlike people in the same way. "Never mind the victim, never mind the crime. Let us talk about the offender", this judge says. "If he is not the same as others might be in terms of race or nationality then he must be treated differently". That is Liberal law, the most divisive and most discriminatory law that exists. Why do we allow that?

I looked at the Liberal wisdom. This cannot be any more than just Liberal wisdom which is no wisdom at all. We are talking about the youth criminal justice act. Guess what the number of the bill is? C-68. My, my, what a coincidence.

The last Bill C-68 which is now law is not going very well. I understand it is almost up to a billion dollars in cost and it is going nowhere because nobody knows what they are doing, but after taking directions from the Liberal government that does not surprise me in the slightest. However, to dare number this bill as C-68 is quite the strategy. We will name it Bill C-68.

I want the Canadian public to be careful when talking about Bill C-68 from now on because we will be talking about the youth criminal justice system and not the gun control bill. What a piece of strategy. What a work of wisdom. Let us keep the public confused and then they will not question us.

What goes in the front door at a committee is usually what comes out the back door. As hard as we try to amend or change it, that is usually what comes out because orders will come from the front row to not amend or change the bill and to vote yes on it. The old puppets and the old sheep will jump up and lo and behold it will become law. There is no doubt about it.

[Translation]

Mr. Bernard Bigras (Rosemont, BQ): Madam Speaker, I am still very surprised to hear such a hard-line speech about young people in this place, and I am particularly surprised by our colleague's definition of prevention.

He seems to view prevention as an activity that only comes into play after the offence.

• (1700)

I find this rather surprising, because he talks to us about lists, as though young people should be stigmatized. This is unacceptable.

We have always seen prevention as coming before the offence. For there to be prevention, there has to be education, guidance and resources in our schools, often at the time when young people are having difficulty.

I would like to ask my Reform Party colleague what he means by the term prevention, which he has used repeatedly in his speech.

[English]

Mr. Myron Thompson: Madam Speaker, I guess I will have to repeat my speech. I thought I had clarified that quite nicely.

I talked about kids at risk programs that we had in the school. We caught many young people, even as low as grade 1. We were able to work with them and prevent them from committing future crime. I talked about that a great deal. Maybe the member's earplug was not in. I do not know.

I could go on and talk about it some more but that is what I was talking about, kids at risk programs. All those kinds of things can be put into place. I thought I had covered that but maybe I did not.

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Madam Speaker, I listened with interest to my friend. I always enjoy his presentations. I find I agree with much of what he says, but not all of what he says. I will not focus on what I do not agree with.

The member talked about prevention and the program he had in his school that was so successful. Could the hon. member give some thought to the causes of crime? I know he is an educator and has a lot of experience in the field. In his experience, why is it that certain young people go afoul of the law? Is there any commonality in their backgrounds? Is there any commonality in their experiences that he has been able to identify so that we can begin to focus on not only the crime itself but the fundamental causes of crime?

Mr. Myron Thompson: Madam Speaker, I thank the hon. member for the question. I know there will not be enough time to answer it. It is a difficult question to answer, but not in all cases.

I can only give examples. I remember little Eddie whose grade 1 teacher brought him to me. He had been kicking her in the shins and had pulled a knife on her. That was an indication there could be a problem. We identified that there was a serious problem with little Eddie. I tried to bring in the family, the mother and the father. I said we had to begin the process of helping this young fellow out.

Unfortunately there was no father and the mother worked all the time, and worked hard. He had no supervision. That was a shame. No supervision is not good for young people, especially at six years of age. We had lots of problems in that area where supervision

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seemed to be unavailable and therefore kids would lean into trouble.

Another problem that came up quite often was caused by low self-esteem, kids put down by peers and in some cases put down by teachers and parents. They had low self-esteem and needed recognition to become somebody. Especially if they had any brute strength, to be a bully was the way to be, to do something that would attract some attention. I have seen these very same kids break into tears when we began working with them because that is not what they wanted. It is a cry for help.

The list can go on. Sometimes some kids are just rotten to the core and I do not know why. There is no excuse for it. I have had parents ask "What am I going to do? He will not listen to us. We tell him he can't go out. He breaks the window and goes out and he doesn't come home until the next morning. If we try to punish him, he goes to the police and cries child abuse".

It goes on and on. It is really a tough one to answer. I had better not take much more time or Madam Speaker will cut me right off.

• (1705)

Mr. Allan Kerpan (Blackstrap, Ref.): Madam Speaker, I would like to ask my colleague from Wild Rose if he would agree with a few brief comments.

The member for Mississauga West mentioned in his speech that young people are often full of testosterone. I can tell the House that the member for Mississauga West is definitely not full of testosterone, but most likely the stuff that I wipe off my boots when I come from the corral.

I still have the notion that I may support this bill and I want to ask the member about that. But it is speeches like those of the member for Mississauga West that make me think and wonder what I am doing. Again, the bill is very little in the right direction, but perhaps that is all we can expect from the Liberal government.

Would the hon. member agree with me that it is members like the member for Mississauga West who give this institution a bad name? Certainly in my opinion he is nothing but a blowhard windbag who in my opinion is a waste of skin.

An hon. member: Could he be a little more explicit about that? What does he really mean?

Mr. Myron Thompson: Madam Speaker, I am not sure what the member really means, but I think I agree with him.

The sad part about it is that there are some genuine people over there who are serious about doing something about the Young Offenders Act. There is also a bunch of them over there who do as

they are told. They have studied legislation to no degree because they know they will have to vote the way they are told.

If we had free votes in this House, if we could have open debate, if we could have legislation come to the justice committee and know that the justice committee is going to effect the change, but we know that most of the legislation that comes in the front door of the justice committee goes out the back door in the same form that it came in. Those are the orders and that is why there has to be a Liberal majority on a committee.

The process and the way we handle business is wrong. It is a shame. I would not like to sit in the House of Commons in a place where I would not be allowed to study legislation and be able to vote according to what I or the people that I represent feel. Unfortunately, the member for Mississauga West has to do all he can to make sure that he gets heard and known, gets on TV and gets well advertised, because he will always be on the backbench. He will never have the opportunity to be on the front bench so he can tell the rest of them what to do.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Madam Speaker, I listened to the hon. member's speech and I agree with just about everything the member had to say. It shocked me when I sat here and listened to the members before him speak.

If some young person breaks into a car and hot wires it, they are becoming entrepreneurs. This is coming from members in the House. The hon. member from Nipissing stated that because young people steal cars they are just being children.

That is what is wrong here. I have gone around schools and talked to children who are afraid of children. I have talked to their parents who have said "The government has handcuffed us. We cannot do anything. The government has taken the right of parenting away from us. It has become the almighty parent and it penalizes us if we try to do anything to help our own children to stop this type of stuff".

I would like the hon. member to comment.

Mr. Myron Thompson: Madam Speaker, the hon. member is absolutely correct. Parents, the police and myself used to work very effectively with young people in our community. We never had to go to court, never had to make an arrest. We involved the parents, we involved the police and we involved the school authorities. We were very successful.

But this government brought down certain pieces of legislation and the next thing, I had to open my desk drawer, pull out a little piece of paper and before I could even begin thinking about discipline or helping the young person I had to say "You have the right to remain silent. You have the right for me not to call your parents in", all of the gobbledegook that has come out of this Liberal government.

Government Orders

• (1710)

Mr. Jim Pankiw: Madam Speaker, I rise on a point of order to seek the unanimous consent of the House to extend the question and answer period for the honourable and well respected member for Wild Rose for 10 minutes.

The Acting Speaker (Ms. Thibeault): Is there consent to extend the time?

Some hon. members: Yes.

Some hon. members: No.

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Madam Speaker, I feel like I have reached into the bag and drawn the black marble. After the member for Mississauga West has spoken and gets the member for Wild Rose all riled up, I happen to be the next person to speak.

Because I have already spoken on the bill, I am speaking on the amendment brought forward by the Bloc which basically takes the bill away from what it was intended to do. The bill was intended to deal with the youth justice system in a fashion that is reasonable. For some people it would be going too far and for others, not far enough.

In my experience as a parole officer in Ontario for a short time in my former life, I dealt with the Young Offenders Act when it came in in 1984. I knew when it came in that it needed to be refined, retuned and readjusted because it did not address some of the glaring problems.

Bill C-68 has addressed some of the problems that were in evident need to be addressed. It was done after much consultation and time spent with the various people in the criminal justice system, in the parole system and the people who work with youth. A lot of thought has gone into it.

I do not know that it addresses the systemic problem that exists in our society that we as the highest court in the land have to deal with, and that is lack of education, lack of training for parenthood, disadvantaged people, people from broken homes. If I were to sit down and write a report before I saw a case file and I put broken home, substance abuse, dropped out of grade 8, lack of motivation, lack of confidence, abused as a child, I would catch probably 80% to 90% of the people I dealt with in that system.

We look at the answers and the simplistic approach of the Reform Party. The member for Calgary Northeast was going to study caning as a way to address the problems of the youth justice system. Certainly, I found that not a way I could agree with. If our answer to a person who has been beaten all their life is to give them another beating, somehow that has absolutely nothing to do with what is being proposed in Bill C-68. It has nothing to do with the

systemic problems of our society and that is how to deal with people at a young age.

My wife is a special education teacher in an elementary school, a resource person as they call it. She deals with people who are in trouble at a very early age. As with the problems I talked about, there is the lack of parenting, the lack of people having some kind of a system of rules, a system of looking at whether courses should be mandatory for certain people, whether it is more involvement with the Children's Aid Society or whether it is more involvement with the youth justice system very early in our schools. That is what we have to look at.

What do I do in a parole hearing when a young woman has dropped a baby off a balcony because the baby was crying too much? We look into the problems that exist with that person being tried in an adult court, as she was, and not having any of the advantages of people who grew up in a home where maybe two people were working.

• (1715)

Here we have a person who is suffering from serious substance abuse and serious societal problems who ends up in jail and has to be kept in the hospital section for fear of being attacked by the other inmates who feel that this crime is very serious. Their way of approaching and dealing with that crime is to inflict more pain on the person who committed the crime, somehow falsely thinking that would be a cure or that suddenly the problem would dissolve.

That is what we are trying to do here with Bill C-68. Basically the amendment would gut the bill and make it worth nothing. I think the bill requires us as a government to promote it, to take advantage of all the study that has been done and to analyse it.

Members of parliament should look at it, analyse it and decide where they want to make changes. They should follow them through. They should not make changes because they belong to the Reform Party or because they are against everything that the Liberal Party does.

I run into people in society who hate Liberals, who hate Catholics and who hate Christians. I am all of those so I have a problem sometimes right at the start in dealing with that. People are like that in society. They grow up in certain areas and are expected to do certain things. We have to break out of that mould in order to advance and to advance our youth.

Some of the problems were dealt with by the hon. member for Mississauga West, although he does it in a way that inflames members of the Reform Party. He even attended their UA convention. This was after they actually voted non-confidence in the Reform Party and said they could not govern. They wanted to bring in the people left in the Conservative Party, the rest of the Conservative Party, and were to do great things.

Government Orders

Jurassic Joe Clark must be having a field day. Have not all the right wing fanatics gone out of the Conservative Party? Have they not all gone to the Reform Party? Now they have voted non-confidence in themselves and they are coming back. It is sad to see a party, which actually had a chance to be a sound official opposition, all of a sudden vote non-confidence in itself and go around like a band of sheep wondering which way to go. I have a problem with that, and I appreciate now that the hon. member for Mississauga West has come in here to straighten me out.

Mr. Steve Mahoney: Not at all. To support you.

Mr. John O'Reilly: I supported him, of course, but to follow the hon. member for Mississauga West after he has inflamed the hon. member for Wild Rose—

Mr. Steve Mahoney: He just threatened to punch me out.

Mr. John O'Reilly: Well, no doubt, and that is how they would cure you.

Mr. Keith Martin: Madam Speaker, I rise on a point of order. I fail to see the relevance of the hon. member's speech given the fact that we are discussing youth crime.

The Acting Speaker (Ms. Thibeault): I am sure that the hon. member is about to make a link between all that.

Mr. John O'Reilly: Madam Speaker, I thank the hon. member for coming in on the conversation and reminding me that I was speaking to the amendment to Bill C-68, in fact the amendment in all its glory. I know the hon. member wants to be leader of the Reform Party. He has indicated that. I appreciate that he would get up and get involved in doctoring the speech that is going on.

Anyway, he has some obviously good points that are almost liberal in a sense and that would create some type of a problem for his party. He would be an excellent candidate and I appreciate him intervening.

Let us go back to the main talking points on Bill C-68. I am speaking to the amendment because I already spoke to the bill and I know the hon. member listened intently. I want to correct something that I said when I was heckled by one of my own members when I spoke to Bill C-68. I said that I had spent three years in grade eight and that they were the happiest years of my life. That is not true. My wife asked me to have that corrected. It was actually the member who had heckled me. I indicated those were the happiest years of his life but it came out differently in *Hansard*.

• (1720)

Going back to lowering the age to 14 and 15 years olds, that part of the youth justice system was not addressed in the original Young

Offenders Act. Young offenders come from three sectors. There are the very young first offenders who commit a crime and are caught. Sometimes it is the very first crime they have committed and they are caught. It may be a misdemeanour of some type. They go into the justice system and for the first time in their lives they are taught some values.

When they realize those values and are pressured by different peers and not the peers or the gang they hang out with, many of them are success stories. They actually spend time with people who counsel them. They spend time with very intelligent lawyers. We even have some in the back row who wail away here. They spend some time with people who teach them values.

The part of the Reform Party's platform that always bothers me is that it wants to pretend that this does not happen, that people are not helped by the Young Offenders Act and are not put on the right track.

I can give many instances of people who we deal with once and they never come back into the justice system. They rearrange their lives. They take the talent they have and use it to be productive members of society. The lowering of the age to 14 or 15 years gives me the feeling that the bill is on the right track.

When 14 to 17 year olds commit a very serious crime I do not see anything wrong with publishing their names. Right now they could go back into school without people knowing that they have committed a serious crime. That part of the system has to change so that educators know who they are dealing with when there are violent offenders in their school system. If youths are sentenced for murder, attempted murder, manslaughter, aggravated sexual assault or they repeat serious violent offences, their names are then subject to publication.

We sometimes think publishing their names in the paper is what this deals with. It is more than that. It is the publication of their names so that the people who are dealing with them on a day to day basis know their backgrounds and are able to come to grips with them. They could be sitting in front of them in a classroom. I am not talking about an elementary school system. I am talking about training courses or rehabilitation courses, whether it is Alcoholics Anonymous or courses dealing with people who have come in contact with cocaine, marijuana, heroine or any of those evil drugs that are out there and so easily available. A person dealing with those people should know that a violent reaction could happen at any time. The publication of names when a judge considers them to be dangerous is a very important part of the act.

It is very easy to tell if someone is dangerous. All we have to do is look at their file or rap sheet to see the number of convictions, arrests and times they have appeared before the criminal courts. Bill C-68 is a very positive step toward have a more refined justice system for youth but it will not stop someone from committing a serious crime. That will not happen.

Privilege

• (1725)

We have already heard the Reform Party saying that the Liberals have this idea that the bill will be the be-all and the end-all. Well, it will not. Once again I go back. We have to look at not the simplistic approach but the systemic problems in society. Until the government and all other parties deal with them our chances of having a perfect society, which will never exist of course, are diminished. This helps the people in the youth justice system to better apply the power of the courts to help youth, to rehabilitate them.

We are trying to make the public institutions a safer place to work. In order to do that we require crime prevention. The only way to have crime prevention is to educate people eliminate poverty, lack of training, lack of education and sometimes the lack of discipline. However, quite often, if we look at the people we are dealing with, giving them another beating is not the answer.

We have to find ways to deal with them that challenge them to do something different with their lives and that challenge them to have more confidence in themselves. A lack of confidence is the largest problem in youth suicide. No matter where it is one is too many. Lack of confidence and a lack of resources or ability to cope comes from the lack of the basic essentials that one needs in life.

People with money, people who are rich, still have suicides in their families. It is not because they have given them too much. It is because they have not given them the confidence. They do not have the ability to cope with the pressures that are existing today in society.

Bill C-68 is a good start in addressing our criminal justice system for youth. When we seriously look at the bill in committee and when we offer any kind of amendment to it, we should take into account the research that was done on the bill and the consultation that was done on it with the various people that came forward and will still come forward to give submissions on a bill which I think is worth the consideration of the House to pass as quickly as possible.

I hope I have added something to the debate that will promote Bill C-68 and a new youth justice system.

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, extensive comment was made about the United Alternative. I would like to say I was happy and proud to be at the United Alternative conference.

There were 1,500 delegates from all over Canada. These delegates were not associated with a given political party. They came there as Canadians realizing that an alternative had to be created to get rid of the federal government.

Mr. John O'Reilly: Mr. Speaker, I thank the member for Selkirk—Interlake for his intervention on Bill C-68. I noted he made some very deep thoughts and contributed to the promotion of Bill C-68. I thank him for that. I know he is a strong supporter of the youth justice system.

The Acting Speaker (Mr. McClelland): It being 5.30 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

* * *

• (1730)

PRIVILEGE

COMMENTS BY MEMBERS

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I would like to raise a question of privilege for you to consider. I recently entered the building, after having returned to my office. While in my office I heard a number of members in this place stand to hurl abuses my way, which is fine in this place. However, at the front door, on my way back, I encountered two members of the Reform Party, the member for Blackstrap and the member for Okanagan—Shuswap, who were having a cigarette, at which time they proceeded to become very abusive toward me, hurling insults. This is not the first time the member for Okanagan—Shuswap has acted in this manner. He challenged me to a physical encounter of some description. "Come on, let's go", he said and clenched his fists.

It is my job in this place to feel totally confident that I can walk anywhere within these precincts, anywhere in the city of Ottawa or anywhere in this country without having to endure the kind of schoolyard bully tactics which these members have shown. Because they do not have the ability to stand here and debate an issue they attempt to attack and intimidate members in this place.

I believe that my privileges have been violated by both of these violent Reform members and I would like them to apologize.

The Acting Speaker (Mr. McClelland): I want to make it absolutely clear that if any member is threatened anywhere within the precincts of parliament it is indeed a very serious matter. It is indeed a case of privilege. It will not be taken lightly and should not be taken lightly. A very serious accusation has been made by the member for Mississauga West. It will be dealt with in a very serious manner.

If there are any other members who wish to intervene, I would invite them to do so right now. We will start with the member for Okanagan—Shuswap.

Private Members' Business

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, I am one of the members he is talking about. What happened outside is that nobody made any threats to the member over there. As we were standing there he walked by us and called us bigots. He also said that he would like us to do something physically to his body that normally you would only have a female person do if you were heterosexual. I took great exception to that. When he walked in the door I asked him to come back out to finish the discussion.

An hon. member: Was it physical?

Mr. Darrel Stinson: No, it was not, and there were lots of witnesses out there. I want everybody in the House to know that what the hon. member did out there was a total disgrace to any member of parliament.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I appreciate the comments you made from the chair, but the member who raised the question of privilege failed to indicate that he would move the appropriate motion. Therefore, having received the caution which you have given to all members of the House, I think the matter should now rest.

The Acting Speaker (Mr. McClelland): I thank the hon. member for St. Albert for his sage advice. I will recognize the hon. member for Blackstrap.

Mr. Allan Kerpan (Blackstrap, Ref.): Mr. Speaker, I certainly would agree with you that it is the privilege of a member of this House to feel quite comfortable and secure when walking on the grounds or in the House. I completely agree with you.

In response to the member's accusation, I would point out that indeed there were many witnesses in front when this heated discussion took place, and that goes without saying. I believe there would be people out there who would say that the member for Mississauga West was in fact the first to open the discussion, if you want to call it that.

I would ask the House, on my behalf, to remind the member for Mississauga West that he should be very careful with accusations that I believe are false.

The Acting Speaker (Mr. McClelland): Are there any other members who have anything to add to this?

Mr. Steve Mahoney: You're a liar, Stinson.

Mr. Darrel Stinson: Did you hear that, Mr. Speaker?

The Acting Speaker (Mr. McClelland): Order, please. We are going to try to resolve this right now. The first thing we are going to do is ask the hon. member for Mississauga West to withdraw the most recent comment which had to do with calling another member a liar. Would the hon. member for Mississauga West please do so immediately?

• (1735)

Mr. Steve Mahoney: Mr. Speaker, out of respect for you, sir, I do.

The Acting Speaker (Mr. McClelland): We will now consider the other very serious matter. This will be taken under advisement. However, I would ask, given the fact that we are all adults, that Private Members' Business proceed for the next hour. I would ask all hon. members concerned to take a step back, to go behind the curtains and resolve this issue as the gentlemen, gentlewomen and distinguished leaders that we are.

I will be quite happy to take this up again. I will bring forward a position before the end of Private Members' Business today.

Mr. John Williams: Mr. Speaker, I rise on a point of order. While the member who raised the point of privilege felt it was a serious issue, he did not specifically seek any redress. He did not say that he would move any particular motion.

The Acting Speaker (Mr. McClelland): I thank the hon. member for St. Albert. His comment is already on the table. I thanked him once for his advice, but I will thank him again.

We will now proceed directly to Private Members' Business.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.) moved that Bill C-484, an act to amend the Criminal Code (consecutive sentence for use of firearm in commission of offence), be read the second time and referred to a committee.

He said: Mr. Speaker, it is my pleasure to lead the debate on Bill C-484. The purpose of my private member's bill is to amend the Criminal Code so that any individual who uses a firearm in the commission of certain criminal offences will receive an additional sentence of incarceration, that being a consecutive sentence.

The bill is referred to as the 10-20-life law, so the consecutive sentences that I refer to would be 10 years if a firearm is used in the commission of one of the named offences that I will list shortly; 20 years if in the commission of that offence the firearm is discharged; and a life sentence to be added consecutively to the sentence that the individual receives for the crime they commit if the discharge of that firearm causes bodily harm to anyone other than the perpetrator of the crime or an accomplice.

Private Members' Business

The list of the specific criminal offences to which this 10-20-life law would apply are the following: murder, manslaughter, attempted murder, assault causing bodily harm with intent, sexual assault with a weapon, aggravated sexual assault, kidnapping, hostage taking, robbery and extortion.

Currently section 85 of the Criminal Code provides for a minimum sentence of one year and a maximum sentence of 14 years for the commission of an indictable offence. In the case of a second offence, a minimum of three years and a maximum of 14 years applies.

• (1740)

Those sentences referred to in section 85 currently are to be served consecutively. That is the current law, but these provisions apply to all indictable offences, including the ones I listed. The significance is that the most violent offences are treated the same as all other indictable offences. My bill lists the most serious violent crimes and subjects them to the provisions of the 10-20-life law.

In other jurisdictions similar laws are being passed. Most notably, in 1997 the governor of California signed into law an act amending California's state penal code to include a 10-20-life provision. Prior to that time there existed a similar section of the California penal code which meted out three, four or ten years for felony offences. It was actually four, five or ten years in the case of carjacking, and five, six or ten years if the firearm used was classified as an assault weapon.

The significance is that the changes which were made in 1997 in California were in response to the success the law had in deterring carjacking within that state. Carjackers knew they would be subject to very stiff consecutive sentences for the specific act of carjacking, which was a strong deterrent and the number of carjackings dropped substantially.

I would submit to the House that the same principle applies, as it clearly does, to the 10-20-life law. Criminals should know that the use of a firearm will automatically add 10 years to the sentence for the commission of one of these serious offences. The discharge of that firearm in the commission of an offence will automatically result in a consecutive sentence applied to their original sentence for the commission of that crime, of 20 years, and if the discharge of that firearm causes someone bodily harm they will be the recipient of an additional life sentence to the original sentence for the crime they committed.

I do not want to become mired down in a lot of statistics, but there are a couple of relevant statistics I would like to quote.

Between 1991 and 1995 half of all homicides in Canada involved the use of a handgun. That number is 75% when looking only at Vancouver, Montreal and Toronto.

In 1995, 33% of violent crimes committed with a firearm resulted in the victim being injured. In the case of assault or sexual assault, the percentage of incidents in which the victim was injured was over 50%.

Since 1934 in Canada we have had a handgun registry. It has been a requirement that legally owned handguns be registered. We can safely deduce from the statistics I have quoted that the handgun registry has been an abject failure. It has not acted as a deterrent to the criminal use of those handguns in any way, shape or form. That is a very important point because what we need to understand and what the Liberal government fails to understand is that it is not the registration of a firearm that deters criminal use, but rather the resulting consequence of using that firearm to commit a serious violent crime.

In keeping with Reform Party policies and principles, we seek to not target law-abiding firearms owners but the criminal use of firearms. I have drafted this bill with the intent for it to serve as a deterrent to the criminal use of a firearm. There are three main points I would like the Liberal government to understand.

• (1745)

The first point is that unlike firearm registration this 10-20 life law does target the criminal element within our society. It targets those who use firearms in the commission of an offence against another person. That will have the effect of a deterrent, contrary to what the registration of firearms would do. We need look only as far as the handgun registry to see that.

The second point is the harsher sentencing provisions, not firearms registration, but harsher sentences acting as a deterrent to the criminal use of firearms.

The third point is this law would serve the purpose of highlighting that using a firearm to commit a violent crime is abhorrent to society. It is the will of Canadians that stronger punitive sanctions be attached to those sections of the Criminal Code.

I was very disappointed that the subcommittee which dealt with my private member's bill did not deem it to be votable. For the reasons I have just explained to the House, the obvious benefit that a 10-20 life law would have in tightening the provisions of the Criminal Code and therefore making our communities safer, our society safer and establishing a clear understanding in society that the criminal use of a firearm will not be tolerated and that severe penalties will result, I seek the unanimous consent of the House to deem my private member's bill votable.

The Acting Speaker (Mr. McClelland): Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Jim Pankiw: Mr. Speaker, that is very unfortunate for many reasons.

The Liberal government is refusing to enact legislation that will make our streets, our communities, our society a safer place and which will send a message to the criminal element that using firearms to commit serious crimes is not something we are prepared to tolerate in our society.

The Liberals should not care that it is a Reform member who introduced the bill. I do not think that is relevant. They should look at the issue and understand the facts and say this is a good idea.

Why are they refusing to allow this bill to be votable? Are they ashamed that their own justice minister did not think of it? Or are they ashamed that their own justice minister refuses to get tough on crime and instead engages in namby-pamby bills such as the young offenders amendments that we were speaking about today in the House? The changes to the Young Offenders Act are merely a paint job on the old act but will still do nothing to target the deficiencies in that act.

Or is their reason because they are obsessed with alienating Canadians? On Tuesday we debated in the House all day the alienation of the regions in the country. I spoke on behalf of the residents of Saskatchewan and I spoke about the Liberal alienation committee.

Here we have yet another example of alienation. A member from Saskatoon, myself, has introduced a get tough on crime bill in the House. It is a law that would improve our society by getting tougher on criminals who use firearms instead of targeting the law-abiding citizens like the Liberals are so intent on doing with former Bill C-68, the firearms registration act. They do not allow the committee to deem it a votable item and they do not even allow me the consent in the House.

● (1750)

For the benefit of Canadians watching, the significance of that is at the end of this hour, debate on this bill will collapse and that will be the end of it. They will not have to vote on it. That is probably another reason that they refuse to allow this to be deemed a votable bill. They do not want to stand up and let Canadians from coast to coast watch them vote against a bill which targets the criminal use of firearms. They seem to be intent on firearms registration, targeting law-abiding firearms owners.

Today we spent the day in the House of Commons debating some very flimsy changes to the Young Offenders Act. Why is the Liberal justice minister so preoccupied with bringing useless legislation before the House instead of meaningful legislation like the 10-20 life law? Why does she not introduce bills like that?

Instead of tinkering with the Young Offenders Act, why does she not introduce a victims bill of rights? Why does she not establish that the rights of victims supersede any rights that a criminal has? I

Private Members' Business

will answer that question. It is because the Liberal soft approach to crime is something they are obsessed with and they refuse to let it go.

Canadians will not get proper legislation dealing with criminals and fair legislation dealing with private ownership of firearms until we have a Reform government.

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PRIVILEGE

COMMENTS BY MEMBERS—SPEAKER'S RULING

The Acting Speaker (Mr. McClelland): Before we recognize the next speaker, I undertook earlier to return to the question of privilege by the member for Mississauga West.

As members may have seen, I had the privilege of speaking to all of the members involved.

I want to state unequivocally how important it is that we treat each other respectfully at all times and that no member at any time feel threatened physically or emotionally. This is the centre of our governance, of our civility as a nation. We have a fiduciary duty to comport ourselves in a manner that brings credit to each other, to this institution and to ourselves. As the chair occupant, I want it understood clearly that there will not be any actions by any member that bring discredit on this House, which is bigger than all of us. What this institution represents is bigger than all of us.

I have considered carefully the interventions given by everyone, including the hon. member for St. Albert. I thank all members for giving me their advice.

We are not going to take it any further because it has gone as far as it needs to go. We are considering, by consensus, the matter closed and we will speak no more of this particular instance.

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CRIMINAL CODE

The House resumed consideration of the motion that Bill C-484, an act to amend the Criminal Code (consecutive sentence for use of firearm in commission of offence), be read the second time and referred to a committee.

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I compliment you on your ruling.

Usually on Private Members' Business I compliment the members for their initiative and hard work. I think it reflects well on all of us for members to bring forward legislation and ideas that need to be debated and considered by the House, ideas that do not necessarily originate with the government.

Private Members' Business

● (1755)

Usually I start out that way, but in this particular instance, I believe this bill is just a waste of House time. This is simply a bill which adds nothing to the debate and in fact is counterproductive to many of the initiatives already undertaken by the government.

To say that I oppose this bill is to be minimalist in the matter. The bill proposes that there be more severe minimum sentences to be served consecutively for 10 serious crimes all committed with firearms, but by the same token that we ignore a judicial and statutory foundation for our sentencing system.

I urge all hon. members to refer to section 718 of the Criminal Code, which sets out the principles of sentencing, before they get too far down the path which this bill is taking us.

In January 1996 the government implemented tough new penalties for firearm related offences. New sections have been added, provided that when a person is convicted of having committed certain serious offences with a firearm, a mandatory minimum sentence of four years in prison is now imposed. The 10 violent provisions are: criminal negligence causing death; manslaughter; attempted murder; causing bodily harm with intent; sexual assault with a weapon; aggravated sexual assault; kidnapping; hostage taking; robbery; and extortion.

In other words, people get four years minimum regardless. In some respects it is a fettering of judicial discretion. On this side of the House, we think that is an appropriate fettering of judicial discretion.

We are satisfied that these new gun control measures are having a positive effect in reducing the criminal use of firearms and frankly see no need to amend the sentencing provisions at this time.

There are several difficulties with Bill C-484 and I would like to address them now.

By imposing severe minimum sentences, Bill C-484 does not account for the fact that the criminal justice system judges have discretion. That is fundamental to our system of law in this country. They have discretion in sentencing convicted offenders in order that the sentence may be tailored, and I emphasize tailored, to the individual, taking into account the criminal record and any other aggravating or extenuating circumstances.

I would like to draw attention to section 718 which sets out the purpose and principles of sentencing:

The fundamental purpose of sentencing is to contribute, along with crime prevention initiatives, to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions that have one or more of the following objectives:

- (a) to denounce unlawful conduct;
- (b) to deter the offender and other persons from committing offences;
- (c) to separate offenders from society;

(d) to assist in rehabilitating offenders;

(e) to provide reparations for harm done to victims; and to promote a sense of responsibility in offenders.

That is the purpose of our criminal justice system. It is a very articulate piece of legislation.

Under the section with respect to the other sentencing principles, a court that imposes a sentence shall also take into consideration the following principles and it goes on to talk about aggravating circumstances. But in the deemed aggravating circumstances section, subsection (c), it says "where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh".

That is the essence of the flaw with this bill. If they are all added up, offenders will be serving 10 years past a life sentence. It is a bit of an absurdity. This absurdity would lead to further absurdities.

It interferes with what in sentencing principles is called the totality principle, when a sentencing judge orders an offender to serve consecutive sentences, and this is lost on some hon. members opposite. The Criminal Code already provides for consecutive sentences. There are not simply concurrent sentences. A judge has the discretion to order a concurrent sentence. I heard endless numbers of speeches from members opposite about this issue. If a judge chooses to put in a concurrent sentence, he or she can do so, but it must meet the principle of totality.

● (1800)

The totality principle requires that a sentencing judge who orders an offender to serve consecutive sentences for multiple offences to ensure that the cumulative sentence does not exceed the overall culpability of the offender. The effect of the totality principle is to require the sentencer, i.e. the judge, to pass a series of sentences, each properly calculated in relation to the offence for which it is imposed and to be properly made in accordance with the principles governing sentencing principles.

In other words, there are no volume discounts. I will repeat this. There are no volume discounts. In part, that is what the bill is all about; that somehow or other, if we fetter the discretion of judges, we will arrive at a more fair judicial system, a more fair sentencing system.

May I respectfully suggest that it would be counterproductive if the bill were allowed to go to a vote. I was glad to see that hon. members had the wisdom to not make this a votable item.

The Criminal Code provides for minimum sentences in limited circumstances. This is applicable to certain serious offences and reflects society's intolerance toward more serious crimes. With a four year minimum sentence for 10 serious crimes committed with a firearm, the Criminal Code makes it clear that those convicted of such offences should at a minimum spend at least four years in a penitentiary. Judges still have discretion to impose more severe

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sentences for particular crimes should they deem it to be appropriate in all the circumstances.

May I say that having been in court and having listened to judges, in all the circumstances they frequently listen to literally days worth of testimony, frequently contradictory testimony, and hear argument on both sides and, I would suggest, with the greatest respect to members in the House, are in the best position to decide what is or is not the appropriate sentence.

The House gets to provide guidelines. The House gets to reflect upon the moral imperatives of sentencing. The House gets to suggest things. However, in the ultimate and final resolution of matters, I would submit that we are prepared to defer to judicial discretion in most areas.

When the government provided for this minimum sentence for these 10 serious crimes, the clear intent was to discourage individuals from using firearms. Laws have been written with the objective that in all likelihood they have to withstand constitutional challenges. I have heard time and time again from members opposite how there are charter problems, is this charterproof or this horrible charter, although we all seem to think it is okay when it works our way. When we do pass a law it does in fact have to go through the lens of the charter. That is the law under which we all live, including the House of parliament.

The bill needs to have a short and quick death. I could go on to other significant problems. I have described how 718 works and how a judge actually goes through the various issues that are appropriate to sentencing an individual. We are all subject to the rule of law and we are all subject to the constitution. They put the discretion where it belongs: with the judge.

Bill C-484 panders to the worst in all of us. It panders to our most basic emotions of fear and it purports to offer a solution which in fact it does not. We have an illusion of protection if somehow or other we add on all these sentences. It ignores many of the principles upon which our judicial system is built. I would urge all members to simply ask for the bill to die a quick and painless death.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I rise today to speak to Bill C-484, introduced by my Reform Party colleague, the member for Saskatoon—Humboldt. The purpose of this bill is to amend the Criminal Code with respect to consecutive sentencing for the use of a firearm in the commission of an offence.

More specifically, this bill is intended to amend section 85 of the Criminal Code, as well as several other sections of the Criminal Code that I will deal with a bit later.

• (1805)

Section 85 currently states that:

85.(1) Every person commits an offence who uses a firearm

(a) while committing an indictable offence, other than an offence under section 220 (criminal negligence causing death), 236 (manslaughter), 239 (attempted murder), 244 (causing bodily harm with intent—firearm), 272 (sexual assault with a weapon), 273 (aggravated sexual assault), 279 (kidnapping), 279.1 (hostage-taking), 344 (robbery) or 346 (extortion),

The bill as it stands is aimed at changing section 85, with the exception of all the crimes I have just listed.

Section 85 also addresses the use of a firearm while attempting to commit an indictable offence, or during flight after committing or attempting to commit an indictable offence, and committing or attempting to commit an indictable offence or during flight after committing or attempting to commit an indictable offence using an imitation firearm, all of which are indictable offences punishable, in the case of a first offence, by imprisonment for a term not exceeding fourteen years, with a minimum punishment of imprisonment for a term of one year.

In the case of a repeat offence, the maximum penalty is fourteen years and the minimum three years. This is what is set out in the Criminal Code at the present time. It also calls for these sentences to be served consecutive to any other sentence. The Criminal Code is already clear enough on the use of firearms in violent crimes.

So, what amendments does our Reform colleague want to introduce? First—and I am sure everyone here is rather surprised—Bill C-484 amends section 85 by increasing the sentences provided as follows: a minimum of ten years, if the firearm is not discharged; 20 years if the firearm was discharged—he missed here—and 25 years if the firearm was discharged and an individual other than anyone participating in the offence is caused bodily harm. So the change is from a maximum sentence of 14 years to a minimum of 25 years. This is no small change.

In the same breath, the member proposes that the same supplemental sentences be included in sections 235, 236, 239, 244, 272, 279.1, 344 and 346, all of which, with the exception of section 235, are excluded from the application of the existing section 85.

This is the purpose of this bill. Let us look now at its effects.

I must say right off that the phenomenon of violent crime, particularly that involving firearms, is extremely serious and distressing. However, the more repressive approach, which imposes excessive sentences, in my opinion or in the opinion of many of those involved in the area in Quebec, will not necessarily reduce crime.

Our neighbours to the south, the United States of America, have a per capita rate of incarceration that is one of the highest in the

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west. It is also a country where, although a large number of states have reintroduced the death penalty, the crime rate has not dropped accordingly. This shows that repressive measures are not what reduce crime.

• (1810)

Another very troubling feature of Bill C-484 is that, by providing for very tough minimum sentences, it reduces the discretionary power of courts to hand down sentences that take into account the circumstances under which offences were committed. It is as though suddenly judges were not allowed to exercise their judgment.

Under our criminal justice system, sentences can be adjusted to fit the crime and the person that committed it. This is described as taking into account the subjective and objective gravity of an offence. The subjective gravity has to do with the circumstances surrounding the person charged with the offence and the objective gravity has to do with identifying the extenuating or aggravating circumstances under which the offence was committed.

By substantially increasing the minimum sentences for all imaginable circumstances, the member is attempting to turn the Criminal Code into a strict set of instructions with no room for judicial discretion. This runs counter to a long-recognized principle essential to the enforcement of justice.

Another important principle is flouted here. This is the principle prohibiting multiple convictions established by the Supreme Court of Canada in *Kienapple v. The Queen*. Under this principle, a person may not be convicted under different sections having the same elements. A person cannot be charged twice for the same offence.

In the bill before us, this principle is set aside. For instance, convicting someone of robbery, or armed robbery, and giving them an additional ten-year minimum sentence for committing the offence with a firearm is simply ridiculous. Yet this is what the bill does by introducing the concept of dual conviction, when in fact both offences include the same essential elements flowing from the same case and the same offence.

In any democratic system, the *Kienapple* principle is very important. No self-respecting justice system would consider supporting such a bill.

Last, but not least, if this bill were passed, it would almost certainly violate section 12 of the Canadian Charter of Rights and Freedoms under which everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

In fact, the courts have already questioned the constitutionality of the one-year sentence now provided for in section 85 of the

Criminal Code. It goes without saying that a minimum sentence of 10 years would violate section 12 and would certainly fail the reasonability test of section 1 of the Charter. This is not the first time the Reform Party has taken leave of its senses.

For all these reasons, I am unable to support the bill and, speaking for the Bloc Quebecois, I am certainly not alone.

[English]

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, it is a pleasure to speak to Bill C-484, an act to amend the Criminal Code so that any individual who uses a firearm in the commission of certain criminal offences will receive an additional sentence of incarceration.

What is behind this legislation? The member for Saskatoon—Humboldt who introduced the bill made reference to old Bill C-68 with which there is a lot of concern particularly in the regions of Canada that a lot of innocent people who use firearms are being asked to jump through a lot of hoops unnecessarily and the criminal element is in a sense overlooked.

• (1815)

As we speak today thousands and thousands of people who perhaps would seldom use firearms for anything other than the occasional hunting trip or the occasional trip out to the shooting gallery or the gun club are being asked to go through a process in an effort to make our country a safer place.

I suppose one could make the argument that another way to approach it would be to say to people who use firearms to participate in some kind of criminal activity that we will come down extremely heavy on them. The misuse of a firearm is something we simply do not want to tolerate. We are not particularly concerned about people who use firearms for recreational purposes, for international competitions and so on. We are concerned about the people who misuse firearms.

My friend has introduced a private member's bill as a way to say to individuals that if they use firearms to participate in a crime the penalties, if found guilty, will be much more severe. That is how we could summarize this legislation.

It also suggests the whole issue of consecutive sentencing of 10, 20 or in some cases 25 years. If individuals are found guilty of committing a crime while carrying a firearm, whether it is a pistol, rifle, shotgun or whatever, 10 years would be added to their sentence.

This sends a signal to people that as a society we will not tolerate this behaviour. If individuals participate in criminal activity while carrying a firearm and the firearm is discharged not necessarily

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causing any harm but to shoot at a person or shoot to frighten or whatever, their sentence will be increased to 20 years after the time for the original offence has been served. If they happen to actually cause bodily harm the sentence will be increased by 25 years.

We could argue about whether these terms of 10, 20 or 25 years are appropriate. We are trying to send a very clear message to people that we do not appreciate their participating in criminal activities, but if they use a firearm to assist in carrying out a dastardly deed we will be particularly hard on them.

What are these offences? For greater certainty the sponsor of the bill has included a number of offences. I will name them because I think it is important. Murder is included as are manslaughter, attempted murder, assault causing bodily harm with intent, sexual assault with a weapon, aggravated sexual assault, kidnapping, hostage taking, robbery and extortion. All these are dastardly crimes.

As a society we have clearly said we do not tolerate robbery or kidnapping. For various reasons people participate in these activities. A whole other element is added when a firearm is carried while the crime is being conducted. This tells individuals being kidnapped or robbed that if they do not behave as the criminal wants them to, their lives will be taken. They will be maimed. They will be shot. Very serious bodily harm will be caused. It adds another dimension to the process. It is one thing to rob a person but it is another to hold up a person with a firearm.

I like the legislation. I do not know if these are the appropriate terms. I do not know if there should be other additions to the member's list. The purpose of this debate is to move the legislation forward. If it were to move forward we would go into committee where we would hear witnesses and perhaps fine-tune the legislation. This is sort of a first draft or a first run through. For that reason I am generally in favour of the legislation.

• (1820)

I have tried to come to grips with the whole issue of firearm control in Canada. I know we have all been lobbied hard by representatives on both sides of the issue. I am convinced that the legislation we used to refer to as Bill C-68, the firearms control act, will not have any appreciable effect on reducing the amount of violent crime in society. It will not have much of an impact on reducing the misuse of firearms.

When we look at the deaths caused each year by firearms, very few are the result of a person actually shooting somebody. It is the result of somebody's gun going off. It is the result of a domestic dispute. It is the result of a hunting accident. We have to ask ourselves if that firearm were registered would there not still be that homicide. If you are in a domestic dispute and your firearm is registered, are you going to say that you probably should not kill that person because it is registered? You have lost control and you are probably going to misuse that firearm.

We are not talking about whether firearms should exist or not. We are talking about the whole process of Bill C-68 and the registration of firearms. Having looked at that carefully, I do not think it will be very effective.

However, will this be effective? What if we were to tell people that if they misuse a firearm while participating in a crime the penalties will be significantly increased? We would all agree that 10, 20 or 25 years in jail is a very serious penalty. I might add that is a consecutive penalty. It is added on after the first penalty. I would question whether it would act as a deterrent. I suspect it probably would. I would like to hear evidence on whether it would or would not, but I guess we will have a chance to debate that in the future.

In 1995 Statistics Canada indicated that 33% of violent crimes committed with a firearm resulted in the victim being injured. In cases involving assault and sexual assault that number rises to over 50%. We are talking about this legislation having very serious implications.

When people participate in or are involved with extortion, aggravated sexual assault, sexual assault with a weapon and so on, it often results in bodily harm and often leads to death. It is something we have to take a lot more seriously. I would like to seek unanimous consent to have a vote on this bill.

The Acting Speaker (Mr. McClelland): Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Gilles Bernier (Tobique—Mactaquac, PC): Mr. Speaker, I rise today to offer the comments of the Progressive Conservative Party on Bill C-484. The PC Party believes in consecutive sentences to get tough on criminals. The PC Party also believes in legislation that gets tough on criminals who use firearms in the commission of an offence. The PC Party believes that by getting tough on criminals of all ages while offering and supporting meaningful programs for their rehabilitation, we can create a safe society for all Canadians.

However, we do not believe that Bill C-484 will be able to remedy all the degenerative legislation that has been enacted over the past six years by a Liberal government that is soft on crime. For example, this legislation could be rendered useless due to Liberal initiatives such as conditional sentencing.

This Liberal initiative has already been applied to rapists so why should we not believe that it would not be liberally applied to offenders falling under the auspices of Bill C-484? Conversely, we feel Bill C-484 is disproportionate to the rest of the Criminal Code in terms of the proposed sentences offered to criminals who fall under the bill.

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If the government would commit to sensible gun control legislation that did not discriminate against law-abiding gun owners, and if it would follow the lead of its own MPs and commit to consecutive sentencing, the opposition parties would not feel the need to propose amendments to correct such bad legislation.

• (1825)

Since the Liberals came into power in 1993 they have tried to paint themselves as champions of justice and protectors of the public interest. In doing so they have promoted gun control legislation through basic, simplistic terms that played on the fears of a public fearful for its own public safety.

It is obvious now that the Reform Party too is falling victim to this Liberal image doctoring as its proposed amendments are playing right into the hands of Liberal ideals concerning gun control.

Instead of creating more negative firearms publicity through the bill, the Reform Party should be blasting the Liberals for their soft stand on crime. If the Liberals took a harder stance on issues such as youth and organized crime, if they listened to their colleagues and passed legislation on consecutive sentencing, and if they gave our police forces the proper funding needed to enforce the law, there would be no need for constant Criminal Code amendments to correct bad Liberal legislation.

Meaningful legislation would allow people to feel safe in the towns and cities of Canada. They would feel safe enough that the anti-gun lobby would not be forced to create its propaganda that also affects law-abiding gun owners in an adverse manner.

Our party supports the noble basis of Bill C-484, as it is steeped in the ideal of public safety. However, we are tempered by difficulties that this proposed legislation will encounter when confronted with existing, backward Liberal legislation. In noting this inevitable confrontation, we feel that the following problems will ensue.

First and foremost, our party has made it abundantly clear that the Liberal government has and continues to enact firearms legislation that discriminates against law-abiding gun owners. The Liberals are famous for being parochial fence-sitters that manoeuvre in the middle ground so as to avoid committing to anything that may damage their popularity. After all, the Liberals have continually proven that their objective is to support any popular cause as long as it ensures their re-election. The result is a government with no foresight and no platform other than that of doing whatever is necessary to be re-elected.

As I previously mentioned, the issue of gun control is one that was very easy for the Liberals to be seen as the champions of justice for the Canadian people. With violent images of crime being broadcast nightly into the living rooms of Canadians, the Liberals gained widespread support by saying that Canada had to get tougher gun registration laws to cut down on the availability of

guns to the public. They quickly translated this tugging of Canadian heart strings into the now infamous Bill C-68, which is as disappointing as the current Bill C-68 debated today.

Neglecting the fact that this bill would cost taxpayers hundreds of millions of dollars to implement and that it would take up to 233 years to register all Canadian firearms, the Liberals went ahead with the legislation championing themselves as the protectors of the Canadian public.

It is easy to see the effectiveness of the legislation now that the initial hype has been tempered by harsh reality. For example, the Liberal government that will do anything to avoid controversy has now come face to face with law-abiding gun owners who are protesting Bill C-68 as it discriminates against them with an ineffective, time consuming registration process.

In continuing with the theme of Liberal legislation that led to harsh reality, last week there was the occurrence of an absolute tragedy at the OC Transpo depot in Ottawa. The fact is that the Liberal's Bill C-68 would not have prevented a person like Pierre Lebrun from buying the gun used to facilitate his horrific killing spree.

This is what happens when dealing with a government that has no ideology or focus. It was popular and thus politically safe to implement legislation like Bill C-68. The Liberals must have felt that discriminating against law-abiding groups of gun owners would be a necessary evil but well worth it when compared to the support they would gain through an emotional subject like gun control.

• (1830)

However, in the Liberals' push for popularity they neglected to deal with the real issue at hand. If the Liberals—and in the case of Bill C-484, the Reform Party—would focus their efforts on the root causes of crime, we would not need Bill C-484, which will only bring more negative propaganda against gun owners.

We need to remember that the gun itself does not commit the crime. Therefore, we need to focus on stopping the real causes of crime, such as unemployment, poverty and the lack of protection from non-rehabilitated offenders who are released too soon due to concurrent sentencing and prison release quotas.

However, these problems are not as easily dealt with. Thus, we will not see the Liberals or the Reform Party delve into these issues and risk their popularity.

The second caution which our party would like to make has to do with the idea of amending the Criminal Code. Amending the Criminal Code can be a dangerous practice as it involves some of our society's most fundamental beliefs. Although these beliefs relate specifically to the manner in which our society disciplines itself, they also overlap into other areas, such as the charter of rights and freedoms.

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Thus, if society was allowed to make amendments every time the Criminal Code fell afoul of popular opinion, we would make changes in haste that could adversely affect significant portions of society, and because such changes would be made in response to popular public opinion, it would leave minority groups unprotected from the tyranny of the majority.

We need to have faith in our judicial system which allows our judges to interpret the Criminal Code as it relates to an individual case. Although the system is not perfect, it allows for thoughtful, non-partisan decisions to be rendered and it allows for appeals of the process to be heard.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, I commend my hon. colleague from Kamloops for his well thought out speech and I appreciate his attempt to have this private member's bill deemed votable, as I did myself. Clearly he has far more respect for the democratic process than any Liberal MP in this House, which brings to me to the comments of the member for Scarborough East who stated that the bill is a waste of time.

That comment is insulting and is typical of Liberal arrogance. More importantly, it underscores their soft on crime approach and their reluctance and unwillingness to deal with the criminal element in our society.

Why do they insist on protecting criminals instead of law-abiding citizens? Why will they not enact legislation which makes our communities and our society safer?

We have been pressuring them to remove section 745. It is the provision that allows first degree murderers to be released on to the street after serving only 15 years in prison. That is a Liberal policy. The conditional sentences say to criminals who have committed violent acts "Just don't do it again and we will let you go".

Then there is the Young Offenders Act. The member for Mississauga West ranted on and on about how radical the Reform Party is for wanting to have young offenders named.

I live in a nice community in Saskatoon. I submit that I have a right to know if some youth who lives on my street is a criminal. If one of my neighbour's kids engages in some criminal activity, breaking into people's houses, stealing cars or is trafficking drugs, I have a right to know because I have a family. It is shameful that the Liberal member for Mississauga West would stand in this House and say it is okay to deny Canadians the right to know when people living beside them are criminals.

• (1835)

He also said that it was his preference to defer to judicial discretion, which is also the preference of all Liberal members of parliament. As we know, recently a court in British Columbia ruled

that it is a violation of our constitutional rights to not be allowed to possess child pornography. As we know, Reform Party members found that absolutely disgraceful and we urged the government to invoke the notwithstanding clause to override the judge in that case because possession of child pornography is a crime and it must be considered a crime. Did the Liberals stand to defend the children who are the victims of child pornography? No.

Sixty-eight Liberals signed a letter asking the Prime Minister to do exactly the same thing which we asked for two weeks later in the House, but the Prime Minister cracked his whip and the backbench flock of sheep stepped into line. Their approach to crime is absolutely disgraceful and all Canadians ought to know that this Liberal government is refusing to act to make our streets safer.

My private member's bill today is a simple, straightforward attempt to target the criminal use of firearms. What could be simpler? What could be more straightforward?

The member for Scarborough East said that it panders to our emotions of fear. We do have fear. I talk to elderly people all the time who say that at night they are scared to walk down the street. When they see a group of young people approaching, they get scared.

What kind of culture have we created in our society? Why do we not act now to implement laws which change that? Why do we not enact laws that target the criminal use of firearms instead of law-abiding citizens who use firearms for legitimate purposes?

Make no mistake, Mr. Speaker, as you know and as all members of the House know, the purpose in passing the Firearms Act was not to crack down on crime; it was to confiscate legally owned firearms from all citizens in Canada.

I want to conclude by saying that it is very unfortunate that the undemocratic Liberal members of parliament refuse to allow my proposal for a 10-20-life law to come to a vote in the House.

The Acting Speaker (Mr. McClelland): The time provided for the consideration of Private Members' Business has now expired and the order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

[English]

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

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, on March 4 I posed a question to the Minister of State for Multicultur-

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alism and the Status of Women relating to the issue of family taxation and whether the Income Tax Act was the only instrument that was relevant in that discussion.

The issue is much broader and the secretary of state I think made it very clear to the House that it was much broader. Not only do we have a child care expense deduction available to families, we also have a spousal amount, a non-refundable tax credit, that is available to families where there is only one earner. We also have the Canadian child tax benefit, which is not taxable, as well as the national child benefit program.

In addition, under the employment insurance program we have provisions for parental leave. We also have wage and training subsidies which are available for parents who have taken parental leave and would like to get back into the workforce. In that case we also provide benefits for families with children.

Finally, under the Canada pension plan there is what is referred to as the child rearing drop-out, which ensures that parents who withdraw from the workforce to raise children are not unduly penalized for having low income years of service in the calculation of their Canada pension benefits.

The minister is quite right. There are a broad range of issues that we must balance to ensure that we are fully aware of the whole menu of areas in which the Government of Canada, and in fact the taxpayers of Canada, support families with children.

This issue has now been referred to a subcommittee of the Standing Committee on Finance to address the issues of fairness and equity and how we deal with families with children. However, it is a children's issue more than it is a tax issue. It is a children's issue and if we value our children we must also, as the minister knows, value our caregivers.

● (1840)

As the finance subcommittee does its work, there are some principles that have to be taken into account. We have to have some guideposts in the work we are doing so that we understand there are certain things that really should be reflected in the policy of the government on behalf of taxpayers. I had given some thought to some of the principles we might apply in developing policy. I would like to put them on the record for the minister's consideration. I am going to ask for her comment.

First of all our policy should be child centred and promote the best interest of the child to the greatest extent possible. Second, it should presume that parents are the primary caregivers and that they are in the best position to determine what constitutes the best possible care for their children. Third, our policy should provide flexibility, options and choices which will make it feasible for either parent to be a caregiver or to be in the paid workforce. The fourth item is that our policy should be inclusive and responsive to

the social realities, circumstances and preferences of parents and their children. Finally, our policy should be fair and equitable and be seen to be fair and equitable and neither penalize nor compel specific caregiving choices.

I believe these are some principles that we can consider as a starting point in terms of how we should shape our policies so that they reflect principles and criteria which will be fair and equitable to all families regardless of their configuration, whether they be one income earner families, or two. No matter what the configuration, certain principles must guide us. I would ask the minister for her comments.

Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.): Mr. Speaker, I welcome the hon. member's question. In asking his question he has shown that he grasps the issue and that he understands what is at stake.

Families have changed. There was a social infrastructure to meet the needs of families in the 1950s, 1960s, 1970s and 1980s and those worked very well. We have found that families have changed since then.

Families come in many different configurations as the hon. member said. We have two parent families where one parent works and one parent stays at home. We have single parent families where the lone parent works. We have single parent families where the lone parent stays at home. We have blended families where both parents go out to work.

The question is how do we meet the needs of these families as a government in a way that gives them the choices they need and which recognizes the stresses these families face today. They are stresses in terms of making tough decisions about how they meet their income needs, their caregiving needs, how they spend their time. The message we have heard is loud and clear.

Families are under pressure, especially families with children. They are not only under pressure for the caregiving of their children. We now know that families are under pressure for the caregiving of the seniors. Their parents are coming home to live with them. These same families also have disabled persons that they are looking after. They are supporting the system because they are looking after the terminally ill and the chronically ill in the home. The pressure that puts on families means the choices they make must be flexible. The choices they make must meet their needs so that as the member says, they are not unduly penalized.

The issues are not only about the income tax system. There were some answers there. The hon. member is absolutely right. We need to talk about pensionable earnings. How do families plan for pension? The Canada pension plan is one way. Other forms of pension would be another way. How do we look at parental leave, at a caregiving subsidy of some kind? How do we look at the ways

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in which we help these families cope, across the policy initiatives, parental leave or otherwise, so that we can assist families with the problems they face?

It is a complex issue. This government has the number one place in the world today to figure out these issues and look at ways in which to deal with them.

[*Translation*]

The Acting Speaker (Mr. McClelland): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.44 p.m.)

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