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OFFICIAL REPORT
(HANSARD)

Tuesday, April 8, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, April 8, 1997

The House met at 10 a.m.

Prayers

[*English*]

OFFICIAL LANGUAGES

The Speaker: Pursuant to section 66 of the Official Languages Act, I have the honour to lay upon the table the annual report of the Commissioner of Official Languages covering the calendar year 1996.

[*Translation*]

Pursuant to Standing Order 108(4)(a), this report is deemed permanently referred to the Standing Joint Committee on Official Languages.

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. Raymond Bonin (Nickel Belt, Lib.): Madam Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Aboriginal Affairs and Northern Development.

Pursuant to its order of reference dated February 19, 1997, your committee has adopted Bill C-79, an act to permit certain modifications to the application of the Indian Act to bands that desire them and has agreed to report it as amended.

I would like to take this opportunity to thank and commend all members from all sides for the work they have done on that committee.

FINANCE

Mr. Jim Peterson (Willowdale, Lib.): Madam Speaker, I have the honour to table the ninth report of the finance committee of the House of Commons.

This represents major amendments worked out in consultation with the industry to Bill C-82, dealing with Canada's financial institutions. This is the culmination of a process put in place well over a year ago by the Minister of State for International Financial Institutions, one in which submissions were asked for from interested parties which resulted in a white paper. This white paper was the subject of extensive public discussions and consultations last fall and the amendments resulting from that process and the changes are included in this report.

This has been an excellent process. We recommend it to other ministers and we congratulate the minister of state for this process and the results of it. I would also like to thank all members of the committee from all parties who have worked so diligently on this matter.

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INTERNET CHILD PORNOGRAPHY RESTRICTION ACT

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP) moved for leave to introduce Bill C-396, an act to restrict the use of the Internet to distribute pornographic material involving children.

He said: Mr. Speaker, I have the honour to present a private member's bill, the purpose of which is to deal with the problem of child pornography on the Internet. We have good legislation in Canada which prohibits the production, distribution, sale and possession of child pornography, but with modern technology we have to address these concerns in a new way.

● (1010)

The bill would do two things. It would licence the Internet service providers and ensure that they co-operated to minimize the use of the Internet for the publication and proliferation of child pornography. It would also restrict those who have committed serious child sex offences from access to the Internet.

This is a serious problem in Canada and across the world which needs to be addressed.

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

* * *

IMMIGRATION ACT

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.) moved for leave to introduce Bill C-397, an act to amend the Immigration Act (reimbursement).

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He said: Madam Speaker, I rise today to introduce my private member's bill entitled an act to amend the Immigration Act regarding reimbursement.

The bill provides that a person is entitled to reimbursement of the right of landing fee if the Minister of Citizenship and Immigration is satisfied that the person resided elsewhere in Canada than in a specified census metropolitan area between the day the person was granted landing and the day the person received a certificate of citizenship.

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

* * *

PETITIONS

JUSTICE

Mrs. Diane Ablonczy (Calgary North, Ref.): Madam Speaker, it is my pleasure to present a petition on behalf of constituents in Calgary North. The petitioners ask that anyone convicted for a second time of a sexual offence against children be prevented from being released back into society.

NUCLEAR REACTORS

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Madam Speaker, I have the honour under Standing Order 36 to present three petitions.

The first petition has several hundred signatures reciting the concerns of Canadians with human rights in China, and with the proposed Candu sale to China.

The petitioners request that Parliament cancel the planned sale of Candu reactors to China and immediately withdraw from all arrangements concerning financial and technical assistance to China for nuclear reactor technology.

HIGHWAYS

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Madam Speaker, I have a second petition which decries the lack of a federal strategy for highways. Canada is the only country in the world without a national strategy for highways.

The petitioners call on Parliament to urge the federal government to join with provincial governments to make the national highway system upgrading possible.

JUSTICE

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Madam Speaker, the third petition calls on Parliament to conduct a full public inquiry into the relationship between lending institutions and the judiciary and to enact legislation restricting the appointment of judges with ties to credit granting institutions.

HOUSING

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, I have the honour to present a petition from residents of the Scarborough area who call on the Government of Canada to suspend its negotiations with the province of Ontario in connection with the proposed transfer of administration of social housing responsibilities and administration of funding to the provincial level until their has been adequate consultation with the stakeholders in the co-operative housing community in Ontario.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Ovid L. Jackson (Parliamentary Secretary to President of the Treasury Board, Lib.): Madam Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mrs. Ringuette-Maltais): Is that agreed?

Some hon. members: Agreed.

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● (1015)

[English]

CRIMINAL CODE

The House resumed from April 7 consideration of Bill C-27, an act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation), as reported (with amendment) from the committee; and of Motion No. 1.

The Acting Speaker (Mrs. Ringuette-Maltais): Is the House ready for the question?

Some hon. members: Question.

[Translation]

The Acting Speaker (Mrs. Ringuette-Maltais): The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mrs. Ringuette-Maltais): All those in favour will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mrs. Ringuette-Maltais): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mrs. Ringuette-Maltais): In my opinion, the nays have it.

And more than five members having risen:

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The Acting Speaker (Mrs. Ringuette-Maltais): Call in the members.

• (1045)

[*English*]

And the bells having rung:

The Acting Speaker (Mrs. Ringuette-Maltais): The recorded division stands deferred until the end of Government Orders today.

Mr. Kilger: Madam Speaker, there are some ongoing discussions among the parties as to the future business the House will take up for the remainder of the day. I would ask if we could suspend the House for five minutes.

SUSPENSION OF SITTING

The Acting Speaker (Mrs. Ringuette-Maltais): Is it the wish of the House to suspend the sitting?

Some hon. members: Agreed.

(The sitting of the House was suspended at 10.48 a.m.)

SITTING RESUMED

The House resumed at 10.58 a.m.

Mr. Kilger: Madam Speaker, I ask that the member for Prince Albert—Churchill River, the Parliamentary Secretary to Minister of Justice and Attorney General of Canada, be permitted to propose two amendments to Bill C-17 at the commencement of report stage.

The Acting Speaker (Mrs. Ringuette-Maltais): Is there unanimous consent?

Some hon. members: Agreed.

* * *

CRIMINAL CODE

The House proceeded to the consideration of Bill C-17, an act to amend the Criminal Code and certain other acts, as reported (without amendment) from the committee.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.) moved:

That Bill C-17 be amended by adding after line 15 on page 48 the following:

1995, c. 22, s.6

“107.1 Paragraph 742.1(b) of the act is replaced by the following:

(b) is satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the fundamental purpose and principles of sentencing set out in section 718 to 718.2.”

That Bill C-17 be amended by adding after line 13 on page 66 the following:

1996, c.34

An act to amend the Criminal Code (judicial review of parole ineligibility) and another act

139.1 Section 8 of an act to amend the Criminal Code (judicial review of parole ineligibility) and another act is replaced by the following:

8. Paragraph 745.63(1)(d) of the Criminal Code, as enacted by section 2 of this act, applies in respect of hearings held after the coming into force of this section with respect to applications for judicial review in respect of crimes committed before or after the coming into force of this section.

• (1100)

[*Translation*]

The Acting Speaker (Mrs. Ringuette-Maltais): The two amendments moved by the hon. parliamentary secretary are deemed moved.

[*English*]

Mr. Strahl: Madam Speaker, on a point of order, I just wanted to be clear. Are we taking these two amendments separately? We will debate this one and then you will read the second one when we are finished this debate.

The Acting Speaker (Mrs. Ringuette-Maltais): That is right. We are debating the first amendment.

• (1105)

Mr. Jack Ramsay (Crowfoot, Ref.): Madam Speaker, we will be supporting this amendment as it appears to be an addition to Bill C-41 and could not be brought in at this time without the unanimous consent of members of this House.

This amendment goes back to the conditional sentencing contained within Bill C-41. The particulars of that bill encourage the courts to use conditional sentencing. Since this bill was proclaimed there have been at least two occasions where convicted rapists have been allowed to walk free while their female victims are cowering in their homes because they are afraid to walk on the streets alone. It is absolutely unacceptable that this danger was brought forward at the time this bill was being examined at committee stage.

The government insisted on ramming this thing through and allowing violent offenders access to conditional sentencing. The government would not limit the provisions or the application by the courts of conditional sentencing and it still is not narrowing it. It is still not reducing the application of this portion of Bill C-41, the conditional sentencing portion.

What this amendment does is it simply reiterates what the courts already do. Do any of the judges release anyone on conditional sentence if they feel that the public is in danger? Of course not. What does this amendment do? It does not alter the discretion of the court to use conditional sentencing. It simply states that it must be satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent

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with the fundamental purpose and principles of sentencing set out in section 718 and 718.2.

What can the people of Canada, who are concerned about violent crime, draw from this? The justice minister has once again bungled in creating this bill which allows violent offenders and rapists to walk the street as they do today without seeing one day of a sentence in jail. This is wrong and it is the wrong signal for this government, which brags about its care and concern for the rights of the victims, to be sending.

We have at least two rape victims cowering in their homes while their assailants walk the streets free on conditional sentencing. This amendment will do nothing to support that. It suggests to the judges that they do what they already do. Is any judge going to release someone on conditional sentence if the circumstances indicate that the individual may be a danger?

What does this amendment say to the judges? It says "You must be satisfied. You have not been satisfied in the past so you now must be satisfied. We do not trust you so we are putting this in the code which states that you must be satisfied that serving a sentence in the community will not endanger anyone. However, if it is your opinion that a rapist should walk free you can certainly go ahead and do it because we are not going to restrict the application of this law. No, we are simply going to cover our rear end because we are facing an election". The government wants to say that it has done something through this amendment to create a safer society. This is nonsense.

We in the Reform Party asked the justice committee if it would not consider restricting the application not only of conditional sentencing but alternative measures.

• (1110)

Violent offenders also have access to the alternative measures portion of Bill C-41. We introduced an amendment that would exempt violent offenders from access to alternative measures and it was denied. It was turned down. It was killed by the Liberal members who hold a majority on the justice committee.

Now we see where cases are being appealed in Alberta, B.C. and Ontario over conditional sentencing. This is what has moved the justice minister to take unprecedented action to ask unanimous consent of this House to bring in an amendment to Bill C-17 which has nothing whatever to do with Bill C-17 but which has a lot to do with the bungling that occurred back in Bill C-41. Very clearly this amendment is not going to restrict the discretion of the courts to free violent offenders on conditional sentencing, and that is what this is all about.

The justice minister is placing at risk innocent people by not restricting the courts from the use of conditional sentencing because they can continue to allow violent offenders to walk free,

as has been the case with the two rapists I referred to earlier, while their victims cower in fear in their homes.

This is a do nothing amendment. When the justice minister had the opportunity to correct the error in Bill C-41 in the area of conditional sentencing simply by restricting it to non-violent offences he failed to do that. He refuses to do that just like he refuses to do anything to deny first degree murder as a shot at early parole after serving just 15 years in spite of the fact that hundreds and thousands of Canadians have lobbied this government through petitions and letters to our members of Parliament to eliminate section 745.

When it came time for the justice minister to make a decision he decided in favour of the criminal and against the victims of crime and the safety of society. He wants the criminals, the first degree murderers and others, to have a shot at early parole just like he wants the violent offenders, the rapists of this country, to have a shot at conditional sentencing.

Why does the justice minister not consider the safety of society and restrict the application of conditional sentencing to non-violent offences? He would have the support certainly of the members of the Reform Party caucus and all members of this House because that would be reasonable. It is not reasonable to allow a rapist out free on conditional sentencing. It is not fair and it is not reasonable.

The deficiency of judgment expressed by the justice minister over the last three and half years runs like a current throughout many of his decisions and initiatives since he has taken up the justice portfolio. This is only one more example of the deficiency of judgment of the justice minister. He is refusing to respond to the cries of people across this land and the common sense of the majority of Canadians. He is refusing to respond to that.

He is going to continue to allow the courts wide application of conditional sentencing that has led to his concern to bring this about in the first place. What does it do? He is going to simply be able to stand up and say "We have done our best. We have issued a caution in the Criminal Code through this amendment to the courts that you must not use conditional sentence if you fear that conditional sentence will create a danger to society". Of course every judge in the country makes those considerations at the time of sentencing.

• (1115)

Yes, Reform members will go along with this but it will have absolutely no impact whatsoever. The justice minister had a chance to reduce the application of this portion of Bill C-41 and failed to do it. He will answer on the hustings in the next election for this degree of incompetence.

Mr. Monte Solberg (Medicine Hat, Ref.): Madam Speaker, it is a pleasure to speak to this amendment to Bill C-17. I do not know what I can say that my hon. friend has not already said in a very forceful way. I would argue that if anyone speaks out for Canadians who are concerned about crime in this country it is the hon.

member for Crowfoot and his colleagues on the Reform Party's criminal justice team.

One concern I have when I look at how the justice system is administered is that the government seems to fail to learn from its mistakes. My friend has pointed out two instances that we know of where judges have decided that rapists should walk away from a conviction, spending no time in jail while their innocent victims sit in their homes fearful that this crime will be perpetrated again, that the offenders will rape again.

Who among us in this place has not at one time or another considered what it would be like to have that happen to someone in our families. People do think about it in horror. Thankfully, most of us come to our senses and realize that it did not happen to us. But for a second we understand what those people go through. In a very small way we come to understand.

That is why as legislators we should always be attentive to what these people go through and it should be the basis on which we make some of the laws that the justice minister is ultimately responsible for bringing about.

In this situation, has the justice minister really tried to put himself in the shoes of victims? I do not think so. Somehow he has decided against what he probably feels in his own stomach. Who for one second could side with the criminal in a situation where two men have raped women and walked away without even spending a day in jail?

I would suggest it is implied that when the justice minister brings forward legislation, the legislation is the most important piece of legislation to the minister. Considering all the things he could do, he has decided that this one piece of legislation is the most important to him based on whatever input he receives and what he considers to be important.

However, for some reason the minister has decided that the most important piece of legislation he can bring down right now is a caution to judges to consider all the various things they already do consider when they sentence violent criminals.

The answer is not to caution judges again to pay attention to the details. That already happens in Bill C-41. Rather obviously some judges cannot be trusted to use their God given common sense to not release violent criminals back into society without spending a single day in jail.

My hon. friends from Crowfoot, Wild Rose, Calgary Northeast and Fraser Valley West, members of the Reform Party criminal justice team, have suggested over and over again to the justice minister and to the people who are willing to listen that the answer is to not allow violent offenders to walk out. There should be no latitude for judges on issues such as this.

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What is the government supposed to do? The first thing the federal government should do is uphold the law of the country. It should protect the public from violent criminals. The federal government with its budget of \$120 billion odd, not including all the interest paid on the debt, does numerous things. Probably the first thing that a government should do is ensure there are proper laws and that the public is protected. That should be the greatest priority of a government.

● (1120)

I would argue that this government has failed. There are so many examples of how the government has absolutely ignored what is common sense that it is simply beyond belief that it can be allowed to enjoy any support from the public.

How is it that convicted mass murderers can come before the public again to torment the families of the victims, such as in the Clifford Olson case? How can they do that? The government can sit idly by doing virtually nothing except, as we get close to an election, respond in a kind of fearful way because it realizes that maybe the public is upset and it is going to pay a price at the polls.

That is not acting from conviction. That is opportunism. That is simply not a good enough motive. I just cannot say enough in opposition to what the government has done.

As my hon. friend pointed out, Reform members will support the government. We will do anything we think in some tiny way may send a message that we will not tolerate the ridiculous problem with crime. I say ridiculous because it is counter intuitive. It is contrary to common sense how we treat criminals considering especially how poorly so often we treat victims.

We will support the government amendment but we do it with the caveat that from here on in the government must pay attention to what is going on out there. It is simply not good enough at the last moment to try to come up with some window dressing to try to fool the public so that they will believe that the Liberal government is actually concerned about crime.

When we look at the role of the federal government with respect to these sorts of issues, one of the things that strikes me is that for the last 30 years there has not been a party that has been dedicated to the idea that criminal justice should be a key issue in an election campaign. Previous to that just about every government took a common sense approach to criminal justice. People understood intuitively, they had common sense, that criminals must be treated in a way they deserve to be treated. They should have consequences for their actions.

However, in the last 30 years that has been thrown out the window. For some reason people got it into their heads that the criminals were the victims. All of a sudden they started to get all of these rights. We saw perhaps the climax of that notion in the form of the government's approach to conditional sentencing where it allows judges the latitude to release people who are violent

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offenders, people who have gone out and raped people. That happened under this government.

That speaks more eloquently to the government's priorities with respect to criminal justice than anything I can say in this place. I ask people to examine the record of the government, not just in the last couple of days when it is trying to jam things through, but on the issues that really count. When people needed it I can guarantee that the government did not stand up for them. It was deaf to the cries of the victims and the people who demanded that there be real justice in the justice system.

It is with some reluctance that we support anything that the government does with respect to criminal justice, knowing its sorry record with respect to hearing what victims have to say and with respect to respecting the wishes of the great majority of law-abiding citizens.

• (1125)

Mrs. Diane Ablonczy (Calgary North, Ref.): Madam Speaker, I too would like to make some comments about these last minute and hurried additions or so-called amendments to Bill C-17. These are really the justice minister's belated attempt to close some of the gaping holes left when he introduced Bill C-41.

Some very clear and strong objections and concerns were voiced by other members of the House, including those of my party, about the eventual effect of Bill C-41 on the area of conditional release and alternative sentencing.

The justice minister has finally figured out that he has not served the Canadian public well with some of the measures he has brought in. Now on the eve of an election, realizing that public concern is growing about these issues, he is trying to stop some of the problems with this legislation.

In this amendment the justice minister is directing judges to satisfy themselves that alternative sentencing and serving sentences in the community would "not endanger the safety of the community". I am sure many Canadians are asking themselves why on earth the justice minister would even have to tell judges this. Surely the whole point of having a justice system is to protect the safety of families and communities. If that is not the purpose, why on earth do we have a justice system?

The priorities and the direction of the justice system are so out of line, so out of tune with its fundamental purpose, that the justice minister has to introduce an amendment telling judges to consider whether sentences that are being imposed under discretion might be endangering the safety of the community. This was brought in against the better judgment of a lot of people by this justice minister. These are the new alternatives which the justice minister

touted so loudly just a few months ago. My colleagues who spoke before pointed out very clearly and specifically where these measures have endangered the safety of the community.

More than that, in our society when people are wronged, when their rights are violated, when their safety is imperilled and they go to the authorities, to our justice system, to the defenders of public safety, they should expect that the problem will be looked after, at least to a reasonable degree.

But here we have violent criminals who not only have violated the safety of other people but are causing people to live in fear. People are living with a lack of a feeling of security, looking over their shoulders wondering if it is the guy who beat them up or if the person who violated their rights is on the street beside them because there have been no substantial consequences. Why? Because the justice minister has decided that even though people violate the rights of others, even though people have taken away the freedoms and liberties of ordinary, innocent law-abiding citizens, these criminals can still be put back out in the community to do good works, which is a bit of a stretch when we consider these people have shown themselves to be quite willing to break laws in the first place.

We are glad that to a small degree the gaping holes in the fundamental structure of our society which is supposed to protect us, supposed to give us a feeling of safety and security and ease in our daily lives has been recognized and some attempts have been made to address it. That is a better alternative to saying, "well judges, you should really look at whether the community safety is being protected by what you are doing". It would be better to say, as we have repeatedly urged the justice minister: "If you violently violate the rights of other people, if you are a violent criminal, if you have committed a violent act against another innocent law-abiding citizen, you will not be sent back out on to the streets under alternative sentencing or community based sentencing. That is not appropriate for these violent offences".

• (1130)

I have no idea why the justice minister did not get it right for a change. Instead he is telling judges to look at this matter. When we continue to have violent criminals on the streets causing citizens to live in fear and imperilling their security and safety, the justice minister can say that he told the courts to think about public safety and they did not listen so it is their fault.

That is just not good enough for a minister who is supposed to be helping our citizens to feel safe and secure in their homes and communities. He is there to make sure that when there is a violent offence or assault against one of our citizens it is dealt with in a serious manner and with some serious consequences.

Although we are not in the mood to oppose even the faintest moves on the part of the justice minister to try to correct some of the soft spots in the legislation, I must say there are many better ways to do it. I urge the justice minister not to take baby steps but to take a serious look at our justice system and at the fact that we need safety and protection for our society. He should get it right and move in a substantive way on these measures instead of taking these timid steps.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Madam Speaker, it is my pleasure to speak on the amendments being proposed to Bill C-17 this morning.

I was sitting in the justice committee when we dealt with Bill C-41 dealing with changes to the sentencing act. Not only Reform members of that committee but also some Liberal members pointed out that the changes to the sentencing act could cause problems. Some of the problems would be in the area of specific crimes or offences and alternative sentencing. Alternative sentences or the use of other means other than incarceration were not specifically for non-violent crimes. It was left open for the courts to consider its use for all crimes. Not only Reform members but also some Liberal members were very concerned about leaving this section wide open for the courts to use.

Over the last number of months we saw in a riding next to mine where a violent rapist was given an alternative sentence without any days of incarceration. He was let back into the community to carry out his sentence in his own home. If I remember the comment, it was that being confined to his own home was like being jailed. If that is the case, if there is no difference between being confined to home or locked away in a prison, there is something wrong with our prison system.

That problem was indicated at committee stage before the legislation returned to the House at report stage. Why did the government not consider those amendments at that time? Why was it that the justice minister and his department went ahead with the bill in its written form rather than seriously consider amendments proposed at the committee stage that would have dealt with the issue before the bill was read for a third time and passed?

The justice minister and his department were remiss. They were close minded in their consideration of committee recommendations that would have made it a better piece of legislation. The justice minister and his department were very set on seeing the bill go through as it was written.

• (1135)

I find it ironic that probably a year later the justice minister realizes he had made a mistake and should have listened to the committee input. Now he is rectifying that by amendment. As a matter of fact he is looking at it as an amendment to an omnibus

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bill that was written before. He did not even pick it up when the omnibus bill was written.

We are dealing with an amendment that is only been dealt with by unanimous consent of all parties in the House. We recognize the importance of the courts knowing that limitations should be set. I am very disappointed that limitations are not being set and that the justice minister is cautioning the courts. I cannot say how many times the House has had to deal with legislation because the instruction through our laws has not been clear enough for the Federal Court to make a clear and concise decision.

Once again an amendment to a bill is being proposed. We are supporting it, knowing that it is not the right way to deal with the issue. All we are doing is cautioning judges. We are not giving them specific and exact law under which they can make their decisions. We will still have problems with the alternative sentencing aspect of the criminal justice system. It frustrates me to no end when we have input from very capable members of the House of Commons who can foresee these types of instances coming up and make recommendations to solidify it or to tighten up the law so that it is very clear to all who deal with it. Yet that is disregarded.

I support the amendment but I caution the government and the Minister of Justice that it will not solve the problem. He has stopped short of identifying definite areas where alternative sentencing should be used. There is no way that Canadians will support the use of alternative sentencing for dangerous offenders. There is no way Canadians will support this kind of alternative sentencing for people who have caused physical harm to another human being such as the sexual assault offence in my neighbouring constituency. The people of Canada will just not accept the fact that a person can physically and viciously assault another individual and be confined to home. It makes a mockery of the justice system.

In my riding Clifford Olson is coming back this summer for his hearing. That was another issue the committee dealt with in Bill C-41 to prevent it from happening and to make sure there would not be an opportunity for such an individual to obtain a section 745 review. Did the minister listen at that time? Absolutely not. It was not just opposition members bringing in amendments. It was government members sitting on that committee who felt it needed to be dealt with.

Once again we have an issue before the people of Canada because of the inability of the justice minister to do what is right for the country. I look forward to the day when he wakes up one morning, realizes something more needs to be done on that issue and presents another amendment. Hopefully it can be in the omnibus bill before we adjourn the House.

We support the omnibus bill very reluctantly because it will not solve the problems. It just puts them off for another day. Rather than stand in the way of any movement in the right direction, we

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find ourselves forced to support some very weak attempts at correcting some problems in the justice system.

I would like to feel that the justice minister is beginning to realize that Canadians across the country are looking to him and to the government to do something to protect them, to change the laws, and to put emphasis on penalizing the offenders and recognizing the rights of the victims.

• (1140)

Canadians would like to think the justice minister and the government are concerned about their safety and the safety of their children. We really do not get that feeling. We find a hesitation on the part of the justice minister to react. He reacts only under pressure instead of dealing with the issues when they first come to committee and are first drafted in legislation.

The justice minister should and could be doing something to ensure that Canadians are safe in their homes and on their streets. We in the Reform Party find he has fallen far short of ensuring Canadians of that protection. He has fallen short in giving specific guidelines to our courts in areas such as alternative measures and impact statements from victims.

Why is it after the fact that he realizes victims should be guaranteed the right to make an impact statement and to be heard so that courts and juries can understand the impact of the offence committed against them. Why is that kind of concern after the fact? Why does that kind of concern seem to be a second thought?

Canadians expect a lot more from the justice minister and from their government.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, I will begin my remarks by saying that I am very happy to see the government bringing back Bill C-17 so that it can be duly passed, in light of all that is going on in Quebec with the biker war.

On a number of occasions now, the Minister of Justice has told us that with Bill C-17 a series of things would be changed, which is supposed to make the work of the police easier. However, Bill C-17 went to first reading on March 8, 1996. For a bill that is as good as this one, it took the government a little while to table it so that we could give our views on it.

I will be able to come back to this at third reading and go into further detail. Right now, I understand that the debate is on the amendment presented by the government. I must say from the outset that we are in favour of this amendment in principle. If you followed the arguments of the Bloc Québécois in the House as well as in committee at all, you will know that we have always favoured rehabilitating people in conflict with the law and returning them to

society. In my view, the government's amendment is along these lines. You will therefore understand that we support it in principle.

I do not know if people realize it, but something rather extraordinary also took place this morning with respect to Bill C-17, in that the House gave unanimous consent to present amendments at this stage.

When we are dealing with an issue of importance to society, whether we are talking about Quebec or about Canada, all parties are able to set aside politics and move ahead with an extremely important bill; we did so this morning with two government amendments. We unanimously consented to the introduction of these amendments by the government.

My comment to the government across the way is that, if it had shown a little more political will, it could have tabled other amendments in line with what the Government of Quebec was asking for regarding an anti-biker gang bill. If the members opposite had had the political will to resolve what is a horrendous problem for Quebec, we could have proceeded in the same way, that is with amendments at this stage, and again we would all have given our unanimous consent, because this terrible problem must be resolved once and for all.

But instead the government again decided to turn a deaf ear, as it did with Bill C-17, since this bill was tabled on March 8, 1996 and it is now April 8, 1997. The government could have moved this bill along, since it tells us that police forces are depending on it to resolve certain problems.

• (1145)

On the substance, then, I have nothing to say. This is an amendment in keeping with the major orientations of the Bloc Québécois, but I would like to send a message to the Minister of Justice and perhaps also the law clerks on the way these amendments are presented to us. We had a major job deciphering what was presented to us. We had amendments in English, and amendments in French that were not necessarily exact translations. The Criminal Code has to be consulted in order to see that, in fact, there are subparagraphs (a) and (b) in English, while in French there is a single paragraph.

I believe that the Minister of Justice and the hundred or so law clerks working with him ought to have thought of making changes at this stage so that a lawyer arguing a case in court could make himself understood, regardless of whether he is speaking in English or in French. I do not know whether subparagraphs, like those in the English version, make it easier to understand; if so, perhaps the French version should have the same structure.

I was just saying to the law clerks seated at the table—and this is not aimed at them, since I understand that this is a Department of Justice directive—that, if a lawyer is pleading a case in French

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against an anglophone colleague who cites subparagraph 742.1(b) to the judge, he will think the French version is not up to date because there is no subparagraph to section 742.1. I think there is a problem here. Is it merely a language-related problem? Is it really just to respect the French and English ways of drafting texts? Perhaps, but still lawyers must not be prevented from understanding each other in a court of law.

I believe that the French and English texts ought to be designated and structured in the same way. If there are subparagraphs in one text, there must also be subparagraphs in the other, whether in English or in French. So the problem was at the translation level, since the section is a very technical one. I still feel it is important at some point to ensure that the texts match, so that there may be true understanding.

But, for the people of Quebec who are following the debates—when someone states that he is for, or against, a given clause, for example—I think that they should know why their Bloc Québécois MPs are in favour of this amendment, and I shall finish on this point. This is an amendment to Bill C-17, which modifies a series of sections in the Criminal Code dealing with suspended sentencing, or more specifically the amendment which we are addressing.

As I have just pointed out, although there are subparagraphs to section 742.1 in the English version, there are none in French. Section 742.1 would read as follows:

742.1 If a person convicted of an offence, other than an offence for which a minimum prison term exists, is sentenced to less than two years' imprisonment, the court may, if it "is satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the fundamental purpose and principles of sentencing set out in sections 718 to 718.2", order the offender to serve his sentence in the community so as to supervise the offender's behaviour, subject to the conditions imposed pursuant to section 742.3.

The Bloc Québécois has no hesitation in supporting an amendment that stresses the reintegration and rehabilitation of a person who has been charged with an offence. This is about reintegrating someone as quickly as possible in the community so that he becomes a law abiding citizen. This may be someone who has been in trouble with the law and was subsequently given counselling and treated for certain problems or a person who has changed his ways and can be quickly reintegrated in the community if he does not endanger public safety.

• (1150)

I was listening to what reform members had to say this morning. It may be something they experience in Western Canada, and their speeches probably reflect the positions of their constituents, but I think that in Quebec, we are not that pessimistic about reintegrating these people in the community.

There is a difference between what is reported by members from Western Canada and our experience in Quebec. I agree we have

certain fundamental principles, we have laws that regulate parole and the whole system, but I think we should pay special attention to this whole area of reintegration, and above all, we should not prevent anyone from being reintegrated into society. As I see it, the positive aspect of this amendment is that it supports reintegration while including some very important safety measures.

That is why I am pleased to support this amendment to Bill C-17, an amendment the official opposition in the House of Commons has been waiting for for a long time, and this morning it is pleased to support this amendment, so that Bill C-17 can be passed as soon as possible.

[English]

Mr. Werner Schmidt (Okanagan Centre, Ref.): Madam Speaker, I feel pleased and I feel sad about feeling compelled to rise in the debate on this issue. The good part of it is that I think this is moving in the right direction. The sad part of it is that it puts absolutely no restrictions on the environment or on the conditions under which a person can be released into society.

I would like to focus this in terms of several questions. First, the amendment says that the judge be satisfied that serving the sentence in the community would not endanger the safety of the community. The first question very obviously is what would constitute evidence or support for a judge to suggest he is satisfied that releasing this particular offender into the community will not put into jeopardy or endanger the safety of that community? Could it be that we send the offender out for an experimental period and then if he is okay for five days, six days, seven days it is all right?

The previous speaker has indicated that we want to rehabilitate our criminals. Of course we want to do that. Of course we want people to obey the law. Of course we want them to behave in a reasonable way. But that is not what this is all about.

This suggests that the judge use some common sense. Has it really come to the point where our justice system, our legal system is in such a depraved condition that we have to legislate to use common sense? It should be obvious that we use our common sense.

That is essentially what this amendment does. I am not at all satisfied that this will deal with the problem of criminal offenders in our society.

There was an amendment that was proposed by members of the Reform Party. It had several Liberal backbenchers as well supporting it. It was that the use of alternate measures be limited to non-violent offenders.

This amendment does not do anything of that sort. It allows any person to be considered for alternate measures. To give an example of how these alternate measures have been used, let me quote from

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a news article: "A Gatineau man was recently convicted for repeatedly forcing his young step sons to perform sexual acts on their hypnotized mother. The crimes ended by the early 1970s, and in the years that followed he was by all accounts a solid citizen. The judge let him go without serving a day in prison. Two decades of good behaviour obviously should count for something".

• (1155)

What does this tell people who offend the law? It means go ahead, commit the crime and behave yourself after that and there are no consequences. If we did that to the law of gravity and said that we did not think that the law of gravity operates and then walked along the top of a building, the consequence would not be delayed for 20 years, it would be immediate. That is exactly what should happen in our justice system.

Too many people are beginning to recognize that our legal system is nothing but a system of technicalities to get people away from the consequences that would normally be expected for breaking the law. That would be a common sense application of the law. Deal with the consequences and we must accept the consequences if we break the law.

Instead of that we have legal technicalities that allow people to avoid the consequences of breaking the law. What we need to do in this society is create a legal system that is a justice system.

Where is the intent of Parliament? Is it really true that all the members of this House want from the justice people in this country is to use their common sense? Is that all the judges need to do? Or are they to use their imagination by telling someone that for this crime there is this consequence but for that crime there is another consequence? The sentencing does not really matter because it is all up to the judge. It is a free for all depending on what the situation is.

That is what has brought disrespect for the justice system. That is what has brought disrespect for lawyers. It has allowed them to use technicalities when they know full well that somebody has broken the law and is guilty of a heinous crime but on a technicality walks away free. That is a miscarriage of justice and is not in the interest of society.

It goes on. Where is the confidence that needs to be generated in our justice system if there are no consequences of breaking the law? Our young people need to develop strong personalities and strong characters from good examples. They do not need a father who takes his step son and forces him to commit sexual acts on his hypnotized mother. That is the opposite of the kind of example we want.

What we need are strong families, families that have integrated into the lives of the children the values that clearly demonstrate what is right and what is wrong. It has come to the point where it is

almost as if there is no difference between what is right and what is wrong. When will we be able to inculcate into the lives of our children, the thinking of our children and the consciences of our children that says this is right and this is wrong? We support that which is right and we have consequences for that which is wrong and they are not good.

I want to go one step further. It has to do with the victims who are involved here. We have had much said about the rights of victims. We have had much said about the rights of offenders. However, when the two rights come in conflict, the rights of the victim on the one hand and the rights of the offender on the other, the rights of the victim ought to take precedence over the rights of the offender.

Let us now put into perspective the situation of allowing into a community someone who has committed a violent offence. The consequence should be incarceration or some serious punishment for someone who has committed a violent crime. However, when someone is released into the community to serve the sentence what have we done to the victims? We have created an environment of fear for them. Instead of the offender being in prison, the victims find themselves in fear of going out on to the streets. They are afraid to leave their homes. Who is suffering the consequence of this crime? It is not the person who offended but the person who is the victim and continues to be victimized, not just the one against whom the crime was perpetrated but also all others in the neighbourhood who cower in fear and are afraid to go out on to the streets.

I asked a number of people at a recent meeting if they felt safer today than they did three and a half years ago. They answered no. I asked them why. They said it was because our legal system is not a justice system but a technical system. Parliament has not given clear direction to our judges as to how punishment should be administered. We do not like to hear stories like this where a father can do this kind of thing.

• (1200)

Let me give another example. In British Columbia a man was convicted for abducting and sodomizing a single mother. The actions were described to the court by a psychologist as aggressive, angry, controlling and sadistic. The judge, however, was impressed that the man's behaviour while on bail was exemplary and psychological assessments indicated that he was unlikely to reoffend. Although a convicted rapist he will never see the inside of a prison.

That is what our justice system has come to. What does this amendment do to solve that kind of situation? Nothing. It moves in the direction but it does not indicate to a judge that we want persons who commit heinous and violent crimes to be subjected to serious consequences somewhat equal to the crimes committed.

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Our first and foremost consideration is to preserve the health, welfare, lives and property of law-abiding citizens and not to prefer the rights of the offender over the rights of the victim.

We will support the amendment. However, when will the minister and the justice system reach the point of recognizing the worth and freedom of individuals and rather than imprisoning the victims imprisoning the people who committed the offence in the first place.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is always a pleasure to represent our constituents in the House of Commons, but it is a bit sad to have to talk on this issue.

If the government and the justice minister had listened to Reformers when Bill C-41 was before the justice committee and before the House, we would not be having this debate today and could move on to other legislation.

Certainly the rumours are rampant about an impending election. The government says that it is concerned about legislation. There is a lot on the legislative agenda it wants to see get through. Then why did the government not listen when we dealt with these bills in the 35th Parliament?

If this place operated the way it was intended to operate by the Fathers of Confederation we would not be having this debate today. The government would have listened to the opposition members and brought forward amendments at that time rather than wait until the 11th hour to do some last minute damage control. That is what this amendment is.

While my colleagues have indicated that Reform is prepared to support the amendments, it is sad we are discussing them today because they should have been done quite some time ago.

One amendment we are debating at the moment in part reads:

“107.1 Paragraph 742.1(b) of the act is replaced by the following:

(b) is satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the fundamental purpose and principles of sentencing set out in section 718 to 718.2,”

We certainly support it but we do not believe that it goes nearly far enough. Our concern has been consistent since we started debate on Bill C-41. I am appalled that it is being brought forward at this time as an amendment to Bill C-17 when it is just to cover their backsides. That is all it is for the hon. justice minister.

My hon. colleagues have done an excellent job this morning of relaying the concerns they have heard expressed by their constituents. As I travel across the country and throughout my riding of Prince George—Peace River there is no single larger emotional issue for the people of Canada than the justice issue, or what I have taken to call the lack of justice in our legal system. There is no

justice system. The people at the grassroots know and realize this. It is about time the Liberal government woke up to that fact.

• (1205)

As a Reform member of Parliament I am getting sick and tired of having to stand day after day, week after week, month after month, to try to make an impression. We have been beating our heads against the wall.

As I travel around my riding I hear frustrated citizens crying out for justice. I tell them that my colleagues and I are doing everything possible procedurally, everything possible we can to raise awareness of the issue with the government and it falls on deaf ears. Consistently for 3.5 years it has fallen on deaf ears.

I tell the people of my riding who are frustrated to take the time, if they have the inclination, to look at what is happening in Parliament. It is their Parliament. It belongs to the people of Canada despite what the Liberal government would have people believe.

Have we come a long way by allowing rapists, people who sexually violate the most defenceless members of our society, to go free? In 1867 when the country was founded the death penalty, capital punishment, applied to cases of murder, treason and rape. It was not until 1954 that the death penalty was abolished in cases of rape. Back in those days someone who brutally attacked a woman and raped her had to consciously consider that being caught meant being put to death, meant being hung.

What is the situation today? Thanks to this justice minister and the government rapists are now walking free.

Mr. Schmidt: They don't even go to jail.

Mr. Hill (Prince George—Peace River): Sadly that is the case.

Would people believe that Reform is suddenly jumping on this bandwagon? As I have indicated, we have been very consistent with our position on the issue. We fought it at committee. We fought it in the House of Commons. We used every procedure to bring the issue to light. We proposed an amendment to the government that would have ensured alternative measures and conditional sentencing were not used in case of violent offences. We were assured during debate that would not happen. However we were concerned about it and consistently raised the issue.

Bill C-41 which contains those clauses came into effect on September 3 of last year. On November 4, after learning of some very disturbing cases and rulings by judges which utilized conditional sentencing, I came to the House of Commons and asked a question of the justice minister. I read from *Hansard* or November 4, 1996:

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A man in B.C. was just convicted of sexual assault. What was his punishment? He is on conditional release, scot free.

I had referred to a couple of other cases but I continued:

These lenient decisions in three different provinces have set dangerous precedents. Section 742 states that a conditional sentence is not an option when there is a danger to the community. Are women not a part of the community?

That is the question I posed. I continued:

Will the minister responsible for the legislation clarify this for women and, more important, for judges? He talks about a tool of the courts. He talks about appropriate cases. Will he clarify whether a conditional sentence is appropriate for rape?

In his response the hon. justice minister went on at some length about past studies having shown that once Canadians were apprised of all the circumstances involved in a case they believed that sentences by and large were too harsh. He ended his dissertation by saying:

The reality is that when the court looks at the offender and the offence and takes all the circumstances into account the court does a pretty fair job of determining appropriate punishment.

• (1210)

When referring to me he said:

Obviously the business of this member is not to worry about the facts or the reality but to use fearmongering to make his squalid point.

The parliamentary secretary heckles and says that is right. In other words we are just making a squalid point. The parliamentary secretary, the hon. member for Prince Albert—Churchill River, has the audacity to sit over there and heckle. Will he stand and join in this debate? Will he defend this position to the women of Canada? Not a chance. He knows it is indefensible and that women are living in fear. Women are being raped and judges are letting the offenders off scot free.

Mr. Kirkby: What about gun control?

Mr. Hill (Prince George—Peace River): Mr. Speaker, the parliamentary secretary will find out about gun control in his riding in the next election. He supported ludicrous gun control legislation that has done nothing and will do nothing to combat the criminal misuse of firearms. He will find out about that issue.

I will wrap up by reiterating what some of my hon. colleagues who preceded me have said. With reference to conditional sentencing, the Young Offenders Act and many other things that are wrong with the justice system, the people of Canada, particularly women and children, are crying out for change and for reform. They are crying out that offenders, criminals and degenerates should be held accountable and properly punished for their misdeeds and their crimes. That is not happening under this government and I fear it will never happen until we have a Reform government on that side of the House.

Mr. John Cummins (Delta, Ref.): Mr. Speaker, the debate this morning is essentially about violent crime, rapes and sex crimes against children, and the government's inaction on these issues.

Our obligation is to put in place laws that protect society. Unfortunately the current justice minister is having difficulty doing it. The government has failed but now with an election in the air it is at least trying to right a couple of wrongs.

This morning the government proposed two amendments to Bill C-17. Essentially the amendments correct deficiencies in Bill C-41. The first amendment proposed concerns conditional sentencing. It cautions judges to use conditional sentences only if public safety is not threatened. As pointed out earlier it seems we are legislating common sense. It is remarkable that such a motion would be put forward yet that is the case.

The second amendment concerns the provision of automatic victim impact statements, something that was denied earlier by the government.

The difficulty is the justice system has been too lenient on people who perpetrate violent crimes. Bill C-41 sprang to life in September 1986. The courts were encouraged to be relatively lenient on first time offenders and to attempt to keep them out of jail. I find this particularly amusing and curious, given the pace with which the government has put people guilty of fisheries offences in jail. It has put farmers guilty of shipping some grain south of the border and attempting to fight for their rights in jail and has kept them there. The government has in place some legislation that is attempting to keep people out of jail because the facilities are too crowded.

Originally it was intended that an offence would carry a penalty of less than two years if the offender was not a danger to the community. We seem to have forgotten that in our sentencing policies the notion of a deterrence to repeat a crime or to commit crimes should be part of the notion of sentencing. In other words, we are not simply sentencing someone for the commission of the crime but what we are trying to do is deter others from engaging in these sorts of activities.

• (1215)

When Bill C-41 was brought before the House it introduced a scheme of alternate measures to deal with this issue. Some of the alternatives to incarceration which were put in place included such things as performing a number of hours of community service or even receiving counselling. Somehow that would be sufficient to encourage people not to commit the crime.

The issue which should be addressed this morning is where we ended up with Bill C-41. I would like to read into the record some instances in which Bill C-41 has been used to keep people out of jail.

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The first instance I would like to refer to took place in British Columbia. My colleague from the Okanagan referred to it. In that instance a man was convicted for abducting and sodomizing a single mother. The judge, however, was impressed with the man's behaviour while on bail. He suggested that it was exemplary and that psychological assessments indicated that the man was unlikely to reoffend.

Psychological assessments are just that. The assessments are a good guess. The fact is that the crime was heinous and deserving of a prison term. With this sort of crime, consideration should not have been given to letting the man walk the streets freely without serving some time and receiving psychological training.

In another instance, two Ontario off-duty police officers were convicted of forcing their way into a woman's home, threatening her with death and robbing her of a small amount of cash. Why men convicted of a cruel and violent crime will never spend a day in jail is beyond me, but it is easy when the justice minister creates that possibility. These two supposed defenders of society walked away without spending a day in jail.

This instance was referred to earlier as well. A Gatineau man was recently convicted for repeatedly forcing his young step sons to perform sexual acts on their hypnotized mother. Along with that, this gentleman also forced the boys to masturbate one another while he watched, and to masturbate him and perform oral sex on him, and yet somehow the judge thought that the man should not spend any time in jail. One of the victim's, a step son, said this: "He just keeps on trucking. He walks away, goes home and enjoys Christmas. It is unreal. But that is the justice system. We have done a lot of crying, gone through a lot of agony, all for nothing". All for nothing because our justice minister saw fit to put the plight of the criminal ahead of the victims.

The justice minister was warned about this. The hon. member for Crowfoot warned the justice minister that violent criminals might avoid proper punishment if he proceeded with Bill C-41. He ignored my colleague.

Two members of the justice committee at that time also warned the justice minister that these sorts of things could happen, and yet again he ignored two members of his own party. In fact, one member was eventually shown the door for trying to hold the government accountable on another matter.

Justice requires that violent offenders be punished. It also demands that victims and their concerns be addressed. We are going through this business on section 745 of the Criminal Code where the beast of B.C., as Clifford Olson likes to call himself, is going to have his opportunity to grill the families of his victims again, 15 years after those crimes were committed.

• (1220)

It is time that we in this House and members opposite in particular and the justice minister take pains to recognize that some of these violent criminals will never be rehabilitated and that the best we can do is protect society from them. It has been proven time and time again that people who offend children cannot be rehabilitated. Yet we put these people into jail with short sentences. They come back out on probation and so on and reoffend.

Those people cannot be rehabilitated. Our duty is to ensure that society is protected and we should be taking immediate action to see that it happens.

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to rise today to say a few words with respect to the amendment that has been put forward.

The amendment that has been put forward is merely in my view making explicit what was implicit before. The section as it was contained with respect to conditional sentencing stated that conditional sentencing was only allowed where the sentence imposed was less than two years. For those crimes that are more than two years in duration conditional sentencing would not be allowed for such crimes.

In addition it said that conditional sentencing could only be put forward when the judge was satisfied that serving the sentence in the community would not endanger the safety of the community.

In addition to this the conditions of the principles of sentencing contained in section 718 and 718.2 would also apply to this. What the amendment is doing is making that explicit so that when cases are brought before the judiciary it is right there, that the principles of sentencing apply.

It would be very instructive to read the principles of sentencing that would apply to the application of the conditional sentence. Section 718 states:

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, where necessary;
- (d) to assist in rehabilitating offenders;
- (e) to provide reparations for harm done to victims or the community;
- (f) to promote a sense of responsibility in offenders, and acknowledgement of the harm done to victims and communities.

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These are the principles that apply to a conditional sentence. While it was implicit before it is explicit now that these principles apply to conditional sentencing. Conditional sentences ought only to be put forward in appropriate cases.

The provincial governments and the federal government worked together to develop a bill that would better ensure the safety of citizens in our society. They wished to ensure that people who posed a risk to the community would not be allowed to be released from prison to offend again.

• (1225)

Those who did not pose a risk to society would be free to serve their sentence in the community subject to appropriate conditions. If those conditions were breached they would then serve the rest of their sentence in a correctional facility.

I think it is very important to recognize that this is a clarification of the code to ensure that conditional sentences are only applied in those circumstances where there is no danger to society and where the principles of sentencing, of deterrents of denunciation of the crime are appropriately applied.

The reason for this is due to the experience of many in the justice system prior to these amendments. There were many cases where people who had committed crimes did go to jail. However, because of the overcrowding of the facilities and because many people who were there were not a risk to society, the people who were a risk to society would be released into the community after serving a very short time in prison.

Therefore the federal and provincial governments working together developed this solution which will better ensure that those who are a risk to society will be kept in prison longer and for an appropriate length of time. Those who do not pose a risk to society will be able to serve their sentence within the community.

It is as a result of these amendments that as we move into the future this clarification that we have brought forward today will ensure that conditional sentencing is only applied in appropriate cases.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

(Motion agreed to.)

The Acting Speaker (Mr. Milliken): The question is on the next motion.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I want to again assure the members of this House and the people of Canada that this is not an amendment to Bill C-17. This amendment has nothing to do with Bill C-17. This amendment has to do with the bungling of the justice minister with regard to the former bill that he brought in, Bill C-45, that tinkered with the rights of first degree murderers for an early shot at parole after serving just 15 years of a so called life sentence. That is what this bill is.

What does this bill do? We have to do back to Bill C-45. I must also mention that this amendment could only have come in at this stage with the unanimous consent of the House. Because this bill has nothing whatsoever to do with Bill C-17 it was inappropriate to bring it in. The only way it could be brought in was through unanimous consent.

We go back to Bill C-45. What was the problem with Bill C-45? The wording of Bill C-45 was supposed to provide victims who were appearing at section 745 hearings the automatic right to provide impact statements. The legal interpretation of that part of Bill C-45 showed there were no automatic rights, that the victims of crime, the families of the victims of the likes of Clifford Olson do not have standing. It is only at the discretion of the court that that are allowed to give an impact statement. This is simply not good enough. The justice minister knows this, so what is he doing? He is running now to change what he bungled in the first place.

• (1230)

This is just another example of a deficiency in judgment on the part of the justice minister. It flows like a current through a host of legislative and other decisions he has made over the last three and a half years. We are now examining an amendment, piggy-backed on to Bill C-17 that ought to have been dealt with back when we dealt with section 745 under Bill C-45.

My party stands for the complete removal of section 745 from the Criminal Code. We do not want the families of victims to ever have to appear to give an impact statement and be subject to cross-examination by the likes of Clifford Olson, Paul Bernardo or the host of killers lining up and applying under section 745, which is a gift to them from the Liberal government and from the present justice minister.

That is what we are dealing with here. This is an amendment to Bill C-45. It has nothing to do with Bill C-17. Hopefully this time it will provide the automatic right to victims of crime to make an impact statement, regardless of what a judge may think. They will not be subjected to the discretion of the judge. They will have standing before parole hearings.

There is a down side to this. Although we did not support Bill C-45 because we wanted the faint hope clause that would allow first degree murders an opportunity for parole only after serving 15

years of a life sentence completely eliminated, removed from the Criminal Code.

We are prepared to support this amendment because it will give victims the right to stand before a judge and jury and tell them of the pain, agony and the hell they have gone through as a result of the taking of a life of a family member and to have that evidence impact on the jury. This must be seen in light of the passage of Bill C-45 and the refusal of the justice minister to remove the faint hope clause. This right must be granted to the families of the victims of the likes of Clifford Olson and others.

We are prepared to support it. However, again it demonstrates the bungling and the lack of the consideration for the victims of crime and the families of those victims by the justice minister. It is an almost desperate attempt by the justice minister to cover himself and argue on the whole area of the faint hope clause and his decision to retain it. He is writing letters to editors of newspapers across Canada suggesting that the Reform Party is exploiting the feelings and emotions of the families of the victims of Clifford Olson. This is disgraceful, shameful and simply untrue.

The victims of crime, including Mr. Gary Rosenfeldt, have made that very clear in written responses to the newspapers that we are the party which is standing for them. We are the party that is defending their rights and trying to give them an opportunity to develop a degree of peace of mind and not have to harrow up the horrible feelings they experienced when they first learned that their young son or daughter had been kidnapped, raped and murdered by the likes of Clifford Olson. They have to go through that again and again because the justice minister has allowed the faint hope clause to remain. If Clifford Olson fails in his bid he can appeal it or he can apply again and again. Bill C-45 would have denied victims the right to make an impact statement at those hearings.

• (1235)

Bill C-41 granted victims the right to make impact statements. Along came Bill C-45 and the bungling of the justice minister. If he were a drummer he would call his drums the bungle drums because of the capacity he has for bungling every time he turns about. He brought in Bill C-45 which eliminated the right of victims to make impact statements that were provided for in Bill C-41. Is that not wonderful? We have a justice minister who can stop on a dime and turn on a nickel here in the House of Commons. He can mock and scorn the Reformers who ask reasonable questions about his legislation and yet he cannot get it straight.

He cannot get it straight in Bill C-45. He cannot get it straight in Bill C-41. He cannot get it straight in the Airbus fiasco. He cannot get it straight in the Pearson airport fiasco. He cannot get it straight in a host of legislative initiatives that show in spite of all his

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so-called skills and ability he is lacking in sound judgment and common sense. That is what we are dealing with now through this amendment.

He has bungled one more time and so he brings in an amendment which has nothing to do with Bill C-17. It covers the bungling that has occurred in Bill C-45 that takes away the right of the victims to make impact statements which were granted under Bill C-41. This bill is something that we have to examine and support because until there is a Reform government in this country the faint hope clause will remain.

As Scott Newark said in B.C. to the families of the victims of Clifford Olson: "The only way you are going to change that law is by changing the government". The people of this country are going to have an opportunity to do that within the next few months if all the rumours we are hearing are accurate. People will have the opportunity to vote for a party that will place the rights of victims ahead of the rights of the likes of Clifford Olson, the Bernardos and so on.

The people will return a verdict concerning the bungling of this justice minister and this government. They have asked repeatedly through letters and petitions for initiatives to be taken. They have been denied repeatedly by this justice minister who pretends that he understands and agonizes along with their pain and their suffering but his actions never demonstrate what he says. He never demonstrates his concern for the victims of crime.

Yes, we will support this until we form the government. We will abide by the wishes of the majority and not by the will of a handful of people around the justice minister and Prime Minister.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, we are debating the second of two amendments introduced a short while ago. Bill C-17 is an omnibus bill. An omnibus bill deals with a number of acts and makes small changes, adjustments and amendments in a whole range of areas. It is kind of a tidying up bill. I guess with an election coming there is a lot to tidy up in the area of the justice system and all the justice bills that have been brought in.

This second of the two amendments, fixes an oversight—to put it kindly and a large omission in the minds of some of us—in Bill C-45. That bill has been fairly well known among Canadians as the one which allowed Clifford Olson, who killed at least 11 innocent Canadian children after brutally and sadistically assaulting them, to apply to get out of jail early. It is very interesting that we would be debating an amendment to the act that allows him to do that or, more accurately, does not prevent him from doing that although it would prevent future multiple killers from applying for early release, but not Clifford Olson.

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• (1240)

Today I was reading in a calendar of upcoming events that on Monday, April 7 in Vancouver the B.C. supreme court judge decided whether to lift a ban on Clifford Olson's judicial review preliminary hearing. These applications by convicted killers do not just take the form of one simple step. They cause some pretty hard working people to pay a lot of money in order for these things to happen.

On Wednesday, April 9 in Saskatoon, Clifford Olson will appear in court to appeal a federal ruling restricting his access to the media.

In one week we have two major judicial considerations on behalf of a convicted, sadistic, brutal child killer and in the House of Commons we finally have a justice minister who says: "Gee, I wonder whether the families and the parents of these victims should maybe have the right to speak out at his hearing to get out of jail early and actually tell the court how they think and feel about the violations to the rights, safety and security of their families".

We are very pleased that finally, after all the words that we put into *Hansard* and after all the words we have spoken in committee urging the justice minister to start shifting the balance from the side of killers and criminals on to the side of decent, upright, law-abiding innocent citizens, there is a little move in that direction.

The Reform Party some months ago introduced in the House a motion that there be a victims' bill of rights test. There are eight provisions which we believe should be in such a victims' bill of rights. It would provide specific legal rights within the justice system to victims. That is a novel thought. The victim might actually have some standing in our legal system.

One of the provisions we have suggested would be the right of victims to choose between giving oral and/or written victim impact statements at parole hearings, hearings before sentencing and at judicial reviews.

There are other legal rights which we think should be given to victims, to the innocent people in our society whose freedoms and liberties have been violated by law-breakers. We think they should be given the right at every stage of the process to be informed, including being made aware of available victim services.

There are plenty of services for criminals. In fact, as we have pointed out in the House time and again, many criminals in this country live in more comfortable, more spacious and more secure circumstances than many of our senior citizens who have worked a lifetime, paid their taxes, kept the law and been exemplary citizens.

We think the victims should have the right to be informed of the offender's status throughout the process, including but not restricted to plans to release the offender from custody.

We think that victims should also have the right to know why charges are not laid, if that is the decision of the crown or the police, the right to be protected from intimidation, harassment or interference.

We think that victims should have the right to have their part of the process heard, to stand before a judge and let him or her on behalf of society know how criminal activity has affected them. That should be automatic.

• (1245)

An amendment was introduced in this House this morning, April 8, 1997. Three and a half years after this government took office, mere days before this government goes back to the people and asks them to vote for it, it is saying maybe we should give victims in this country and their families the right to actually tell the courts to tell the judicial system how lawbreakers have affected them.

Here we have another situation of fixing a problem that was brought up before, a well known, much talked about problem. Just before an election suddenly there is a feeling that we had better throw this into the mix too so that the justice minister and his colleagues can say "boy, we are really standing up for law-abiding Canadians". Never mind that they have totally ignored, jeered and showered contempt on strong and sensible statements and urgings from other members of the House that they get with the program much sooner.

Whereas these are amendments that should have been made some time ago and we have to support them, we just have to say to the justice minister that the time to fix these problems is when they are first pointed out instead of scrambling to do something as late a date as possible in order to look as if they care about the concerns of Canadians which have been well known and well talked about for months and months.

This amendment to Bill C-17 would allow victims and their families to let the courts know in these proceedings and in particular in proceedings where killers are applying to be let out of jail early. That is something that should be done. All Canadians support that. We urge the justice minister to get this right the first time, to start listening to what needs to be done, to protect Canadians and to make sure their rights are put first and foremost in this justice system.

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, this second amendment to Bill C-17, which has been granted to us to look at, study and think about, has not just suddenly appeared out of the clear blue sky. Somehow it seems as if this is a brand new idea that has just hit us.

This idea has been around for a long time. The victims who have had crimes perpetrated against them are people like you and me. In

our discussion of this amendment we should ask ourselves who the victims are. It is usually assumed that the person against whom a crime is perpetrated is the victim. We have extended it now to include the family. We should also include friends and neighbours. If we really want to come to grips with this issue we have to recognize that with any violent crime we are all victims. Directly or indirectly it affects every single one of us.

I will refer to two incidents that happened in my riding. In the first case a man came home and stabbed his wife repeatedly until she died. That victim could not speak and tell of the impact that had. That person was dead. There was no right for that victim anymore. That right had been taken away by the person who stabbed her. But she had a sister and her sister was very much involved in that family because there were children she wanted to train in the way they should walk and so on. Here was her brother-in-law who had been allowed to stab his wife, and the consequence was a minimal jail sentence.

• (1250)

Who was the victim in this case? The wife was stabbed and killed but the sister in training her family was deeply involved in this case as well.

I want to relate to another case that happened in our community, the case of Mindy Tran. Mindy Tran was a little girl who was abducted from her home and killed. Probably the most terrifying event for me was to listen to a parent describe what happened on the way to school as they were driving down the street to take their child to kindergarten class. This kindergarten child who was sitting in the car was watching another child who was walking down the street alone. She said: "Mommy, look, that girl is walking alone. She should not be doing that. That is what happened to Mindy Tran. She was alone and she was killed. Shouldn't we stop and pick her up?"

Who is the victim here? That child's life is forever affected by somebody else, a person she did not know but knew about because she had been killed. What about the mother of this child who had to listen to her daughter say "shouldn't we pick up that child?". This child who was in this car had more empathy for justice and protection of society than the judge who dealt with the case of a man like Mr. Stone who stabbed and killed his wife.

These are serious offences. These are serious implications for the victims against whom crime has been perpetrated.

Let me go one step further. Much has been made in the last couple of months of the Clifford Olson case, on the Bernardo and Homolka case. Should these people even have access to the press? In many ways one would say of course they should have access to the press, but these people have taken away the right of certain

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people to ever express themselves again. Many of the people who were associated with the victims whose life has been taken will not speak in public. Why? They will not speak because they do not want to relive the terror and the emotion that they experienced the first time around. They are people who care.

We as parliamentarians are in the position of being the guardians of the safety of the life and the protection of the property of law-abiding citizens. When we have minimal sentences offered and when we even suggest that there should be victim impact statements, as was the case earlier, and as a very strong demonstration of how inept and how incompetent in many areas this government is, now as a sort of last minute the government says that should be in there. It is obvious that it should be in there.

When will our judgment system become one that will take into account not only the violence and the heinousness of the crime but will also recognize that there are real people with real lives, with real emotions who have been affected and their lives forever changed because of this crime that has been perpetrated in their neighbourhoods, in their families or against their wives or their husbands?

We have never dealt with a more serious issue than the matter of justice in our society. When will we recognize that to do things like this, to commit the kinds of crimes that Clifford Olson committed, the kinds of crimes that Bernardo committed, the kinds of crimes by the person who killed Mindy Tran, or those of Mr. Stone who stabbed his wife, when will we recognize that the time has come that the consequences for these kinds of acts are more than a slap on the wrist, are more than temporary incarceration and actually do not create the kind of protection for the victims who remain?

Even though we do not live in that community we can identify, we can understand the fear, we can understand the terror, the pain, the emotion and the anger that wells up in people when these kinds of things happen.

• (1255)

Should that not have an impact? Should that not be a message to the rest of us to say that the time has come to introduce programs where we do have consequences for these kinds of acts? Far more important is the generation of a set of values that tells people that kind of behaviour is wrong, it ought to be stopped and there are serious consequences.

We need to reintroduce a clear definition of what is right and what is wrong in our society. Our children should know what is right and what is wrong. This Parliament should make it clear to judges what we believe is right and what is wrong. It is right to recognize that the rights of victims are more important than the rights of criminals.

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Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I rise today to debate this second 11th hour amendment put forward by the justice minister to Bill C-17.

As members will remember, the first amendment we debated dealt with conditional sentencing, something which certainly Reformers and a growing number of Canadians perceive to be the misuse of that section. We were concerned right from the beginning that it not be used in the cases of violent crimes. Obviously our worst fears unfortunately have been borne out in the use of that section.

Now we move on to this second damage control amendment. As my colleagues have stated, this has absolutely nothing to do with Bill C-17. It is instead a cover your backside amendment for the justice minister heading into the next election campaign dealing with section 745 which, I think all Canadians will remember, was dealt with under Bill C-45 not Bill C-17.

In all honesty, that is where this should have been dealt with, similar to the last amendment which should have been dealt with at the time of debate and consultation on Bill C-41, the sentencing act. This should also have been dealt with under Bill C-45.

However, this government refused to listen, as it has time and time again, to the pleas not only of Reform members of Parliament but countless Canadians from coast to coast.

It is well documented now. I would think at some point the message is going to start to get through to the government and the justice minister that Canadians are demanding the repeal of section 745. They do not want it tinkered with. They do not want to play with it and say that if a person only commits one murder than maybe they can have access to that provision of the Criminal Code, have a hearing to see if they can be released early. They want it repealed.

I pointed out during the debate on Bill C-45 that I found it more than a little ironic that this justice minister used as one of his excuses for bringing forward his senseless gun control legislation for gun registration that it was partially in reply to a resolution by the police association. However, when it comes to dealing with section 745, which the police association has passed a resolution to get rid of, the justice minister strangely does not listen. Obviously he selectively uses certain support. He selectively uses what he wants to further his own agenda rather than to respond legitimately to the concerns of Canadians and different organizations across the nation.

Some of my colleagues have already laid out how Reform dramatically differs from the Liberal government in how we would address the issue of victims rights because that is what this amendment is about. It is an 11th hour amendment to bring in a provision which would allow automatic victim impact statements at these hearings. That is something that we and other victims'

groups and associations have spoken out on during debate on Bill C-45. Now, at the last moment, only with the proviso that the justice minister get unanimous consent of the House, does he bring forward these last minute amendments so that he can try and indicate to the Canadian public that he is a little bit concerned about the plight of victims of crime.

• (1300)

During the debate about Clifford Olson utilizing the provision of section 745 to have yet another day in court, as we feared the judge was bound to fly him to Vancouver and give him another day in court. It will on August 18 this summer when he will argue why he should be let out of prison. How ridiculous. There is not one Canadian who has not heard of the heinous crimes of Clifford Olson. There is not a Canadian who is not appalled that we are going through this charade when we know he is not going to get out.

Section 745 of the Criminal Code allows this charade to take place. I will be interested in September to find out what this is going to cost the taxpayers, never mind the pain of the people who will be revictimized again at the hearing. Imagine the dollars and cents it is going to cost the taxpayers to go through an exercise that all of us hope and pray is an exercise in futility for Clifford Olson.

Why is the process even there that would allow him to do this? He will be flown to Vancouver at the expense of taxpayers. I suspect some of his prison colleagues will fly there to testify that he is not such a bad guy after all. In reality, if there was true justice in the country Clifford Olson would no longer be breathing. The people across the nation know that. It is outrageous that the government would allow such a thing to take place.

I well remember during the debate on the issue, the justice minister said shame on Reformers for bringing the issue to the forefront and giving Clifford Olson a stage to perform on. We brought this issue forward on behalf of the victims and their families.

I have a newspaper clipping of an opinion piece by Claire Hoy, quoting the justice minister who said: "If it was not for Reform the whole affair would be proceeding in obscurity". He went on to say: "The pain felt by the families of the victims would be of a different order than that which they face today if it were not for those in the Reform Party who are providing Clifford Olson with exactly what he wants". That is the response of the justice minister, not to Reformers but to the thousands of victims who are crying out for justice, for all those who see section 745 as the outrage it has become.

As has been indicated by my hon. colleague from Crowfoot, Reform will be supporting this amendment. As we have many times over the last three and a half years on criminal justice bills and legislation, we will hold our noses and vote for something we

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know in our hearts is a half measure at best, but better than nothing at all.

• (1305)

Why? The question has to be asked. Why can the government not respond adequately to the concerns of Canadians?

I spoke about this during my last intervention. As I travel through my riding I hear things which I know other MPs, regardless of their political affiliation, are hearing. They have to be. If they are responding to the concerns of their constituents they have to be sitting down in their offices, at town hall meetings, and speaking with the victims of crime. People are living in fear every day in their homes.

Increasingly people are locking themselves in their homes because the system refuses to lock up the criminals. It is time for change. I hear it constantly as I travel across the nation. It is time to put victims first.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I rise to speak to the second amendment on Bill C-17 which was given unanimous approval in the House today. This is the second amendment which the justice minister has thrown in at the last minute to rectify oversights or mistakes he has made in previous legislation.

It does not give me any joy to be responding to a government which has time and again ignored the input of the opposition, ignored the input of Canadians at large, who have spoken to legislation which the government has brought forward for consideration. They have pointed out flaws in legislation which is before the House.

Time and again consideration should have been given to recommendations at committee stage. Letters have been received from experts of certain aspects of the law who have recommended changes. Time and again the justice minister and the government have ignored that input.

A private member's bill dealing with section 745 succeeded in passing second reading in the House. Seventy-nine Liberals voted in favour of that private member's bill so that it could go to committee for consideration. That private member's bill dealt with section 745 of the Criminal Code, which is known as the faint hope clause. That section allows a person convicted of first degree murder who is given a life sentence without eligibility for parole for 25 years an opportunity 15 years down the road to seek a change in their eligibility for parole.

That private member's bill had the support of colleagues in the Liberal Party. It successfully passed second reading. However, over the past year the bill has been gutted, mainly by Liberal members

of the justice committee. It has not been reported back to the House to be dealt with at report stage and third reading.

Perhaps if the government was more willing to allow honest and open debate, honest and open criticism and honest and open recommendations for improvement, it would not find itself in the situation it has found itself in today, having to work in amendments after the fact to an omnibus bill to correct mistakes which it should have known it was making in previous legislation.

It certainly does not give me any satisfaction to be a part of a system where there is not honest and open debate. Legislation is rammed through the House, rammed down the throats of Canadians and they are left to deal with the consequences.

What would have happened if the justice minister did not realize that these mistakes needed to be corrected? What kind of situation would we find ourselves in next year or the year after?

It says very little about the justice minister and his government when they need to come in after the fact and make amendments to a bill which is totally unrelated to a bill which has been passed. Bill C-45 was passed last year. It is not something that was done four or five years ago. It was something that the minister put through the House four or five months ago. Now we are correcting a mistake that he made to totally deny the rights of victims to give their position in court, to give their side of the story, to indicate the harm and the impact that these horrendous crimes had on their families and on themselves.

• (1310)

I agree with my hon. colleagues for Calgary Northwest and Okanagan Centre. The victims in these violent offences are not just the families, they are not just the children, the husband or the wife, it is the whole community.

I am facing that in my community of Surrey. In case people do not realize it, Clifford Olson is making a mockery of the justice system this summer. As hon. members have pointed out, Clifford Olson is coming in August to Surrey to have his hearing. Surrey does not want him. The city of Surrey has asked that Clifford Olson not be allowed in the city.

My office has received more phone calls and more letters on the issue of Clifford Olson coming back to Surrey than any other issue since I came to the House of Commons three and a half years ago. The people in my community are outraged that the justice system would allow a man who tortured and murdered at least 11 children, 4 of those children from the city of Surrey, to have access to the court system.

It would be interesting to know how much time and money this hearing is going to take up. People are waiting in line to have cases

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heard in court because of the lack of space, because of the lack of facilities, because of the lack of prosecutors and others to handle their cases. People are waiting for months or years to have a court case heard and we are tying up our justice system by allowing this monster to use up valuable court time and valuable tax dollars to apply for a section 745. To my mind and to the minds of the people in the city of Surrey that is a grave injustice.

It completely undermines the whole concept of who and what is the justice system supposed to be representing. Is it the convicted criminals? Is it the convicted killers? Is it the victims? Why are we now, months later, recognizing that the victims must have the right to present their case to the jurors who are going to make a decision on what effect or impact this individual has had on their lives?

The real travesty of justice is that Clifford Olson will be his own lawyer. He has the right to cross-examine the victims' families. How just and how humane is it to have this person who killed one of their children or one of their loved ones cross-examine them? It is insane. That is how Canadians see our justice system.

To be quite honest with you, Mr. Speaker, that is how Canadians are starting to see their government. They are starting to question the sanity of a government that allows this kind of thing to occur not once, not twice, but on a regular basis. What they see is a justice system that is constantly letting them down, constantly putting their concerns, their protection behind that of a convicted offender.

It distresses me to no end to know that I am standing here speaking and supporting this very weak attempt of the justice minister to undo his past mistakes. I do not take any great satisfaction in saying that I am going to support this. I am supporting it because I am backed up against a wall. I know this is as good as we are going to get from the government.

• (1315)

Given the opportunity in the very near future I would like to think Canadians will take time to measure just what the government has provided for them and what the government has done to them over the last 3.5 years. I would also like to think that before Canadians go to the polls this spring or next fall they will take a good look at what they will get in the future if they return the government to power. They will get more of the same: giving more attention to the offender, ignoring the rights of victims, ignoring the rights of society and putting Canadians last rather than first.

Canadians should seriously look at the issues and at who is fighting for them. They should look beyond the reports and accusations of the justice minister that it is the fault of the opposition party that did this or did not do that. I hope voters will

look at the issues and at what the government is ignoring. If Canadians look very closely they will be looking to the Reform Party, a party concerned about justice and safety of all Canadians, to give them the governance they deserve.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, it is a pleasure to address Bill C-17 and the amendment.

Through its actions over the past couple of years the government has demonstrated where its priorities are with respect to criminal justice. In every instance, with the possible exception of what it is trying to do today on the eve of an election, it has demonstrated its sympathies lie as much or more with criminals than they do with the public.

I will read a letter from a constituent of mine, Mike Duffy who lives in Bow Island, Alberta. It was sent to the solicitor general and reads as follows:

Dear sir,

RE: Section 745 Criminal Code

On June 30th, 1982 a car occupied by four natives, broke down on Highway 11, south of Saskatoon, Saskatchewan. After initial efforts to flag down assistance had failed, two of these individuals decided to hide in the tall weeds at the road edge. One of these two told the others that he was going to "Shank the next honky that stops".

Joseph Duffy, my father, was en route from Edmonton to his home in Regina. He was the next person. He stopped and offered assistance.

For his efforts he was attacked and taken at knife point, in his own car, to a farmer's field. He was slashed with the knife and forced from his car. The four then chased him with the car and ran him over; and over.

Joe Duffy was murdered because of the colour of his skin; and his willingness to offer help to a stranger.

On July 7th, 1982, Robert George Ironchild, the leader of this group was arrested. On January 25th, 1983 he was convicted of first degree murder. He received a sentence of life imprisonment without eligibility for parole for 25 years.

The convicted murderer Ironchild subsequently changed his name to Rob Wapuchakoos, at public expense. Soon he can apply for a review of his parole eligibility at public expense.

I have recently learned that your department sends an information package to prisoners serving life sentences.

My understanding is that this package instructs convicted murderers how to submit an application for a section 745 review; how to behave to obtain a favourable review; and how to apply for Legal Aid and expenses for witnesses. This is very disturbing.

However, since we live in a society where everyone is equal before the law, your office must also have an information package for the survivors, the family of the murder victim.

On behalf of the entire family of Joe Duffy, I request the package so we can prepare for any review; to ensure that the convicted murderer serves his entire sentence; and to acquire Legal Aid and expenses.

We also require copies of all documentation—I ask that you give immediate attention to my requests. Working together we can keep this convicted murderer in prison and prevent another homicide. We owe this to the memory of my father.

Yours truly,

Mike Duffy

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• (1320)

The point that Mr. Duffy is making is one that we should all heed in this place. We are legislators and we have a duty to hear what these victims are saying. They are saying: "Don't give rights to the criminals; give rights to the victims".

The amendment seeks to address an old wrong. Apparently for some reason, even though our members pointed it out, the government somehow forgot to put in a victim impact statement at the time of the trial so victims could explain to the judge and to the jury the horrifying impact of having a loved one murdered. Somehow the government got a little mixed up and decided to give the rights to the criminals, which is why we are facing the spectacle today of animals like Clifford Olson winning the right to apply under section 745 to be released from prison early and, as my colleague from Surrey—White Rock—South Langley pointed out, ultimately to cross-examine the families of his victims.

God in heaven, that is contrary to what anybody would believe is sensible. I cannot believe we are standing here discussing it today. I cannot believe the justice minister does not fly in here and say they are changing the law today, that they will fix this.

The government has a responsibility to protect our citizens. There is one thing it should be doing with the huge budget granted by the taxpayers every year, the \$120 billion. It should take a portion of it and do what it can to protect citizens and victims, not criminals, not people like Ironchild, Clifford Olson and Paul Bernardo. It is unbelievable that we are having this discussion in the House today.

Like my friend from South Langley and my friend from Crowfoot say, if there is any justice in the world I hope people will look closely at the Liberal record on criminal justice issues. If they do, real justice will be meted out at the time of the next election.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I am pleased to speak to Bill C-17.

I will continue some of the comments my colleagues made about how unfortunate we are to have a Liberal government that pays lip service to the real problems of victims.

I want to relate to an instance that happened in Langley, Aldergrove and Abbotsford, British Columbia. It was shortly after the government brought in Bill C-41 which contained conditional sentences.

We debated conditional sentencing in the House. We indicated that there were some danger signs. We wondered who it would apply to. The government brought in conditional sentencing and disregarded all our comments in the House.

Shortly after Bill C-41 was proclaimed and conditional sentences became a reality, Darren Ursel in my riding met a young lady, a single mother of two, a non-drinker, in a restaurant and convinced her to go for a Coke. When he got her in his car at the back of the restaurant, outside in the parking lot, he quickly locked the door, pushed her back in the seat and ripped her clothes off. He could not get an erection so he reached for his racketball racket and used the handle on her front and back. When he was in court he convinced Judge Harry Boyle he was tender at times. The judge suggested that because it was Darren's first conviction it should be part of the sentence. He also said that Darren Ursel indicated he was sorry for what he did. Judge Harry Boyle went to the justice minister's Bill C-41 and applied conditional sentencing which meant that Darren was allowed to leave the courtroom on the condition that he did not do it again.

• (1325)

In our country today, like we use to have in the fifties, women are now able to be raped and sodomized. The perpetrator is able to walk out the door after the court case. I stand here and say "I told you so" as can many members who sitting in the Reform Party. I remember my hon. colleague from Crowfoot and many of our critics speaking on that matter because they understood the consequences of it.

I was at the appeal hearing. Gertie Pool, a grandmother, obtained 13,000 signatures to debench the judge. It was the Liberal government's fault in the first place. I heard the defence lawyers suggest there were too many people in our prisons and we needed conditional sentences. Therefore Darren Ursel walked away with raping and sodomizing this young lady. That is sick thinking.

In this exercise the Liberal government has moved women back into the closet where they were in the 1950s and 1960s after being raped, because they knew it was useless to go into a courtroom and obtain justice. That is perhaps the saddest point of all.

I tell the people of Ontario, Atlantic Canada, Quebec and western Canada who are listening that this kind of scenario is coming to them. The Liberal government has said that it is okay to rape and sodomize women and that the offender can walk. That is what occurred in my riding and it is damned disgusting, I must say.

There is but one choice to get ridiculous laws like this one off the books, that is to get these people from the House for good. The Reform Party and many victims of violence have been asking for a long time just exactly what are our rights. What exactly are our rights? Every day they approach us and the government, but when they approach the government it unfortunately falls on deaf ears.

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Let me give a few good quotes from the legal industry about victims. A defence lawyer said: "Victims want someone else to fix their petty problems".

• (1330)

This kind of attitude that has pervaded the Liberal government for years, making up of much of the legal industry, is wrong. Judicial decisions on the bench in some cases are getting worse. Harry Boyle's decision is an example of that. What is this government going to do about it?

"I do not know what you people are so upset about; 11 children could have just as easily been killed in a bus accident. If they are dead, they are dead". That is a quote made by a prosecutor to parents of children murdered by Clifford Olson.

If that attitude pervades this legal industry and exists in the courts of this land, we as responsible legislators must legislate it out because it is wrong.

"There is no such thing as a victim, it is just a state of mind". A defence lawyer calls that a state of mind. I have worked with many victims since I was elected and I do not think it is a state of mind. But there is a growing passion among these folks to not have other people in the country victimized as they have been. They are not asking for a lot in this country, I do not think. They want the unrestricted right to provide a victim impact statement at a parole board hearing, whether it is oral or written, at a sentencing case or at a judicial review. That is not too much to ask for.

However, the government took the automatic right of victims to submit statements at judicial reviews away from them. Why? Is it just stupidity or is that these members got caught doing it and now we are screaming?

I wish I had more time. I am sure these Liberal members would love to hear more about this so that maybe we could teach them a bit about what is going on in the country. Maybe they could listen and learn.

However, the fact is that this legal system which now pervades what used to be a justice system has got us in trouble. And for the Minister of Justice to stand in the House yesterday and tell me that he has done a lot for victims because he has made amendments to the Criminal Code tells me he does not have one iota of understanding of what I am talking about. But he will after this next election, he can be darned sure of that.

Mr. John Cummins (Delta, Ref.): Mr. Speaker, we are talking about Liberal inaction in justice matters and there is no promise of things improving in the near future. Victims know it and my colleagues know it. My colleagues from Fraser Valley West, Crowfoot and Wild Rose have been working on this issue for a long time and have made a real impact on our awareness of it not only in the House but from coast to coast.

Chuck Cadman's son was brutally killed recently just because someone did not like the hat he was wearing. Hopefully Mr. Cadman will be elected to the House in the next election, letting people know what it is like from firsthand experience to be a victim of crime.

• (1335)

The fact is the debate this morning was not necessary. My colleagues proposed amendments in committee and if they had been accepted at that time by the Liberals there would have been no reason for this debate.

An amendment was proposed to limit the use of alternative measures for non-violent, non-serious offences. That amendment was defeated in committee by the Liberals. An amendment was proposed which would have allowed verbal impact statements. That amendment as well was defeated.

It is unfortunate when we are debating these kinds of issues that somehow we cannot rise above politics and really look at what it is we are addressing. It is the people we are serving whom we should be concerned about, not which party put forward an amendment.

I would like to tell the House about a few more things which we have proposed to try to make our streets safer.

We have been talking about bringing a balance to the justice system so that the rights of the criminal and the rights of victims and law-abiding citizens are brought back to a favourable balance. Victims of crime should be put first. We would provide people with legal rights within the justice system which would allow for that.

We believe there should be the right to be informed at every stage of the process, including being made aware of available victims services.

These things were proposed by my colleague from Fraser Valley West in his victims bill of rights. That piece of legislation, which passed second reading, is now languishing in committee because the Liberal government does not want to deal with the very positive proposals which he put forward.

The member for Fraser Valley West also suggested that there should be the right to be informed of the offender's status throughout the process, including but not restricted to plans to release the offender from custody.

This problem occurred in my constituency. A young man of 17 was killed by a hit and run driver. His parents had nothing but grief in trying to track the whole mess through the court system. In the end they were appalled at the light sentence which the victim received. Even though there was an indication that this gentleman had been drinking and driving, the issue was never resolved to their satisfaction. The written details of the whole process were kept from them.

We are proposing the right to choose between giving oral and/or written victim impact statements at parole hearings, before sen-

Government Orders

tencing and at judicial reviews. That is important. It is difficult for many people to write about their feelings. In some of these matters the most effective way to deal with them is to listen to what the people have to say to really have a sense of their despair and hurt. It only seems right that if the accused has their day in court that the victim also have their day in court so they can let the court decide an appropriate punishment based on their grief.

We suggest as well the right to know why charges are not laid, if that is the decision of the crown or police. Again it may seem a simple matter, but victims of crime should have the right to know why the crown decided, in its wisdom, not to proceed with charges. That is a right that should not only prevail for indictable offences but for any offence.

• (1340)

I can speak from experience as I have been ticketed by the fisheries department. Then the government refused to proceed with charges simply because it knew full well it would not be successful. That kind of behaviour brings the justice and legal system into disrepute when it cannot be honest and open and make us all aware of what just what the circumstances are and why they did not proceed with certain charges.

We all have a right to be protected from intimidation, harassment or interference. These kinds of things are obvious and yet again this government obviously does not place much stock in righting those wrongs because it has allowed this bill, put forward by the member for Fraser Valley West, to sit in committee, languish there and hurry through the process or at least acting on it in a reasonable manner to ensure it would provide the protection people need.

We should also talk about the right to be protected in situations of family violence. It seems a common sense hope that in situations where there is violence people would have some protection, that they would not have to put up with ongoing violence. Yet again, this is something the government cannot seem to get a grip on.

Another is the right to know if a person convicted of a sexual offence has a sexually transmittable disease. Why would we want to keep that kind of information secret? Why should someone have the right to keep that private if they have been bothering or if they have violently offended somebody else? It is beyond all reason to know that.

The right to be informed in a timely fashion of the details of the crown's intention to offer a plea bargain before it is presented to defence is an issue that comes forward many times in the court system, whether it is a drinking driver in a hit and run accident or whatever. The victims should have knowledge of the government's intentions if it is going to allow someone off the hook for a crime committed.

Perhaps the most disturbing notion before us when we talk about crime is the increase in violent crime by young offenders. It is

something that is doubly disturbing because it means that we somehow as a society have failed, that somehow families have failed when our young people are moved to criminal acts. It is an issue that requires some action here and it is not just an action where we are looking at punishing those people, and certainly punishment is appropriate. If you are capable of a violent crime, you should obviously do the time for it.

What can we do to prevent these kinds of things from happening? That has to be a big concern and yet I have seen nothing, no action on this by this government at all.

Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.): Mr. Speaker, I was a little unprepared to speak to this amendment but I think I can say that we do support this amendment.

It really bothers me when I see a government, three and a half years in power, finally just before the eve of an election it is going down on its knees before the electorate and saying it made a mistake. We have seen three and a half years of mistakes, not just one mistake.

We see today that the grain is not moving in western Canada. We see today that everything the Liberals have touched has turned into a disaster.

• (1345)

This election is going to make the biggest changes in history. We will finally see that the old line parties are going to pay for their arrogance and their mistakes. When it takes three and a half years to acknowledge that they made a mistake on behalf of the victims and they are still protecting the criminals, something is wrong in the House. It is disastrous and they know it. That is why the Liberals are finally going down on their knees and getting a little bit of dirt on those knees to show the public that they do have remorse.

Mr. Fewchuk: What about the wheat board?

Mr. Hoepfner: The wheat board is something a little different because that is where we throw the honest people in jail and the criminals are turned loose. That is the difference between that and this amendment.

When we as a party said that section 745 should be repealed, as did every police association in Manitoba, what did the Liberals do? They joked around and said they were the government with 177 people on their side and they did what they wanted to do. They said they did not have to listen to anybody.

We are at the eve of an election and somebody is starting to get shaky knees. Not only do they have shaky knees, they are willing to bend them enough to get them a little dirty. Well, it is high time. The Canadian people are going to make the choice in this next election and are going to send a message like we have never heard in our life before.

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When victims do not have a right to make an impact statement about the criminals who have violated their rights something is very wrong.

Mr. Harvard: You were in favour of the amendment, Jake.

Mr. Hoepfner: This happens after three and a half years of arrogance, stubbornness and unwillingness to listen to the electors. This should have happened three and half years ago, not today. This was three and a half years of wasted time, three and a half years of a government that never listened to the Canadian people.

What are we going to do come the next election? I know what we are going to do. We are going to put them beside the Conservatives with the two seats. We will add one more so they can have three. That will be some party.

It is amazing when I hear former radio announcers starting to respond to some of the accusations. They should have talked three and a half years ago and kept some of those promises that they made.

I wish they had a Liberal candidate in Portage—Lisgar but they cannot find one. Mr. Speaker, if you are looking for a job I will second your nomination if you want to come to Portage—Lisgar.

Mr. Kirkby: It looks like the Tories are going to beat you guys.

Mr. White (Fraser Valley West): We should take a poll in your riding. You're a loser.

The Acting Speaker (Mr. Milliken): Order, please. I realize there has been an outbreak of election fever, but perhaps hon. members could restrain themselves so the Chair can hear the speaker. The hon. member for Lisgar—Marquette has the floor and I would like to hear his remarks.

Mr. Hoepfner: Thank you, Mr. Speaker. It is really nice to hear some comments in this House even if they are from the wrong side of the House.

When we go to the election the next time the proof will be in the pudding. When I look at the recent polls I know why they are getting a little excited. People are finally starting to realize that all the promises that were made in 1993 have been violated. All the things that people were looking to this government to make happen have never happened. What is the government going to do? You have a good idea, Mr. Speaker. I kind of feel sorry already for some of these Liberal MPs who will not be back because I have enjoyed their presence in the House. It also gets kind of interesting when we get into debate—

Mr. Harvard: Are you going to support the report?

Mr. Hoepfner: When it comes to non-farmers telling me what people want concerning the wheat board it just shows me the arrogance of the Liberal MPs. They stood on a platform and said

they would support the wheat board and bring in Bill C-72 which makes the wheat board look like there is a criminal element running it by making legal things that have been happening for years. They are now trying to cover it up, just like the Somalia inquiry, the Krever commission and whatever else we have. The pudding will show what the colour of it is, and it is going to be disastrous as far as my hon. friends from the Liberal Party are concerned.

• (1350)

An hon. member: I think your melon crop is in.

Mr. Hoepfner: I always like to hear some real good solid comments that can be recorded in *Hansard* because they will come in very handy when we get on the platform to debate these issues.

A stepfather in Manitoba took a baseball bat and violated the rights of his five-year old stepdaughter to the point that she died, and still it is only called manslaughter. When I see that I am disgusted and ashamed that this is the type of justice system we have. That is something that really shows what the past governments have been doing. They have been watching out for the rights of the criminals but they have never paid any attention to the rights of the victims. It is unbelievable but those are the facts. That has happened once too often and in the next election we will change the system and we will change the government.

I do not know what else I can say to the government and these hon. friends across the way. I would love to have them back but not the way they have been acting for the past three and a half years. Their constituents will make that decision and not me. When we look at the polls today we know exactly what they are saying.

I will still throw the challenge out to you, Mr. Speaker. If you want to come and be a Liberal candidate in Portage—Lisgar I would welcome that because that would show some quality for the Liberals in my riding.

The Acting Speaker (Mr. Milliken): I thank the hon. member for his kind offer and comments but I think I will be otherwise engaged.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I am pleased to rise to debate the amendments that were introduced by the government this morning. As you can see, Mr. Speaker, I do not have a prepared speech because these amendments were brought to me this morning when I thought we would be debating Bill C-17. Now we find that Bill C-17 has been expanded, a very unusual situation. Why? Because the government cannot get its act together.

The government brought in a bill, I believe it was Bill C-41, to give victims certain rights. Then in Bill C-45 the drafting was right out to lunch, it compromised these rights and where are we now? The government is asking for leave to amend Bill C-17 by adding

on these extra changes. We are debating them today to try to get the government's rear end covered for the next election.

This shows the incompetence the country is getting from the government. It has only been three and a half years. We thought we would have a five-year mandate with the huge majority it has but after three and a half years the Liberals are getting a little shaky. They are going down in the polls and they are thinking, "boy we'd better get out there and grab our support before it disappears on us".

Now we find the Liberals are trying to make some last minute corrections to try to save face so they can go tell Canadians they are trying to protect victims when they have through their legislation been protecting criminals for three and a half years.

For three and a half years we have been criticizing the Minister of Justice. Every time he has brought in a bill he has been soft on criminals and ignored victims. What has he done for victims? He has done very very little and what little he did he compromised with Bill C-45. Now he is trying to make some small amends.

This Minister of Justice is a joke. This Minister of Justice has certainly not served the justice system well. He has not served Canadians well. He has not served victims well. He thinks he can sit here and introduce legislation that suits his whims and the whims of the Liberal Party. They will find out in a few short weeks what Canadians think of their ideas on criminal justice.

We may be saying goodbye to quite a few Liberals in the next election. Canadians are fed up to the teeth of this daily ritual of how the Liberals think they are standing up to protect Canadians while at the same time they allow criminals to walk all over them.

• (1355)

We have argued from the day we arrived here that section 745 must go. It is not a big section of the act. It would not take a great deal of effort, just a stroke of the pen by the Minister of Justice, fully supported by everybody in the House I would hope, and section 745 would be gone. Then we would never hear about people like Clifford Olson for a very long time because he would not be in the news, he would be in jail.

Today we have heard about the various things that they have in jail for people like Mr. Olson and others like him, where life does not seem to be that unpleasant.

We know that our society needs to be protected. We know that the government has little or no desire to protect Canadians. We know that it would rather play around with the law. We heard the minister say: "I cannot protect the people of Quebec. I do not know how to write a law that will address these gangs in Quebec who are killing and maiming innocent people". Just think of that young boy who was killed by a bomb in Montreal. The Minister of Justice said: "I do not think I can write a law that deals with gangsters such as these".

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I heard today that he is going to bring one in. It must be a sudden conversion. Perhaps an election is in the wind. This type of posturing is not what we want. We are looking for government. We are looking for people who care about the victims.

When I heard that Clifford Olson described to the parents of one of his victims the last moments and how that child died, I cannot think of the horror and tragedy they were forced to relive. Can you imagine, Mr. Speaker? I hope the Minister of Justice will think about it. He has not said publicly what he thinks, but I know that I cannot imagine the horror of being in that situation. If my child had been murdered and I had to listen to the murderer tell me about my child's last moment on this earth, I would be devastated. I am sure that the parents of these victims are absolutely, totally devastated. That is why my colleague from Surrey said we support the amendments. It is a small measure, not because we like it, but it is a minuscule thing.

We have begged the government for three and a half years to eliminate section 745 of the Criminal Code, to protect society from these people, to prevent the parents from having to relive the horror once more.

It goes on. When Olson is denied his parole, we know he is going to be back again on another day. The victims will have to go through it maybe one, two, three or four times. Who can tell?

I sincerely hope that the Minister of Justice will take our comments and the comments of all Canadians under advisement, listen to what we say and make the appropriate amendments.

The Speaker: As it is 2 p.m., we will proceed to statements by members.

STATEMENTS BY MEMBERS

[English]

HURON PARK SECONDARY SCHOOL

Mr. John Finlay (Oxford, Lib.): Mr. Speaker, I want to congratulate the students of Huron Park Secondary School in Woodstock for working to broaden their horizons.

Students from the grade 9 and 10 enrichment program invited representatives of nine embassies and consulates to present information about their countries as part of the school's international day.

These international visitors toured farms and industries in Oxford county before attending a banquet and student variety program in the evening.

The next day over 600 students had the opportunity to hear these visitors from Italy, France, Brazil, Japan, Germany, South Africa, Sweden, Slovakia and Australia. They learned about these other

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cultures and gained an appreciation of the role Canada plays in the international community.

To the students of Huron Park Secondary School I would like to say how proud I am of them for investing so much time and spirit in this initiative.

* * *

SABLE ISLAND

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, the hearings into the Sable Island gas project began in Halifax yesterday with accusations of political interference by the Prime Minister and his government.

The Prime Minister's very public repeated statements of support for routing Sable Island gas through Quebec brings into question the panel's ability to determine the future of the project free of serious political influence. The panel must be allowed to determine the future of the project based on the long term interests of Atlantic Canadians, instead of on the political interests of central Canada.

This blatant interference could jeopardize the entire project and Nova Scotia would be cheated out of \$3.5 billion worth of royalty wealth and thousands of well paid jobs.

The Reform Party will continue to speak out against any and all moves by the government to rob Atlantic Canadians of the opportunities for prosperity because of the Liberal shortsighted political agenda.

* * *

RAILWAYS

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, the railways on the prairies are preparing to sell off or abandon a number of branchlines. There is already some talk of establishing short line railroads to replace the lost services.

I appreciate the concern being shown to maintain service on these lines. The railways and the local elevator system provide critical economic benefits to a lot of communities and the thought of hundreds of more trucks on rural highways is horrifying.

However, this could not be coming at a more inopportune time. Farmers are facing increased costs every way they look. Many are anxious to find ways to finance new value added facilities. At this time farmers should not have to be concerned about financing or running short line systems all over the prairies.

Therefore we should not forget that recent Liberal policy gave the railways the right to abandon our lines without concern for the public interest. If the Liberals were serious about safe and produc-

tive grain movement, they would insist on existing railways maintaining responsibility for rural grain lines.

* * *

HOCKEY

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, last Friday at the Joe Louis Arena in Detroit we saw the first of a new college hockey tradition. The World University Hockey Championship pitted U.S. born players against Canadian college players. The final result: Team Canada defeated Team U.S.A.

Media on both sides of the border proclaimed that it was a better game than the NHL contest the night before. Canadians who could not attend the game were thrilled by the television coverage of TSN.

We as Canadians congratulate the NCAA in the U.S. and the CIAU in Canada, the governing bodies of university sport in North America; the Toronto based CAP and Gown Productions; the many corporate sponsors; as well as mayors Mike Hurst of Windsor and Dennis Archer of Detroit.

It is hoped that next year it becomes a two-game event with a contest in Toronto as well as Detroit and that in two years time university and colleges from Europe and Asia will make it a truly world class promotion.

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[Translation]

COURSE DESTINATION MONDE

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, on Sunday, Radio-Canada rounded off the Course Destination Monde with prizes for the best productions. The Bloc Québécois would like to congratulate the eight young people on their perseverance and skill.

Since its inception, the Course Destination Monde has been an interesting forum for bringing major international development issues to the attention of television viewers. The survival of the program is all the more relevant in the context of the abolition of CIDA's public awareness programs.

In particular, I would like to offer my congratulations on the quality of the reporting on international development. Anne-Marie Cadieux, Alexis Turgeon, Pascal Brouard and Antoine Laprise shared the CIDA, IDRC, Développement international Desjardins, International Centre for Human Rights, Union des producteurs agricoles du Québec, ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec and Inter Pares prizes.

Congratulations to all the winners.

[English]

NATIONAL WILDLIFE WEEK

Mrs. Rose-Marie Ur (Lambton—Middlesex, Lib.): Mr. Speaker, this year marks the 50th anniversary of National Wildlife Week in Canada. From April 6 to 12 Canadians will make a commitment to safeguard wildlife and celebrate its tremendous significance through various events and activities.

The 1997 theme for National Wildlife Week is ecological sustainability and the Canadian Wildlife Federation chose "Wild Things Need a Place to Grow" as this year's slogan for all promotional materials.

This reminds us that we must sustain healthy places for wildlife to live and grow if we want our animal life to remain in existence for years to come.

As in past years, National Wildlife Week co-ordinators from each province and territory helped spread the conservation message throughout communities.

• (1405)

For example, what began in Ontario with a few individuals discussing wildlife issues around a table has now grown so that museums, tourist areas, conservation centres, schools, youth groups and municipalities across the province will be spreading the message of the need for sustainability of all our wildlife.

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[Translation]

MONTFORT HOSPITAL

Mr. Réginald Bélair (Cochrane—Superior, Lib.): Mr. Speaker, the Harris government has announced its intention to close the Montfort hospital in Vanier, the only hospital to provide specialized medical care entirely in French. This hospital is the institution chosen by people who need treatment in French in areas such as psychiatry, orthopaedics, surgery and so on.

There are many communities in my riding that are completely or partially francophone. Many doctors in northern Ontario regularly refer their patients to the Montfort simply because it is the only hospital that can provide service totally in French, that is, in their language. Patients can communicate and be cared for, understand and be understood on the subject of the treatment they have come for.

I could say more about the loss of efficiency, but it has already been said. Needless to say, I strongly protest this closure, which is particularly unfair to francophones throughout Ontario.

We must realize—

The Speaker: I am sorry to interrupt the hon. member. The hon. member for Lisgar—Marquette.

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[English]

WATERHEN RESERVE

Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.): Mr. Speaker, the Waterhen Reserve in Manitoba is dangerously divided. Tensions have been running high between two factions on this reserve for several years.

One faction broke from the chief after claiming it found misappropriation of federal funds in an independent audit of the band's records. It has held several blockades to draw attention to its complaints.

As a result, violence and distress have gripped this community. The latest blockade has resulted in criminal charges being laid. About 300 people had to move from the reserve and leave their homes and livelihood. The Liberal minister of aboriginal affairs promised to do something years ago but has done nothing.

We send troops overseas to protect the rights of people to return to their homes. Yet the government does nothing to protect the rights of 300 Manitobans who are afraid to return to their homes and their livelihoods.

* * *

HOCKEY

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I rise today to offer my congratulations to members of the Canadian Women's hockey team who continued their perfect record by winning their fourth consecutive world championship.

This team demonstrated true character, determination and great skill. They were undefeated in the tournament and won the gold medal game against the United States by a score of four to three in overtime on Sunday night.

The World Championships held in Kitchener demonstrated again Canada's outstanding ability to organize such an event and the tremendous emotion and support Canadians have for our hockey teams.

I am sure all members will join with me in congratulating this fine Canadian women's hockey team for this year's victory. We look forward to seeing them next year at the Winter Olympic Games in Nagano, Japan.

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[Translation]

QUEBEC

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, in March, Quebec alone created 27,000 jobs, more than Ontario, British Columbia, Manitoba and New Brunswick combined. What is more, since the beginning of 1997, Quebec has created 18 times more jobs than all of the other provinces in Canada combined.

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Just recently, the Minister of Human Resources Development and the Prime Minister were strutting about in Montreal, proclaiming to all and sundry that the sovereignist project was harmful to the Quebec economy.

Yet, the Quebec economy is progressing, despite the ambushes laid for it by federalism and the numerous inequities of which it is a victim: reduced government spending on research and development, harmonization of the GST, I could go on and on.

Imagine, for just one moment, what Quebec would be capable of if it were sovereign.

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[*English*]

TOURISM

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, last week in my riding of Parry Sound—Muskoka small business owners and tourism operators had a chance to meet directly with the Canadian Tourism Commission.

The Liberal government established the CTC in 1995 as a public-private sector partnership to help keep tourism business and tourism jobs in Canada. That is exactly what is happening.

About 90 people took part in the various local workshops we held. On the first day we conducted a panel discussion on access to capital for tourism industry businesses.

• (1410)

On the second day we explored the U.S. and Canadian leisure markets and talked about how the CTC could help rural Canada's smaller operators better access these markets through partnerships.

It was a productive two days. My constituents and I appreciate both our government's commitment to tourism in Canada and the willingness of the CTC to help smaller tourism operators like the ones in my riding.

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THE AUSTRUMS

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I rise today with a heavy heart on this cold April day. Last night the riding of Crowfoot lost two citizens, one so very young, and two more lay in the hospital.

Mr. Brian Austrum, administrator for the country of Camrose, a candidate for the federal Tory nomination and a valuable member of our constituency, was involved in a fatal car accident. The accident claimed the life of his wife Beverly and the life of his 15-year old daughter Melissa. The condition of Mr. Austrum and his 17-year old son Calvin is unknown at this time.

I know all members of the House will join me and my family in extending our most heartfelt condolences to Mr. Austrum, his son Calvin and daughter Elizabeth in their time of enormous grief and sorrow. Our hopes and prayers are with them.

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[*Translation*]

BLOC QUEBECOIS

Mr. Nick Discepola (Vaudreuil, Lib.): Mr. Speaker, the home page of the new Internet web site of the Bloc Quebecois bears the unfortunate imprint of the double standard of this party and its leader.

French-speaking surfers are welcome to the site, which offers all kinds of information about the party, its members of Parliament and their ridings.

However, if you happen to be English-speaking, be prepared for a rude awakening. First of all, the word welcome applies only to "Dear friends from Quebec". Anglos from the other provinces will please refrain. Second, the tone is brittle and brutal, to say the least. The emphasis is on the mission of the Bloc Quebecois and its ultimate objective, the separation of Quebec.

The new leader of the Bloc has been quick to instil in his party his new philosophy of provocation. Considering the initial results, we will soon think back with regret to what the Bloc Quebecois used to be before his leadership.

* * *

ÉRIC CHARRIER

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, on March 28, I witnessed a unique event: a new record for skin diving under ice, set by French diver Éric Charrier.

Mr. Charrier, who is 33 and hails from Porto-Vecchia in Corsica, went down to 70 metres in the icy waters of Lake Témiscouata, in one minute and 59 seconds.

This exclusive event has attracted the attention of the international media. This dangerous sport also contributes to the advancement of scientific knowledge in the aerospace sector. As they collect data on Éric Charrier's heart rate, experts may develop new methods for training astronauts.

Mr. Charrier gave us a chance to share a fascinating experience and discover a sport that is strange and mysterious to us North Americans.

My congratulations and best wishes to Mr. Charrier, a man for whom water has no secrets.

* * *

JOB CREATION

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, after Bas Iris announced several weeks ago that it was creating

about 3,000 new jobs, it seems Household Canada is also getting involved in creating jobs in Montreal's east end.

The company has just announced that it will hire 592 new employees for its call centre. With these new jobs, the Household call centre will be the largest centre in Quebec, with more than 1,000 employees.

We would like to point out that the bilingual capabilities of the workforce were also a factor in attracting this investment to Montreal. The federal and provincial governments will invest, respectively, \$2.8 million and \$2 million in this project.

We are delighted with this excellent news for our economy, which again confirms Montreal's leading position in the financial services sector.

* * *

[English]

RURAL CANADA

Mrs. Marlene Cowling (Dauphin—Swan River, Lib.): Mr. Speaker, small town Canada is on the move. Soon after we took office we took steps to make Canada's rural communities grow and prosper. This has greatly benefited my constituents of Dauphin—Swan River.

We established the rural secretariat. We started the family farm loan plan. We launched the national biomass ethanol program. We have extended the Canada infrastructure works program by one year, recognizing that good infrastructure is vital to rural life and will benefit every region in Canada.

• (1415)

We gave the Farm Credit Corporation a \$50 million boost in the 1997 budget. We increased our community access program by \$10 million. We are ongoing supporters of the 4-H program and we started the Canadian rural information service.

Our Liberal government is listening to the concerns of small town Canada and coming up with solutions that work.

ORAL QUESTION PERIOD

[Translation]

THE CONSTITUTION

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, in the matter of the linguistic school boards, the Government of Quebec and the Liberal Party of Quebec, both democratically elected by the people of Quebec, jointly call on Ottawa to amend section 93 of the Constitution. Standing in the way of

Oral Questions

Quebec's clear wish, however, is the Minister of Intergovernmental Affairs, who has set himself up as the judge of consensus in Quebec and is refusing to make the amendment.

How could the minister say that he would refuse to act on Quebec's demand if, according to him, the anglophone community does not support the Quebec government and the official opposition, which jointly call for an amendment to section 93?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the government has said the same thing since the outset in this. First, a bilateral amendment is possible between the National Assembly and the Parliament of Canada.

Second, a consensus is required and must, obviously, include the linguistic minority in the province. Third, a debate must be held in the National Assembly before it is held in Parliament.

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, the minister made the following statement to the daily *Le Soleil* on April 5, and I quote: "This is not my project; it is not my jurisdiction. I have no authority in educational matters".

Today, if the debate were held in Parliament, in the National Assembly, is the minister saying that, if the parties, the Liberal Party, the Parti Québécois and the Action Démocratique, sought an amendment to section 93 he would comply with the request of the National Assembly of Quebec and all the parties represented there? Is that what he is telling us today?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, on those specific points, I am saying the same thing as my counterpart, Mr. Brassard, the Quebec minister of intergovernmental affairs. He said, on February 13: "I think we consider that the consensus includes the English community. I think it is obvious that the English community must be a part of a consensus on a change of this nature".

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, if the Quebec National Assembly, comprising the Liberal Party of Quebec, the Action Démocratique and the Parti Québécois, considers a consensus has been reached in Quebec, will the minister block it? Will he deny the request?

I remind the minister that in 1993 the McKenna government managed to have the Constitution amended in New Brunswick without the approval of the province's official opposition. Today, in the case of Quebec, with the official opposition and the party in power in agreement, is there a double standard? Without a consensus in the New Brunswick legislature, we acted here on the request of the Government of New Brunswick. When there would appear to be a consensus in the National Assembly, is the minister going to take it upon himself to decide whether it is sufficient? Is that what he is telling us today?

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Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.):

Mr. Speaker, the Quebec premier, Mr. Bouchard, felt on February 21 that the official opposition would oppose his plan and asked us to act even if the official opposition did not agree, because, as he put it, when they vote like that, it does not preclude a consensus.

So all that is missing now is the consensus. I presume my counterpart, Mr. Brassard, is working closely with the anglophone community to find out exactly the source of the problem and reason for the community's reticence in approving the project. This is his job, and we are following with considerable interest. As soon as there is a consensus, we will be delighted to move on this, in the House of Commons.

• (1420)

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, on March 27, 1997, the Minister of Intergovernmental Affairs said on RDI that there had to be reasonable support by religious and anglophone groups for amending section 93, before there could be said to be a consensus in Quebec. But some groups opposing this amendment are calling for a constitutional guarantee of the language rights of anglophones in Quebec, a guarantee that does not exist at all for francophones outside Quebec.

Will the minister admit that, by refusing to go ahead with the amendment requested, he is in actual fact supporting the groups calling for additional constitutional protection for Quebec's anglophones, while francophones are ignored?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.):

Mr. Speaker, I never mentioned a constitutional guarantee. I asked for guarantees that, in a democratic society, can take other forms. They can be guarantees of a legal or regulatory nature, or moral commitments.

As things stand now, the Government of Quebec has included a number of "whereas" clauses. Some could be amended, some could be added. There are lots of things that could be done without necessarily altering the Constitution. This is just as true in this situation as in many others, by the way.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, is the minister not, by his actions, giving a veto to any group, however small, that challenges the Marois reform?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.):

Mr. Speaker, I do not know how many times I have said this, but we are not giving a veto to any group.

I have already asked the hon. member this question: Do she and her party consider Quebec's anglophone community part of Quebec?

Some hon. members: Oh, oh.

Mr. Dion: If so, what is required is a consensus that includes Quebec's anglophone community. What we are asking for is a consensus, reasonable support. We are not asking for unanimity.

* * *

[English]

JUSTICE

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, one would almost think there was an election on the horizon or something like that. I know it is ironic, but the justice minister, after having been terribly soft on crime for three and a half years, all of a sudden is trying to pass himself off as the champion of victims rights across the country. The people will not be fooled.

If the Liberals are really serious about putting victims first, will the justice minister commit here, now, today to passing Reform's victims bill of rights before the next election? Do not just think about it, do it.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, there is one reason why the justice

committee is devoting time today, tomorrow and later this week to the proposed victims bill of rights. That is because I asked it to. The last time the matter was debated in the House of Commons I undertook to direct the matter to the justice committee so it could look at the proposals in detail. I wrote to the committee and it has kindly taken up my request and is looking at the matter.

There is always more to do to make the justice system better and that includes the rights of victims. I do not think that the Reform Party or anyone else should overlook what has been achieved by this government on behalf of victims. Over the last three and a half years we have introduced more meaningful changes to the Criminal Code for the benefit of victims than any government in memory.

The Reform Party ought not to think that it has any monopoly on concern. As a caucus and as a government we have shown that we care deeply about victims and their role in the criminal justice system. We have acted.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, it is one thing to talk for a year and then to do something on the eve of a federal election. Surely the victims and the people across the country can understand how phoney this facade is. It is ridiculous.

Victims across the country are not laughing about this and I do not think they feel any comfort today. People like Debbie Mahaffy, Sharon Rosenfeldt, Pricilla de Villiers, Theresa McCuaig are not feeling any comfort about a justice minister who will stand up and talk about what a great job his government has done. He said there is one reason for the justice committee to get together today and it

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is because he asked it to. I would like to know what his motive is. It is simply because of the letters that spell the word election.

What will it be, will the minister entrench victims rights in law or is this simply pre-election posturing, as we have seen so many times? Do it. Do it. Do it.

• (1425)

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it was in June of 1994, just a few months after the last election, that this government introduced Bill C-37 to amend the Young Offenders Act to, among other things, improve the situation for victims, to provide for the first time that victims could provide impact statements in youth court.

That was just a few months after the last election. The Reform Party voted against those measures.

It was just a few months later, in 1994, that we tabled Bill C-41 to provide for the rights of victims and restitution, to provide increased sentences for those who harm them. The Reform Party voted against it.

In relation to gun control on behalf of victims in this country, victims who came to Parliament and asked that we act, this government had the courage of its convictions and it acted. The Reform Party voted against it.

I think the victims of this country would far rather have action than talk.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, I would like to know why victims groups right across the country have been so concerned about the talk and precious little action they have seen from the government here. They are not sensing any sense of comfort, I do not think. The victims we have spoken with are frustrated. They are frightened that the likes of Clifford Olson are going to harass them again and again.

There is no justice in a minister who calls himself justice to say that he is looking after these people and victims rights. On Bill C-37, only two months later after those small changes to the Young Offenders Act did he have to send another crew out across the country because his original bill did not do it. He did not do it right the first time.

We have unequivocally always said in the Reform Party that victims should come first, unconditionally. Yesterday the minister seemed to agree with us. Now I am really wondering if he does agree with us totally that victims always should take precedence over the rights of the criminal unconditionally.

Is he truly serious about putting victims rights first, unconditionally, or is it more simple talk before an election?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, if one takes the trouble to cut through the inflammatory rhetoric and the emotive language of the Reform Party and look at what those members are really saying, the problem is it does not make any sense. They pretend that they are the only spokespersons for victims in this country, which is nonsense. This government has acted, not just spoken.

They do not really understand the issue. Even the purported victims bill of rights, which has gone to committee, totally ignores the distinction between federal and provincial responsibilities.

I listened to a CBC radio program this morning, a very good one here in Ottawa. Family members of a murder victim were on. They were asked if there was one thing they could have had in the justice system that would have made their plight easier. They answered grief counselling and assistance through the court process. That of course is a provincial responsibility.

That is why I went to the table with the provincial attorneys general and asked them to look with me at the Criminal Code. That is the kind of effective action that will make a difference, not this kind of talk.

* * *

[*Translation*]

PEARSON AIRPORT

Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ): Mr. Speaker, my question is for the Minister of Transport.

The fears expressed by the Bloc Quebecois several months ago concerning Pearson Airport are now being confirmed. The federal government is now paying a high price to purchase Pearson Terminal 3. Moreover, it is preparing to settle out of court with the developer, who is suing it for \$662 million because of the cancellation of the privatization of terminals 1 and 2 at Pearson. If we add up all of the amounts it plans to pay out for the three terminals, the total is well above \$1 billion.

Is the Minister of Transport aware that the Liberal government's irresponsibility in this matter will cost Canadian and Quebec taxpayers very dearly, and that thousands of jobs could have been created with the amounts squandered in this way?

[*English*]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, the figure used by the hon. member is simply wrong. The decisions made by the local authority in Toronto, the Greater Toronto Airport Authority, to purchase the T-3 terminal was its decision. It will be funding that through a bond issue. This is not a government decision but one of the authority itself.

Oral Questions

• (1430)

I should point out that there are substantial savings by having the whole airport run by the same authority rather than two-thirds of it run by one authority and one-third by another authority. That is why for the Greater Toronto Airport Authority it is in its interest to purchase the T-3 terminal and why it is in the interests of the T-3 consortium to sell. The price was determined by buyer and seller and the government did not cheerlead or quarterback that decision of those two groups.

[*Translation*]

Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ): Mr. Speaker, in 1993, the Liberals made the privatization of Pearson Airport a major campaign issue relating to the integrity of the government.

Since the government is now preparing to pay out more than \$1 billion to the developers of Pearson Airport in Toronto to make amends for the harm it has done, would it be prepared to do the same to make amends for the harm it has done in connection with Mirabel Airport?

[*English*]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, I repeat that the figures being used by the hon. member simply bear no relationship to any fact whatsoever.

The Pearson airport terminal purchase of \$719 million is a deal between the Greater Toronto Airport Authority and the T-3 consortium. That is what they decided, a willing buyer and a willing seller, and they are working out the terms of that at the present time.

If the hon. member wishes to compare the rent relief provided to the Toronto airport authority of \$185 million to construct a runway, to construct two fire halls, to construct a deicing facility, if he looks at that and compares it to the \$100 million plus given to the ADM at the time of the transfer of the Montreal airport he will discover that in proportion to the amount of traffic, Montreal came out almost twice as well as Toronto.

* * *

JUSTICE

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, the whole country knows by now that the Minister of Justice does not understand what Canadians want in a victims bill of rights. It is not an amendment to the Criminal Code but a guiding light for the Criminal Code.

Specifically, one of the rights is the protection from anyone who intimidates, harasses or interferes with the rights of a victim. Why do you suppose that is there? I will ask the Minister of Justice.

Why is Clifford Olson permitted to write to the parents of the children he murdered, like Mr. and Mrs. Rosenfeldt, where Olson wrote of Daryn's last words and described in detail how he died?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the rules and the regulations of the prison system as I understand them make it possible for anybody who does not wish to receive mail from a particular prisoner to let that be known and the prison will see to it that person does not send mail to that person.

I spoke earlier about inflammatory language and emotive rhetoric. I think we can say now we have seen one of the prime examples from this hon. member who takes a discussion of the principles of criminal law to such extremes.

We should focus on the real issues, making streets safe, making communities safe, making the laws stronger and having a justice system that is sensitive to the interests of victims. That is exactly what our priority has been these last three and a half years, whether with changes to the criminal law in relation to the drunkenness defence which created an awful lot of victims or changes to the access by defence counsel to confidential records.

Our strategy, as opposed to the strategy of those with the rhetoric across the aisle, is to do things to make sure we have fewer victims in this country. That is the strategy of this government.

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, Canada has just witnessed an appalling lack of understanding of what victims want. Victims of crime want to be informed, if the minister wants specifics, in a timely fashion of the crown's intention to offer a plea bargain before it is presented to the defence.

• (1435)

Does the justice minister have a problem with that request? Will he tell Canadians today that he will legislate this before an election is called?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member shows breathtaking presumptuousness in pretending that he speaks on behalf of victims, in pretending that he and his colleagues alone understand the needs of victims. Of course they do not.

If we need any evidence of that proposition, think back to that day in 1995 when victims appeared in a room in this building. They were people who had lost mothers and fathers, sons and daughters, sisters and brothers to tragic violent crime, people who had been shot to death. There were victims who came here in tears to ask

these hon. members to vote in favour of Bill C-68 to control firearms more effectively. And what did they do? They turned a deaf ear to those victims. They turned their backs to those victims. Almost all of them voted against the very bill those victims wanted.

The example given by the hon. member today demonstrates his inability to grasp this issue. Plea bargains by prosecuting crown attorneys are in the jurisdiction of the provinces. I have taken up with the provinces my concern that they approve those systems. If the hon. member would have regard for what we are doing he would know we have the interests of victims very much at heart.

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[Translation]

PARENTAL LEAVE

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is directed to the Minister of Human Resources Development.

Last fall, the Government of Quebec officially asked the federal government to return amounts set aside for parental leave as provided under the Employment Insurance Act so that it could implement its own family policy. However, last week we read in the media that the minister intends to make this conditional on reaching an agreement on manpower training.

Can the minister give us the assurance today that negotiating recovery of the amounts provided for parental leave under employment insurance will not be conditional on an agreement on manpower training?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member for Mercier should not be too concerned about the conditional aspect, since the Government of Canada is still confident an agreement on manpower will be concluded with the Government of Quebec. This has been a long-standing priority for all Quebec workers. I want to stress that as far as we are concerned, any conditions would be minimal.

To reassure the hon. member for Mercier, I would like to add that the government intends to be very flexible and is open to suggestions on parental insurance, as we are in all areas for which we are responsible.

In fact, I can confirm that our officials will meet on April 11, if I am not mistaken, for a second session to rough out the main aspects of this initiative, and we are therefore confident that we will be on target.

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, it seems, and I would like to be quite clear about this, that negotiating the recovery of amounts set aside for parental leave under employment insurance will not be conditional on reaching an agreement on manpower training, and I hope my impression is correct.

Oral Questions

Is the minister prepared to do what it takes to ensure that an agreement on parental leave is reached between now and the next federal election?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, it would have been nice if the official opposition had asked me to spend all available time on settling the manpower question once and for all.

The opposition is asking me to take time off from my work on the manpower issue to discuss parental insurance, which is very important to us as well. The federal legislation is very flexible, and we have no doubt we will be able to reach an agreement.

I can assure the hon. member that the Minister of Human Resources Development is a hard worker. We will do every thing it takes to deal with these issues and update Canadian federalism to meet the expectations of Quebecers.

* * *

● (1440)

[English]

JUSTICE

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, on March 14 a pedophile, who is a nine time offender, was released into the community of Red Deer. I met with over 200 concerned parents in a gymnasium. At that meeting, the RCMP said that this person would reoffend. The prison officials said that he would reoffend. The parole board said that he would reoffend. They say that the next time his crime will probably be more violent.

The people in my community, the young parents who were there, asked whether one of their children would be the 10th victim. What message will the justice minister give these parents?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as a parent of young children, I recognize the concern that any parent feels about such an offender or such offences.

It is because I am a parent of young children that I drew particular satisfaction with the initiative of which I was a part when the government and the caucus introduced Bill C-55 to deal with exactly the kind of case that the hon. member has described.

The system has to change and it has to change in the way that we proposed in the high risk offender legislation. That bill, as the hon. member knows, will empower the sentencing court at the time sentence is passed to require that after the person is released from prison, unless they are jailed indefinitely, they can be supervised closely for a period up to 10 years to make sure that our children are safe from them. That is in addition to the provisions already in the code allowing the criminal court at the request of provincial AGs to ask that someone be locked up for the rest of their lives without possibility of release.

I believe Bill C-55 is going to make my choice—

Oral Questions

The Speaker: The hon. member for Red Deer.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, that is just not good enough. I looked into the eyes of these parents and they are feeling scared for their children. They are saying that the system and the justice department are failing them. They are not delivering. This pedophile committed nine other offences. The psychiatrists say he will reoffend. This individual is sick.

The Liberal answer that I got is not good enough. I want the justice minister to tell the people what he is going to do for them. This is happening right across Canada.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I shall have to send to the hon. member a copy of Bill C-55 which deals specifically with the kind of situation he has described.

Mr. Solberg: Well, that's really good.

Mr. White (Fraser Valley West): There's a great answer, a photocopy.

Mr. Solberg: We'll send it to every pedophile.

Mr. Rock: The fact is that I have looked into the eyes of victims.

Mr. Ramsay: You've looked into their eyes and have done nothing.

Mr. Rock: As Minister of Justice I have made it a point in my job to meet with victims whenever I have the opportunity, parents, brothers, sisters, sons and daughters—

The Speaker: The questions that we are having today are very important. I know that all hon. members want to hear the response of the minister. I invite him now to continue his response if he so wishes.

Mr. Rock: I was saying that I have made it a point in my job to meet with victims and members of families who have lost others to violent crimes. I think it is an important part of my job to deal directly with them and to hear about their experiences so that I can learn from them.

It was almost directly as a result of that experience that the government caucus drafted and put before the House Bill C-55 which is now at report stage and deals specifically with the kind of high risk offender to which the hon. member refers. I hope we can count on his support and the support of other members of the Reform caucus as we finally get action to deal with the kind of threat the hon. member has identified.

[Translation]

OFFICIAL LANGUAGES

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, this morning the official languages commissioner tabled a new report.

This year, not only is he continuing to place the two language communities on an equal footing, which is ridiculous when you look at the conditions in which francophones outside Quebec live, but he is telling us there is no need to be alarmed about the rate of assimilation of francophones. He said that a francophone who does not speak French in the home is not necessarily anglicized.

• (1445)

My question is directed to the Acting Prime Minister. Can he tell us what he calls a francophone in British Columbia who speaks English at work, at home, in restaurants, in hospitals, and even when he plays bingo?

Mr. Guy H. Arseneault (Parliamentary Secretary to Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, our linguistic duality is a fundamental part of the Canadian identity and there is no doubt about the government's commitment to the official languages.

Here in the House the government will continue to play a key role in promoting the right of minority communities throughout Canada to grow and develop.

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, my supplementary is for the Minister of Human Resources Development.

Francophones in Ontario, as well as in Acadia, are being done out of hundreds of millions of dollars in job training. Because services are not available in their language, they must take courses in English.

How can the Minister of Human Resources Development, who said only recently that the federal government protects French in Canada, contribute in this way to the anglicization of francophones outside Quebec?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, if people listened carefully, what I said recently was not that francophones in Canada protect Quebec.

Mrs. Picard: We do not understand yet. Francophones do not understand anything.

Mr. Pettigrew: What I said was that Canadian francophonie as a whole was of great interest and could be very useful.

Mrs. Picard: You are not answering the question.

Mrs. Tremblay: Really, you can do better than that.

Oral Questions

Mr. Pettigrew: I would therefore like to say that the Department of Human Resources Development is continuing to do an excellent job in the field of training, that we are in the process of co-operating much more closely with the provinces. We are ensuring that francophone minorities in the provinces will continue to be able to take advantage of training services in the French language.

* * *

[English]

JUSTICE

Mr. John Maloney (Erie, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of National Revenue.

Over the last several months concerns have been expressed about an enforcement gap at our borders that allows drunk drivers, child abductors and other individuals suspected of criminal activities into Canada.

What is the government doing to apprehend suspected criminals and to prevent them from crossing our borders?

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I wish to thank all of our border MPs for raising this issue, especially the member for Erie who has been diligent, on a number of occasions, in bringing it to our attention.

We have acted as a government with the introduction of Bill C-89, which gives customs officers the first line of defence for safe homes and safe streets an ability to apprehend people under Criminal Code infractions and to do something about it themselves. This bill has the enthusiastic, vocal support I might add, of groups such as CAVEAT, Mothers Against Drunk Driving, Child Find and others, including the customs union and border men and women who do a fantastic job and will continue to do so.

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GOVERNMENT EXPENDITURES

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, no matter how much smoke the Treasury Board president blows at it, the facts are very clear. The government has forced the provinces to eat \$7 billion in cuts to health and education while keeping billions of dollars extra in its own departmental budgets, money that it promised it would cut.

These are the facts. The government has overspent in agriculture by \$126 million; transport, \$400 million; regional development, \$812 million. The total is \$3 billion plus.

How does the government justify cutting \$7 billion from health and education transfers to the provinces when it is billions of dollars short in reducing waste in its own departments?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, once again I have to inform our friends and colleagues in the Reform Party that the money he is talking about was taken out of the departmental budgets when the program review targets were put together.

● (1450)

We have indicated that the figures changed over the years because of changes in accounting practices and so on. We have even given them a reconciliation of the figures so that it would be easy for them to go step by step and see that the program review has reached its objective.

Now the only thing I can do is to ask them to read the text we have given them.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, if a small businessman juggled his books to avoid paying taxes like the government is juggling its books to avoid public scrutiny, they would be in jail making licence plates, except in Canada where they would be watching cable television.

These spending cuts were promised by the finance minister in the 1995 budget to justify his \$7 billion gutting of health and education transfers to the provinces. Two years later we find that it is all a big sham, that the government did not make the cuts.

Why has the finance minister cooked his own books to mask his government's failure to cut spending while forcing provinces and Canadians to pay the price of his inaction?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, our cuts according to their own affirmation are nothing compared to the cuts in transfers they would make. How can they complain about the cuts we are making when they would cut all the social programs, cut the transfer programs to the provinces.

We have cut our own programs 40 per cent more than we are cutting transfers to the provinces. In this case we have done the right thing which is to reduce the size of government. It would have been a terrible mess if the Reform Party had done that.

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[Translation]

MIGRATION OF SNOW GEESE

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, my question is for the Minister of the Environment.

Oral Questions

The annual migration of snow geese from the United States to the northern regions results in major losses to the farmers of the Bellechasse region, the Beauré coast, Ile d'Orléans, and other regions of Quebec. Last year, the Canadian Wildlife Service issued permits running from April 22 to May 26, to allow scaring and shooting so as to limit the damage done to their fields by the geese. This measure reduced losses considerably.

Is the Minister prepared to instruct the Canadian Wildlife Service to issue permits for scaring and shooting again for 1997?

[English]

Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, as the member is probably aware, any changes to the migratory birds convention requires the convention to be ratified. We are looking forward to that ratification very soon.

As soon as the convention is ratified we will be able to deal with permits and special licences to deal with the problem the member has indicated to the House.

[Translation]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, the Parliamentary Secretary is not very familiar with her portfolio, for the permit last year was issued under the present convention between Canada and the U.S.

All that we are asking is that permits be issued immediately to be used in the days to come by the people living on the South Shore, the Beauré shore and the Ile d'Orléans, to scare and, if necessary, to shoot the geese.

When it comes down to it, does the government realize that, through its refusal, its silence or lack of understanding, its incompetence in this matter, it is condemning farmers to assume losses for which they are in no way responsible, and requiring the taxpayers to compensate those same farmers, although inadequately?

[English]

Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, I would like to reiterate my position on this issue. If the member is referring to the snow geese hunt, they are under the migratory birds convention. A study group has been put together with Canada, the United States and other northern communities and the issue is being attended to.

* * *

GOVERNMENT EXPENSES

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, more information has surfaced concerning Ted Weatherill, the chairman of the Canada Labour Relations Board.

While the Canada Labour Relations Board held hearings between 1990 and 1992 concerning Canadian National and Canadian Pacific Railways labour disputes, Mr. Weatherill was wining and dining with senior executives of both corporations, no doubt part of the \$148,000 he spent on meals. If that is not a conflict of interest, I do not know what is because ministers have resigned for less.

My question is for the Minister of Labour. Will the minister remove the chairman of the Canada Labour Relations Board now?

• (1455)

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, my answer is the same as yesterday. I have asked the auditor general to look into those claims. As soon as I get the auditor general's report I will make a decision.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, the minister is sweeping this under the carpet until after the election just like the Somalia inquiry.

The Speaker: I would remind hon. members please not to put motive to actions. I would ask the hon. member to proceed to his question.

Mr. Williams: Mr. Speaker, the auditor general will report to the House at a later date, a long time from now. We have a chairman who is not only abusing his expenses but who is abusing his power. This guy has got to go. Will he go today? That is the question.

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, may I remind the member that this issue is not under the carpet, it is under investigation. It is proper when there is an investigation that we wait for the result.

If the member is serious about changing the chair of the labour board, maybe he and his colleagues should have voted instead of filibustering Bill C-66. By now Bill C-66 would have been law and we would have a new board.

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TRADE

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Mr. Speaker, my question is for whomever is answering on behalf of the Minister for International Trade today.

As we know, the Liberals promised not to sign NAFTA without side agreements on jobs and the environment. The government broke that promise, as it did so many others, and signed NAFTA anyway. Now Canada is playing a leading role in negotiating the OECD multilateral agreement on investment which will prevent Canada from requiring employment targets of new foreign investment in Canada.

Yesterday the Minister for International Trade said that the Liberals will not sign unless this provision is taken out. Canadians could not trust the Liberals in 1993. Why should we trust them today?

Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, leave it to the NDP not to understand the importance of investment to Canada. That aside, negotiations respecting multilateral investment will be undertaken very carefully by the government. A number of criteria have been established which we have effectively enforced over the last few years in screening investments either on the part of Investment Canada or in the context of cultural policies.

As we move forward trying to find opportunities to liberalize investment, not just into Canada but on the part of Canadians elsewhere, we know that what we will gain from this is increased market access and better export sales by companies into other countries every billion dollars of which results in 8,000 jobs for Canadians from every part of Canada.

* * *

BOND RATING SERVICES

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, my question is for the Secretary of State for International Financial Institutions. The Dominion Bond Rating Service has recently upgraded Canada's short term debt position. However, other rating agencies are questioning our long term debt. Will the secretary of state address the concerns of some of these agencies in rating Canada's long term debt?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the hon. member for Durham brings up a very important question. It has been the policy of the government to bring the fiscal health of the country back to a reasonable level, and we have done so.

The rating agencies have provided Canada with an upgrade on its short term debt which reflects the improved deficit position. More important, it reflects the improved economic conditions in the country. The DBRS provided us with a mixed message. It complimented us on the efforts in reducing the deficit and it noted that we have both low inflation and an improved current account balance which is a very difficult matter to achieve.

Next year we will see a decline in the proportion of debt to GDP. That is a critical milestone and a path to financial health.

Government Orders

• (1500)

PRESENCE IN GALLERY

The Speaker: I draw the attention of members to the presence in the gallery of members of the Legal, Constitutional and Administrative Review Committee from the Parliament of Queensland, Australia, led by Ms. Judith Famin, Chairperson.

Some hon. members: Hear, hear.

GOVERNMENT ORDERS

[English]

WAYS AND MEANS

INCOME TAX ACT

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.) moved that a ways and means motion to amend the Income Tax Act, the Income Tax Application Rules and another act related to the Income Tax Act, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Speaker: Call in the members.

• (1545)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 286)

YEAS

Members

Adams
Anderson
Assad
Baker
Barnes
Belanger
Bernier (Beauce)
Bodnar
Brown (Oakville—Milton)

Alcock
Arseneault
Augustine
Bakopanos
Belair
Bellemare
Blondin-Andrew
Boudria
Bryden

Government Orders

Calder	Campbell
Cannis	Catterall
Cohen	Collenette
Cowling	Crawford
Cullen	DeVillers
Dhaliwal	Dingwall
Dion	Discepolo
Dupuy	Easter
Fewchuk	Finlay
Flis	Fontana
Gagliano	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Godfrey
Goodale	Graham
Gray (Windsor West/Ouest)	Guarnieri
Harper (Churchill)	Harvard
Hickey	Hubbard
Iftody	Irwin
Jackson	Keyes
Kilger (Stormont—Dundas)	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
Maloney	Manley
Massé	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Mifflin
Mills (Broadview—Greenwood)	Minna
Mitchell	Murphy
Murray	Nault
O'Brien (Labrador)	O'Brien (London—Middlesex)
Paradis	Parrish
Patry	Peters
Peterson	Pettigrew
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Reed	Regan
Richardson	Rideout
Robichaud	Rock
Scott (Fredericton—York—Sunbury)	Shepherd
St. Denis	Steckle
Stewart (Northumberland)	Szabo
Telegdi	Terrana
Thalheimer	Ur
Valeri	Vanclief
Verran	Volpe
Walker	Wappel
Wells	Whelan
Young—117	

Sauvageau	Schmidt
Scott (Skeena)	Silye
Solberg	Speaker
Stinson	Strahl
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Tremblay (Rosemont)	Venne
White (North Vancouver)	Williams—78

PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre/Sud-Centre)
Bachand	Bergeron
Bonin	Caccia
Cauchon	Comuzzi
Crête	Dalphon-Guiral
Dubé	Eggleton
Fillion	Fry
Gauthier	Lefebvre
Leroux (Richmond—Wolfe)	MacAulay
Maloney	Payne

The Speaker: I declare the motion carried.

Mr. Kilger: Mr. Speaker, I think you might find a disposition in the House that we would forgo the ringing of the bells and that we could take the vote immediately on ways and means Motion No. 20, and subsequent to that vote on ways and means Motion No. 20, that the vote originally deferred to the end of Government Orders later this day on the matter of Bill C-27 would also be dealt with immediately following the vote on the ways and means motion.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

• (1550)

NAYS

Members

Abbott	Ablonczy
Axworthy (Saskatoon—Clark's Crossing)	Bellefleur
Benoit	Bernier (Mégantic—Compton—Stanstead)
Bridgman	Brien
Canuel	Chatters
Chrétien (Frontenac)	Cummins
Daviault	de Savoye
Debien	Deshaies
Duceppe	Dumas
Epp	Forseth
Gagnon (Québec)	Gilmour
Godin	Grey (Beaver River)
Guay	Guimond
Hanger	Hanrahan
Harper (Simcoe Centre)	Harris
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Lalonde	Landry
Langlois	Laurin
Leblanc (Longueuil)	Leroux (Shefford)
Loubier	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Nunez
Nunziata	Paré
Penson	Picard (Drummond)
Plamondon	Pomerleau
Ramsay	Riis
Ringma	Rocheleau

WAYS AND MEANS

THE BUDGET

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.) moved that a ways and means motion to implement certain provisions of the budget, tabled in Parliament on February 18, be concurred in.

Mr. Kilger: Mr. Speaker, I would propose that you seek unanimous consent that members who voted on the previous ways and means Motion No. 19 be recorded as having voted on the motion now before the House, with the exception of the member for Windsor West, with Liberal members voting yea.

The Speaker: Is there unanimous consent?

Some hon. members: No.

The Speaker: I heard a no. On a point of order, the hon. whip of the Reform Party.

Mr. Strahl: Mr. Speaker, there were quite a few things involved in that motion, most of which Reformers agreed with. What we did not agree with was the application of the votes. When we vote, one

vote and not proceeding with the bells was good but we do not want to apply the vote at this time.

The Speaker: What we have agreement on is that we will not ring the bells, that we will call the vote now and that the vote will be a recorded vote, as we usually do it. Is that agreed?

Some hon. members: Agreed.

Mr. Strahl Also, Mr. Speaker, that we will vote immediately after that ways and means motion on Bill C-27 rather than wait until the end of the day.

The Speaker: We will now take the vote on ways and means Motion No. 20.

• (1555)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 287)

YEAS

Members

Adams	Alcock
Anderson	Arseneault
Assad	Augustine
Baker	Bakopanos
Barnes	Bélair
Bélanger	Bellemare
Bernier (Beauce)	Blondin-Andrew
Bodnar	Boudria
Brown (Oakville—Milton)	Brushett
Bryden	Calder
Campbell	Cannis
Catterall	Cohen
Collette	Cowling
Crawford	Cullen
DeVillers	Dhaliwal
Dingwall	Dion
Discepola	Dupuy
Easter	Fewchuk
Finlay	Flis
Fontana	Gagliano
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Galloway
Godfrey	Goodale
Graham	Guarnieri
Harper (Churchill)	Harvard
Hickey	Hubbard
Iftody	Irwin
Jackson	Keyes
Kilger (Stormont—Dundas)	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
Maloney	Manley
Massé	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Mifflin
Mills (Broadview—Greenwood)	Minna
Mitchell	Murphy
Murray	Nault
O'Brien (Labrador)	O'Brien (London—Middlesex)
Paradis	Parrish
Patry	Peters
Peterson	Pettigrew
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Reed	Regan
Richardson	Rideout
Robichaud	Rock
Scott (Fredericton—York—Sunbury)	Shepherd
St. Denis	Steckle

Stewart (Northumberland)
Telegdi
Thalheimer
Valeri
Verran
Walker
Wells
Young—117

Szabo
Terrana
Ur
Vanclief
Volpe
Wappel
Whelan

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NAYS

Members

Abbott	Ablonczy
Axworthy (Saskatoon—Clark's Crossing)	Bellehumeur
Benoit	Bernier (Mégantic—Compton—Stanstead)
Bridgman	Brien
Canuel	Chatters
Chrétien (Frontenac)	Cummins
Daviault	de Savoye
Debien	Deshaies
Duceppe	Dumas
Epp	Forseth
Gagnon (Québec)	Gilmour
Godin	Grey (Beaver River)
Guay	Guimond
Hanger	Hanrahan
Harper (Simcoe Centre)	Harris
Hayes	Hermanson
Hill (MacLeod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Lalonde	Landry
Langlois	Laurin
Leblanc (Longueuil)	Leroux (Shefford)
Loubier	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Nunez
Paré	Penson
Picard (Drummond)	Plamondon
Pomerleau	Ramsay
Riis	Ringma
Rocheleau	Sauvageau
Schmidt	Scott (Skeena)
Silye	Solberg
Speaker	Stinson
Strahl	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Venne	White (North Vancouver)
Williams—77	

PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre/Sud-Centre)
Bachand	Bergeron
Bonin	Caccia
Cauchon	Comuzzi
Crête	Dalphond-Guiral
Dubé	Eggleton
Fillion	Fry
Gauthier	Lefebvre
Leroux (Richmond—Wolfe)	MacAulay
Maloney	Payne

The Speaker: I declare the motion carried. We will now proceed to the taking of the deferred division on Motion No. 1 of Bill C-27.

*Government Orders***CRIMINAL CODE**

The House resumed consideration of Bill C-27, an act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation) as reported (with amendment) from the committee; and of Motion No. 1.

[*Translation*]

Mr. Kilger: Mr. Speaker, if you were to seek it, you would find unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

• (1600)

Mr. Laurin: Mr. Speaker, the members of the Bloc Québécois vote yea on this motion.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members will vote yes.

Mr. Axworthy (Saskatoon—Clark's Crossing): Mr. Speaker, New Democratic Party members present today will vote yes.

[*Translation*]

Mr. Bernier (Beauce): No, Mr. Speaker.

Mr. Leblanc (Longueuil): I vote yea, Mr. Speaker.

[*English*]

(The House divided on the Motion No. 1, which was negated on division:)

(*Division No. 288*)

YEAS

Members

Abbott	Ablonczy
Axworthy (Saskatoon—Clark's Crossing)	Bellehumeur
Benoit	Bernier (Beauce)
Bernier (Mégantic—Compton—Stanstead)	Bridgman
Brien	Canuel
Chatters	Chrétien (Frontenac)
Cummins	Daviault
de Savoye	Debien
Deshaies	Duceppe
Dumas	Epp
Forsyth	Gagnon (Québec)
Gilmour	Godin
Grey (Beaver River)	Guay
Guimond	Hanger
Hanrahan	Harper (Simcoe Centre)
Harris	Hayes
Hermanson	Hill (Macleod)
Hill (Prince George—Peace River)	Hoeppner
Jacob	Jennings
Johnston	Lalonde
Landry	Langlois
Laurin	Leroux (Shefford)
Loubier	Marchand
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Nunez

Paré	Penson
Picard (Drummond)	Plamondon
Pomerleau	Ramsay
Riis	Ringma
Rocheleau	Sauvageau
Schmidt	Scott (Skeena)
Silye	Solberg
Speaker	Stinson
Strahl	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Venne	White (North Vancouver)
Williams—77	

NAYS

Members

Adams	Alcock
Anderson	Arseneault
Assad	Augustine
Baker	Bakopanos
Barnes	Bélair
Bélanger	Bellemare
Blondin-Andrew	Bodnar
Boudria	Brown (Oakville—Milton)
Brushett	Bryden
Calder	Campbell
Cannis	Catterall
Cohen	Collenette
Cowling	Crawford
Cullen	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Dupuy	Easter
Fewchuk	Finlay
Flis	Fontana
Gagliano	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Godfrey
Goodale	Graham
Guarnieri	Harper (Churchill)
Harvard	Hickey
Hubbard	Iftody
Irwin	Jackson
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Leblanc (Longueuil)	Lee
Lincoln	Loney
Maloney	Manley
Massé	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Mifflin
Mills (Broadview—Greenwood)	Minna
Mitchell	Murphy
Murray	Nault
O'Brien (Labrador)	O'Brien (London—Middlesex)
Paradis	Parrish
Patry	Peters
Peterson	Pettigrew
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Reed	Regan
Richardson	Rideout
Robichaud	Rock
Scott (Fredericton—York—Sunbury)	Shepherd
St. Denis	Steckle
Stewart (Northumberland)	Szabo
Telegdi	Terrana
Thalheimer	Ur
Valeri	Vanclief
Verran	Volpe
Walker	Wappel
Wells	Whelan
Young—117	

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PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre/Sud-Centre)
Bachand	Bergeron
Bonin	Caccia
Cauchon	Comuzzi
Crête	Dalphond-Guiral
Dubé	Eggleton
Fillion	Fry
Gauthier	Lefebvre
Leroux (Richmond—Wolfe)	MacAulay
Maloney	Payne

The Speaker: I declare the motion lost.

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.) moved that the bill, as amended, be concurred in.

Mr. Kilger: Mr. Speaker, if the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[Translation]

Mr. Laurin: Mr. Speaker, the members of the Bloc Québécois vote yea on this motion.

[English]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes unless instructed otherwise by their constituents.

Mr. Axworthy (Saskatoon—Clark's Crossing): Mr. Speaker, New Democratic Party members will vote yes.

[Translation]

Mr. Leblanc: Mr. Speaker, I vote yea.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 289)

YEAS

Members	
Abbott	Ablonczy
Adams	Alcock
Anderson	Arseneault
Assad	Augustine
Axworthy (Saskatoon—Clark's Crossing)	Baker
Bakopanos	Barnes
Bélair	Bélangier
Bellehumeur	Bellemare
Benoit	Bernier (Mégantic—Compton—Stanstead)
Blondin-Andrew	Bodnar
Boudria	Bridgman
Brien	Brown (Oakville—Milton)
Brushett	Bryden
Calder	Campbell
Cannis	Canuel
Catterall	Chatters
Chrétien (Frontenac)	Cohen
Collenette	Cowling
Crawford	Cullen
Cummins	Daviault
de Savoye	Debien
Deshaies	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Duceppe	Dumas
Dupuy	Easter
Epp	Fewchuk
Finlay	Flis
Fontana	Forseth
Gagliano	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Galloway
Gilmour	Godfrey
Godin	Goodale
Graham	Grey (Beaver River)

Guarnieri	Guay
Guimond	Hanger
Hanrahan	Harper (Churchill)
Harper (Simcoe Centre)	Harris
Harvard	Hayes
Hermanson	Hickey
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Hubbard
Iftody	Irwin
Jackson	Jacob
Jennings	Johnston
Keys	Kilger (Stormont—Dundas)
Kirky	Knudson
Kraft Sloan	Lalonde
Landry	Langlois
Lastewka	Laurin
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Leblanc (Longueuil)	Lee
Leroux (Shefford)	Lincoln
Loney	Loubier
Maloney	Manley
Marchand	Martin (Esquimalt—Juan de Fuca)
Massé	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Ménard
Mercier	Meredith
Mifflin	Mills (Broadview—Greenwood)
Mills (Red Deer)	Minna
Mitchell	Murphy
Murray	Nault
Nunez	O'Brien (Labrador)
O'Brien (London—Middlesex)	Paradis
Paré	Parrish
Patry	Penson
Peters	Peterson
Pettigrew	Phinney
Picard (Drummond)	Pickard (Essex—Kent)
Pillitteri	Plamondon
Pomerleau	Proud
Ramsay	Reed
Regan	Richardson
Rideout	Riis
Ringma	Robichaud
Rocheleau	Rock
Sauvageau	Schmidt
Scott (Fredericton—York—Sunbury)	Scott (Skeena)
Shepherd	Silye
Solberg	Speaker
St. Denis	Steckle
Stewart (Northumberland)	Stinson
Strahl	Szabo
Telegdi	Terrana
Thalheimer	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Tremblay (Rosemont)
Ur	Valeri
Vancielief	Venne
Verran	Volpe
Walker	Wappel
Wells	Whelan
White (North Vancouver)	Williams
Young—193	

NAYS

Members

PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre/Sud-Centre)
Bachand	Bergeron
Bonin	Caccia
Cauchon	Comuzzi
Crête	Dalphond-Guiral
Dubé	Eggleton
Fillion	Fry
Gauthier	Lefebvre
Leroux (Richmond—Wolfe)	MacAulay
Maloney	Payne

Government Orders

[English]

The Speaker: I declare the motion agreed to.

Mrs. Jennings: Mr. Speaker, I rise on a point of order. If you seek it I think you would find unanimous consent of the House that at the end of debate on private member's Motion No. 267 the question will be deemed to have been put, a recorded division requested, and the vote deferred until the end of Government Orders on Wednesday, April 9.

The Speaker: Is there unanimous consent?

Some hon. members: Agreed.

* * *

• (1605)

CRIMINAL CODE

The House resumed consideration of Bill C-17, an act to amend the Criminal Code and certain other acts, as reported (without amendment) from the committee; and of the motion.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Madam Speaker, we think the House is nearing the end of this session. We expect an election soon. It is unfortunate that just when everyone has learned to say the constituency name of Kindersley—Lloydminster it will cease to exist. We will have to learn to pronounce some new names.

I thank the House for giving me the opportunity to speak to Bill C-17, in particular the amendment regarding victim statements. It is very pertinent to what is ongoing today in the country.

A headline in today's *Star Phoenix* in Saskatoon reads "Seeking rights for victims". I will not read the entire article but in summary it states:

A grieving grandmother went to Parliament Hill to condemn a justice system she says coddles criminals and ignores victims. Theresa McCuaig whose grandson was tortured to death by four Ottawa street gang members backs Reform's proposed victims bill of rights.

Often the victims are the ones ignored not by Canadians and certainly not by those who care about people but certainly by our

legal system, by our justice system, by the government and in particular by the Minister of Justice.

I have been a member of the House now for over 3.5 years. When I first came to the House many of the debates were on justice issues. I have heard my colleagues raise justice matters a number of times.

I come from a rural riding where people tend to trust one another and where the crime rate is probably among the lowest in Canada. Even rural Canada is beginning to see more victims of crime all the time. Certainly in our medium sized and larger cities the problem of crime is rampant and the list of victims is growing. The fact that victims are not given a proper set of rights in Canada's charter of rights is absolutely unacceptable.

When I was the Reform House leader I heard many bills and motions debated. It was always the same story. The Liberals would refuse to acknowledge there was a problem. They would be exposed to the truth time and time again, mostly by Reform members of Parliament. Case studies were presented to the House. The issue was raised at the justice committee. The issue was raised in the House. The issue was raised in Reform supply day motions.

Time and time again we would be heckled from the other side. They would ignore the problem and pretend there was no problem. There were all kinds of ridiculous statements from the Liberal side whose members were totally out of touch with the citizens of Canada who were telling us about the problems they were experiencing: we were extremists; we were raising an issue that was not important to Canadians; we were glorifying crime.

I remember being in Winnipeg in 1992 on the eve of the Charlottetown accord. A good friend's car was broken into while visiting Winnipeg. I thought gee, crime was starting to affect people close to me. Just the other day the wife of one of my staff had her car broken into right here in Ottawa.

When it starts happening to people we know and we start hearing about it not on an odd case by case basis but regularly, we start to wonder if as members of Parliament we are doing our job in correcting the problems with the justice system, in providing adequate protection for our citizens and in providing adequate protection for the victims of crime who are growing in number.

In her interview with the *Star Phoenix* Mrs. McCuaig said no. She said that the Reform Party's proposed bill of rights was the right thing. We also propose to allow victim statements and to allow the victims to have a proactive role in dealing with this issue rather than being reactive and having the rug pulled out from under them on a regular basis.

• (1610)

We have wasted time over the last 3.5 years. We have seen inaction on the part of the Liberal government. The Liberals said

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there was no problem, that we were imagining things, that we were alarmists on the Reform side. Suddenly on the eve of an election the bells are ringing among the electorally challenged people. They are starting to wonder if they are going to be re-elected. They realize they have fallen short on the issue of correcting inadequacies in our justice system and in protecting the victims of crime.

We finally started to see some action by the justice minister. The government has agreed to Reform amendments that were proposed to strengthen Bill C-17 which we are currently debating.

The riding of Kindersley—Lloydminster will disappear. As a result I will be running in a new riding called Saskatoon—Rose-town—Biggar. The new portion of the riding that I will be seeking election in includes the west portion of Saskatoon. It has probably the highest crime rate in the city of Saskatoon.

I have been talking to citizens of this area. It is interesting to know who currently represents the area of Saskatoon I am seeking election in. One of the members of the legislative assembly is no less than the premier of Saskatchewan, Mr. Roy Romanow. It is interesting that an NDP premier of the province of Saskatchewan would be representing a high crime area. He has represented that area for some time. He has been in power for some time and from a provincial level has not been able to deal with the issue of crime.

Prior to the current justice minister in Saskatchewan, this area of the city of Saskatoon was represented by the provincial minister of justice, Mr. Mitchell. Mr. Romanow and Mr. Mitchell, two of the most powerful New Democrats in the province of Saskatchewan, were not able to reverse the trend of increasing crime in their own constituencies.

Then I looked to see who represented this part of the city federally. Lo and behold some of the most severe areas in which crimes occur are represented by the current member for Saskatoon—Dundurn. I looked at his resume. He has been involved in the justice committee. I believe he even chaired the committee for some time.

Seldom have I heard the member for Saskatoon—Dundurn speak in the House about the problems in his constituency. I have not sensed any concern on his part. He is one of the members who would often heckle us for raising the subject in the House of Commons. One would think he would have more concern for his constituents.

The current chair of the justice committee or parliamentary secretary is the member for Prince Albert—Churchill River. He also heckles us in the House when we raise the issue of crime. While the riding I want to represent is not one that he is currently involved with, it is just to the north in Prince Alberta.

Another person who is trying to represent this part of the city of Saskatoon and currently represents part of it is New Democratic

justice critic, the member for Saskatoon—Clark's Crossing. It is interesting that I have not heard him speak in the House on crime issues. As the justice critic he is very silent. I hear our justice critics raising the issue in the House at every opportunity. I do not hear the NDP critic being concerned about victims. He has been very silent on the issue. He is more interested in the price of gasoline at the pumps than victims and victims rights. That concerns me.

Today I watched the Minister of Justice in question period who was sitting right across from me. Several members of our caucus asked the minister about his failure to act more quickly to correct some injustices in the justice system. I watched the minister talk about what he had done in the past and what he was proposing to do. It reminded me of lip sync. His mouth was going. He seemed to be saying words but I was not hearing anything. I do not think he really meant the words that were being broadcast over our public address system in the House of Commons.

It seemed like his heart was not in it. It seemed like he was saying it because he had to as we are on the eve of an election. It seemed like he was only pretending to be concerned about justice issues. He rather dismissed some of the serious concerns we brought forward. The only reason he has addressed this issue and allowed the amendments that we have put forward is because he fears the electorate.

• (1615)

That is the good thing about elections. Citizens' concerns can be ignored for a few months, perhaps for a few years, but then an amazing transformation overcomes government. We saw it previously with the Conservative government that did nothing at all in the justice area for the years that Prime Minister Mulroney was at the helm of his government. We have seen nothing of significance during this Liberal administration until the eve of an election. Suddenly the minister is talking about some of the reforms that could have been implemented in the first year of its mandate. There is only one way the Canadian public can rectify a problem if the members of its government refuses to listen and that is to replace it.

We expect that the most likely date for an election is June 2. Canadians will then have a chance to tell some of these Liberal members what they think of their performance in the House of Commons. They will be able to judge whether or not they voted the right way on justice issues. Some of those victims of crime, like Theresa McCuaig, their relatives and neighbours will finally be able to make their voices heard in the loudest possible way. That is the dropping of a ballot in the ballot box.

I want to close my comments this afternoon by saying that while I represent a rural riding I am becoming more and more aware of

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the seriousness of the growth of crime in our country, not only in the urban areas but the rural areas as well. I am convinced that one of the primary reasons that my party is achieving more and more support by Canadians is because of the positions we have taken on the crime issue. We have been responsible. We have been aware. Perhaps the most important quality that has helped us is that we have been aware of the problem and then put forward constructive proposals.

It is with great joy that I support the second amendment to Bill C-17 that would allow for broader and better victim impact statements. I would ask all members to not only support this measure but also the many others that we have proposed. Let us fix the justice system together.

Mr. Art Hanger (Calgary Northeast, Ref.): Madam Speaker, I find it rather frightening to look at the content of some of these omnibus bills. Bill C-17 is one of those bills. It actually encompasses a lot more than what my colleague has just described as a very important item. I agree the bill should go through because of the mandatory admission of victim impact statements. This should be one of the more significant pieces of legislation to talk about right now, and certainly pass.

There is a lot more in this bill that is frightening. It is frightening to see some of the very significant charges and sentencing provisions in the Criminal Code changed, for instance, the issue of house breaking. To unlawfully break into a dwelling is now considered to be a dual procedure offence whereas it was considered an offence carrying a minimum of 10 years in prison. Some of the other changes that we see in the sentencing provisions trivialize the offence.

• (1620)

Unfortunately, over the last three and a half years, that is exactly the kind of legislation that the country has been getting from the Liberal government. It is an effort to trivialize some of the more serious offences which have been committed against society.

We are going to be contending with a weakness when it comes to some very significant charges like shop breaking and being unlawfully in a dwelling house, where they will be placed into a dual procedure category which they should not be. They should be maintained as serious charges.

The major topic that I want to speak on is victim impact statements. I have had the opportunity to sit in on several court hearings, as have my staff and other members of the Reform Party. We have managed to glean from these hearings what is happening with victim impact statements.

Victim impact statements should be mandatory. Bill C-17 addresses that point. However, the statements should be pure in the sense that whatever impact the victim feels the crime has had on his or her life should be told to the court. At the present time a judge

can look at the victim's impact statement, with the accused present, and edit the statement. That is absolute nonsense. The edited statement may not be anywhere close to what the victim had intended.

Evidence is evidence. Why should a judge be given the power to alter the statement of a witness? That is exactly what is happening.

I attended the hearing in Saskatchewan concerning Marie King Forest. I watched the judge tear her statement apart. He called it editorializing. He told her not to get emotional. This happened not only in that hearing, but also in the following one I attended which was held in Calgary. The victims were told that if they got emotional there might be a re-trial of the offence. What are our courts turning into?

Mr. Hermanson: Try the victims.

Mr. Hanger: Yes, as my colleague puts out, it is to try the victims. It is to upset them. It is to keep every victim off balance. That is the message they are getting. Why should we, as parliamentarians, allow that to happen?

When this issue came forward many months ago, in fact many years ago if we look at section 745, which was implemented over 15 years ago by a Liberal government, why were there not outcries from every parliamentarian? There was not. The Liberal Party is content to leave it that way. It is content to keep the victims in our society on edge, off balance and constantly suffering.

There is a point of justice and I do not believe that it is being delivered as it should be by the Liberal government with the legislation which it has brought forward. In spite of the fact that the Liberals have been told time and again, they refuse to make any adjustment.

I believe that in section 745 hearings the statements are very important. At the most recent hearing which I attended we heard the statements of other witnesses. This case concerned Mr. Glaremin. If the victim's impact statement can be altered, what about other witness statements which are issued?

Expert testimony was granted at Glaremin's trial. However, it was not from an expert. It was from a paraphrased condensed version that the court allowed to be entered and allowed the jury to read. In other words, somebody had already altered it. It was supposed to be from the expert witnesses. There was no opportunity for even the crown to cross-examine it. This is absolute nonsense.

• (1625)

The killer was then up on the stand giving his evidence. What was he saying? Was he telling the jury how he felt? Absolutely. Was his statement altered or edited by the judge? No way. He could even reconstruct the events that brought about his conviction.

There may have been some objection on the part of the crown in reference to that point, but he said it and the witnesses were not around to say otherwise because the trial was long gone. It had been 15 years ago. Here again was the opportunity for the jury to hear a very sanitized version of what had really happened. That is what happens at a section 745 hearing.

We should not be talking about just a single statement. This omnibus bill, C-17, should strike section 745 and clear it right off the books. That is where it should end. First degree, premeditated murderers should be subject to the most severe of penalties, not some opportunity for involving parliamentarians in a debate on whether a statement is good or not or that the murderer could get out earlier. First degree, premeditated murderers should be subject to the most severe of penalties.

I have had several victims in my office over the last little while. The consensus right now is not to have anything done with section 745 but to bring back the death penalty. That is the comment and the desire, I would suggest, on the part of a number of Canadians. I would suggest that number is very high. People want section 745 gone but they also do not ever want killers let out. Not only should life mean life but the ultimate penalty is now being discussed in an even broader context.

However, this is not on the lips of the Liberal members. The death penalty is not a item that will ever be brought to the floor by the Liberals.

Reform's position on the death penalty is that we would like to see it brought to the people in the form of a binding national referendum for first degree, premeditated murderers. That is really the way to deal with the issue. Who wants to entrust it to elected representatives who refuse to do what the people want? Give it back to the people and let them decide. If the issue should be brought forward then so be it, it will be brought forward.

We could go on and on about section 745 because this issue will never die. There are some 600 possible applications coming up under this section. I think that is to what Canadians should really pay attention. The pressure should come on the federal government, the Liberal government. It brought this section in and it is up to the Liberals to get rid of it. If not then they should be voted out of office.

Mr. Jim Silye (Calgary Centre, Ref.): Madam Speaker, I rise today as well to give my thoughts on the two amendments that we are debating and most specifically this latter one before the House.

What I find, after listening to the debate today and the comments made by my colleagues from the Reform Party, is that when one really listens to what is being said and what is being done here, the

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Liberals are trying to play catch up. The Liberals made a lot of mistakes in this legislation. These two amendments are two examples of admissions of failure, the failure of the justice minister to get it right the first time.

● (1630)

For those who may not understand what I am talking about, let me give a brief history here. Somewhere along this session of the 35th Parliament we brought in Bill C-17 which is basically an omnibus bill, technicalities to improve things for legislatures, police officers and so on, and then we went on to Bill C-41. Bill C-41 had a provision that gave an automatic right for victims to issue an impact statement or a victim statement at a trial, should they so choose. That was an automatic right. We supported that. Then the government brought in Bill C-45—

An hon. member: You voted against it.

Mr. Silye: We supported that clause. The whole bill was not entirely good enough, so the party may have voted against it, but that particular issue we supported.

Then on Bill C-45 the government introduced more Criminal Code amendments and then in that bill it removed the automatic right of a victim impact statement by deferring it to the year 2012. What kind of justice minister passes into law a victim impact statement automatic and then brings in another piece of legislation that defers it, eliminates it, until the year 2012? Does he really care about the victims? Does he really understand about the victims and the impact that crime, deaths and all these things have on them?

This is an admission of failure because the government passed two laws that contradicted each other on this particular issue. Now it wants to bring in an amendment to rectify the situation.

Somebody caught it. Perhaps the Parliamentary Secretary to the Minister of Justice in committee caught it. I said perhaps. It has now been clarified. The Reform Party members in the justice committee caught it. They pointed this out and the intelligent Liberals in that committee listened.

Today in question period the justice minister took credit for ordering the committee to do this. We know otherwise.

Now there is an amendment before us that rectifies this and reintroduces the automatic victim impact statements. We believe it is for political reasons. We believe it is because an election is around the corner. If it is not in the next month or so, it will be in the fall. The Liberals will be able to claim they have looked after the interests of victims. So be it. The people will make that decision themselves, but we are glad that it is in here. We are glad that this is now law. I do not care whether it is for election

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purposes or not, I am glad it is in here. For that purpose we are supporting the amendments.

Why did the government not bring back Bill C-55? We have a fear in our society by people who are worried that there are dangerous criminals out there, high risk offenders, repeat offenders and how we are going to handle them. That is another issue that came up today in question period when we asked the justice minister what he was going to do for those 200 families that sent letters to the member for Red Deer about this pedophile being let out. This is the ninth time this individual has been let out and repeating the same crime. He goes in, comes back, does the crime, goes back and the answer was "we are going to send him a copy of Bill C-55". Who understands that as a solution?

The real solution is to bring that bill back and let us debate it. I talked to our critic for the solicitor general, the member for Calgary Northeast, and he informed me that the real problem with the bill is that the government, specifically the justice minister, is worried about dangerous offenders, and he is hanging his hat on the word dangerous, and pedophiles are not considered dangerous. They are considered habitual. I am just a businessman and I do not care whether he habitually does dangerous things or does dangerous things once in a while; either one is equally bad, either one should be punished under the law and they should be punished the same. We have to do something about pedophiles in our society because they are becoming dangerous.

If we do not do something about it we are going to put more fear into the lives of average Canadians, our neighbours, people who live beside us with kids.

The solution we recommend is bring back that bill and amend it. It talks about victims and victim rights and what to do about high risk offenders, repeat offenders, dangerous offenders, habitual offenders and we can take care of it. Let us build a prison for them and keep them there for life, those who are certifiably incurable.

• (1635)

If they can be cured and have served their time and are released, that is the law. But if they do it a second time, that is it, they are gone. But nine times is ridiculous. Every expert from psychiatrists to police officers has said he is going to do it again. Is it going to your daughter or my daughter? Whose son will it be? Yours or mine? Do we have to wait? Why can something not be done? Why not build a home for these people and put them away for life? But no, we are not debating that. We have to go on to the other failures of this government.

The justice minister has acted irresponsibly on innuendo. Perhaps the Pearson airport deal was something that came from the Prime Minister, I do not know. But he acted on it and he denied the rights of ordinary citizens to go to court to file a statement of claim for damages, taking away the rights of individuals. Two days ago

in question period the defence minister said "we respect the rights of the courts and citizens before the courts". Yes, that was really doing it in the Pearson airport deal.

That fiasco has cost us over \$200 million already and we are not finished with it yet and we do not know what is going to happen with it. However, we have a justice minister who claims the contract is going to be cancelled because the developers are going to make too much profit.

Then in discoveries we found out that the government's defence will be that it is denying them the right to go to court because it was going to lose money. That is contradictory.

Then there is Airbus. Allegedly through newspaper reports and from a little tweety bird whispering in his ear he heard that perhaps former Prime Minister Mulroney did something he should not have done. He then conducted an investigation and claims he did not. Somehow it happened and now there has been an out of court settlement. We all know the story. I will not bore the House with the details. That cost us some money.

The government through this amendment is admitting that it has failed to serve the justice needs of the country.

The Criminal Code is confusing. It is almost as bad as the Income Tax Act. When we try to clarify things and make our streets safer, make our citizens feel more comfortable that the law is being applied, what do we get, even with this amendment? We leave it to a judge to decide whether he or she is satisfied that the accused who is serving a sentence in the community would not endanger the safety of its citizens.

The problem with our laws is that they are too discretionary. There is too wide a range for judges to decide. It is too hard for them to pinpoint and they always err on the side of caution. That is why sentences are weaker than they should be. That is why the punishment does not fit the crime in a lot of cases. We should narrow the range.

The Young Offenders Act is a disaster. It is not punishing young offenders the right way. Young kids are still getting away with committing serious crimes.

I submit that these amendments are an admission of failure by the government. We are glad it is finally being admitted. We are glad that government members listened to Reform members in the justice committee and that they are doing the right thing and restoring the automatic right of victims to produce an impact statement should they desire to do so. Nevertheless, they should not be harassed by judges. They should be allowed to give statements freely in a way which would communicate their feelings.

Justice is served only if we do it right. If we just trade words back and forth here in the House of Commons saying that we took action and got legislation it will not be right. We in the opposition are saying that the government does not have it right. It had the

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opportunity to do it right, but it is not doing it right. It will not listen. I believe it should. Maybe this is an example where it will.

• (1640)

[*Translation*]

The Acting Speaker (Mrs. Ringuette-Maltais): Order, please.

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 The Battlefords—Meadow Lake—railways.

[*English*]

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Madam Speaker, when members are elected to the House it is the general understanding of Canadians that they are sent to the House to represent the views and the concerns of the Canadian people, the people who go to the polls to elect them. We in the Reform Party truly believe that is our role here, to act on behalf of our constituents but also to represent the voice of the Canadian people even in ridings where we were not elected if they are not being represented by the MPs who were elected in those ridings.

We are seeing with the Liberal Party, with this government and in particular the Minister of Justice a complete and absolute failure to deal with issues of justice and issues concerning the Criminal Code that will respect the concerns of the Canadian people. There is no larger example of the use of the word failure when it comes to the Liberal Minister of Justice. I would like to talk about some of the failures.

The whole debate today is the failure of the Liberal justice minister to properly address issues in legislation that have been put forward by his department. The amendments in Bill C-17 reinstate the automatic right of victims to present impact statements at parole or judicial hearings. This right was granted through Bill C-41, then taken away through Bill C-45. This is not only a failure of the concerns of the Canadian people but it is a huge example of the incompetence of the Minister of Justice who was put in that position.

The justice minister is the highest justice position in the Canadian government. He was put in that position because the Prime Minister had confidence that he could do that job. He has failed to do that job and not only has he failed in this instance to appropriately recognize the deficiencies in the legislation that he put forward and take steps prior to it being introduced in the House, he failed to understand what the Canadian people wanted. He failed to understand how important victim impact statements are parole or judicial hearings. He failed and failure is not acceptable when it

comes to justice issues, nor is it acceptable when it comes to dealing with the issues of the Canadian people.

That is what this minister has done, he has failed. He failed in this case. He failed in bringing in appropriate legislation under Bill C-68. He told the country that Bill C-68 was to be the be all and end all to eliminating firearms crimes. That is what he said over and over. The Liberal said this was going to fix people who commit firearms offences in Canada.

There was not one substantial piece of evidence to support that rationale. There is not one member of the Liberal Party who has been able to put forward one shred of evidence to clearly show that Bill C-68, the gun control bill, ever had any hope of addressing criminals who commit firearms crimes.

It will accomplish something.

• (1645)

My theory and the theory of many Canadians is that the agenda behind Bill C-68 is a massive cash grab by the government. The average between the high and the low estimates of firearms is probably around 10 million. Under Bill C-68 the Liberal government has the complete freedom to impose registration fees. The government is not restricted. It can impose annual fees on every registered firearm. It will be somewhere in the neighbourhood of \$100 a year to own a firearm. That would be \$1 billion.

Mr. Kirkby: What a bunch of garbage.

Mr. Harris: That is pretty attractive to a Liberal government that does not know the meaning of cutting spending but only knows the meaning of taxation.

Mr. Kirkby: There you go again.

Mr. Harris: One again the parliamentary secretary is trying to defend Bill C-68, a bill that is completely indefensible. All through the debate we asked the Minister of Justice and the parliamentary secretary from Prince Albert to give us one shred of evidence that Bill C-68 would cut firearm crime like they said it would.

Mr. Kirkby: We gave you a ton of evidence.

Mr. Harris: The Parliamentary Secretary to the Minister of Justice is heckling me. At that time he had a chance to give us one shred of evidence and could not do it. Now he can heckle while he is off camera. He had his chance. We even had the Parliamentary Secretary to the Solicitor General stand in the House during debate and say that n Canada people must consider it a privilege to own a firearm. We are talking about legal property.

We could embellish on that. If it is a privilege to own a firearm which is legal property, is it also their opinion it is a privilege to own a car or a house or any other kind of private property?

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Reading from the Constitution, 1982, which Mr. Trudeau put in place, one wonders whether there are any rights of individual Canadian citizens to own property anyway: "not to be derived thereof without due compensation or process of law". The Constitution took care of that in the Charter of Rights and Freedoms, so to speak. That is an oxymoron.

In the same way the Minister of Justice failed in respect to the amendment being debated today, he failed in Bill C-68 miserably. Let him try to sell that on the election trail, particularly in the Prince Albert—Churchill River riding.

The Liberal government and the Minister of Justice failed on Bill C-226, a private member's bill put forward by the Liberal member at the time for York South—Weston who was kicked out of the party because he would not toe the party line. We do not blame him on this side of the House.

Bill C-226 was unanimously adopted in the House. It was a private member's bill that would abolish section 745 of the Criminal Code. It would ensure that life meant life for someone convicted of the highest crime in the land, the crime of murder. The bill would suspend the Liberal version of life imprisonment with 25 years without chance of parole.

We have introduced the Reform version of life imprisonment in the House in which life means life. We have also introduced a private member's bill to allow the people of Canada to debate, to have a referendum on the return of capital punishment. The Liberal government shot that one down even though a huge majority of Canadian people would not only like to see the return of capital punishment in Canada but would like the chance to voice an opinion on it. The Liberal government would not allow that to happen because it did not fit into its philosophy.

What is the job of members of the Liberal Party opposite? Is it to represent their constituencies or to represent the philosophy of the Liberal Party? One wonders what is more important to Liberal members. There are some Liberal members in the House who have their heads on straight and are very sensible when it comes to criminal justice. Unfortunately the member for Kent is not running for the Liberal Party in the next election. We are very sorry to see him leave the House because when it came to justice issues there were at least two or three sound thinking Liberals on the other side. We are very sorry to see that.

• (1650)

I would encourage the Liberal government and the member from Prince Albert to go to the polls tomorrow, try to run on their justice positions, and let the Canadian people decide who they want to choose. I think they will be in for a big shock.

Mr. Paul Forseth (New Westminster—Burnaby, Ref.): Madam Speaker, I will venture forth some impromptu comments on this minor amendment to the code. It symbolically goes to the heart of the justice system and what the justice system is all about.

We as a society delegate to justice system specialists the handling of law and order. For instance, the development of police forces, the adversarial system, the concept of the burden of proof and of innocence until proven guilty are all evolutionary changes.

The justice system is now out of touch with Canadians. That delegated trust we have placed in the justice system is broken. As society values change so must the justice system change. It must reflect mainstream Canadian values. This is the point where residents of my riding of New Westminster—Burnaby are most cynical about the governance from Ottawa. They are not happy with the results delivered by the justice system. They look for answers and even provide their own common sense solutions which never seem to be listened to. They also look for who is minding the store and who is accountable for the poor results of the administration of justice.

The justice minister comes along and tries to soothe. However the Young Offenders Act and how young offenders are processed are not acceptable as far as the community is concerned. Violent offenders are still dealt with in a manner that fails to protect the community. It seems at times the whole community is hostage to an unresponsive system of weak law and weak federal government that does not have the courage to set a climate of justice and security for those who pay the bills and those whom the system is supposed to protect and serve.

With the climate of legal rights over citizenship and responsibilities to family and community, we have a government that continues to behave like many others before it. It failed to make the justice system accountable for the results it delivers. A system that once took its authority of delegation from the community fails to give due diligence to the reasonable desires of those it is supposed to serve.

The motion before us today is a small measure but is symbolic of what is needed. The justice system must serve the community and not the other way around. We must change the preoccupation of it being offender focused and make it more community focused.

When an offender is brought to court, through that delegation in effect the offender is brought before the Queen. The crown cannot fulfil its role when successive governments do not provide the laws or the appropriate social philosophy that truly delivers peace and order in our communities.

For example, section 745 of the Criminal Code should not exist. It has little support across the country. The more Canadians learn of

its absurdity and the workings of it, the more my community wants it repealed.

I have been on the front lines of endeavouring to administer the Young Offenders Act. I have been a parole officer, a probation officer, a family court counsellor, a divorce mediator and an adviser to the courts. In a previous career I was in the middle of trying to balance the needs and rights of victims with the need to process offenders fairly within the limits and the bounds of law and community sentiment.

That experience and others are some of the things that motivate me to offer myself in service to the House, for the law that comes from the House sets the limits and the tone for the justice administered in the community. Therein lies the current conflict. Old fashioned parties based only on partial or limited democracy are completely out of touch.

• (1655)

In the main Canadians have a different view. They are correct. They are not misguided. In the final analysis the community knows best.

The Liberals therefore have a problem of the soul. The public has a basic view of the administration of criminal justice which is not being represented by the Liberal government. It does not represent mainstream Canadian values. The government is too slow to change.

Liberals are no longer the small *r* reformers that maybe they once were. They no longer represent the aspirations of average Canadians who expect the crown to protect them.

The motion today and perhaps the convoluted way in which we have come to this moment are evidence that the Liberals are not good administrators. They are quite lacking in being fundamentally capable of administering the country's affairs, the kind of governance Canadians so desperately want.

Canadians in my riding tell me they want a stronger, more protective justice system. They want a system that is not so offender focused. They want a system that facilitates personal deterrence and accountability for what offenders have actually done, not being able to blame everything else in society except themselves.

The guide must be taken from the good citizens of Canada. It is my commitment to my community to deliver more competent governance. We can be a safer and more just society and that is my commitment.

Mr. Charlie Penson (Peace River, Ref.): Madam Speaker, we are here today to discuss the amendments to Bill C-17. It is my understanding that the only reason we are discussing the amendments is that through Bill C-45 the minister inadvertently removed

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the right of victims to make a victim impact statement. As a result it was necessary to bring forth the amendments.

The minister seems to have had a new found enthusiasm for victims rights and for toughening up the whole criminal justice system. It is a little late. In Bill C-17 the minister did not even address the issue. He had to add an amendment to give victims the right to make victim impact statements in section 745 hearings.

It bothers me that the government would leave this until the very latest date it possibly could. I suspect the reason this was done was due to pre-election polling which suggested the government was not tough enough on criminal justice issues. Therefore it had to introduce amendments to shore up support.

The minister got himself into difficulty. If we go to the polls within two or three weeks he knows this legislation will not be passed in time. Therefore he has made an amendment to Bill C-17 that has nothing to do with the bill. He has to shore up support in the criminal justice area which is so badly lacking. He has discovered that he had better make an amendment to allow for victims rights in section 745 proceedings.

We support the measure. It is important for the victim to be able to make a statement. The victim should be able to make a written statement in any criminal proceeding. We believe in it so much that my colleague from Fraser Valley West introduced a private member's bill to that effect. In the last 3.5 years we have said that we should put the rights of victims before the rights of criminals.

Unfortunately we did not see that kind of support coming from members on the other side of the House until an election call was imminent. I think they are hearing footsteps. I think that at the doors and in their polling they are finding out that they are very weak in this area. Canadians want them to tighten up the criminal justice system. They want to stop the harassment by people who are writing letters from jails to the family members of those who have been murdered and putting them through a very painful process. They are hearing it loud and clear and they are trying to shore up their support.

• (1700)

I want to mention that I have an interesting situation in the riding of Peace River where somebody who committed a very serious crime, in fact murdered an elderly couple in the town of Valleyview some 10 years ago, a cold blooded murder in my view, is now about to receive his statutory release from a federal penitentiary. In fact he has had statutory release three times in the last two years, parole if you like.

This individual, whose sentence was changed from second degree murder to manslaughter, was a minor at the time of the murder of 16 or 17 years old. In every case when this person has received a statutory release he has offended within two or three days of that release. Obviously he does not want to be back on the streets. He cannot function in society. He has not shown any

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remorse for his crimes. He has never apologized to the family of the victims and has not accepted any rehabilitation.

In spite of that, six years of a ten year sentence will be up May 1. This individual could easily be back in our community. What is the message that this is sending? We are sending a message that this person has not accepted rehabilitation. He does not intend to apologize for his actions. Yet he is going to be released.

It really bothers me and it bothers people of our community where this couple was murdered that this should happen. Individuals should have a chance for rehabilitation but they have to accept the responsibility of trying to improve themselves and admit that they made a mistake in their life and try to move on.

This individual has not done that. In spite of that he is going to be released into the community within approximately six weeks. This is just symptomatic of the problems we are having. It just seems that the government is a little late in recognizing that Canadians are demanding some big changes in the criminal justice system.

Two years ago the government went through the steps of trying to put some window dressing on the Young Offenders Act. That did not satisfy Canadians. What happened? A committee travelled across the country to hear what was wrong with the Young Offenders Act.

I believe other members are finding the same thing that I am when I am at town hall meetings. The words Young Offenders Act have become so repugnant that in order to change it we will even have to change the name of the act to something that people can accept and think that they are going to get some meaningful change in.

The Young Offenders Act was not in place when this individual murdered two elderly people. In fact he and his friend were telling friends when they were drinking that afternoon that they were going to go out and kill somebody. They broke into a home. The gentleman was home and they tied him up, waited for his wife to come back from playing bingo and then murdered them both in cold blood. What happens to that individual? He gets sentenced to six years for manslaughter. He is going to be out May 1 of this year.

Has he accepted any rehabilitation? Obviously not. The man has a drug problem. He is on drugs in one of our federal prisons. He has not made any move to accept any rehabilitation. He has not admitted to the family that he did these actions or is sorry for them. I cannot see how we can possibly let that person out.

In fact, we have a bill in the House right now which suggests that in order to be designated as a dangerous offender the court should have the power within six months to determine whether that person on sentencing is going to be a dangerous offender. It seems to me that that is kind of ludicrous. That option should be open to the courts at any time during the sentence of that individual. In my view they should be assessed near the end of the sentence, shortly

before they are released. Would that not be a better time to see if that person has accepted rehabilitation?

• (1705)

If individuals are no longer a threat to society, why limit it to six months after their sentence? If we have any faith in the rehabilitation system at all obviously that person may decide they want to make a change in their life and become a better person and be a constructive member of society. How can you determine that within six months of that person's sentence? It has to be done toward the end of the sentence. That could happen at any time of the individual's sentence and the assessment should take place near the end of his or her sentence.

It bothers me quite a bit that the government has been dithering. All of a sudden it realizes, through polling and individuals going door to door in preparation for the election that this is a very sensitive issue. We have recognized this all along. They are suddenly finding that out and trying to make some corrections. Now we are seeing amendments made to Bill C-17 which allow victims to make impact statements.

I certainly support it. It is a little late but nonetheless I support it. I hope the public remember on election day who has recognized that these are important issues and reflected their concerns in Parliament and who has just discovered it within the last couple of days.

Mr. Mike Scott (Skeena, Ref.): Madam Speaker, I rise in support of this amendment which in effect restores a right taken away by previous legislation for an automatic written victim impact statement. In speaking to this motion I would like to talk a little bit about a very serious story that unfolded in my riding of Skeena.

About two months ago a young lady named Tammy Fee came to see me. She lives in the community of Terrace in my riding. She asked for my assistance and told me her story. Several years ago she had a boyfriend and recognized early on that it was a destructive relationship, not one that she wanted to be in. She told her boyfriend that she was going to end the relationship. At this point the fellow became unglued. He did not want to accept that.

He was a very controlling individual and could not accept the fact that Tammy Fee was no longer going to be his girlfriend or have anything to do with him. He harassed and stalked her for some period of time after she broke off with him.

The day before he attacked her he chartered a helicopter and flew over her house so that he could plan how he was going to gain access to her dwelling. He came into her house in the middle of the night. He obviously knew what he was going to do because he had masking tape fixed on to his vest or shirt so he could gag her immediately on entry. He came in through a window at two o'clock in the morning. He cut the screen. Tammy was asleep on the couch

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when he came into the house. The very first words she heard this man utter were “you’re dead”. You can imagine the terror.

I have never been in a position where I have been assaulted in this kind of manner. I have never been put in fear of my life. I can only imagine what that would feel like because I have never experienced it. “You’re dead”.

Over the next several hours this individual assaulted Tammy sexually and otherwise. He indicated he was going to take her life. She realized the only way she was going to survive was to play along so she did.

• (1710)

The very minute she had the opportunity, when he relaxed his guard, she ran out of the house to the neighbours and phoned 911. I have heard transcripts of the 911 call. They are hair raising, they are frightening.

The RCMP arrested this fellow, took him to the local lock-up and took Tammy in at the same time to make a statement. Tammy told me that she was so afraid, so traumatized by this event that she did not even want to be in the same police station with this fellow even though there were all kinds of RCMP officers around and even though on an intellectual level she knew she was quite safe there.

The RCMP arresting officer told her: “Do not worry, Tammy. This guy is gone for 10 years at least. For 10 years this guy is going to be not only out of your hair but out of society. He is going to be incarcerated”. This was the gut reaction of the arresting RCMP officer to this attack.

Members can imagine how I felt as Tammy’s elected representative when she came to me and said: “This assault took place two years ago. The individual who assaulted and raped me and threatened my life is to be released on May 23 of this year”. She said: “I am so afraid that this man is going to come back to Terrace to seek retribution for my turning him in. He is going to want to finish the job”. She said: “Mr. Scott, I am so afraid that I have made arrangements to change my identity, my social insurance number and relocate somewhere else in Canada so that this fellow cannot track me down and do any more damage to me than he has already done. I am afraid for my life. I am afraid that this fellow is going to come back and take my life”.

How can we as a just society, as a caring society, let this happen? How can we stand by and watch a young woman who has already been traumatized, already been through hell, be traumatized again by a justice system that refuses to take the responsibility for the safety of its citizens as its first priority? I am absolutely appalled that I have to deal with a constituent on this level on this matter. I

have no answers for her. What am I supposed to tell this young woman? “Take your chances. I do not think he will come back”.

That is not what the police have said and it is not what an independent psychological evaluation has suggested. As a matter of fact parts of that psychological interview were put in the *Sun* newspaper shortly after this fellow’s trial where the psychologist said that it was highly likely this individual will offend again. If it is not Tammy Fee, there will be some woman, somewhere in the country, probably in British Columbia who will pay a price for his release. Somewhere somebody is going to pay a terrible price for the release of this fellow back into society.

How can we let this happen? I heard the justice minister over the last three year talk about the fact that we are a caring society. I do not have a problem with that and I do not think most members in the House have a problem with being a caring society. The question is, who do we care about? Do we care about the fellow who attacked, raped and threatened this girl’s life? Or do we care about the girl?

The problem with the present criminal justice system and with the weak-kneed efforts the justice minister has made to date, is that we continually place more importance in the rights of the criminal than on the rights of Tammy Fee and others like her.

My colleagues have spoken over and over again in the House about incidents very similar to this and yet nothing happens. I appreciate what the justice minister said today in question period. He said that Reformers did not have a lock on caring, that we did not have the sole domain on caring about victims in Canada. I would hope not. I would hope that everybody in the House and every right thinking Canadian would be concerned about that.

• (1715)

Why has the justice minister not done anything about it? I do not believe the justice minister would purposely like to see Tammy Fee reassaulted, but I do not think he has done anything to ensure that it does not happen. As justice minister in Canada he has the absolute power to change it and the government has the power to change it.

The government has sat here and listened for 3.5 years to very serious suggestions from this party and has failed to act. Half the time I hear members of the government across the way snickering and laughing when Reform brings these matters forward. Then on the eve of an election—talk about cynical—the justice minister tries to paint himself as a person who is legitimately concerned with the rights of victims. He will not accept Reform’s victims rights bill but he is legitimately concerned about the rights of victims. I do not think so and I do not think Canadians think so.

This issue is so important that it should cut across political lines. It should not be a matter of Reform, Liberal, Bloc and NDP. It

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should be a matter of decent Canadians caring about their fellow Canadians, the personal safety of their fellow Canadians, and doing something about it. To the great discredit of Parliament that has not happened.

As a result of that failure to act there will be many more victims out there and will continue to be victims out there until such time as we have a government and a justice minister who are willing to take tough measures to keep our citizens safe.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Madam Speaker, one of the most important things a government is elected to do, if not the most important thing, is to look after the safety and well-being of its citizens.

While I agree the amendment to Bill C-17 does something to restore the impact statements of victims, I wonder how we lost that right in the first place. I think of what the government has done in its 3.5 years of inactivity with regard to the justice system. I also wonder if maybe what I am hearing around the Hill and reading in the papers is right, that we could be into an election in the next three weeks or so, some time in June.

Finally I wonder if the government has awoke to the fact that justice issues are a concern. The Liberals have decided that in some areas their seats are looking a little bit rocky, their members' seats are a little tippy. They had to come up with something to shore up what they have let fall apart so they brought in Bill C-17.

Let us go back to what I originally said would happen to victim impact statements. Let us go back to a few hours ago in the House during question period. The hon. member for Beaver River said she would almost think there was an election on the horizon. It is ironic but the justice minister who has been terribly soft on crime for 3.5 years all of a sudden is trying to pass himself off as a champion of victims rights. She stated that the people would not be fooled and I believe she is right. She went on to state that she would like to know if the Liberals were really serious about putting victims first. Will the justice minister commit here, now and today to passing Reform's victims bill of rights before the next election? He should not think about it. He should do it.

• (1720)

The hon. minister said there was one reason why the justice committee was devoting time today, tomorrow and later this week to the proposed victims bill of rights. It was because he asked them to do it. The last time the matter was debated in the House of Commons he undertook to direct the matter to the justice committee so that it could look at the proposals in detail. He wrote to the committee. It has kindly taken up his request and is looking at the matter. There is always more to do to make justice systems better and that includes the rights of victims. He did not think the Reform

Party or anybody else should overlook what has been achieved by the government on behalf of victims.

I do not know about that, but he went on to say that over the last 3.5 years it introduced more meaningful changes to the Criminal Code for the benefit of victims than any government in memory. He also indicated that the Reform Party ought not to think that it has any monopoly on concern.

He went on to state that a few months later in 1994 they tabled Bill C-41 to provide for the rights of victims. Bill C-41 is before the courts. It has been challenged in the courts of B.C., Ontario and Alberta. I wonder exactly what the minister meant and what he was so proud of. It provides for written statements. We argued unsuccessfully that verbal presentations should be applied too. However the government, which now says it is caring, sharing and worried about its citizens, did not pass that amendment.

That was the great Bill C-41 the minister was so happy about today. It makes absolutely no sense to me. Bill C-45 is the one which actually took away this right. All of a sudden the government is playing catch up. The government was warned time and time again back then that it would run into serious difficulties.

While the minister goes on to say how great they have done, I do not think the public out will be fooled. They have done absolutely nothing.

It seemed awfully strange when we were talking about the rights of victims and their concerns to hear the minister mention Bill C-68 that requires law-abiding citizens to register their firearms. Has anyone read anywhere in that bill where it states that criminals should also register their firearms? Has anybody read that? I think not. Why? People out there have to start wondering why the justice minister is going after law-abiding citizens and not the criminal element.

I know some of the arguments he put forward. Let us look at some of them. It will stop the smuggling of guns in Canada. I do not have to go back too far in my memory, because it has been since I have been in the House, to when I listened to the same government say to me and to the rest of the House that to control smuggling of cigarettes we had to drop the price. We had to take off the taxes.

I now hear a minister say that through Bill C-68 they can control the smuggling of guns. I have to wonder about that. They cannot control the smuggling of cigarettes. That is easier to do than firearms. However that was one of the justice minister's arguments. He said that it would control suicides. I do not know how. If somebody is going to commit suicide they are going to do it with or without a firearm.

• (1725)

Mr. Hanger: Liberal logic.

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Mr. Stinson: Yes, it has to be. I can think of no other reason for it.

I wonder what could be the real reason behind Bill C-68. I heard an hon. member say today that maybe it was some form of tax grab. There is absolutely no doubt in my mind about that. They say it will be a one-time implementation fee. I have to ask the people out there when was the last time the government only charged once for anything. I have never heard about it. It is an ongoing thing. Three years down the road there will be an increase. Once people register their firearms there will be an increase.

It is not a crime control bill, no matter what the minister says. It is a smoke screen. He knows it. We know it. The people out there know it. They know the whole justice system has been a smoke screen since the minister got in. His priorities go first to the criminal element. They do not go to the victims. It would only take the stroke of a pen to change that. It should not take 3.5 years or 5.5 years. Most of this garbage was brought in by previous Liberal governments.

Mr. Ray Speaker (Lethbridge, Ref.): Madam Speaker, it is my pleasure to be involved in the debate on Bill C-17.

We have considered the other bills that were before the House, Bill C-41 and Bill C-45, and we have talked about victim impact statements. We are talking about not those bills themselves but the whole approach of the Liberal government to dealing with crime, safety, victims and criminals. That is really what we are dealing with.

As we proceed with debate in the next two, three or four weeks prior to embarking on a national election, I know Canadians will want answers to those questions.

My hon. colleagues on the standing committee dealing with criminal justice issues have focused on these issues for over 3.5 years. They have tried in every way possible to move the government from the position of being soft on criminals and giving no real attention to the victims of crime, either direct victims or their families and friends.

The question on the table today is whether the Liberal government has dealt with the matter of crime and safety on the streets of Canada. Can we walk at night without fear?

We visited many people in our constituencies in the last two weeks and found no clear answers. Members of Parliament in all parties heard from many people that victims of crime, their families and friends were not being recognized by the government. The criminals had a higher priority than the victims. That is wrong. I beg leave at this time to adjourn debate.

[Translation]

The Acting Speaker (Mrs. Ringuette-Maltais): It being 5.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

STANDING ORDERS OF THE HOUSE

The House resumed from March 20 consideration of the motion and the amendment and the amendment to the amendment.

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. member for Esquimalt—Juan de Fuca has six minutes left.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Madam Speaker, it is a pleasure to speak today on Motion No. 267 put forward by my colleague from Mission—Coquitlam. She has put forth a very interesting private member's bill which really goes to the heart of why we have certain problems within Parliament today.

The substantial changes needed in our country will not come from the legislation we put forward in this House. Before we make the changes in the country we first have to start with changes within Parliament, which is what my colleague is trying to do through her motion.

One major problem we have in this House and indeed in this country is that Parliament does not operate as a democracy. Rather, it operates more like a medieval fiefdom. The principles of democracy are repeatedly and continually trashed in this House. The government knows this and the government has ignored it. Perhaps the greatest example of this was a study which was done by members sitting in the House today, the Minister of Health, the Minister of Labour, the newly elected Acting Speaker of the House.

All these individuals put forth a very erudite study which basically took apart the structure of governance we have in the country today and said that we do not live in a democracy but here are some constructive solutions we could put forward that would bring the power of the people into this Chamber so their wishes, desires and ideas could be brought to bear on the legislation we debate in this House. They were ideas we would support and indeed they are ideas that members from the Reform Party have put forward repeatedly.

However, once these members and this group came into power as the government, these good ideas were tossed under a table and

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have been ignored by this government. It has been a huge lost opportunity. There were such ideas as recall, giving members of Parliament the ability to represent their constituents through private members' bills, which is what my colleague from Mission—Coquitlam is putting forward. She is saying that private members' bills must become votable and that they must be entertained in this House in a very sensible and respectful fashion instead of being tossed under a table to be forgotten, as most of them are.

We are the only democracy in the world where private members' bills are non-votable. Why do we use taxpayer dollars, why do we use the efforts and the intelligence of members across party lines to put forward private members' bills only for them to have one hour of debate in this House and be made non-votable? Why do we have private members' bills, such as the one my colleague has put forward on victim rights, go through the system only to be held up by the government in committee? The government can and does block intelligent, compassionate and fair private members' bills in committee if it chooses to do so.

That is not a democracy. That is a trampling on the rights not only of the members in this House but, worse, it is a trampling on the rights of the public to have its wishes, desires, ideas heard in the House. That is what is happening.

• (1735)

We talk often about ideas and how we can strengthen our democracy, ideas on how we can put forward new solutions for our country. We will not have those changes, the substantial changes that our country needs to make it strong, to make it powerful, to make it as good as it can become unless we first begin to have changes in this House. That goes from justice to the national unity issue, to economics, to the environment and to health care. Each of these important issues is not going to have the effective solutions they require and demand unless the government says "Enough is enough. We are going to bring the power of Canadians into this Chamber. We are going to bring the power, the knowledge and the intelligence of members of Parliament to bear on the legislation that we debate here and we are going to make it effective".

If we do that we will be able to achieve the potential that our country can have. Until we do that it will not occur.

I ask every member in this House to support the very intelligent private member's Motion No. 267, put forward by my hon. friend and colleague from Mission—Coquitlam, to make private members' bills votable, to make them debatable, to make them transparent and to make us truly answerable to the people of Canada. If we do that we will certainly be doing Canada and Canadians a huge service, which at the end of the day is our role and responsibility.

[Translation]

Mr. François Langlois (Bellechasse, BQ): Madam Speaker, it is my pleasure to rise to speak today in the debate on Motion No. 267, which the hon. member for Mission—Coquitlam tabled in this House and which is a votable item.

It is followed by an amendment by my colleague from Rimouski—Témiscouata and an amendment to the amendment I myself tabled in the second hour of debate. The hon. member for Rimouski—Témiscouata and I are not in disagreement. An event led to the tabling of this amendment, and I will take the following minutes to explain it.

The aim of the motion by the hon. member for Mission—Coquitlam is to include in the Standing Orders of this House the requirement that every parliamentary committee—standing, legislative or special—report to the House on a bill referred to it. Obviously, the intent is to avoid having bills, especially those of private members, which have been approved at second reading by this House, disappear in the woodwork. The committees consider them without any set schedule or agenda, and we end up often months later without the committees having dealt with them.

The aim is commendable. The committees are the extension of this House, and this House is always entitled to know the fate of a measure it has approved in principle, which was then referred to a standing, special or legislative committee.

The problem is that a number of private members' bills literally collapsed before committees. The bill introduced in the first session of this legislature by my colleague from Mission—Coquitlam, Bill C-234 if I am not mistaken, was not reported to the House, and all its clauses were defeated in committee.

The hon. member for Vancouver East, who is in the House today, had greater success. The government supported the principle in her bill on polling hours across Canada, in view of the various time zones.

• (1740)

Formally, however, the House has no knowledge of what took place in the Standing Committee on Procedure and House Affairs during consideration of her bill. No report has been made, and the bill is in a sort of limbo before the Standing Committee on Procedure and House Affairs, although we all know that Bill C-63, a government bill, settled the question of the different polling hours across Canada. It will apply in the next election.

Another bill, introduced by my colleague from Surrey—White Rock—South Langley, also died before the committee without the committee ever reporting on it. When we study a bill in committee, and I will use the example of the bill of our colleague from Surrey—White Rock—South Langley, and go over it clause by

clause, the last questions put by the chairman to the committee members are: Is the title of the bill adopted? Is the bill approved? Shall I report it to the House?

In the case of the bill I have just mentioned, all of the bill's clauses were defeated. It was the committee's basic right to defeat all the bill's clauses. However, when we get to the point of deciding whether the bill's title would be accepted, I think a substantial problem occurs when the House votes at second reading on a bill that has a title. Perhaps the title can be changed by a standing or legislative committee, but can it be withdrawn? Can we wipe it off the record? This is a question of substance that deserves closer study.

As to the last question "Shall I report it?", the answer is obviously yes. It is common sense that, when a bill has been studied, whether the committee has made amendments or not, or has rejected all the clauses in a bill, the committee must report promptly to the House since the bill belongs to the House.

Motion No. 267, as it stands, with the amendment I moved, would make it possible to have a report from the committee within sixty sitting days from the date of the bill's reference to the committee. Why is there a difference between the amendment moved by my hon. colleague, the member for Rimouski—Témiscouata, who called for a report within six months, and the sub-amendment I myself moved, calling for a report within sixty sitting days?

The reason is that between the time the member for Rimouski—Témiscouata moved her amendment and I moved mine, the Sub-Committee on Private Members' Business, which had received an order of reference to study, among other things, this very question of reports from committees, produced its report and referred it to the Standing Committee on Procedure and House Affairs. The Sub-Committee on Private Members' Business recommended unanimously, by consensus of all parties, that any bill referred to a committee be reported on within sixty sitting days.

The wording before us, with the amendment I moved following the tabling of the report of the Sub-Committee on Private Members' Business, is more or less the same as that recommended by the Sub-Committee on Private Members' Business. I say more or less, because the sub-committee's report contained the additional recommendation that, in the absence of a report, the bill be deemed approved by the standing committee or the legislative committee or the special committee, but approved without amendment.

This part is not repeated. I think that it is easier to reach a consensus in the House with the motion as written and with the amendment moved in the second hour of debate requiring a report within sixty sitting days. This issue was discussed for several months by the Sub-Committee on Private Members' Business and the report was unanimous. I think that this merely endorses a recommendation approved by representatives of all parties on this committee.

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• (1745)

That ought to simply speed up and gain respect for private member's bills; in other words, a bill must be handled in the same way, whether it originates with the government or with a member. It is a parliamentary matter which must be handled with diligence, and which must not be swept under the rug to suit everyday preoccupations or agendas, whether short term or medium term.

It is obvious that people sometimes feel uncomfortable with voting against a bill, but they say to themselves that it will get held up in committee and then it will die on the Order Paper; it will get dealt with when there are only two weeks left in the session.

I believe that inclusion of new Standing Order 97.1 will be a step forward. I say a step forward because it will not solve the problem entirely. It will not solve the problem of the political will of those sitting on committees. If they have it in mind to reject a bill, reject it they will. Political will cannot be legislated. A standing order cannot create political ideas or orientations. It is a support which can, of course, help those who tend more toward weakness; it can serve as a guideline to committee members, but all the rest is political will.

Madam Speaker, you are indicating that my time is nearly up. Thank you for having the patience to put up with me for twenty seconds more. When the issue is put to a vote, I will be voting in favour of the amendment to the amendment, which I moved, and of the motion as amended, if the amendment passes.

[English]

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Madam Speaker, this is the hour allotted in the House to put away party politics and talk about, debate and discuss specific pieces of legislation proposed by members not as an extension of a party platform or part of a campaign promise but as a specific initiative directed at a perceived problem. That is why I am speaking today in support of the amendment to the amendment to Motion No. 267 proposed by the hon. member for Bellechasse.

The amendment to the amendment to the motion is entirely consistent with Recommendation No. 4 made by the subcommittee on Private Members' Business, namely that the present Standing Order 97 be changed to require the committee to which a private member's bill has been referred to report it back, with or without amendments, within 60 days, or with a recommendation not to proceed further with the bill, or to request additional time. Failing any of those, if it is not reported within the 60 days it is deemed to have been reported without amendment. In my opinion this is a proper recommendation and certainly an amendment worth supporting in this place.

We all know that to be referred to a committee a private member's bill must first receive approval by vote in the House. I

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will not get into what precedes that, but it certainly must be voted upon and approved by the House.

Private members' bills are by their very nature smaller in size, narrower in scope and generally targeted toward one issue or what is regarded as a deficiency in the present law. It is the government which tables much broader comprehensive bills, the big ticket laws that define policy perspectives or the direction of the government. These large comprehensive bills can require considerable time in a committee in terms of hearing from witnesses, the department, experts and the minister. Often it is a very lengthy process followed by a clause by clause review and the amendment process. It can certainly be time consuming. In any event it is in the government's interest to pursue its legislative agenda, get a bill out of committee and get it back into the House for third reading.

With respect to a private member's bill a member has no one to push or pull it through a committee other than the collectivity of the House, and that by itself is not enough in a committee room.

• (1750)

By tradition committees give priority to government bills. As we know from the history of this Parliament on occasion they give no consideration whatsoever to private members' bills. Or, as we know by the history of this Parliament, they fail to report it back to this place after they have considered it.

Certainly there are any number of combinations that may occur in a committee hearing whereby a bill may be reported back as is, untouched, or may be reported back amended. It may be deemed not to be a good bill and in one sense not approved by the committee. Yet when it is not approved by the committee it is not returned to this place because the rules at the moment appear to say that if a committee kills a bill that is the end of it.

It is rather strange that a committee of 8, 10 or 12 people can, when it chooses to do so or for whatever reason, never deal with a bill. Or, if they choose to kill it or not to approve of it, they have authority and power greater than that vested in the collectivity known as the House of Commons. That is perverse and is wrong.

That is what Motion No. 267 as amended will stop. If we have any respect at all for the House, for our elected office in the House and for the work of sponsoring members who have done the work of getting a bill passed at second reading, that is no way to behave.

With this subamendment the committee will not be constrained but will be directed to do its job. There will be those in committee who will say their committee is very busy and they cannot get around to it. The subamendment says if they cannot get around to it for whatever reason they should explain that to the collective wisdom of the House which may in fact extend the time.

At the present time there are committees, sometimes properly and sometimes perhaps one could say improperly, that do not want to impose upon themselves the workload of dealing with Private Members' Business.

In those cases where a committee refuses, is unable or for whatever reason refuses to deal with a bill, the committee is saying to the House that it is not interested, that it is very busy and it chooses not to deal with it. That is an insult to the House, an insult to the member and an insult to the office of member of Parliament.

We are looking at this subamendment as empowering, which is probably a very overworked word, the average member of Parliament. We are saying that they were not elected to come here and simply speak in favour of their party principles. There is a time in this place to lay aside all of that. There is a time in this place when elected officials of the people can be legislators, make a difference, propose a law and attempt to sell the message of that law to the others in this place. When the majority in this place agree, a law can be passed. In reality that is probably about as great as my chance of winning the lottery tonight because there are a lot of forces converging against it.

I understand in every case the majority will not agree with the message contained within a bill. At the same time we have an opportunity to do something about it.

There is one final remark I want to make on this subject. Sadly it does not matter how many private members' bills we push out the door here and down the hallway into the other place. We also have to start talking to the people in the other place about how they regard the role of members of Parliament and how they regard this place.

• (1755)

I want to relate to the House the fact that I was just at a committee hearing in the other place considering a private member's bill which happens to be mine. The chair of the committee said that backbench MPs should not get involved in legislation.

I sent him a note which said that I appreciated the high regard in which he held members of Parliament. Notwithstanding this subamendment which I am totally and unequivocally supporting, all of the change made in this place becomes meaningless with this anchor called the other place down the hall.

I will certainly be here tomorrow to support the motion. I congratulate the sponsor of the motion and the mover of the subamendment.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Madam Speaker, I am pleased to rise in the House to speak on Motion No. 267 in its last hour of debate.

The motion is about returning the business of the House to the House. At this time I thank Bloc members from Bellechasse and Rimouski—Témiscouata for the amendment and the subamend-

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ment which add a time element to my motion, that is to have the committee "report on its work within 60 sitting days from the date of the bills reference to the committee". I feel this time requirement is necessary to complete Motion No. 267.

When one considers the amount of time members of the House have waited to see their bills emerge from committee and the total disregard by some committee members of the obvious wishes of the members of the House when they vote unanimously to pass private members' bills, one realizes we must have change in the process.

I believe that change will come best from the members themselves in establishing rules and guidelines within which we must all work, rules such as the subamendment that the committee must report the bill back to the House within 60 sitting days. In this way the committee shows respect for the House and respect for legislators.

Motion No. 267 did not come about because the subcommittee on Private Members' Business was undertaking a study on the disposition of private members' bills at the committee stage, while I am very pleased it is doing so. Motion No. 267 came about because a bill to which the House gave unanimous consent was literally destroyed in the committee stage. It was treated with disrespect. The words of witnesses from across Canada were treated with disrespect. The democratic will of the elected members of the House of Commons was treated with disrespect.

The motion came about because Bill C-232, also known as the grandparents bill which got unanimous consent from the House in May 1995, when sent to the justice committee was treated with such contempt that I wonder how the Liberal members of that committee can hold their heads up. Their total disregard for families, for children of divorce and for our seniors who are the longest paying taxpayers is inexcusable.

We had excellent speakers as witnesses: Grandparent's Rights President Nancy Wooldridge from British Columbia and long time family law practising lawyers such as Charles Merovitz of Ottawa, Barbara Baird of Fredericton and Sheila Keets of Vancouver. Their testimony alone demanded in our family law to have the Divorce Act changed slightly to address a need to keep families united and supportive in spite of divorce.

I am concerned by the lack of respect shown for testimony that is often shown for the testimony given by some very expert and well trained Canadians who come as witnesses to the committee. The justice committee voted down the grandparents bill. It voted down each clause and it voted down the title. Members of the committee were so arrogant that I realized we had a serious problem with our committee process.

There was the interference of the Canadian Bar Association, in particular the family law section chair Steven Andrew who advised

members of the committee on what they should do. He presented himself as spokesperson for family law lawyers across Canada when in fact they had not been notified. They had not received a questionnaire. Nor had they asked him to speak on their behalf. Misrepresentation of the greatest latitude was committed by this person and by the umbrella representative, the Canadian Bar Association. When one considers most of the Liberal justice committee members are lawyers, one begins to question the fitness of these members to sit in judgment of any bills passed in the House and deferred to committee. If the Canadian Bar Association keeps close watch on every piece of legislation passed, and I am told that it does, are not these lawyer MPs in conflict of interest? What happens when an election comes around and they lose? Is not the Canadian Bar Association their mother organization again? Do they pay dues to keep their law degree in good standing while in office as a member of Parliament?

● (1800)

No, the need for change, in my mind, for the committee system began when a small group of elected MPs decided they could do what they wanted with the business of the House of Commons without just reason.

When the committee votes down a bill, its clauses, its title and votes down returning it to the House, the bill has in fact two lives. As far as the House is concerned it has not been returned to the House, so it is technically and procedurally alive, yet it is buried in committee and not allowed to emerge. Therefore, to the member, the bill is dead because he or she can do nothing more with it.

When the bill was resurrected after the February 1996 prorogation of the House, along with other bills which had passed second reading, the committee voted the bill, now known as Bill C-245, down again, without discussion and without respect for its content.

It was then that I knew I must put forward a motion in the House to seriously look at the way our committees do business. In the spring of 1996 my Motion No. 267 was introduced in the House. I am very pleased that the Standing Committee on Procedure and House Affairs on September 19, 1996 adopted a motion that a subcommittee be struck to look at the way private members' items are made votable and to study the disposition of private members' bills at committee stage. I commend the three members of the subcommittee. The chair was the Liberal member for Mississauga West, and the Bloc member for Bellechasse and my colleague from Saanich—Gulf Islands were the two other members.

I also realize that recommendation No. 4 proposed by the subcommittee and revised on March 13, 1997, deals very closely with the content of my motion, especially with the subamendment which is now before the House.

Democratic reform is part of the Reform platform. As chair of the parliamentary Reform caucus task force in 1994 I put forward

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private member's Motion No. 89 to ask the members to allow free votes in the House. The motion passed in the early spring of 1994. We have been voting freely on Private Members' Business since that time, but now we have another calamity. The members of the House have passed good private members' bills from all sides of the House and they are being buried in committee, without just cause and without reason given. Even a judge has to give reasons for his judgment.

The deputy House leader says that we cannot do things in a rush. There has certainly been no rush. It is now three and a half years down the road since we allowed freer voting in Private Members' Business and our bills are still buried, without just cause, in committee.

While the hon. member for Stormont—Dundas said: "The government has also taken a free vote approach to Private Members' Business," I would remind him that was in response to a Reform member's free vote motion which was passed in the House. It was not initiated by the government.

The member for Stormont—Dundas stated correctly that the government reinstated nine private members' bills after the first session was prorogued, but what was the point of the government making this grand gesture if it was going to allow these bills to be buried again in committee, without just cause? Was it all smoke and mirrors?

I must point out again to the member for Stormont—Dundas that the reason committees are taking so long to report bills back to the House is because they have buried these bills with no intention to report them back to the House. The member for Stormont—Dundas stated: "Perhaps the sponsor has not done everything to identify the bill as a priority for the committee's consideration". Let me explain.

First, a member must argue to make the item a votable item. The member had to convince other members of the House. Then the member should and did contact every member of the House to ask for their help and for any suggestions, not once but three times, before each hour of debate in the House. Then the member worked with all interested members of the House, with a gallery containing considerable numbers of grandparents watching each hour of debate. The members of this House gave the committee its directive: unanimous consent at second reading.

Then this member ensured that the witnesses the committee members heard were among the country's most experienced and competent family law lawyers from across Canada, as well as from the grandparents' groups, speaking on behalf of their grandchildren. That, as I see it, is the responsible way for a member of this House to get a private member's bill passed.

The members of the House in committee must be free to deliberate on the expert testimony of excellent witnesses, without side deals being made, without lobbying. They must be free to deliberate on what is presented by the witnesses.

• (1805)

Canadians want their members of Parliament to do their jobs, study the bills proposed, hear from a good slate of witnesses and then discuss and deal with clause by clause in an intelligent fashion. This was not done. It was not even contemplated.

The members of the committee did not even discuss the testimony of the expert witnesses brought from across the country or their findings. As the Reform member for North Vancouver stated: "The present system is designed to prevent Private Members' Business from getting anywhere". I am afraid at this time that is true.

I agree the amendment to change the reporting time to 60 sitting days by the member for Bellechasse is a good, practical amendment. I am glad members can work together to get good legislation before the House.

Motion No. 267 is badly needed at this time to encourage members of the House to work on private members' bills and motions and represent their constituents. As the member for Skeena stated in his submission to the subcommittee about the lack of respect shown for private members' bills: "Many members, such as myself, felt that under the current rules this respect is missing and consequently we do not pursue opportunities to advance bills or motions". This is a tragic state of affairs for democracy.

Therefore, I ask the support of the House to send a strong message to the government, a message that brings democracy back to the House in some degree. Please support Motion No. 267.

Mrs. Anna Terrana (Vancouver East, Lib.): Madam Speaker, I rise in support of this motion because I spoke earlier on the effect of private members' bills and the need to make them votable.

I believe that the role of a member of Parliament to represent his or her constituents can be reflected in a private member's bill. As members know, a private member's bill, no matter how short or uncomplicated, takes a lot of work and it is important that a member of Parliament be recognized for this work.

Changes have occurred in the House but we must move forward and be more innovative. I tabled two private members' bills. The first one took forever to be drawn. It was deemed non-votable but it was still important. It was a question of fairness. It addressed an amendment to the Elections Act which would make parties illegal if they did not slate 50 candidates in an election and asked the parties to liquidate all assets and disband.

*Adjournment Debate***ADJOURNMENT PROCEEDINGS***[English]*

RAILWAYS

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

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Madam Speaker, I still find it hard to believe that the government has allowed the railways to impose an additional freight rate increase on prairie farmers. On March 11, I rose in the House to express my concern and ask for a justification. Of course, there was no way to justify this insult to farmers.

Late last year, about November, grain was piling up in prairie elevators and elevator agents began placing orders for grain cars. In December when those cars did not arrive they started phoning to ask where they were. The railways reported to agents throughout the prairies that there were a few minor problems in the system, but the cars were coming in a few days.

In January, the agents phoned again, and again they were assured that the cars would soon be arriving to move the grain to port. By February there were some 50 ships in the port of Vancouver waiting to be loaded with grain that was still backed up in the prairie elevator system and on the farms.

The Canadian Wheat Board reported that the transportation problem was likely to cost the Canadian farmer some \$65 million in demurrage charges and deferred sales.

The matter received some media attention at the time and I was the first to raise those concerns in the House by late February. At that time the minister of agriculture expressed some concern about the problem and said that the railways had to take some of the blame for the problem. For my part, I think the railways had to take a large part of the blame. After all, they did have the responsibility to move that grain.

The responsibility was all theirs because the Liberal government in the past three years had surrendered the Crow benefit and the guarantees it protected; had turned over regulatory authority of the system to the railways; had changed the way rail cars were allocated; had privatized CN so the public interest no longer had influence over the way the railways operated; had encouraged downsizing to the point where so many railway maintenance workers were laid off that they could no longer maintain the locomotives and cars needed to move the grain.

In a short three years, the Liberals had given away the store but were now still trying to sell the inventory.

Now in response to the railways' further demand for more money, the Liberals through the Canadian Transportation Agency have improved a further freight rate increase which will likely

The 75-year old Communist Party was deemed illegal and no longer exists. However, my private member's bill eventually collapsed with the adjournment of the House.

My second private member's bill was a lucky bill. I tabled it in June at 10 a.m. and at 1 p.m. on the same day my name was drawn. This is very unusual. It became votable and, with the assistance of all parties, it was sent to committee within 45 minutes of debate. It was later adopted by the government and became law. It was the staggering of hours across the country on election day.

I would like to conclude by saying that private members' bills are extremely important. They are one of the few tools for a member of Parliament and I feel they should all be considered votable and come to the House all in the name of fairness.

Mr. Janko Perić (Cambridge, Lib.): Madam Speaker, let me congratulate the hon. member who moved Motion No. 267 and the seconder.

In this session members from all sides tabled private members' bills and I believe those ideas came from communities right across the country. As individual members of Parliament or, as this Chamber calls us, backbenchers, we do not have the same resources as the government or the ministers have. We cannot prepare and draft a bill as polished as the government does.

From my own experience, I have tabled three private members' bills. One of these bills has been stuck at committee for one year. I have been hearing excuses for one year that the committee is overloaded or is too busy with other issues. Then I found out that on many occasions the committee did not even sit. After complaining with some force, the committee finally moved on. Then we hear from hon. members some support for this motion.

• (1810)

I believe that the motion is very important for the democratic process of the House. We were all sent here by the people of Canada. I believe that if we come up with good ideas that those ideas should be dealt with here in the Chamber, not at the committee, and not by two, three or ten people on a committee. They should not have the power to stall bills and destroy the ideas which, in my opinion, are very valuable and important to building a democratic society.

I know that time is running out. Once again I declare my support for the motion. I believe that other members of the House will do the same so that the democratic process will lead to a stronger and better Canada.

The Acting Speaker (Mrs. Ringuette-Maltais): Pursuant to order made earlier today, the question on the motion is deemed to have been put and a recorded division deemed demanded and deferred until Wednesday, April 9, 1997, at the expiry of the time provided for Government Orders.

Adjournment Debate

result in an additional \$15 million being taken out of farmers' pockets.

In the House the other day in March I called this a Liberal reward for the railways' poor performance. It is nothing less. The loss of the Crow benefit was an insult and this is an injury. On top of all this, I read in the *Financial Post* that the Liberals are considering even further railway deregulation as their answer to this problem. It is obvious that they do not understand deregulation is at the heart of the problem facing us.

When we had the Crow rate and the Crow benefit we did not have the problems we have today because there were performance guarantees required of the railways. Those guarantees are gone and so is the service. A number of provinces including Saskatchewan are calling for a public inquiry into the grain transportation system. I think such an inquiry is necessary. Nothing has been put in place to positively identify where the problems come from and nothing has been put in place to ensure that the problems do not exist again. After more than \$80 million in additional transport related costs farmers deserve nothing less.

I ask the minister to justify how any of this is possible and to give us reason to believe that the interests of farmers are in good hands. I do not think he can do it.

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Madam Speaker, despite the doom and gloom scenario and the obvious lack of knowledge exhibited by the member opposite on this issue and the work being done by the Minister of Transport on this very issue, the severe weather this winter has had a significant impact on rail movement in western Canada, in particular for grain deliveries to the west coast.

Unseasonably cold weather and heavy snow in November, December and January had a serious impact on rail operations at a critically important time of the year for grain deliveries. Fortunately the situation on the prairies and the west coast has improved. As of April 2 there were 14 vessels waiting for grain on the west coast compared with 20 the week before and 39 vessels the week before that. This marked improvement is the direct result of the combined efforts of all system participants to get the grain moving again.

However, the delivery problems encountered this winter show that the grain transportation and handling system continues to be vulnerable. We have a responsibility to ensure Canada has the most efficient, effective and reliable grain transportation and handling system possible.

This government intends to use this season's events as an opportunity. In this regard the Minister of Transport is currently evaluating several proposals designed to look at the entire grain transportation system with the objective of making it better. In the short term, the Minister of Transport is continuing to actively monitor the performance of the grain transportation system to ensure that any remaining backlog of grain is cleared up as quickly as possible.

[*Translation*]

The Acting Speaker (Mrs. Ringuette-Maltais): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.18 p.m.)

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